

| Board Office Use: Legislative File Info. | |
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| File ID Number | 18-0149 |
| Introduction Date | 5/23/18 |
| Enactment Number | 18-0869 |
| Enactment Date | 5/23/18 os |



Memo

To Board of Education

From Marion McWilliams, General Counsel

Board Meeting Date May 23, 2018

Subject Amendment to Board Bylaw – BB 9150 Student Directors

Action Requested and Recommendation Approval by the Board of Education of updates to the Oakland Unified School District Board Bylaw BB 9150 Student Directors

Background Periodically modifications to board policies are recommended to align with changes in law or recommended best practices. The proposed modifications to the board policies reflect the District’s standards.

Discussion In order to ensure that our policies are current, it is important for us to review and update our policies. The modifications have been reviewed and vetted by the General Counsel.

The bylaw reflects the requirements of SB 468 that the District provide student board members with materials and briefings, except those related to closed session, at the same time as other board members.

The changes to the policy are shown on the attachment. The proposed deletions are indicated with **blue strikeouts**. The recommended additions are shown in **red**.

Fiscal Impact No direct funding implications

Attachments Amendment to Board Bylaw BB 9150 Student Directors

OAKLAND UNIFIED SCHOOL DISTRICT

Board Bylaw

BB 9150 Board Bylaws

Student Directors

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.

Election of Student Directors

The Board of Education authorizes two pupil members, to be known as "Student Directors." The Board of Education Student Directors shall be selected by a city-wide election held by the All City-Council. This authorization provides an established means for pupils of the District to be represented on the Board of Education. ~~The term of office for a Student Director shall be from July 1 through June 30.~~

~~*(cf. 0410 - Nondiscrimination in District Programs and Activities)*
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6145 - Extracurricular and Cocurricular Activities)~~

The term of office for a Student Director is shall be from July 1 through June 30. (Education Code 35012)

Role and Responsibilities of Student Directors

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

~~*(cf. 9321 - Closed Session Purposes and Agendas)*~~

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 voting Board members. Student Directors shall also be invited to attend ~~all public~~ staff briefings or be provided with a separate staff briefing within the same timeframe as the briefing of other Board members. (Education Code 35012)

~~*(cf. 9322 - Agenda/Meeting Materials)*~~

Student Directors shall be recognized at Board meetings ~~of the Board~~ as full member, shall be seated with ~~elected Board~~ other members of the Board, and shall ~~have all parliamentary rights except those of official voting, making~~ be allowed to participate in questioning witnesses and seconding motions, and attending closed sessions. ~~A~~ discussing issues. (Education Code 35012)

~~Student Director, however, Directors shall have the right of~~ be allowed to cast preferential ~~voting votes on all matters except those subject to closed session discussion.~~ Preferential voting, ~~as used herein,~~ means a formal expression of opinion that is recorded in the minutes and cast ~~along with~~ before the official vote of the ~~governing board.~~ A Student Director's preferential vote ~~Board.~~ Preferential votes shall not ~~serve in determining~~ affect the final numerical outcome of ~~an official vote nor be solicited on matters subject to closed session discussion.~~ a vote. (Education Code 35012)

~~Duties of the Student Director, among others, shall be to provide continuing input for Board deliberations; to strengthen communications between the Board and district students; to represent students and to facilitate the discussion of all sides of issues.~~

~~(cf. 9324 - Minutes and Recordings)~~

A Student Director shall ~~be provided with full and complete agendas and copies of~~ not be liable ~~for any materials received~~ acts of the Board. (Education Code 35012)

~~(cf. 9323.2 - Actions by the Board except materials covered in closed session and materials that are otherwise confidential.)~~

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

~~(cf. 3350 - Travel Expenses)~~

~~(cf. 9250 - Remuneration, Reimbursement and Other Benefits)~~

The Superintendent or designee may periodically provide an orientation for student director candidates to give them an understanding of the responsibilities and expectations of Board service.

Legal Reference:

EDUCATION CODE

33000.5 Appointment of student ~~members~~ member to State Board of Education

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

35160 Authority of governing boards

GOVERNMENT CODE

3540-3549.3 Meeting and Negotiating in Public Educational Employment Relations 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>

National School Boards Association: <http://www.nsba.org>

10/27/04; 5/23/18A (if adopted)

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Board Bylaw

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(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5121 - Grades/Evaluation of Student Achievement)
(cf. 6145 - Extracurricular and Cocurricular Activities)

The term of office for a Student Director shall be from July 1 through June 30. (Education Code 35012)

Role and Responsibilities of Student Directors

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

(cf. 9321 - Closed Session Purposes and Agendas)

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 voting Board members. Student Directors 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. (Education Code 35012)

(cf. 9322 - Agenda/Meeting Materials)

Student Directors shall be recognized at Board meetings as 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)

Student Directors 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)

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

(cf. 9323.2 - Actions by the Board)

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

(cf. 3350 - Travel Expenses)

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