

**Bylaw 9150: Student Board Members**

**Status:** ADOPTED

**Original Adopted Date:** 12/01/2019 | **Last Revised Date:** 03/01/2025 | **Last Reviewed Date:** 03/01/2025

CSBA NOTE: The following optional Board bylaw is for use by any district maintaining one or more high schools.

There are two bases of authority for creating one or more student positions on a district Governing Board. Education Code 35012 authorizes high school students to petition for student representation on a district Board. Additionally, Education Code 35160 grants broad authority to the Board, which includes authorization for the Board to create one or more student Board member positions. When established by student petition, Education Code 35012 also imposes certain requirements related to eligibility, selection, term, and scope of responsibilities. There are no such imposed requirements when established by the Board's own authority. However, it is recommended that Boards adopt the Education Code 35012 requirements as a best practice. Therefore, except where indicated, the following Board bylaw reflects the requirements of Education Code 35012. For Boards that create one or more student Board member positions pursuant to Education Code 35160, this Board bylaw should be revised to reflect district practice.

In order to enhance communication and collaboration between the Governing Board and the student body and to teach students the importance of civic involvement, the Board supports the participation of high school students in district governance.

**Credit, Compensation, and Liability**

CSBA NOTE: Pursuant to Education Code 35012 and 35120, the Board has discretion to award elective course credit for service as a student Board member and/or to provide the student Board member(s) with monthly financial compensation. The following paragraphs should be deleted or modified to reflect district practice.

The student Board member(s) shall receive elective course credit for service as a student Board member based on the number of equivalent daily instructional minutes for the student Board member's services provided. (Education Code 35120)

Additionally, the student Board member(s) shall receive monthly compensation of \$ \_\_\_\_\_. A student Board member who receives monthly compensation shall receive compensation when absent from a Board meeting if the Board, by resolution duly adopted and included in its minutes, finds that at the time of the Board meeting the student Board member was performing services outside the Board meeting for the district, was ill, was on jury duty, or was absent due to a hardship considered acceptable by the Board. (Education Code 35120)

CSBA NOTE: Pursuant to Education Code 35012, student Board members are entitled to reimbursement for mileage expenses to the same extent as other members of the Board. This law does not address other travel expenses that may be incurred by student Board members related to training or to the performance of authorized services. As such, other travel expenses are not necessarily reimbursable for student Board members, except with prior Board approval.

The student Board member(s) shall be entitled to be reimbursed for mileage to the same extent as other members of the Board. (Education Code 35012)

A student Board member is not liable for any acts of the Board. (Education Code 35012)

**Student Board Member Positions Based on Petition**

CSBA NOTE: Boards that have already established student Board member position(s) should delete the following section.

High school students may submit a petition to the Board requesting the creation of at least one student Board member position.

To qualify for Board consideration, the petition shall contain the signatures of at least 500 students or 10 percent of the number of students regularly enrolled in district high schools, whichever is less. (Education Code 35012)

Within 60 days of receiving a student petition, or at the next regularly scheduled Board meeting if no meeting is held within those 60 days, the Board shall adopt a Board bylaw or amend this Board bylaw to create at least one student Board member position on the Board. (Education Code 35012)

**Student Board Member Positions Based on Board Authority**

**Bylaw 9150: Student Board Members**

**Status:** ADOPTED

**Original Adopted Date:** 07/23/2008 | **Last Revised Date:** 10/09/2024 | **Last Reviewed Date:** 10/09/2024

In order to enhance communication and collaboration between the Board of Education and the student body and to teach students the importance of civic involvement, the Board supports the participation of high school students in district governance.

The Board believes it is important to seek out and consider students' ideas, viewpoints and reactions to the educational program. In order to provide student input and involvement, the Board shall include two student Board members selected in accordance with procedures approved by the Board.

Student Board members shall be entitled to be reimbursed for mileage to the same extent as other members of the Board, but shall not receive monetary compensation for attendance at Board meetings. (Education Code 35012)

A student Board member shall not be liable for any acts of the Board. (Education Code 35012)

**Choosing Student Board Members**

**Eligibility**

Any student in good standing enrolled in a high school of the district who exhibits qualities of leadership and demonstrates a desire to represent the interests of all students is eligible to be selected a student representative to the Board.

