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SB-494 School district governing boards: meetings: school district superintendents and assistant superintendents: termination. (2023-2024)

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Senate Bill No. 494

CHAPTER 875

An act to add Section 35150 to the Education Code, relating to school districts.

[Approved by Governor October 13, 2023. Filed with Secretary of State October 13, 2023.]

LEGISLATIVE COUNSEL'S DIGEST

SB 494, Newman. School district governing boards: meetings: school district superintendents and assistant superintendents: termination.

Existing law requires the governing board of any school district to fix the time and place for its regular meetings with proper notice to all members of the governing board of the regular meetings. Existing law authorizes the presiding officer of the governing board of a school district, or a majority of the members of the governing board of a school district, to call a special meeting of the governing board of the school district at any time if specified notice requirements are met.

This bill would prohibit the governing board of a school district from taking action to terminate a superintendent or assistant superintendent of the school district, or both, without cause, at a special or emergency meeting of the governing board or within 30 days after the first convening of the governing board after an election at which one or more members of the governing board are elected or recalled, as provided. For the purpose of terminating a superintendent or assistant superintendent, or both, without cause, the bill would authorize the governing board of a school district to hold a regular meeting, as specified, during any month in which a regular meeting of the governing board is not scheduled.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

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

SECTION 1. Section 35150 is added to the Education Code, immediately following Section 35149, to read:

35150. (a) (1) The governing board of a school district shall not take action to terminate a superintendent or assistant superintendent of the school district, or both, without cause, at a special or emergency meeting of the governing board.

(2) The governing board of a school district may hold a regular meeting pursuant to Section 54954 of the Government Code for the purpose of terminating a superintendent or assistant superintendent of the school district, or both, without cause, during any month in which a regular meeting of the governing board is not scheduled.

(b) The governing board of a school district shall not terminate a superintendent or assistant superintendent of the school district, or both, without cause, within 30 days after the first convening of the governing board after an election at which one or more members of the governing board are elected or recalled.

