

ASSEMBLY BILL

No. 450

Introduced by Assembly Members Jones-Sawyer and Bocanegra

February 19, 2013

An act to amend Sections 5019.5 and 72031 of, and to add Article 4 (commencing with Section 72040) to Chapter 1 of Part 45 of Division 7 of Title 3 of, the Education Code, relating to postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

AB 450, as introduced, Jones-Sawyer. Postsecondary education: community college trustee areas.

(1) Existing law requires the governing board of each school district or community college district in which trustee areas have been established, and in which each trustee is elected by the residents of the area the trustee represents, to adjust the trustee area boundaries following the decennial census.

This bill would require the governing board of a community college district to make a proposed boundary adjustment public, and to elicit and consider public comment prior to a proposal's adoption, thereby imposing a state-mandated local program.

(2) Existing law requires members of the governing board of the Los Angeles Community College District to be elected at large in odd-numbered years in a specified manner, except as specified commencing with the 2013 election.

This bill, instead, would require the Board of Trustees of the Los Angeles Community College District to establish 7 trustee areas in the district by July 1, 2014, and would require members of the board of trustees to be elected by trustee area, as specified. By increasing the responsibilities of the county and the community college district when

they conduct elections, the bill would impose a state-mandated local program.

(3) This bill would make legislative findings and declarations as to the necessity of a special statute for the Los Angeles Community College District.

(4) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5019.5 of the Education Code is amended
2 to read:

3 5019.5. (a) Following each decennial federal census, and using
4 population figures as validated by the Population Research Unit
5 of the Department of Finance as a basis, the governing board of
6 each school district or community college district in which trustee
7 areas have been established, and in which each trustee is elected
8 by the residents of the area he or she represents, shall adjust the
9 boundaries of any or all of the trustee areas of the district so that
10 one or both of the following conditions is satisfied:

11 (1) The population of each area is, as nearly as may be, the same
12 proportion of the total population of the district as the ratio that
13 the number of governing board members elected from the area
14 bears to the total number of members of the governing board.

15 (2) The population of each area is, as nearly as may be, the same
16 proportion of the total population of the district as each of the other
17 areas.

18 (b) *The governing board of each community college district*
19 *shall make a proposal for boundary adjustment available to the*
20 *public prior to adjusting the boundaries of trustee areas. Public*
21 *comment regarding the proposal shall be elicited and considered*
22 *by each governing board.*

23 (b)

1 (c) (1) The boundaries of the trustee areas shall be adjusted by
2 the governing board of each school district or community college
3 district, in accordance with subdivision (a), before the first day of
4 March of the year following the year in which the results of each
5 decennial census are released. If the governing board fails to adjust
6 the boundaries before the first day of March of the year following
7 the year in which the results of each decennial census are released,
8 the county committee on school district organization shall do so
9 before the 30th day of April ~~April~~ *April 30* of the same year.

10 ~~The~~

11 (2) *The* governing board of the school district or community
12 college district shall reimburse all reasonable costs incurred by a
13 county committee in adjusting the boundaries pursuant to this
14 subdivision.

15 (e)

16 (d) Except to the extent that the adjustment of trustee area
17 boundaries is necessary for the purposes set forth in this section,
18 the authority to establish or abolish trustee areas, rearrange the
19 boundaries of trustee areas, increase or decrease the number of
20 members of the governing board, or adopt any method of electing
21 governing board members may be exercised only as otherwise
22 provided under this article.

23 SEC. 2. Section 72031 of the Education Code is amended to
24 read:

25 ~~72031. The provisions of this section shall apply only to the~~
26 ~~Los Angeles Community College District.~~

27 (a)

28 *72031.* Whenever in this code a section refers to a district, or
29 to two or more districts, governed by a single governing board, or
30 by governing boards of identical personnel, or to a district or
31 districts in which the average daily attendance, *or the number of*
32 *full-time equivalent students*, is in excess of 400,000, or makes a
33 similar reference, all provisions of the section shall apply with
34 equal force to both the city school district and community college
35 district.

36 (b) Members of the governing board of the Los Angeles
37 Community College District shall be elected at large in the manner
38 established by Chapter 62 of the Statutes of 1968.

39 (c) Commencing with the 2013 election for the governing board
40 of the Los Angeles Community College District, and each election

1 thereafter, the governing board may adopt a resolution by majority
 2 vote to enact an alternative method by which members of the
 3 governing board of the Los Angeles Community College District
 4 may be elected at large and by individual seat number wherein,
 5 upon certification of the election, the candidate with the highest
 6 number of votes for an individual seat number shall be deemed
 7 the candidate elected for that individual seat number.

8 SEC. 3. Article 4 (commencing with Section 72040) is added
 9 to Chapter 1 of Part 45 of Division 7 of Title 3 of the Education
 10 Code, to read:

11
 12 Article 4. Los Angeles Community College District

13
 14 72040. This article shall apply only to the Los Angeles
 15 Community College District.

16 72041. This article shall supersede any conflicting provisions
 17 of Sections 5019 and 5020, Chapter 1 (commencing with Section
 18 5000) of Part 4 of Division 1 of Title 1, Article 3 (commencing
 19 with Section 72022), or Sections 1302 and 10405.7 of the Elections
 20 Code.

21 72042. The Board of Trustees of the Los Angeles Community
 22 College District shall, by July 1, 2014, provide for the
 23 establishment of seven trustee areas.

24 72043. (a) The Board of Trustees of the Los Angeles
 25 Community College District shall hold a public hearing prior to
 26 its adoption of the boundaries of the trustee areas and shall have
 27 sole authority to establish those boundaries.

28 (b) The Board of Trustees of the Los Angeles Community
 29 College District shall number the trustee areas established pursuant
 30 to Section 72042. The trustee area with the northernmost boundary
 31 shall be area 1. The trustee area with the boundary that, except for
 32 the boundary of area 1, is northernmost, shall be area 2. Each of
 33 the remaining districts shall be numbered accordingly 3 to 7,
 34 inclusive. Each trustee area shall be balanced in resident
 35 population.

36 (c) Any person who seeks election to represent a trustee area in
 37 the Los Angeles Community College District shall reside in and
 38 be registered to vote in that trustee area.

1 (d) (1) The four trustee positions that will expire on June 30,
2 2015, shall be filled by election at large. The trustees elected at
3 that election shall serve four-year terms.

4 (2) The three trustee positions that will expire on June 30, 2017,
5 shall be filled by three trustees elected by trustee area.

6 (3) The trustee areas in which elections will be held in 2017
7 shall be determined by lot.

8 (4) The remaining trustee positions shall be elected by trustee
9 area in 2019.

10 (5) Trustees elected by trustee area shall serve four-year terms.

11 SEC. 4. The Legislature finds and declares that a special law
12 is necessary and that a general law cannot be made applicable
13 within the meaning of Section 16 of Article IV of the California
14 Constitution because of the unique circumstances applicable to
15 the Los Angeles Community College District relating to its size.

16 SEC. 5. If the Commission on State Mandates determines that
17 this act contains costs mandated by the state, reimbursement to
18 local agencies and school districts for those costs shall be made
19 pursuant to Part 7 (commencing with Section 17500) of Division
20 4 of Title 2 of the Government Code.