



# Kern High School District

## Request for Board Review of/Approval to Adopt Board Policy (BP) or Board Bylaw (BB) Revisions

### First Reading and Approval for Adoption

**Meeting Date:** December 13, 2021

**Category:** DIVISION REPORTS AND ITEMS: SUPERINTENDENT'S OFFICE

**Subject:** First and Final Reading for Approval to Adopt the Proposed Revisions to Board Policies and/or Board Bylaws as Recommended by District Administrative Staff and/or California School Boards Association Policy Updates – **BB 9150 Student Board Members**

**Type:** First Reading and Approval for Adoption

**Recommendation:** Accept and approve for adoption the proposed revisions to **BB 9150 Student Board Members**

**Background/Rationale:** Bylaw updated to reflect NEW LAW (AB 709) which requires student board members to be appointed to board subcommittees in the same manner as other board members, be invited to attend other functions of the board, and receive all materials received by other board members between open meetings except materials that pertain to closed session items. Bylaw also reflects provisions of AB 709 which clarify that student board members are not considered members of a legislative body for purposes of the Brown Act and authorize the board to appoint an alternate student board member if the student board member's duties are not being fulfilled.

#### **Documents Attached:**

- 1) **BB 9150 Student Board Members** – Draft policy with edit notations
- 2) **BB 9150 Student Board Members** – Revised clean copy for review and consideration

**Reviewed By:** Bryon Schaefer, Ed.D., Superintendent, Kern High School District

# Kern Union HSD

## Board Bylaw

### Student Board Members

BB 9150

#### Board Bylaws

In order to enhance communication and collaboration between the Board of Trustees 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.

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

(cf. 9323.2 - Actions by the Board)

#### Election of Student Board Member

The Student Board member position shall be filled in the following manner: Each Comprehensive High School principal and Alternative Education director will hold a school site election to determine which student should serve on the Student Board Member Advisory Council. However, if interest is low at a school site the principal may opt to appoint a qualified student to serve on the Student Board Member Advisory Council. A committee selected by the Superintendent shall select the Student Board member from interested students from the Student Board Member Advisory Council. The committee in charge of the selection process will include the Superintendent, Director of Equity & Inclusion, Student Outreach Liaison, and Community Member selected by the Superintendent.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

#### Election Guidelines:

In March, notices shall be sent out to school sites informing eligible students of the Student Board Member Advisory Council position and the application process. Qualified students shall complete the application process. After review by the principal, the qualified applicants must meet and follow the Associated Student Body election protocols and timelines established at their school site. Student Board Member Advisory Council elections will be held in conjunction with the Associated Student Body election at each school site.

The term of Student Board member shall be one year, commencing on July 1. (Education Code 35012)

#### Role and Responsibilities of the Student Board Member

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

(cf. 9321 - Closed Session)

All materials presented to Board members, except those related to closed sessions, shall be presented to the Student Board member at the same time they are presented to other Board members. The Student Board member 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 the Student Board member. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

The Student Board member shall be recognized at Board meetings as a full member, 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 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)

(cf. 9324 - Minutes and Recordings)

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

(cf. 9130 - Board Committees)

The Student Board member 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)

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

The Student Board member shall not be counted in determining whether a quorum of the Board is in attendance.

Student Board Member Training

The Superintendent or designee may, at district expense, provide learning opportunities to the Student Board member 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 elected or appointed, the incoming Student Board member shall be provided an orientation designed to build knowledge of the district and an understanding of the responsibilities and expectations of the position.

(cf. 9230 - Orientation)

#### 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 as an alternate 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)

#### Legal Reference:

##### EDUCATION CODE

33000.5 Appointment of student member to State Board of Education

35012 Board members; number, election and terms; student members

35120 Course credit for student board members

35160 Authority of governing boards

##### GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

54950-54964 Ralph M. Brown Act

#### Management Resources:

##### WEB SITES

CSBA: <http://www.csba.org>

California Association of Student Councils: <http://www.casc.net>

California Association of Student Leaders: <http://www.caslboard.com>

#### Bylaw KERN HIGH SCHOOL DISTRICT

Adopted: Fill in Date Bakersfield, California

# **Kern Union HSD**

## **Board Bylaw**

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BB 9150

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Adopted: Fill in Date Bakersfield, California