

AMENDED IN ASSEMBLY MARCH 18, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1030

Introduced by Assembly Member Cooley

February 22, 2013

An act to amend Section ~~44573~~ 72023.5 of the Education Code, relating to ~~teachers~~ *community colleges*.

LEGISLATIVE COUNSEL'S DIGEST

AB 1030, as amended, Cooley. ~~Certificated employees: training. Community colleges: organization of governing boards: nonvoting student members.~~

Existing law requires the governing board of each community college district to order the inclusion within the membership of the governing board of one or more nonvoting students, who are enrolled in a community college of the district, and chosen by students enrolled in the community colleges of the district, in accordance with procedures prescribed by the governing board.

This bill would provide that if the seat of a student member becomes vacant during his or her term, the governing board may authorize the officers of student body associations at each campus in the district to appoint a student by majority vote of the officers to serve the remainder of the term. This bill would also make nonsubstantive changes.

~~Existing law authorizes the governing board of a school district to establish a staff development project, as specified, to improve high school teachers' instructional skills.~~

~~This bill would make nonsubstantive changes to these provisions.~~

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 72023.5 of the Education Code is amended
2 to read:

3 72023.5. (a) (1) The governing board of each community
4 college district shall order the inclusion within the membership of
5 the governing board, in addition to the number of members
6 otherwise prescribed, of one or more nonvoting students. These
7 students shall have the right to attend each and all meetings of the
8 governing board, except that student members shall not have the
9 right, or be afforded the opportunity, to attend executive sessions
10 of the governing board.

11 (2) The students selected to serve on the governing board, shall
12 be enrolled in a community college of the district and shall be
13 chosen, and shall be recalled, by the students enrolled in the
14 community colleges of the district in accordance with procedures
15 prescribed by the governing board. *If the seat of a student member*
16 *becomes vacant during his or her term, the governing board may*
17 *authorize the officers of student body associations established*
18 *pursuant to Section 76060 at each campus in the district to appoint,*
19 *by a majority vote of the officers, a student to serve the remainder*
20 *of the term.* A student member shall be required throughout the
21 term of his or her appointment to be enrolled in a community
22 college of the district for at least five semester units, or its
23 equivalent, and shall meet and maintain the minimum standards
24 of scholarship for community college students prescribed by the
25 community college district. The term of the student members shall
26 be one year commencing on June 1 of each year.

27 (3) The nonvoting student members appointed pursuant to this
28 section shall be entitled to mileage allowance to the same extent
29 as regular members, but are not entitled to the compensation
30 prescribed by Section ~~72425~~ 72024.

31 (4) A nonvoting student member shall be seated with the
32 members of the governing board and shall be recognized as a full
33 member of the board at the meetings, including receiving all
34 materials presented to the board members and participating in the
35 questioning of witnesses and the discussion of issues.

36 (5) A nonvoting student member shall not be included in
37 determining the vote required to carry any measure before the
38 board.

1 (6) A nonvoting student member shall not be liable for any acts
2 of the governing board.

3 (b) Notwithstanding subdivision (a), the nonvoting student
4 member or members selected to serve on the governing board of
5 a community college district pursuant to subdivision (a) may do
6 any of the following:

7 (1) Make and second motions at the discretion of the governing
8 board.

9 (2) Attend closed sessions, other than closed sessions on
10 personnel matters or collective bargaining matters, at the discretion
11 of the governing board.

12 (3) Receive compensation, at the discretion of the governing
13 board, up to the amount prescribed by Section ~~72425~~ 72024.

14 (4) Serve a term of one year commencing on May 15 of each
15 year, at the discretion of the governing board.

16 (c) It is the intent of the Legislature that any decision or action,
17 including any contract entered into pursuant thereto, upon the
18 motion or second of a motion of a student member, shall be fully
19 legal and enforceable against the district or any party thereto.

20 (d) The governing board of each community college district
21 that affords the student member or members of the board any of
22 the privileges enumerated in subdivision (b) shall, by May 15 of
23 each year, adopt rules and regulations implementing this section.
24 These rules and regulations shall be effective until May 15 of the
25 following year.

26 (e) If a state court finds this section is unlawful, the court may
27 order, as equitable relief, that the administering entity that is the
28 subject of the lawsuit terminate any waiver awarded under this
29 statute or provision, but no money damages, tuition refund or
30 waiver, or other retroactive relief may be awarded. In any action
31 in which the court finds this section is unlawful, the California
32 Community Colleges are immune from the imposition of any award
33 of money damages, tuition refund or waiver, or other retroactive
34 relief.

35 ~~SECTION 1. Section 44573 of the Education Code is amended~~
36 ~~to read:~~

37 ~~44573. The governing board of a school district may establish~~
38 ~~a staff development project to improve high school teachers'~~
39 ~~instructional skills pursuant to this article.~~

- 1 A staff development project may include, but is not limited to,
2 the following components, as determined by the governing board:
- 3 (a) A statement of the school district's objectives in establishing
4 the project, specifying the school district's particular needs with
5 reference to specialized instructional personnel.
 - 6 (b) A description of the component parts of the proposed staff
7 development project, including:
 - 8 (1) Courses to be made available to trainees through
9 arrangements with an institution of higher education, research
10 center, or regional education laboratory; and
 - 11 (2) Other planned trainee activities.
 - 12 (c) A statement outlining methods and criteria to be used in
13 selecting trainees for the project.
 - 14 (d) A statement indicating generally the duration of the program
15 and the number of hours per week each trainee would be involved
16 in designated activities.
 - 17 (e) A statement describing the manner in which the staff
18 development project is to be evaluated upon termination of a unit
19 of training.
 - 20 (f) A statement of proposed expenditures and reasonably
21 expected costs, and an outline of proposed federal or state and
22 local fund matching arrangements.