

Date of Hearing: April 9, 2013

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
AB 447 (Williams) – As Amended: March 21, 2013

SUBJECT: Community colleges: organization of governing boards: nonvoting student members.

SUMMARY: Allows nonvoting student members of governing boards of the California Community Colleges (CCC) districts to attend closed sessions, as specified, to make and second motions, and to cast an advisory vote that is recorded in the minutes of board meetings. Specifically, this bill:

- 1) Allows nonvoting student members of governing boards of the CCC districts to attend closed sessions of board meetings, except for those sessions dealing with litigation, personnel issues, and collective bargaining.
- 2) Allows nonvoting student members to make and second motions during board meetings.
- 3) Allows nonvoting student members of governing boards of the CCC districts to cast an advisory vote that is recorded in the minutes of the governing board meeting.
- 4) States that the advisory vote shall not count in determining the vote required to carry a measure before the governing board.
- 5) Requires districts to be reimbursed for costs if the Commission on State Mandates determines that this act contains costs mandated by the state.

EXISTING LAW:

- 1) Authorizes the establishment of CCC student body organizations and associated fees (Education Code [EC] § 76060 et seq.).
- 2) Requires the board of trustees of each CCC district to include at least one nonvoting student member to be chosen by the students in a manner determined by the board. States that to be eligible, the student must be enrolled in a community college of the district for at least five semester units. States that the term of office for the student trustee is one year, commencing on May 15 or June 1 of each year. Stipulates that nonvoting student members of the board are entitled to mileage reimbursement but specifically prohibits their receipt of compensation (EC § 72023.5).

FISCAL EFFECT: Unknown

COMMENTS: Role of the student trustee. Student trustees have been members of local CCC governing boards since 1977. Local governing boards determine the privileges and establish procedures to elect student trustees. Boards, as well as college administrators, establish the environment and expectations for student trustees. Student trustees are elected members of the student body who serve on the local governing board of the CCC. Up to two students are elected

for this position and voice the students' concerns at the board meetings; the student trustees are responsible for bringing the decisions of the board back down to the student body. Additionally, student trustees can serve on district-wide committees as the student representative.

Varying authority. According to the Community College League of California (League), the extent to which the student trustee is viewed as an advocate for and representative of the current student body varies from board to board, and depends in part on the attitude of the person holding the position. The League contends that some student trustees play a similar role to the Associated Students (AS) organization (which serves as the governing body representing students and also sponsors social activities and events, and supports its members throughout the year at each CCC) and represents current students. Student trustees who function in this manner are serving more in a similar role as AS leaders. Yet, other student trustees, as student members of the board, are serving as all the rest of the trustees (making board decisions that benefit the community as a whole, and future students, as well as the current student body).

The Community College League of California's publication entitled, "Perspectives on the Role of Student Trustees," was released to assist in clarifying the expectations of student trustees and the role they play in order for the student trustees to be fully prepared for board meetings.

Need for the bill. According to the author, this bill seeks to provide all student trustees of CCC district boards an equal opportunity to represent their peers. Because each local board has discretion to grant certain existing privileges to student trustees, not all student trustees are given equal privileges. This leaves the lens through which a student trustee is viewed and the capacity in which they can serve, largely up to the governing board.

The author states, "Student trustees provide a unique voice and bring valuable contributions to their boards. As such, it is not unreasonable for students to expect to participate in the structures of local control and we should do our best to accommodate them even though their participation is temporary in nature." The author contends that when privileges are afforded to some and not others, the student voice can be diminished. A student trustee's ability to represent their peers can also be influenced by the performance of the former student trustee on the board even though this has no bearing on the current student trustee's abilities or performance.

This measure ensures that all student trustees have a fair and equal opportunity to represent students.

Related legislation. AB 1030 (Cooley), scheduled to be heard in this committee today, provides that if the seat of a student member of the local board of the CC district becomes vacant during his/her term, the governing board may authorize the officers of the AS organization at each campus in the CC district to appoint a student by majority vote of the officers to serve the remainder of the term.

AB 844 (Lara), Chapter 619, Statutes of 2011, authorized a student who is without lawful immigration status or exempt from paying nonresident tuition, to serve in student government at the California State University and the campuses of the CCC.

REGISTERED SUPPORT / OPPOSITION:

Support

California Communities United Institute
California Community College Association of Student Trustees

Opposition

Community College League of California

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