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# SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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**Bill No:** AB 2449 **Hearing Date:** June 6, 2018  
**Author:** Arambula  
**Version:** April 3, 2048  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Lynn Lorber

**Subject:** School districts, county offices of education, and community college districts: governing boards: elections.

## SUMMARY

This bill extends the date by which a newly elected member of a school district governing board, county board of education, or community college district governing board is to assume office after an election.

## BACKGROUND

Existing law:

- 1) Provides that a county board of education is to consist of five or seven members to be determined by the county committee on school district organization. Existing law requires each member of the board to be an elector of the trustee area which he/she represents and be elected by the electors of the trustee area. (Education Code § 1000)
- 2) Requires members of the county board of education to be elected on the date and in the manner prescribed for the election of members of governing boards of school districts, provided the elections are held throughout the county on the same date. Existing law requires members elected at the time of the direct primary to take office on the first day of July, and members elected at the date on which members of school district governing boards are elected to take office on the *last Friday in November* subsequent to their election. (EC § 1007)
- 3) Requires the county board of education to organize at a meeting held in each year by electing a president of the board. Existing law requires this meeting to be either the first meeting on or after the *last Friday in November*, or the first meeting on or after the first day in July, as specified. (EC § 1009)
- 4) Requires the election of governing board members in any school district or community college district to be held biennially on the first Tuesday after the first Monday in November in odd-numbered years. (EC § 5000)
- 5) Requires each person elected at a regular biennial governing board member election to hold office for a term of four years beginning on *the first Friday in December* next succeeding his/her election. (EC § 5017)

- 6) Provides that the first members of the governing board of a community college district are to take office on the third Monday following their election, and requires the term of office of subsequent members to begin on the *first Friday in December* following their election. (EC § 72027)

## ANALYSIS

This bill:

- 1) Extends, by two weeks, the date by which a newly elected member of a county board of education is to assume office after an election (from the last Friday in November to the second Friday in December).
- 2) Extends, by two weeks, the date by which a county board of education is to elect a president of the board (from the last Friday in November to the second Friday in December).
- 3) Extends, by one week, the date by which a newly elected member of a school district governing board is to assume office after an election (from the first Friday in December to the second Friday in December).
- 4) Extends, by one week, the date by which a newly elected member of a community college district governing board is to assume office after an election (from the first Friday in December to the second Friday in December).
- 5) Extends, by one week, the date by which a member of a community college district governing board is to vacate office (from the first Friday in December to the second Friday in December).
- 6) Corrects an obsolete cross-reference.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “Following a governing board’s election, the Education Code specifies the dates when newly-elected governing board members must (1) be seated and (2) hold their annual organizational meeting. Under existing law, this date is generally the last Friday in November, or the first Friday in December. Governing board elections may occur in odd or even years. In even-year elections, however, county elections officials have up to 30 days after Election Day to complete their official canvas: the tallying, auditing, and certification of the vote. Even-year elections have a slightly longer time periods for certification due to their consolidation of many jurisdictional elections. This bill addresses a problem that arises when the Education code’s dates establishing for the governing board’s seating and organizational meeting actually precede the Election Code’s 30-day deadline to certify the vote after even-year elections.”
- 2) ***Fiscal impact.*** According to the Assembly Appropriations Committee, this bill would have no associated costs.

**SUPPORT**

Fresno County Superintendent of Schools (sponsor)  
California County Superintendents Educational Services Association  
California School Boards Association

**OPPOSITION**

None received

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