



**2018 New York State YMCA  
Youth And Government**

**FOR YOUTH DEVELOPMENT®  
FOR HEALTHY LIVING  
FOR SOCIAL RESPONSIBILITY**

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Committee Assignment: Assembly Liberty 6

Bill #: AL-46

1 **Sponsors:** Jake Miller, Leah Kilkenny

2

3 **An Act To**

4 Amend Article 35 Section 1702 of the New York State Education Law to require  
5 each public school district to have a voting position within the district's board of  
6 education that is served by a high school student within the senior class.

7 *The People of the State of New York, represented in the Senate and Assembly do enact as follows:*

8 **Purpose**

9 To create a learning environment in which students have the opportunity to  
10 be directly involved with and serve as a member of their district's board of  
11 education.

12 **Summary of Provisions**

13 Section 1: Definitions

14 Board of Education- a body of officials elected or appointed to oversee a local  
15 school system or systems.

16 Terms of Office- the amount of time an elected official is allowed to serve on the  
17 board is a school district generally formed from one or more common.

18 Union free school district- school districts to operate a high school program, which  
19 common school districts cannot do.

20 Qualified voters- any tax-paying officials residing inside the school district.

21 Section 2

22 § 1702. Board of education union free school district education; election; terms of  
23 office. 1. Whenever a

24 shall be established, pursuant to the  
25 provisions of subdivision three of section fifteen hundred four of this  
26 chapter, or, pursuant to the provisions of sections fifteen hundred  
27 twenty-two and fifteen hundred twenty-three of this chapter, it shall be  
28 the duty of the meeting at which such union free school district is  
29 established to elect by ballot not less than three nor more than nine  
30 trustees, who shall, by the order of such meeting, be divided into a  
31 sufficient number of classes so that as nearly as possible an equal  
32 number of members shall be elected to the board each year, based upon a  
33 normal term of three, four or five years, as such meeting may determine.  
34 Thereafter there shall be elected in such districts, at the annual  
35 meeting, trustees to take the places of those whose terms of office  
36 expire. Such successors shall be elected to serve for a full term of  
37 three, four or five years, as the case may be.

38 3. Each union free school district, at the next annual meeting  
39 subsequent to the effective date of the chapter of the laws of two  
40 thousand five which amended this subdivision, may submit to the  
41 qualified voters of the district for approval, the issue of ~~ex officio~~  
42 student membership on the school district's board of education, by a  
43 student attending a high school within such school district. Upon voter  
44 approval, each such district shall establish a process for student



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45 membership selection pursuant to paragraph c of this subdivision. If,  
46 prior to August fifth, two thousand three, a school district had a  
47 policy that allowed a student or students to be ~~ex-officio~~ members of  
48 the school board, such policy shall be deemed to meet the requirements  
49 of this subdivision and shall be deemed to have full legal effect. In  
50 any district that contains more than one high school, such process shall  
51 take into consideration the number of high schools within the district  
52 and provide for a mechanism which allows for fair representation among  
53 the schools. Such school district shall allow such selected student to  
54 serve as an ~~ex-officio~~ member of such district's board of education,  
55 and, if so, provided further that:

- 56 a. The ~~ex-officio~~ student member of the board shall be entitled to sit  
57 with board members at all public meetings of the board and participate  
58 in all board hearings and meetings.
- 59 b. The ~~ex-officio~~ student member of the board shall ~~not~~ be allowed to  
60 vote, shall ~~not~~ be allowed to attend executive session, and shall not be  
61 entitled to receive compensation of any form for participating at board  
62 Meetings, as they are a student.
- 63 c. Notwithstanding any other law to the contrary, the ~~ex-officio~~  
64 student member of the board must be ~~any~~ all of the following: ~~the student~~  
65 ~~that has been duly elected as student president of the high school; a~~  
66 ~~student duly elected by the student body; a student selected by the high~~  
67 ~~school student government; a student selected by the high school~~  
68 ~~principal; a student selected by the superintendent of schools; a~~  
69 ~~student selected by majority vote of the school board. All parties must be in~~  
70 ~~agreement. Provided, however, in districts having district wide student~~  
71 ~~governments or~~  
72 ~~advisory committees, the student ex-officio member shall be selected by~~  
73 ~~the superintendent of schools from among the members of such~~  
74 ~~district wide student governments or advisory committees, subject to~~  
75 ~~ratification by majority vote of the school board.~~
- 76 d. The ~~ex-officio~~ student member shall be a senior at the high school  
77 and shall have attended such high school for at least two years prior to  
78 Selection. The student representative will hold office for one year.

#### 79 **Justification**

80 This bill provides an opportunity for students that will be quintessential to the board  
81 of education and allow board members to gain a greater insight to the student body  
82 they are making decisions based upon. Simultaneously, it will grant students the  
83 ability to be an advocate for and directly impact their education.

#### 84 **Fiscal Implications**

85 There are no fiscal implications that can be foreseen at this time regarding this bill.

#### 86 **Effective Date**

87 This bill will go into effect January 1st, following year the bill's passage.