



## **FACCC Policy Position Paper:**

Protecting the 50% Law - Upholding Quality Education in California Community Colleges

### **Background**

For over 60 years, California's 50% Law (Education Code § 84643) upheld the core mission of community colleges by requiring districts to spend at least 50% of their unrestricted general funds on instructional costs. This law recognizes that high-quality education depends on a strong, stable core of knowledgeable and committed faculty focused on teaching, mentoring, guiding, and engaging directly with students. In a 2025 California State audit, the auditor found “Oversight of the 50 Percent Law Is Ineffective, and the Law Could Be Amended to Better Support Students.”

Some critics call for repealing or significantly modifying the 50% Law, claiming it limits districts' flexibility in funding student support services. While thoughtful, data-driven reforms could allow for reasonable flexibility and retain core protections, outright elimination based on political rhetoric could easily damage student success.

The suggestion that community colleges, as public institutions primarily focused on teaching, should allocate less than half of their unrestricted funds to instruction would likely alarm taxpayers. It is important to note that when considering the entire budget, including restricted funds, only 37% of the funds are currently spent on instruction. This allocation of resources should provide ample flexibility for districts to support student services while still prioritizing the core mission of education.

### **FACCC's Position**

FACCC strongly supports the 50% Law as a critical safeguard for educational quality and student success in California's community colleges. The 50% Law should be protected and updated based on data, not dismantled.

### ***Eliminating this law without equivalent protections risks:***

1. Increased class sizes, reducing hands-on educational engagement
2. Overburdened faculty, impacting instructional quality and effectiveness
3. Uncontrolled administrative costs increase at the expense of student learning
4. Reduced student-faculty engagement, which is vital for academic success
5. Increasing reliance on contingent faculty, often structurally excluded from institutional planning and development of the resources

## Data Trends and Fiscal Reality

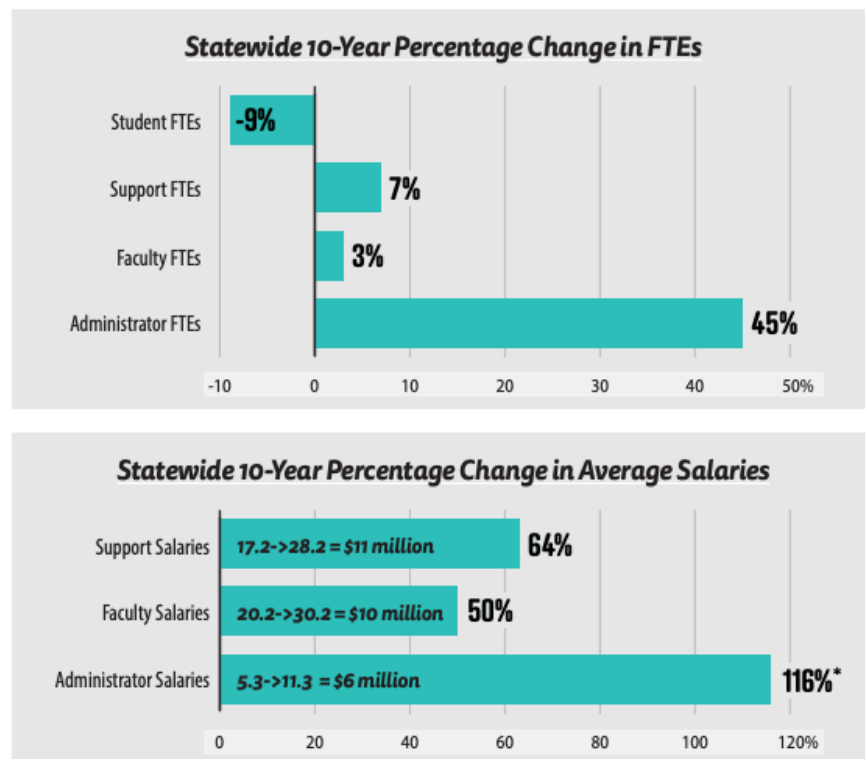
Recent data<sup>1</sup> reveals concerning trends that underscore the ongoing importance of the 50% Law:

- Between 2012 and 2022, student enrollment decreased by 20%, college administrators increased by 40%, and faculty decreased by 2.6%.
- Student enrollment is down by just 2.3% post-pandemic, but full-time faculty have declined by 16.3%, while administrators have increased by 15.5%.
- Only about 37% of total college budgets, including categorical funds, go towards instructional costs.
- District reserves have grown significantly, averaging over 35% of expenditures by 2021-22, contradicting claims of limited flexibility.

From the California State Auditor's report on the 50% law<sup>2</sup>, a year later, validated these trends:

**Figure 9**

Administrator FTEs and Salaries Significantly Increased From Fiscal Years 2013–14 to 2023–24 Compared to Student, Faculty, and Support Staff FTEs



<sup>1</sup> [The 50% Law: A Critical Protection for Quality Education, by Wendy Brill-Wynkoop, FACCC President, FACCTs, Spring 2024](#)

<sup>2</sup> California State Audit on 50% Law

<https://www.auditor.ca.gov/wp-content/uploads/2025/04/2023-126-Report.pdf>

These trends suggest administrative growth over the last 10 years has come at the expense of instructional capacity - precisely what the 50% Law aims to prevent. Growing reserves also challenge the argument that the law constrains districts' fiscal options.

### **Recommendations**

FACCC urges policymakers to utilize the findings of the 2025 state audit on district compliance with the 50% Law to propose significant legislative changes. Data-driven, incremental updates could be explored, such as:

1. Redefining "instructional costs" to include faculty release time, professional development, counselors, and librarians. Support the inclusion of part-time faculty in shared governance and decision-making processes to ensure their voices and expertise contribute to institutional planning and resource allocation.
2. Raising the 50% benchmark proportionally if definitions change to maintain a meaningful focus on instruction.
3. Implementing minimum ratios of instructional staff to students based on evidence of impact.
4. Reversing recent bloat in administrative spending and capping year-over-year growth in administrative positions, as well as non-instructional staff budgets.
5. Strengthening and enforcing the Faculty Obligation Number (FON) and requiring districts to make documented progress toward the system's 75% goal while reiterating that the FON was created as a last-resort minimum floor.

Any changes must uphold the spirit of the 50% Law, ensuring the protection of the community colleges' mission and primary function of fostering student learning.

### **Conclusion**

The 50% Law remains a vital protection for the quality, affordability, and effectiveness of California community college education. Long-standing research shows that the best predictor of success for vulnerable students is the high-quality faculty-student interaction<sup>3</sup> made possible by the relatively smaller class sizes of the Community College system. FACCC urges elected representatives and system leaders to reinforce this law based on data, not dismantle it based on unsupported rhetoric. The only radical change supported by data would be a limit on administrative spending, not the abolition of current protections. Responsible updates are possible, but wholesale elimination invites lower standards through larger classes, overburdened faculty, administrative bloat, and reduced student-instructor engagement. The future of community colleges' student success mission depends on preserving the core principles of the 50% Law.

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<sup>3</sup> [Why Faculty Matter](#) Written by Greg Gilbert and presented by FACCC Education Institute

References:

[The 50% Law: A Critical Protection for Quality Education, by Wendy Brill-Wynkoop, FACCC President, \*FACCCTs\*, Spring 2024](#)

[FACCC's Webinar on California's 50% Law, 2024](#)

[FACCC's Response to Community College League of California's Report on Reforming the Fifty Percent Law Wendy Brill-Wynkoop, FACCC President, March 2025](#)

[California State Auditor "California Community Colleges Oversight of the 50 Percent Law Is Ineffective, and the Law Could Be Amended to Better Support Students" April 2025](#)