

Date of Hearing: April 5, 2017

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
AB 261 (Thurmond) – As Amended March 23, 2017

SUBJECT: School districts: governing boards: pupil members: preferential voting

SUMMARY: Provides that a pupil member of the governing board of a school district shall have preferential voting rights.

EXISTING LAW:

- 1) Authorizes pupils in a district that maintains one or more high schools to petition the governing board to appoint one or more pupil nonvoting members or one or more pupil members with preferential voting rights to the governing board.
- 2) Requires the petition to be signed by at least 500 high school pupils enrolled in the district or 10% of the number of high school pupils enrolled in the district, whichever is less.
- 3) Requires the governing board, upon receipt of the petition, to order the inclusion of at least one pupil on the board, and authorizes the board to determine whether the pupil members are nonvoting or have preferential voting rights.

FISCAL EFFECT: State mandated local program

COMMENTS: The permissive Education Code permits school boards to appoint one or more high schools pupil members to the governing board in either a non-voting or preferential voting position. Existing law also requires the governing board to appoint one or more non-voting or preferential voting pupil members to the governing board if it receives a petition signed by at least 500 high school pupils enrolled in the district or 10% of the number of high school pupils enrolled in the district, whichever is less. A preferential vote is advisory only and does not count in determining the outcome of a vote.

According to the author's office, many pupil board members are non-voting and thus are "unable to fully and formally represent" their pupil constituencies. Information provided by the author's office states that "By ensuring student opinion is represented in an official capacity, trustees of the local school board shall be provided a formal point of reference for student need, allowing them to make decisions that reflect more accurately the needs and wants of the students."

Related legislation. SB 532 (Leyva), Chapter 317, Statutes of 2015 requires that a school district governing board act on a request for pupil representation on the board within 60 days of receipt of the request, and requires a majority vote of all voting members of the board in order to eliminate a student representative from the board, subject to the motion to do so being noticed as a public item on the board's agenda prior to the vote.

REGISTERED SUPPORT / OPPOSITION:

Support

Public Advocates

Opposition

None received

Analysis Prepared by: Rick Pratt / ED. / (916) 319-2087