

Date of Hearing: March 22, 2023

ASSEMBLY COMMITTEE ON EDUCATION
Al Muratsuchi, Chair
AB 275 (Ward) – As Amended February 16, 2023

SUBJECT: School governance: governing boards: pupil members: compensation

SUMMARY: Authorizes a governing board of a school district and a county board of education to award a pupil member elective course credit or financial compensation, or both. Specifically, **this bill:**

- 1) Authorizes a pupil member of a governing board of a school district and a county board of education may receive compensation, as specified.
- 2) Defines the following:
 - a) “Pupil member” means a student board member appointed to the governing board of a school district or county board of education, according to a specified student petition process; and
 - b) “Regular member” means a board member elected or selected to the governing board of a school district or a county board of education, as specified.
- 3) Authorizes the governing board of a school district and county board of education to award a pupil member either or both of the following:
 - a) Elective course credit based on the number of equivalent daily instructional minutes for the pupil’s services provided; or
 - b) Monthly financial compensation as determined by the governing board of the school district or the county board of education.
- 4) Authorizes any regular member or pupil member who does not attend all meetings held in any month to receive as compensation for the regular member or pupil member’s services, an amount not greater than the maximum amount allowed, as applicable, divided by the number of meetings held, and multiplied by the number of meetings actually attended.
- 5) Authorizes a pupil member or regular member of a governing board of a school district and a county board of education to be paid for any meeting for which the member is absent if the board by resolution, duly adopted and included within its minutes, finds that the time of the meeting the member was performing services outside the meeting on behalf of the board, the member was ill or on jury duty, or the absence was due to a hardship deemed acceptable by the board.

EXISTING LAW:

School districts:

- 1) Authorizes pupils in a school district that maintains one or more high schools to petition the governing board to appoint one or more pupil members 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 each pupil member to have the right to attend each and all meetings of the governing board of the school district, except executive sessions.
- 4) Requires a pupil member to also receive all materials received by other board members between open meetings, except for materials that pertain to closed session.
- 5) Entitles each pupil member to the same mileage allowance to the same extent as regular members, but excludes pupil members from permissive monthly compensation. (Education Code (EC) 35012)
- 6) Authorizes, in a school district in which the average daily attendance (ADA) for the prior school year exceeded 250,000, each member of the governing board of the school district who attends all meetings held to receive as compensation for the member's services a salary as set forth by the local city charter law or applicable rules and regulations and as determined by a local compensation review committee.
- 7) Authorizes, in a school district that is not located in a city and county, and in which the ADA for the prior school year exceeded 60,000, the governing board to prescribe, as compensation for the services of each member of the board who attends all meetings held, a sum not to exceed \$1,500 in any month.
- 8) Authorizes, in a school district in which the ADA for the prior school year was 60,000 or less, but more than 25,000, each member of the city board of education or the governing board of the school district who attends all meetings held to receive as compensation for the member's services a sum not to exceed \$750 in any month.
- 9) Authorizes, in a school district in which the ADA for the prior school year was 25,000 or less, but more than 10,000, each member of the city board of education or the governing board of the school district who attends all meetings held to receive as compensation for the member's services a sum not to exceed \$400 in any month.
- 10) Authorizes, in a school district in which the ADA for the prior school year was 10,000 or less, but more than 1,000, each member of the city board of education or the governing board of the school district who attends all meetings held to receive as compensation for the member's services a sum not to exceed \$240 in any month.
- 11) Authorizes, in a school district in which the ADA for the prior school year was 1,000 or less, but more than 150, each member of the city board of education or the governing board of the school district who attends all meetings held to receive as compensation for the member's services a sum not to exceed \$120 in any month.
- 12) Authorizes, in a school district in which the ADA for the prior school year was less than 150, each member of the city board of education or the governing board of the school district who attends all meetings held to receive as compensation for the member's services a sum not to exceed \$60 per month.

