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AB-1887 Public education governance: service on boards and commissions. (2017-2018)

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Assembly Bill No. 1887

CHAPTER 182

An act to amend Section 66016.3 of, and to add Section 54 to, the Education Code, relating to public education governance, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor August 24, 2018. Filed with Secretary of State August 24, 2018.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1887, Medina. Public education governance: service on boards and commissions.

(1) Existing law specifies the civil executive officers of the state. Existing law provides that a person is incapable of holding a civil office if, at the time of his or her election or appointment, he or she is not 18 years of age and a citizen of the state.

This bill would authorize any pupil attending a California public secondary school who is under the age of 18 years to serve on any board or commission that includes members who are pupils or minors and is established under specified portions of the Education Code that relate to public elementary and secondary education and that includes members who are pupils or minors.

(2) Existing law authorizes any student, including a person without lawful immigration status, or a person who is exempt from paying nonresident tuition pursuant to a specified statute to serve in any capacity in student government at the California State University or the California Community Colleges, as prescribed.

This bill would authorize any student attending a campus of the California Community Colleges, the California State University, the University of California, or an independent institution of higher education, as defined, who qualifies for exemption from paying nonresident tuition pursuant to a specified statute to serve on any board or commission established pursuant to the portion of the Education Code relating to higher education and that includes members who are students.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

Vote: 2/3 Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 54 is added to the Education Code, to read:

54. Notwithstanding Section 1020 of the Government Code, any pupil attending a California public secondary school who is under the age of 18 years may serve on any board or commission established pursuant to this title or Title 2 (commencing with Section 33000) that includes members who are pupils or minors.

SEC. 2. Section 66016.3 of the Education Code is amended to read:

66016.3. (a) (1) Any student, including a person without lawful immigration status, or a person who is exempt from paying nonresident tuition pursuant to Section 68130.5, may serve in any capacity in student government at the California State University or the California Community Colleges and receive any grant, scholarship, fee waiver, or reimbursement for expenses incurred connected with that service to the full extent consistent with federal law.

(2) Notwithstanding Section 1020 of the Government Code, any student attending a campus of the California Community Colleges, the California State University, the University of California, or an independent institution of higher education, as defined in Section 66010, who qualifies for exemption from paying nonresident tuition pursuant to Section 68130.5 may serve on any board or commission established pursuant to this title that includes members who are students.

(b) The University of California is requested to comply with this section.

(c) The Legislature finds and declares this section is a state law within the meaning of subsection (d) of Section 1621 of Title 8 of the United States Code.

SEC. 3. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the California Constitution and shall go into immediate effect. The facts constituting the necessity are:

To allow students who are currently ineligible, but would be made eligible by this act in time for appointment, and students who do not have lawful immigration status or qualify as being exempt from paying nonresident tuition to proceed in the appointment process, it is necessary for this act to take effect immediately.