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# SENATE COMMITTEE ON EDUCATION

Senator Benjamin Allen, Chair

2017 - 2018 Regular

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**Bill No:** SB 468 **Hearing Date:** April 26, 2017  
**Author:** Leyva  
**Version:** March 23, 2017  
**Urgency:** No **Fiscal:** Yes  
**Consultant:** Lynn Lorber

**Subject:** School districts: governing boards: pupil members

## SUMMARY

This bill modifies the existing requirement that school district governing boards provide the student board member with materials presented to the board members to specify that the student members are to receive the materials at the same time the materials are presented to the board members, and requires governing boards to invite the student member to staff briefings provided to board members.

## BACKGROUND

Existing law:

- 1) Authorizes a student petition to be submitted to the governing board of a school district maintaining one or more high schools requesting the governing board to appoint one or more non-voting student members to the board.
- 2) Authorizes a student petition to be submitted to the governing board of a school district maintaining one or more high schools requesting the governing board to allow preferential voting for the student member or members of the board.
- 3) Requires the governing board of a school district, upon receipt of a petition for student representation, to order the inclusion within the membership of the governing board, in addition to the number of members otherwise prescribed, at least one nonvoting pupil member. Existing law authorizes the governing board to order the inclusion of more than one non-voting student member.
- 4) Requires any student selected to serve as a non-voting or preferential voting member of the governing board of a school district to be enrolled in a high school of the district, authorizes the student to be less than 18 years of age, and requires the student to be chosen by the students enrolled in the high school or high schools of the district in accordance with procedures prescribed by the governing board. Existing law provides that the term of a student member is one year, beginning on July 1 of each year.
- 5) Requires a non-voting or preferential voting student member to be seated with the members of the governing board of the school district and to be recognized as a full member of the board at the meetings, including receiving all materials presented to the board members and participating in the questioning of

witnesses and the discussion of issues.

- 6) Requires a majority vote of all voting board members to be required to approve a motion to eliminate the non-voting or preferential voting student member position from the governing board of a school district. Existing law requires the motion to be listed as a public agenda item for a meeting of the governing board prior to the motion being voted upon. (Education Code § 35012)

## ANALYSIS

This bill:

- 1) Modifies the existing requirement that school district governing boards provide the student board member with materials presented to the board members to specify that the student members are to receive the materials *at the same time* the materials are presented to the board members.
- 2) Requires governing boards to invite the student member to staff briefings provided to board members.

## STAFF COMMENTS

- 1) ***Need for the bill.*** According to the author, “School boards handle complex and important issues, and sometimes vote on policies and programs that span several years. Student school board members are only elected for one-year terms and may lack the expertise needed to make an informed decision on some of the issues before the board. Under current law, there is no requirement that school boards provide the student board member with all the materials or staff assistance needed to make informed decisions about complex issues. Some school boards provide their student members with the materials beforehand and provide briefings for student board members, allowing them to make more informed decisions. This is a best practice that should be implemented by all school boards with a student board member.”
- 2) ***California Association of Student Councils.*** This bill is based upon a recommendation of the California Association of Student Councils’ Student Advisory Board on Legislation in Education (SABLE) which was presented to this Committee at the February 22, 2017, informational hearing on the student councils. The students’ presentation included the following information relative to student members of school district governing boards:
  - a) The delegation has realized there was an unequal distribution of information with student board members as student representatives from Ripon, Beaumont, Shasta County, Los Alamitos, and San Marino districts noticed unequal access to open session materials, including but not limited to agendas and meeting packets. Although these student board members were integral to meetings, they were not given the tools they needed to accurately represent the student body.

- b) Through the bill's implementation, student board members will become more involved and aware of the school board's decisions and reasoning. When students understand that their voices are heard, the student body, parents, administrators, and board members forge a more symbiotic relationship.
- c) Moreover, not only will student board members be able to make the most informed decisions possible, but they will also be able to accurately contribute to board discussions. This will foster a more thoughtful deliberation during the decision-making process. As a result, school boards will have a wider range of perspectives to consider. Without this ability, student board members are unable to fulfill their roles as mediators between students and the administration.  
[http://sedn.senate.ca.gov/sites/sedn.senate.ca.gov/files/casc\\_material.pdf](http://sedn.senate.ca.gov/sites/sedn.senate.ca.gov/files/casc_material.pdf)
- 3) **Staff briefings.** This bill requires governing boards to invite the student member to staff briefings provided to board members. **Staff recommends an amendment** to clarify that, as an alternative, student board members may be provided a separate staff briefing within the same timeframe as the staff briefing of board members.

(9) A nonvoting or preferential voting pupil member shall be seated with the members of the governing board of the school district and shall be recognized as a full member of the governing board at the meetings, including receiving all materials presented to the board members at the same time the materials are presented to the board members, being invited to staff briefings of board members *or being provided a separate staff briefing within the same timeframe as the staff briefing of board members*, and participating in the questioning of witnesses and the discussion of issues.

- 4) **Related legislation.** AB 261 (Thurmond) deletes the authority for a school district governing board to include a student as a non-voting member of the district governing board, and instead provides that a student member of the governing board is to have preferential voting rights. AB 261 is pending in the Assembly Appropriations Committee.

SB 596 (Stern) authorizes a school, subject to authorization by the school administration, to hold an election where the student body may vote to nominate a student or students to be considered for appointment as a student member of the State Board of Education. SB 596 is scheduled to be heard by this Committee on April 26.

## SUPPORT

None received

## OPPOSITION

None received

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