**Rotation**

Student representatives to the Board shall be selected by rotation among the district High Schools.

**Selection**

The current student representatives shall have the responsibility for setting in motion the selection process for the succeeding student representatives. A student committee comprised of Student Body Presidents, Ridgway High School representative, the current student representatives to the Board, the Principal and the Director of Secondary Education shall choose the succeeding representative to the Board. The selection process shall be completed in time for presentation of the new Student Board Members to the Board by the first meeting in June.

Student Board Members shall be seated at the first meeting following the end of the school year.

The term of student Board member(s) shall be one year, commencing on July 1. However, the Board may adjust the term of a student Board member only if a vacancy occurs or in order to give more students an opportunity to serve on the Board. (Education Code 35012)

**Role and Responsibilities of Student Board Members**

Student Board members shall not be considered members of a legislative body for purposes of the Brown Act. (Education Code 35012)

A student Board member shall not be counted in determining the vote required to carry any measure before the Board or whether a quorum is in attendance at a Board meeting.

Student Board member(s) shall have the right to attend all Board meetings except closed sessions. (Education Code 35012)

All materials presented to Board members, except those related to closed sessions, shall be presented to student Board members at the same time they are presented to other Board members. Student Board member(s) shall also be invited to attend staff briefings or be provided with a separate staff briefing within the same timeframe as the briefing of other Board members. In addition, all materials given to Board members by the district between meetings, except for materials that pertain to closed session items, shall be distributed to student Board members. (Education Code 35012)

CSBA NOTE: The following optional section is for a Board that, on its own authority pursuant to Education Code 35160, has established one or more student Board member positions. Boards that have not established or do not want to establish student Board member position(s) should delete the following section.

There shall be  student Board member position(s) on the Board. (Education Code 35160)

### **Student Board Member Eligibility, Selection, and Term**

Each student Board member shall be enrolled in a district high school and shall be selected by a vote of the applicable student body. (Education Code 35012)

If the district has more high schools than student Board member positions, the student Board member position(s) shall rotate annually between the high schools of the district.

The term of the student Board member(s) shall be one year, commencing each July 1. The Board may adjust the term of a student Board member only if a vacancy occurs or to provide more students with an opportunity to serve on the Board. (Education Code 35012)

### **Role and Responsibilities of Student Board Members**

The student Board member(s) shall have the right to attend all Board meetings except closed sessions. (Education Code 35012)

The student Board member(s) shall also be invited to attend staff briefings, or be provided with a separate staff briefing, within the same timeframe as the briefing of other Board members. Additionally, the student Board member(s) shall receive all materials given to Board members between meetings, except for materials that pertain to closed session items, at the same time they are presented to other Board members. (Education Code 35012)

The student Board member(s) shall be recognized at Board meetings as full member(s), shall be seated with other members of the Board, and shall be allowed to participate in questioning witnesses and discussing issues. (Education Code 35012)

The student Board member(s) shall be allowed to cast preferential votes on all matters except those subject to closed session discussion. *Preferential voting* means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the Board. Preferential votes shall not affect the final numerical outcome of a vote. (Education Code 35012)

CSBA NOTE: Pursuant to Education Code 35012, the Board may adopt a resolution authorizing its student Board member(s) to make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3. The following optional paragraph is for use by districts that have adopted a resolution granting such authority.

The student Board member(s) may make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3. (Education Code 35012)

The student Board member(s) shall be appointed to subcommittees of the Board in the same manner as other Board members, although a student Board member may decline an appointment. The availability of all subcommittee members, including the availability of the student Board member(s), may be considered when scheduling subcommittee meetings. (Education Code 35012)

The student Board member(s) shall not be considered members of the Board for purposes of the Brown Act. (Education Code 35012)

The student Board member(s) shall not be counted in determining the vote required to carry any measure before the Board or whether a quorum is in attendance at a Board meeting.

