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.


The people of the State of California do enact as follows:
SECTION 1.
Section 5019.5 of the Education Code is amended to read:

5019.5.
(a) Following each decennial federal census, and using population figures as validated by the Population Research Unit of the Department of Finance as a basis, 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 he or she represents, shall adjust the boundaries of any or all of the trustee areas of the district so that one or both of the following conditions is satisfied:

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

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

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

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

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

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

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

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

(c) Commencing with the 2013 election for the governing board of the Los Angeles Community College District, and each election thereafter, the governing board may adopt a resolution by majority vote to enact an alternative method by which members of the governing board of the Los Angeles Community College District may be elected at large and by individual seat number wherein, upon certification of the election, the candidate with the highest number of votes for an individual seat number shall be deemed the candidate elected for that individual seat number.

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

12Article 4. Los Angeles Community College District

This article shall apply only to the Los Angeles Community College District.

This article shall supersede any conflicting provisions of Sections 5019 and 5020, Chapter 1 (commencing with Section 185000) of Part 4 of Division 1 of Title 1, Article 3 (commencing with Section 72022), or Sections 1302 and 10405.7 of the Elections Code.
The Board of Trustees of the Los Angeles Community College District shall, by July 1, 2014, provide for the establishment of seven trustee areas.

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

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

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

P5 1(d) (1) The four trustee positions that will expire on June 30, 2015, shall be filled by election at large. The trustees elected at that election shall serve four-year terms.

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

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

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

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

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

SEC. 5.
If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 204 of Title 2 of the Government Code.