- 13) Authorizes the governing board of a school district to award a pupil member elective course credit based on the number of equivalent daily instructional minutes for the pupil member's services provided. (EC 35120)

County boards of education:

- 14) Authorizes pupils in high schools under the jurisdiction of the county board of education to appoint one or more pupil members to the governing board.
- 15) Requires the petition to be signed by at least 500 high school pupils enrolled in high schools under the jurisdiction of the county board of education or 10% of the number of high school pupils enrolled in schools under the jurisdiction of the county board of education, whichever is less.
- 16) Requires each pupil to have the right to attend each and all meetings of the county board of education, except executive sessions.
- 17) Requires a pupil member to also receive all materials received by other board members between open meetings, except for materials that pertain to closed session items.
- 18) Entitles each pupil member to the same mileage allowance to the extent as regular members, but excludes pupil members from permissive monthly compensation. (EC 1000)
- 19) Authorizes the board of supervisors to allow, as compensation, as specified, to each member of the county board of education.

FISCAL EFFECT: Unknown

COMMENTS:

Need for the bill. According to the author, "Student board members play a crucial role in representing the student voice and sharing student perspectives with school district and county boards of education. Yet, despite their important responsibilities, current law prohibits them from receiving compensation for their work.

This lack of compensation can create a barrier for many students, particularly those from low-income families, to participate in this important leadership opportunity. By allowing school district boards and county boards of education to provide compensation by offering a stipend to student board members for their work, AB 275 will increase accessibility and empower more students to participate.

Compensating student board members sends a clear message that their time and work are valued and respected. It recognizes their dedication to representing the student voice in discussions and helping find solutions to issues that directly impact them. AB 275 is a critical step towards ensuring that all students have the opportunity to participate as student board members and receive compensation for their work."

Student board members in California. Current law requires the governing board of a school district, county board of education, and governing body of a charter school, to include a student board member if a petition signed by a specified number of high school students is brought

before the governing board. The California School Boards Association estimates that approximately half of all school district governing boards include a student board member.

Compensation for board members. Current law authorizes the members of the governing board of a school district, and the governing board of a county board of education, to receive financial compensation for their service on the board. The amount of compensation is related to board member attendance and ADA.

School district governing boards		County boards of education	
School district ADA	Compensation	Countywide ADA	Compensation
250,000+	Salary set forth by the local city charter law or applicable rules and regulations and as determined by a local compensation review committee	750,000+	Not to exceed \$600 a month
60,000+	Not to exceed \$1,500 a month	140,000-749,999	Not to exceed \$400 a month
25,000+	Not to exceed \$750 a month	60,000-139,999	Not to exceed \$300 a month
10,000+	Not to exceed \$400 a month	30,000-59,999	Not to exceed \$200 a month
1,001-10,000	Not to exceed \$240 a month	1,000-29,999	Not to exceed \$160 a month
151-10,000	Not to exceed \$120 a month		
Less than 150	Not to exceed \$60 a month		

Note: Current law authorizes, on an annual basis, a school district governing board and a county board of education to increase the compensation of individual board members beyond the limits, in an amount not to exceed 5% based on the present monthly rate of compensation.

This bill would authorize regular (adult, nonstudent) school district governing board members and members of county boards of education to approve financial compensation for pupil board members. The amount of the financial compensation would be determined by the governing board. The proposal does not specify a total amount or cap for pupil compensation. Although there is variance between individual governing boards, most governing board members spend a significant amount of time each month attending meetings and other events related to the staff and personnel of the schools they oversee. Given this time commitment, some student board members note they are unable to serve as a governing board member, attend high school, and hold a part-time job. Many students rely on the income of a part-time job to support their families and themselves, and the current lack of financial compensation for serving on a governing board is seen by some as a barrier to serving as a pupil member.

County offices of education are responsible for some alternative education. Current law gives COEs a role in alternative education, which refers to any nontraditional academic program designed for students who require or could benefit from an alternative placement. COEs responsible for ensuring students incarcerated at the county level are provided with an

educational program, and COEs receive direct funding for educating students who are on probation, referred by probation departments, or mandatorily expelled. All other at-risk students, including nonmandatorily expelled students, students referred by school attendance review boards, students with significant behavior issues, and students with serious academic deficiencies, are funded through school districts.

