SENATE COMMITTEE ON APPROPRIATIONS
Senator Sabrina Cervantes, Chair
2025 - 2026 Regular Session

AB 2142 (Garcia) - School districts: community college districts: short-term employees: classified service

Version: April 23, 2026	**Policy Vote:** L., P.E. & R. 4 - 1
Urgency: No	**Mandate:** No
Hearing Date: August 3, 2026	**Consultant:** Robert Ingenito

Bill Summary: AB 2142 would require school and community college districts (CCDs) using a merit system to replace short-term positions with permanent classified positions under specified conditions, with specified exceptions.

Fiscal Impact:

- This bill would result in ongoing Proposition 98 General Fund cost pressures to school districts, potentially reaching the millions of dollars annually. The magnitude of these costs would depend on the number of temporary employees who, as a result of the bill, must be retained as permanent employees.

- The Chancellor's Office of the California Community Colleges (CCC) indicates that updating an existing policy to establish a rebuttable presumption when a "short-term employee" is considered a classified employee, would result in costs of \$34,000 to \$76,000 per district. Accounting for all 72 CCDs, the total costs would range between \$2.4 million and \$5.4 million (General Fund, Proposition 98). Administrative costs to CCC would be minor and absorbable.

Background: Current law requires school districts and CCDs that do not operate under a merit system to classify employees serving in positions that do not require certificated or academic qualifications as part of the classified service. Existing law also authorizes these districts to employ short-term employees, who are excluded from the classified service, provided they are employed and compensated for less than 75 percent of a school or college year. A short-term employee is defined as an individual hired to perform a temporary service that will not be needed on an ongoing basis once completed. Before hiring a short-term employee, the governing board must, at a regularly scheduled meeting, identify the specific service to be performed, classify the position, and establish a termination date for the employment. While the governing board may later shorten or extend the appointment, the duration may not exceed 75 percent of the applicable school or college year. Classified employees represent over 300,000 school district and CCD non-academic staff statewide.

Proposed Law: This bill would provide a rebuttable presumption that a school or community college district is required to replace a short-term employee position with a position in the classified service if any of the following occurs: (1) the short-term employee performs the required service of the position beyond 75 percent of a school year, (2) the short-term employee voluntarily separates or is laid off or terminated from employment for at least 50 percent but less than 75 percent of a school year, and the same employee is then rehired in the next school year to perform substantially the same services for at least 50 percent of the school year, or (3) the services of the short-term employee position are used at least 50 percent of a school year for three of five consecutive school years.

Related Legislation:

- AB 1247 (Garcia) would have required that contracted employees at a school district or community college district (CCD) meet or exceed the minimum qualifications and standards required of direct hires with the same job functions, as prescribed, and would have required a district provide them with the same health care or retirement benefit contributions as a direct hire. The bills also would have required that a school district or CCD compensate classified employees for any time necessary to complete required training at the employee's regular pay rate. The bill was held under submission on the Suspense File of the Assembly Appropriations Committee.

- AB 2413 (Carrillo, Chapter 913, Statutes of 2022) prohibits K-12 and community college (CCC) districts from suspending without pay, suspending with a reduction in pay, demoting, or dismissing a permanent classified employee who timely requests a hearing on the charges against the employee before the district or hearing officer renders a decision on the matter except for certain conduct as specified.

- AB 438 (Reyes, Chapter 665, Statutes of 2021) made specified changes related to layoff procedures for classified employees at school and community college districts including requiring district superintendents to provide notice no later than March 15 prior to the ensuing school year of the superintendent's recommendation to the district governing board to initiate required layoff procedures.

Staff Comments: The Office of the Legislative Counsel has keyed this bill "non-fiscal." However, the purview of this Committee, pursuant to Joint Rule 10.5, is to review and analyze bills that would, among other things, result in a substantial expenditure of state money. Thus, even though the bill was keyed "non-fiscal," the Committee requested the bill to examine the extent to which it might potentially increase costs to the State.

This bill could significantly increase the administrative complexity of calculating classified employee seniority when a short-term position converts to a permanent position after exceeding the bill's one-year or three-out-of-five-year thresholds. Under existing law, seniority determines the order of layoffs, displacement ("bumping") rights, and reemployment rights for classified employees in TK-12 school districts and community college districts. Districts often calculate seniority with great precision—sometimes to the hour worked—based on negotiated measures such as hours in paid status or date of hire. Because employees receive layoff notices, bumping rights, and reemployment opportunities based on seniority, any changes to how service is credited could require districts to recalculate seniority rankings, increasing administrative workload and the potential for disputes. Employees who believe their seniority rights have been violated are entitled to an administrative hearing before a state

Administrative Law Judge, which could further increase administrative and legal costs if disputes become more common.

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