



SCHOOL & COLLEGE LEGAL SERVICES OF CALIFORNIA

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LEGAL UPDATE

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To: Superintendents, Member School Districts (K-12)

From: Frank Zotter Jr., Senior Associate General Counsel

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**Subject: Legislation Allows Reducing Size of Elementary School District
Boards From Five to Three
Memo No. 29-2015**

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Governor Brown recently signed Assembly Bill 331 into law. The bill was originally proposed by Sonoma County Superintendent Steve Herrington and the draft of the bill was prepared with assistance from School & College Legal Services.

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Current law establishes in each county, except a county that is also a city and county, a county committee on school district organization, and authorizes the committee to take certain actions about the organization of school districts and community college districts in the territory under the committee's jurisdiction. Existing law requires a committee, upon a proposal initiated by the committee or by a petition signed by a specified number of registered voters, to decide whether to approve a proposal to increase the membership of a school district governing board from 5 to 7, or to decrease membership from 7 to 5, in accordance with specified procedural requirements.

This bill authorizes a county committee on school district organization, for any school district whose average daily attendance during the preceding year was less than 300, to decide whether to approve a proposal to *decrease* the membership of the school district governing board from 5 to 3 in accordance with specified procedural requirements. Under existing law, once a district's board had been expanded to 5 from 3, there was no way to reduce the size of the board back to 3, even with the approval of the county committee.

In some rural districts, especially those experiencing declining enrollments because of lower population, it has become difficult for school districts to find even 5 citizens willing to serve four years on a district board. This proposal is likely to assist such smaller districts whose ADA has fallen in recent years, to make it easier for them to find a sufficient number of citizens willing to serve on a district board.



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The information in this Legal Update is provided as a summary of law and is not intended as legal advice. Application of the law may vary depending on the particular facts and circumstances at issue. We, therefore, recommend that you consult legal counsel to advise you on how the law applies to your specific situation.

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