Arguments in support. The San Diego Unified School District writes, “Of the over 420 school districts serving high school students in California, at least 270 have one or more student members on their school board. San Diego Unified has two student board member positions, one of which must be filled by a student enrolled at a school where at least 60% of the student body qualifies for free or reduced-priced meals. Student board members offer a critical connection between the student body and the governing board of the school district. They attend school board meetings, represent the student voice in discussions with the school board, elevate issues of concern to the student body, and meaningfully participate in the governance process of their school districts. However, despite the important work that student board members perform, current law prohibits them from receiving compensation for their work.

San Diego Unified recognizes the crucial role of our student board members in representing the diverse student voices of our district. By allowing school districts to pay student board members, AB 275 will enable San Diego Unified to meaningfully recognize the value that our student board members bring to the district. Furthermore, providing compensation for student board members will remove barriers to participation for low-income students. We strongly believe that all students deserve the opportunity to participate as a student school board member, regardless of their income status, and AB 275 will give districts the tools to increase equitable access to this role.”

Related legislation. AB 417 (Bennett) of the 2023-24 Session would authorize a pupil who is enrolled in a high school that is under the jurisdiction of the county board of education to be selected to serve as a member of the county board of education, if no petition is submitted to select a pupil.

AB 824 (Bennett) Chapter 669, Statutes of 2021, authorizes a pupil petition requesting that a county board of education or the governing body of a charter school appoint one or more pupil board members to be submitted to a board or body operating one or more high schools.

SB 1236 (Glazer) of the 2021-22 Session would have authorized the governing board of a school district to adopt resolutions to make each preferential voting pupil member a full voting pupil member of the governing board, and would have authorized the governing board to restrict by resolution a full voting pupil member from voting on certain matters. The bill would have only prohibited a preferential voting pupil member from being included in determining a vote and would require a full voting pupil member to be included in determining a vote, unless the full voting member is restricted by resolution from voting on that matter, and the bill would have required a governing board of a school district with 6 or 8 members as a result of a full voting pupil member to establish an affirmative vote and quorum at 4 and 5 members, respectively, except as specified. This bill was held in the Assembly Education Committee.

AB 709 (Bonta) Chapter 437, Statutes of 2019, requires pupil members of a governing board of a school district be appointed to subcommittees in the same manner as other board members, among other requirements.

SB 126 (Leyva) Chapter 3, Statutes of 2019, requires a charter school and an entity managing a charter school to be subject to the Ralph M. Brown Act or the Bagley-Keene Open Meeting Act, the California Public Records Act, Government Code 1090, and, the Political Reform Act.

AB 261 (Thurmond) Chapter 257, Statutes of 2017, provides that a pupil member of the governing board of a school district shall have preferential voting rights.

SB 468 (Leyva) Chapter 283, Statutes of 2017, 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 all open meeting 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 or provide a separate briefing within the same timeframe as the briefing of board members.

SB 532 (Leyva) Chapter 317, Statutes of 2015, requires a majority vote of all voting board members on a motion to eliminate the nonvoting or preferential voting pupil member position from the governing board of a school district, and requires the motion to be listed as a public agenda item for a meeting of the governing board of the school district prior to the motion being voted upon.

AB 1007 (Carter) of the 2009-10 Session would have required appointment of one or more non-voting pupils to the board upon receipt of a pupil petition requesting this, within 30 days of receipt of that petition or at its next regularly scheduled meeting if no meeting was held within those 30 days. AB 1007 was vetoed by the Governor, whose message read, in pertinent part:

“I am unaware of any school board intentionally withholding action on a student representation petition. Therefore, I believe this bill is unnecessary.”

REGISTERED SUPPORT / OPPOSITION:

Support

California Student Board Member Association
Courage California
GenUp (generation Up)
Long Beach Unified School District
San Diego County Office of Education
San Diego Unified School District

Opposition

None on file

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