

AMENDED IN SENATE APRIL 18, 2007

SENATE BILL

No. 909

Introduced by Senator Simitian

February 23, 2007

An act to amend Section ~~47605~~ 35120 of the Education Code, relating to ~~charter schools~~ school districts.

LEGISLATIVE COUNSEL'S DIGEST

SB 909, as amended, Simitian. ~~Charter schools: petitions: deadline. School districts: governing board members: compensation.~~

Existing law authorizes the governing board of a school district to prescribe an amount of compensation for the services of a member of the governing board of a school district who attends all governing board meetings based on the average daily attendance of the school district for the prior school year.

This bill would double the compensation amount that may be prescribed for each of the average daily attendance category of school districts.

~~The Charter Schools Act of 1992 establishes the procedures for the submission of a charter school petition to the governing board of a school district. The act authorizes the governing board of a school district to grant a charter after holding a public hearing to consider the petition and ensuring that the proposed charter school meets specified standards. The act requires that the public hearing be held no later than 30 days after the governing board receives the petition.~~

~~This bill would prohibit the governing board of a school district from accepting charter school petitions that are received after June 30 of each calendar year.~~

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

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

1 SECTION 1. Section 35120 of the Education Code is amended
2 to read:

3 35120. (a) (1) In ~~any~~ a school district in which the average
4 daily attendance for the prior school year exceeded 400,000, ~~each~~
5 a member of the city board of education or the governing board
6 of the *school* district who ~~actually~~ attends all meetings held may
7 receive as compensation for his or her services a sum not to exceed
8 ~~two four thousand dollars (\$2,000)~~ (\$4,000) per month.

9 (2) In ~~any~~ a school district that is not located in a city and
10 county, and in which the average daily attendance for the prior
11 school year exceeded 60,000, the governing board may prescribe,
12 as compensation for the services of ~~each~~ a member of the board
13 who ~~actually~~ attends all meetings held, a sum not to exceed ~~one~~
14 ~~three thousand five hundred dollars (\$1,500)~~ in ~~any~~ (\$3,000) per
15 month.

16 (3) In ~~any~~ a school district in which the average daily attendance
17 for the prior school year was 60,000, or less, but more than 25,000,
18 ~~each~~ a member of the city board of education or the governing
19 board of the *school* district who ~~actually~~ attends all meetings held
20 may receive as compensation for his or her services a sum not to
21 exceed ~~seven one thousand five hundred fifty dollars (\$750)~~ in ~~any~~
22 (\$1,500) per month.

23 (4) In ~~any~~ a school district in which the average daily attendance
24 for the prior school year was 25,000, or less, but more than 10,000,
25 ~~each~~ a member of the city board of education or the governing
26 board of the *school* district who ~~actually~~ attends all meetings held
27 may receive as compensation for his or her services a sum not to
28 exceed ~~four eight hundred dollars (\$400)~~ in ~~any~~ (\$800) per month.

29 (5) In ~~any~~ a school district in which the average daily attendance
30 for the prior school year was 10,000 or less but more than 1,000,
31 ~~each~~ a member of the city board of education or the governing
32 board of the *school* district who ~~actually~~ attends all meetings held
33 may receive as compensation for his or her services a sum not to
34 exceed ~~two four hundred forty eighty dollars (\$240)~~ in ~~any~~ (\$480)
35 per month.

(6) In ~~any~~ a school district in which the average daily attendance for the prior school year was 1,000 or less but more than 150, ~~each~~ a member of the city board of education or the governing board of the *school* district who ~~actually~~ attends all meetings held may receive as compensation for his or her services a sum not to exceed ~~one two hundred twenty four~~ dollars ~~(\$120) in any~~ (\$240) per month.

(7) In ~~any~~ a school district in which the average daily attendance for the prior school year was less than 150, ~~each~~ a member of the city board of education or the governing board of the *school* district who ~~actually~~ attends all meetings held may receive as compensation for his or her services a sum not to exceed ~~sixty one hundred twenty~~ dollars ~~(\$60) (\$120)~~ per month.

(8) ~~Any~~ A member who does not attend all meetings held in ~~any~~ a month may receive, as compensation for his or her services, an amount not greater than the maximum amount allowed by this subdivision divided by the number of meetings held and multiplied by the number of meetings ~~actually~~ attended.

(9) For the purposes of providing compensation pursuant to paragraphs (1) to (7), inclusive, average daily attendance for the prior school year may be increased by a school district's percentage of excused absences reported for the 1996–97 fiscal year.

(b) The compensation of members of the governing board of a school district newly organized or reorganized shall be governed by subdivision (a). For this purpose, the total average daily attendance in all of the schools of the *school* district in the school year in which the organization or reorganization became effective ~~pursuant to Section 4062 shall be deemed to be~~ *considered* the average daily attendance in the district for the prior school year.

(c) A member may be paid for ~~any~~ a meeting when absent if the board, by resolution duly adopted and included in its minutes, finds that at the time of the meeting he or she is performing services outside the meeting for the school district or districts, he or she was ill or on jury duty, or the absence was due to a hardship ~~deemed considered~~ acceptable by the board.

(d) ~~The compensation~~ *Compensation provided pursuant to this section* shall be a charge against the funds of the school district. If the city board of education or the governing board of the *school* district is the governing board of more than one school district, the compensation shall be charged against and paid by the

1 respective school districts in the same proportion as the salary of
 2 the city superintendent of schools is charged against them.
 3 Compensation shall be reduced by an amount equal to ~~any~~ salary
 4 or compensation paid to the members of the city board of education
 5 from ~~any~~ funds of the city.

6 (e) On an annual basis, the governing board may increase the
 7 compensation of individual board members beyond the limits
 8 ~~delineated~~ *described* in this section, in an amount not to exceed 5
 9 percent based on the present monthly rate of compensation. ~~Any~~
 10 *An* increase made pursuant to this ~~section~~ *subdivision* shall be
 11 effective upon approval by the governing board.

**All matter omitted in this version of the bill
 appears in the bill as introduced in Senate,
 Feb. 23, 2007. (JR11)**