

ASSEMBLY BILL

No. 680

Introduced by Assembly Member Block

February 17, 2011

An act to amend Section 72035 of the Education Code, relating to community college.

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as introduced, Block. Community college districts: San Diego County.

Existing law provides that electors of any community college district embraced within the corporate limits of a city governed by charter shall be deemed to have submitted to be governed by the provisions of the charter in all matters relating to the management of public schools within the community if the electors have participated in, and voted at, any school election held under the provisions of the charter. Existing law also establishes a different procedure for the election of the members of the governing board of the San Diego Community College District.

This bill would make a technical, nonsubstantive change to this procedure.

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 72035 of the Education Code is amended
- 2 to read:
- 3 72035. Notwithstanding any other provision of law, including,
- 4 but not limited to, Sections 5000.1 and 5010.5, and the Charter of

1 the City of San Diego, the number of members, the election of
2 members, and the reapportionment of trustee areas of the governing
3 board of the San Diego Community College District shall be
4 conducted pursuant to this section.

5 (a) Candidates for election as a member of the governing board
6 of the district shall be nominated by trustee area at a district
7 primary election held on the date of the statewide direct primary
8 election. At the district primary election, the two candidates
9 receiving the highest number of votes within the trustee area shall
10 be nominees for the general district election for that trustee area,
11 and the nominee who receives a majority of the votes cast by the
12 voters of the district in the districtwide general district election
13 shall be elected to represent that trustee area. The general district
14 election shall be held on the same date as the statewide general
15 election.

16 Candidates for election as members of the governing board shall
17 file a declaration of candidacy as provided in this code. Each
18 member of the governing board elected at the general district
19 election shall hold office for a term of four years commencing on
20 the first Friday in December next succeeding his or her election.

21 The members of the governing board in office on the effective
22 date of the act that enacted this section at the 1991–92 Regular
23 Session of the Legislature shall hold office until the first Friday
24 in December of the year in which their respective term of office
25 would otherwise have terminated, or until a successor qualifies
26 ~~therefor~~ *for the office*.

27 (b) The territory of the district shall be divided into trustee areas
28 and one member of the governing board shall be elected from each
29 trustee area. A candidate for election as a member of the governing
30 board shall reside in, and be registered to vote in, the trustee area
31 he or she seeks to represent.

32 (c) The governing board of the district shall be composed of
33 not less than five members and not more than nine, as determined
34 by the governing board. Sections 5019 to 5030, inclusive, do not
35 apply to the governing board's determination of the number of
36 members pursuant to this subdivision. If the number of members
37 of the governing board is increased or decreased, the governing
38 board shall establish new trustee areas, abolish trustee areas, or
39 adjust the boundaries of trustee areas so that the number of trustee
40 areas is equal to the number of governing board members. If the

1 number of members of the governing board is increased, the
2 additional members of the governing board shall be elected at the
3 next regular general district election of board members occurring
4 at least 123 days after the governing board approved the increased
5 number of board members. Prior to the next general district
6 election, the governing board shall divide by lot the additional
7 trustee area positions that are created so that the term of one-half
8 of the board members elected to those positions shall expire on
9 the first Friday in December following the next general district
10 election. The term of the other board members elected to fill the
11 remainder of the additional positions shall expire on the first Friday
12 in December following the second general district election
13 succeeding their election.

14 (d) The governing board shall adjust the boundaries of each
15 trustee area in existence on January 1, 1992, to reflect population
16 changes enumerated in the 1990 decennial federal census. The
17 purpose of the adjustment is to establish trustee areas so that the
18 population of each area is, as nearly as may be, the same proportion
19 of the total population of the district as each of the other areas.
20 Thereafter, the boundaries of trustee areas shall be adjusted
21 pursuant to Section 5019.5 and may be abolished or rearranged as
22 otherwise provided in this code.

23 (e) Pursuant to Sections 5019 and 5030, the county committee
24 on school district organization may propose to the district voters
25 that the member residing in each trustee area be elected by the
26 registered voters of that particular trustee area. The proposal shall
27 be submitted to the voters of the district at the next regular general
28 district election occurring at least 123 days after the adoption of
29 the proposal by the county committee on school district
30 organization. If that proposal is approved by a majority of the
31 voters voting in the election, then notwithstanding subdivision (a),
32 there shall be no direct primary election for governing board
33 members at the next election for members. Instead, members shall
34 be elected at a general district election held on the same day as the
35 statewide general election. At that general district election, board
36 member candidates shall be elected to represent the trustee area
37 in which they reside and are registered to vote by the registered

- 1 voters of that trustee area. The candidate in each trustee area
- 2 receiving the highest number of votes shall be elected.

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