
SENATE COMMITTEE ON EDUCATION

Senator Carol Liu, Chair
2015 - 2016 Regular

Bill No: AB 331
Author: Levine
Version: April 7, 2015
Urgency: No
Consultant: Lenin Del Castillo
Hearing Date: June 10, 2015
Fiscal: Yes

Subject: School district governing boards: reduction of membership

SUMMARY

This bill authorizes a county committee on school district organization to decrease the membership of a school district's governing board from five to three if the district's average daily attendance (ADA) during the preceding year was less than 300.

BACKGROUND

Existing law:

- 1) Requires any elementary school district having a governing board of three members and whose ADA for the preceding fiscal year was 300 or more do one of the following:
 - a) By its own action determine that the number of members of its governing board shall be increased to five, in which case two additional members shall be elected at an upcoming established election date; or
 - b) Request the county superintendent of schools to submit the question of whether the board should be increased to five members to the voters of the district at an upcoming established election date.
- 2) Requires that a proposal to change the membership of a school district or community college district governing board may be initiated by the county committee on school district organization or made to the committee by a petition signed by a specified number of qualified registered voters residing in the district.
- 3) Requires the county committee on school district organization to call and conduct at least one hearing in the district on a proposal to change the membership of the district's governing board and to approve or disapprove the proposal at the conclusion of the hearing.

ANALYSIS

This bill:

- 1) Authorizes the county committee on school district organization to reduce the members of a school district from five to three, if the district's ADA during the preceding year was less than 300, or adopt one of the alternative methods of

electing governing board members in accordance with procedural requirements in existing law.

- 2) Makes other nonsubstantive changes.

STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author's office, when average daily attendance (ADA) increases, some boards increase to five members. However, if ADA drops, there is no provision for going back to three board members, proportional to the student population. Elementary school districts that already have three-member boards and that continue to enroll fewer than 300 ADA can maintain their three-member boards. If the ADA increases to 300 or more, then the district must either increase its board membership to five by its own action or request the question to be put to a vote of the district's electorate. Voters could decide to either retain the three-member board or increase the membership to five. The author's office indicates that the ability for board membership to expand or contract in proportion to enrollment becomes increasingly important in rural and very small districts, which may have a difficult time finding five community members able to serve on the board. Compounding the problem of recruiting board members, current law requires an election to be held for vacant seats if no one is appointed. The author's office maintains that the cost of an election is burdensome and sometimes prohibitive for a very small school district.
- 2) ***County committees on school district organization.*** County committees on school district organization are the local initiator, coordinator, analyst, facilitator, and arbitrator for the reorganization of school districts. Roughly half of county committees are comprised of members of the county board of education while the remaining are independent of the board, although workload often falls to county board staff.

Current law authorizes a county committee to increase and decrease board membership from five to seven and from seven to five. The county committee can also increase a board from three to five members when ADA increases. However, existing law does not allow for the county committee to reduce a five member board if ADA declines.

SUPPORT

Santa Clara County Office of Education
School Employers Association of California
Sonoma County Office of Education (sponsor)

OPPOSITION

None received.

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