

AMENDED IN ASSEMBLY MARCH 18, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

**ASSEMBLY BILL**

**No. 1030**

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**Introduced by Assembly Member Cooley**

February 22, 2013

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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.