

AMENDED IN ASSEMBLY MARCH 29, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 680**

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**Introduced by Assembly Member Block**

February 17, 2011

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~~An act to amend Section 72035 of the Education Code, relating to community college. An act to add Section 72036 to the Education Code, relating to community colleges.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as amended, Block. Community college districts: ~~San Diego County.~~ *Grossmont-Cuyamaca Community College District.*

*Existing law establishes the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges. The board of governors provides general supervision over each community college district and performs specified functions. Each community college district is under the control of a board of trustees.*

*Existing law provides various procedures for the nomination and election of the governing boards of community college districts. Existing law specifies the number of members on the board, residency requirements, length of terms, and the drawing of trustee boundaries.*

*This bill would establish a procedure for the election of members, and the reapportionment of trustee areas of the governing board of the Grossmont-Cuyamaca Community College District.*

*The bill would provide that candidates for election to the board be nominated by trustee area, as defined, at a primary election held on the date of the statewide direct primary election. The 2 candidates receiving the highest number of votes would be the nominees for the*

*general election for that trustee area. The candidate receiving a majority of the votes cast in the general election would be elected to represent that district, and would hold office for a 4-year term, as specified. Members of the board holding office on the effective date of this act would continue to hold office, as specified.*

*The bill would provide that the governing board be composed of 5 to 9 members, as determined by the board. The board would be required to establish, abolish, or adjust trustee areas and terms of office, as specified.*

*This bill would require the board to set the boundaries of each trustee area before March 1, 2012, to reflect the 2010 decennial census. If the board fails to so set the boundaries, the county committee on school district organization would be required to set them before April 30, 2012. The boundaries would be set so that the population of each area is in proportion to the other districts. Thereafter the boundaries may be adjusted, abolished, or rearranged as specified.*

*By imposing the above requirements on the Grossmont-Cuyamaca Community College District, the bill would impose a state-mandated local program.*

*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 no reimbursement is required by this act for a specified reason.*

~~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~~-yes.  
State-mandated local program: ~~no~~-yes.

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

1     *SECTION 1. Section 72036 is added to the Education Code,*  
2 *to read:*

3     72036. *Notwithstanding any other provision of law, the number*  
4 *of members, the election of members, and the reapportionment of*  
5 *trustee areas of the governing board of the Grossmont-Cuyamaca*  
6 *Community College District shall be provided for pursuant to this*  
7 *section.*

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

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

23     *The members of the governing board in office on the effective*  
24 *date of the act that enacted this section at the 2011–12 Regular*  
25 *Session of the Legislature shall hold office until the first Friday*  
26 *in December of the year in which their respective terms of office*  
27 *would otherwise have terminated, or until a successor qualifies*  
28 *therefor.*

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

34     (c) *The governing board of the district shall be composed of*  
35 *not less than five members and not more than nine, as determined*  
36 *by the governing board. Sections 5019 to 5030, inclusive, do not*  
37 *apply to the governing board's determination of the number of*  
38 *members pursuant to this subdivision. If the number of members*

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

18 (d) The governing board shall set the boundaries of each trustee  
19 area before March 1, 2012, to reflect the population enumerated  
20 in the 2010 decennial federal census. If the governing board fails  
21 to set the boundaries before March 1, 2012, the county committee  
22 on school district organization shall do so before April 30, 2012.  
23 The boundaries of each trustee areas shall be set so that the  
24 population of each area is, as nearly as may be, the same  
25 proportion of the total population of the district as each of the  
26 other areas. Thereafter, the boundaries of trustee areas shall be  
27 adjusted pursuant to Section 5019.5 and may be abolished or  
28 rearranged as otherwise provided in this code.

29 SEC. 2. No reimbursement is required by this act pursuant to  
30 Section 6 of Article XIII B of the California Constitution because  
31 the only costs that may be incurred by a local agency or school  
32 district are the result of a program for which legislative authority  
33 was requested by that local agency or school district, within the  
34 meaning of Section 17556 of the Government Code and Section 6  
35 of Article XIII B of the California Constitution.

36 SECTION 1. ~~Section 72035 of the Education Code is amended~~  
37 ~~to read:~~

38 ~~72035. Notwithstanding any other provision of law, including,~~  
39 ~~but not limited to, Sections 5000.1 and 5010.5, and the Charter of~~  
40 ~~the City of San Diego, the number of members, the election of~~

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

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

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

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

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

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

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

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

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

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