

Date of Hearing: July 12, 2017

ASSEMBLY COMMITTEE ON EDUCATION

Patrick O'Donnell, Chair

SB 596 (Stern) – As Amended July 3, 2017

**SENATE VOTE:** Senate vote not relevant to current version of the bill

**SUBJECT:** State Board of Education: student member: school elections

**SUMMARY:** Establishes the Student Empowerment Commission to provide opportunities for high school pupils to engage in local and state policy-making. Specifically, **this bill:**

- 1) Makes findings and declarations regarding the importance of increasing voter turnout among millennials.
- 2) Expresses the intent of the Legislature to empower and engage pupils statewide in the democratic process and to provide pupil insight and feedback on public policy issues to state and local government.
- 3) Requires the Superintendent of Public Instruction (SPI), in consultation with the Secretary of State (SOS), to solicit proposals and select one or more nonprofit organizations to assist in administering the Student Empowerment Commission (Commission).
- 4) Requires preference to be given to nonprofit organizations working collaboratively and in partnership with other nonprofit organizations that present multi-organizational proposals.
- 5) Requires the nonprofit organization to meet both of the following criteria:
  - a) It shall be registered as a nonprofit public benefit corporation under Section 501(c)(3) of the United States Internal Revenue Code; and
  - b) It shall present documentation of sufficient resources to fund a portion of the costs required to administer the program.
- 6) Provides that the duties of the nonprofit organizations administering the Commission shall include, but not limited to, organizing and conducting annual regional conferences and a statewide conference.
- 7) Requires, as a condition of participating in the program, a public or private school to conduct an election of the student governing body to determine whether the school will participate in the program. If a majority of the student governing body votes to participate in the program, an election of the student body shall be held to nominate a regional delegate.
- 8) Specifies that participation in the program by a school is subject to approval by the school administration.
- 9) Provides that, to qualify as a candidate for regional delegate, a pupil shall meet both of the following requirements:
  - a) The pupil shall be enrolled in the school in grade 9, 10, or 11; and

- b) The pupil agrees to faithfully and diligently represent all pupils at the school.
- 10) Provides that term of a regional delegate participating in the program shall begin upon nomination and shall terminate two years later or upon the pupil's graduation, whichever occurs first.
  - 11) Requires the SOS, in consultation with the SPI, to annually recommend the date or dates on which elections to opt into the program and to nominate regional delegates shall be held. In making these recommendations, the SOS shall take into consideration the dates of regularly scheduled student body elections as well as programs to encourage pupil civic engagement, including, but not limited to, high school voter education weeks.
  - 12) Requires the SOS to divide the state's counties, or segments thereof, into 12 geographic regions, which shall be designated as regions 1 to region 12, inclusive. The regions shall be designed to be relatively equal in population.
  - 13) Requires the administrators, in consultation with the SPI, to organize and conduct a conference in each of the 12 regions, to be attended by each pupil nominated by their school in the region in which the school is located.
  - 14) Requires the SPI, in consultation with the SOS, to annually determine the date of the regional conferences, which shall be conducted in the spring and shall be scheduled to give participating schools and regional delegates sufficient notice of important dates and responsibilities.
  - 15) Provides that each regional conference shall be attended by pupils from each participating school in the region that elected a pupil as a regional delegate.
  - 16) Requires regional delegates attending the regional conference to prepare proposals addressing legislative solutions to public policy issues identified by regional delegates at their own schools.
  - 17) Requires the administrators to set forth procedures for the preparation, discussion, and vetting of issues at the regional conference that includes peer-to-peer facilitation and consensus-based decision making.
  - 18) Requires, at the conclusion of each regional conference, the regional delegates to do the following:
    - a) Adopt by a majority vote of the regional delegates attending the regional conference an official proposal or proposals for the region to be identified as the official proposal or proposals of the region; and
    - b) Select five student commissioners and two alternate student commissioners from among the regional delegates attending the regional conference who shall represent the region at the statewide conference.
  - 19) States that regional delegates are encouraged to present their proposals to local governmental agencies and to take action to implement their proposals in their communities.

- 20) Requires the administrators, in consultation with the SPI, to organize and conduct a statewide conference in Sacramento, to be attended by the five student commissioners and 2 alternate student commissioners from each of the 12 regions.
- 21) Requires the statewide conference to be conducted in the fall and be scheduled on a date determined by the SPI in consultation with the administrators.
- 22) Requires the administrators to set forth procedures for the preparation, discussion, and vetting of issues at the conference that includes peer-to-peer facilitation and consensus-based decision making.
- 23) Requires that, at the conclusion of the statewide conference, recommendations and proposals developed and adopted by the student commissioners, in accordance with rules promulgated by the student commissioners, and shall be presented to the appropriate committees of the Legislature prior to the deadline for bills to be introduced in the Legislature.
- 24) Encourages the Legislature to provide the commission with opportunities to formally present their recommendations and proposals to the appropriate legislative committees.
- 25) Defines "program" to mean the Student Empowerment Commission program.
- 26) Defines "administrators" to mean one or more nonprofit organizations selected to administer the program.

**FISCAL EFFECT:** Unknown (the prior version of this bill was keyed non-fiscal by Legislative Counsel)

**COMMENTS:** This bill creates the Student Empowerment Commission to engage high school pupils in the democratic process and to provide pupil insight and feedback on public policy issues in state and local government. The Commission would be administered by one or more nonprofit organizations that would be selected by the SPI in consultation with the SOS.

