



## YOUTH COMMISSION AGENDA REPORT

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April 13, 2022  
Item 3

**TITLE: CONSIDER YOUTH COMMISSION RECOMMENDATION TO SUPPORT SB 1236 (SCHOOL DISTRICTS: GOVERNING BOARDS: PUPIL MEMBERS)**

**SUMMARY**

At its January 12, 2022 meeting, the Youth Commission heard a presentation from Sachi Bhayani, Pleasanton Unified School District student board member on her request to change the California Education Code to obtain full voting rights for student board members. She requested an endorsement from the Youth Commission in support. The Youth Commission requested the Public Policy Subcommittee review and consider this item.

On February 17, 2022, Senate Bill 1236 was introduced by Senator Steve Glazer and would amend the Education Code to make a preferential voting pupil member a full voting member of school district governing boards.

The Public Policy Subcommittee has reviewed this request and is providing a verbal report and recommendation to the Youth Commission.

**RECOMMENDATION**

Consider Youth Commission Recommendation to Support SB 1236 (School Districts: Governing Boards: Pupil Members).

**FINANCIAL STATEMENT**

None

## **BACKGROUND**

At the January 12, 2022 meeting, Saachi Bhayani, Pleasanton Unified School District student board member, spoke to the commission on her request to give student members on school governing boards throughout California full voting rights. Currently, the student (pupil) member has preferential voting rights. According to the California Education Code, preferential voting means a formal expression of opinion that is recorded in the minutes and cast before the official vote of the governing board of the school district. A preferential vote shall not serve in determining the final numerical outcome of a vote.

The Youth Commission expressed interest in the January 12, 2022 request and asked the Public Policy Subcommittee to research SB 1236 and provide a recommendation at a future meeting.

The Youth Commission has supported efforts in the past to increase opportunities for youth representation. The Youth Master Plan was approved in 2010 by the Pleasanton City Council and the Pleasanton Unified School District Board of Trustees. The Youth Master Plan includes:

Goal 3 Contributing Youth, Strategy 3.1:

*“Expand and promote existing volunteer and community service opportunities to provide children and youth with empowering opportunities to contribute to the community and learn from their experience.”*

Goal 3 Contributing Youth, Strategy 3.5:

*“Increase opportunities for children and youth representation and involvement on City Commissions and business and non-profit organization committees”*

To implement these goals to foster youth involvement, on February 5, 2013, the City Council approved amending the Pleasanton Municipal Code to add one youth non-voting member to the Human Services, Parks and Recreation, Library and Civic Arts Commissions on a two-year trial basis. While no formal action was taken after the expiration of this initial trial, and the youth member continued to serve as a non-voting member on these commissions, at its May 8, 2019 meeting, the Youth Commission recommended that the City Council amend the Municipal Code to allow the youth members of such commissions the ability to vote. Based on the recommendations of the Youth Commission and other commissions with a youth member, on January 21, 2020, the City Council formally changed the Municipal Code to allow youth members of these commissions to vote as full members.

## **DISCUSSION**

Following the January 2022 meeting, the Public Policy Subcommittee was asked to provide a recommendation to the Youth Commission on whether formal support of SB 1236 should be provided.

On February 17, 2022, SB 1236 was introduced by Senator Steve Glazer (who represents the 7<sup>th</sup> District, which includes Pleasanton and other portions of the Tr-Valley). If signed into law as presented<sup>1</sup>, this bill would authorize a school district governing board to make a preferential voting pupil member into a full voting pupil member of the governing board and would specify certain rights and obligations of a full voting pupil member.

On March 19, the Public Policy Subcommittee discussed and reviewed the bill and used the following information to present a recommendation:

- Past efforts to increase student voice through voting rights on City of Pleasanton Commissions
- Support of the implementation of the Youth Master Plan, specifically Goal 3
- The opportunity to amplify youth voice in our community and across the state.

In review of Senate Bill 1236, the Public Policy Subcommittee found no issues with the language or the changes that will be made to Section 35012 of the Education Code.

City staff would note that if SB 1236 becomes law as written, and a school board proceeds with SB 1236's ability to make a student a full voting pupil member of the board, then:

- In the case of the Pleasanton Unified School District's Board of Directors, membership would increase from 5 to 6 voting members, which may create more tie vote situations
- Full voting pupil membership exposes a student to potential personal liability for actions of the School Board. See proposed Cal. Education Code §(d)(11)(B) "*A full voting pupil member may be liable for acts of the governing board of the school district.*"
- Full voting pupil members would need to take time away from their studies and other activities to become more familiar with, for example, the Pleasanton Unified School District's: \$183,936,430 annual budget; 1,240 full time employee positions; and other critical school policies and procedures.

The Public Policy Subcommittee recommends that the Youth Commission support SB 1236 as written. If the Youth Commission supports or opposes SB 1236, it could send a letter to Pleasanton's State Assembly Member Rebecca Bauer-Kahan and Senator Steve Glazier stating its position. It should be noted that after a position is taken on this

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<sup>1</sup> In the state legislature, after a bill is introduced, it is then sent to applicable committees. In the case of SB 1236, this bill has now been referred to the Senate Committee on Education. During committee consideration, a bill can be passed, amended, or defeated. Bills can be amended several times. If passed by a majority vote of the full committee membership, it returns to the house (in this case the State Senate) for second and third reading in the State Senate. Once a bill is passed by the State Senate, the process of committees and readings repeats in the State Assembly. If the State Assembly makes amendments, there needs to be a resolution of differences between the Senate and Assembly versions and the bill is returned to both houses for a vote. If both houses approve then the bill, it is sent to the governor to sign (or veto).

item and conveyed to state representatives, the Youth Commission cannot expend further public resources campaigning for or against Senate Bill 1236.

Submitted by:

A handwritten signature in cursive script that reads "Nicole Thomas".

Nicole Thomas  
Recreation Supervisor

Attachments:

1. Senate Bill 1236