The student Board member(s) shall be invited to attend functions of the Board, such as forums, meetings with students and parents/guardians, and other general assemblies. (Education Code 35012)

CSBA NOTE: Pursuant to Education Code 35012, as amended by SB 1445 (Ch. 327, Statutes of 2024), the Board may authorize the student Board member(s) to make restorative justice recommendations regarding expulsions if certain conditions are met. The following optional paragraph is for use by districts that choose to grant such

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Student Board member(s) shall be allowed to cast preferential votes on all matters except those subject to closed session discussion. Preferential voting means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the Board. Preferential votes shall not affect the final numerical outcome of a vote. (Education Code 35012)

Student Board member(s) may make motions that may be acted upon by the Board, except on matters dealing with employer-employee relations pursuant to Government Code 3540-3549.3. (Education Code 35012)

Student Board members shall be appointed to subcommittees of the Board in the same manner as other Board members, and shall be made aware of the time commitment required to participate in subcommittee meetings and work and of the right to decline an appointment. The availability of all subcommittee members, including the availability of student Board members, may be considered when scheduling subcommittee meetings. (Education Code 35012)

Student Board members shall be invited to attend functions of the Board, such as forums, meetings with students and parents/guardians, and other general assemblies. (Education Code 35012)

### **Student Board Member Training**

The Superintendent or designee may, at district expense, provide learning opportunities to student Board members through trainings, workshops, and conferences, such as those offered by the California School Boards Association and other organizations, to enhance their knowledge, understanding, and performance of leadership skills and their Board responsibilities.

The Superintendent or designee may periodically provide information to student Board member candidates to give them an understanding of the position. Once chosen or appointed, incoming student Board members shall be provided an orientation designed to build knowledge of the district and an understanding of the responsibilities and expectations of the position.

### **Removal from Office**

The Board shall declare a vacant position for any Student Board Member on the happening of any of the following events before the expiration of the term:

1. Death of the student
2. Resignation
3. Failure to attend regularly scheduled Board meetings from September 1 to June 30 for a period of three consecutive months, except when prevented by illness.
4. Disciplinary action taken against the student representative, such as expulsion or suspension.

### **Alternate Student Board Member**

If the Board determines that the student Board member's duties are not being fulfilled, the Board may appoint another student to serve out the term of the student Board member. If an alternate student Board member is appointed, the Board shall suspend the prior student Board member's rights and privileges related to service on the Board. (Education Code 35012)

### **Elimination of Student Board Member Position**

Once established, the student Board member position shall continue to exist until the Board, by majority vote of all voting Board members, approves a motion to eliminate the position. Such a motion shall be listed as a public agenda item for a Board meeting prior to the motion being voted upon. (Education Code 35012)

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authority.

On a case-by-case basis, the student Board member(s) may make restorative justice recommendations to the Board regarding specific expulsion matters. In order for such a recommendation to be made, the student who is subject to the expulsion and that student's parent/guardian shall first provide written consent. If such consent is given, the Superintendent or designee shall provide the student Board member(s) with information regarding the expulsion but only to the extent necessary for the student Board member(s) to provide a recommendation related to restorative justice to the Board. (Education Code 35012)

### **Student Board Member Training**

**CSBA NOTE:** The following section is optional.

The Superintendent or designee may, at district expense, provide learning opportunities to the student Board member(s) through trainings, workshops, and conferences, such as those offered by the California School Boards Association and other organizations, to enhance their knowledge, understanding, and performance of leadership skills and their Board responsibilities.

The Superintendent or designee may periodically provide information to student Board member candidates to give them an understanding of the position. Once selected, the incoming student Board member(s) shall be provided an orientation designed to build knowledge of the district and an understanding of the responsibilities and expectations of the position.

### **Alternate Student Board Member**

If the Board determines that a student Board member is not fulfilling the duties of the position, the Board may appoint another student to serve out the term of the student Board member. If an alternate student Board member is appointed, the Board shall suspend the prior student Board member's rights and privileges related to service on the Board. (Education Code 35012)

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