***Structure of the Commission.*** The Commission would consist of 12 regions across the state, which must be relatively equal in population. Although the bill does not specify this, the author's intent is that the regions be equal in general population, as opposed to pupil population. Each region would hold an annual conference attended by delegates from each participating school. Any public or private school with pupils enrolled in grade 9, 10, or 11 would be eligible to participate, subject to approval by the school administration and a decision by the student governing body to participate. The student body of each participating school would elect a regional delegate from among pupils enrolled in grade 9, 10, or 11 in the schools. Delegate terms shall be for two year or upon the delegate's graduation, whichever comes first. Each region shall elect five commissioners and two alternative commissioners to attend an annual statewide meeting in Sacramento.

***The roles of the delegates and commissioners.*** The bill requires the regional delegates to attend their regional meeting and to prepare proposals addressing legislative solutions to public policy issues identified by regional delegates at their own schools. Regional delegates shall also (1) adopt by a majority vote an official proposal or proposals for the region to be identified as the official proposal or proposals of the region; and (2) select five student commissioners and two

alternate student commissioners from among the regional delegates attending the regional conference who shall represent the region at the statewide conference. Regional delegates are encouraged to present their proposals to local governmental agencies and to take action to implement their proposals in their communities.

Commissioners and delegates would meet in the fall once a year in Sacramento to develop, discuss, and adopt policy recommendations and proposals to be presented to the appropriate committees of the Legislature before the deadline for the introduction of bills. The bill provides that the commissioners and alternates shall represent the regions at the annual conference, but does not distinguish the difference, if any, between the between the duties and voting rights of commissioners vs. alternates.

***The role of the SPI.*** The bill requires the SPI, in consultation with the SOS, to solicit and select one or more nonprofit organizations to assist in administering the program. The SPI is required to give preference to nonprofit organizations working collaboratively and in partnership with other nonprofit organizations that present multi-organizational proposals. The bill also requires the SPI to determine the date of the regional conferences in consultation with the SOS and determine the date of the statewide conference in consultation with the administrators.

***The role of the SOS.*** The bill requires the SOS to consult with the SPI in soliciting proposals and selecting one or more nonprofit organizations to assist administering the Commission. The SOS would also be required, in consultation with the SPI, to annually recommend the date or dates on which elections to opt into the program and to nominate regional delegates shall be held. In addition, the bill requires the SOS to divide the state into the 12 geographic regions.

***The role of the administrators.*** The administrators are the nonprofit organizations that would administer the program. The bill requires the administrators, in consultation with the SPI, to do the following:

- Organize and conduct the 12 regional conferences;
- Set forth the procedures for the preparation, discussion, and vetting of issues to be discussed; and
- Organize and conduct the annual statewide conference.

***Similarities between the Commission and the California Association of Student Councils (CASC).*** CASC is a statewide organization of student council members. According to its website, its mission is to "provide leadership development for elementary, middle and high school students and their advisors in California and across the world through peer training. Our programs emphasize authenticity, ethics and collaborative decision-making and enhance learning outside of the classroom by fostering self-esteem and civic engagement. CASC advocates for youth, provides an avenue for the expression on student views and empowers young people."

Like the proposed Commission, CASC is divided into 12 regions. Each region typically has a president, vice president, and a region cabinet. The president and vice president are elected to their positions by schools in the region. Regional presidents are official members of the CASC State Council. Active regions with a regional cabinet have meetings and conferences within their area.

The State Council meets once a year in Sacramento to develop legislative proposals and present them to the Legislature. The proposals are presented to the Assembly and Senate Education committees during information hearings that are held for this purpose.

***Differences between the Commission and CASC.*** While CASC focuses on education policy, the bill provides that the Commission may address a broader range of policy issues. It should be noted, however, that CASC's focus on education issues is self-determined; there is no prohibition against CASC engaging on issues outside of education if it so desires.

In addition, whereas CASC is a student-led organization that functions without Education Code guidance or constraints, the Commission would be a state-led organization governed by statutory provisions. In CASC, the procedures for the preparation, discussion, and vetting of issues at the regional and statewide meetings are determined by student leaders themselves. In the Commission they would be determined on behalf of the students by the SPI and administrators pursuant to statutory requirements.

It is not known whether the Commission would exist in addition to or instead of CASC. The author's office indicates it has worked with CASC to develop this bill and that CASC may seek to be selected as one of the nonprofit organizations to administer the program. However, there is no assurance that CASC would be selected. The committee may wish to consider the need to have two nearly identical organizations for student engagement or the value of replacing an existing student-led organization with a new state-led organization.

***Purpose of the bill.*** According to the author's office, "Various reports and actual election results bear out the fact that youth and millennials are not actively engaged enough in the democratic process—whether local or statewide. Traditional, school-based approaches to address this problem are worthy but not enough." The purpose of this bill is to "create a mechanism through which California high school students have a direct voice on public policy issues, opportunities to cast meaningful votes before they are eligible to participate in regular elections, with the hope to build a habit of civic engagement.

#### **REGISTERED SUPPORT / OPPOSITION:**

##### **Support**

California Association of Student Councils  
An individual

##### **Opposition**

None received

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