



Book	Ogdensburg City School District
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Title	EX OFFICIO STUDENT MEMBER OF THE BOARD
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### **EX OFFICIO STUDENT MEMBER OF THE BOARD**

*NOTE: State law now requires all BOCES, and union free (operating a high school), central, central high school, small city, and large city school districts to designate at least one, and in some cases more than one, ex officio student member of the Board. The law takes effect July 1, 2025. The law also was amended to revise the eligibility requirements and selection process for the ex officio student member of the Board. We have revised our sample policy to reflect the requirements of the law. Your district might not have adopted this policy previously if you did not have an ex officio student member, so a clean copy of this policy is provided as well as one showing the changes. While the law does not specifically require the adoption of a policy, it does require Boards to establish a process. This process should be set in writing, therefore we consider this policy required.*

*It is up to each school board to set the role and responsibilities expected of student ex officio board members. This is a good opportunity to use the position to teach civic responsibility and allow for student voice to be represented. The ex officio student member could be assigned to be a conduit of information between the student body and the Board.*

*The law does not cover every aspect of ex officio student members of the Board, so we urge Boards to discuss this with your attorney.*

*If prior to August 5, 2003, your school district had a policy that allowed for a student ex officio Board member, that policy may remain in effect for the selection process.*

The Board of Education believes that it is important to include students' voices in its deliberations. Pursuant to law, the Board will designate at least one ex officio student member of the Board for the purpose of providing regular and direct communication between the Board and the student body.

Good faith actions, mutual respect, and cooperative effort of all parties are essential to a positive and meaningful partnership and bringing about meaningful changes. The Board believes that an ex officio student member will:

1. provide students with an opportunity to express their voices, take ownership of their education, and impact Board decisions;
2. provide for the Board and students a vehicle through which they may exchange information and learn from one another;
3. provide an opportunity for students to gain experience with governance and leadership;
4. broaden the base of information available to those ultimately responsible for educational decision making; and

5. develop an environment that encourages inclusion, understanding, trust, and respect.

*NOTE: Transportation to and from board meetings may be a significant barrier for students to participate. The district can discuss options to assist students in this area.*

### **Position of Ex Officio Student Member of the Board**

*NOTE: School districts must have at least one ex officio student member of the Board. BOCES with ten or fewer component districts must have at least one student member, BOCES with eleven to twenty component districts must have at least two student members, and BOCES with more than twenty component districts must have at least three student members.*

*Training of ex officio student Board members is not addressed in the law, but we believe it is good practice to provide student Board members with information and materials to understand their role and responsibilities.*

*Because ex officio student Board members are not required for quorum, we believe the Board could permit such members to participate remotely. We also believe the Board could allow student members to leave meetings early.*

As required by law, the Board will have at least one ex officio student member. Ex officio student member(s) will be entitled to sit with Board members at all public meetings and hearings, participate in other Board activities and responsibilities at the discretion of the Board, ***optional language:*** and may participate in training opportunities at the discretion of the Board,] but will not be required to participate in mandatory training for elected or appointed Board members. Ex officio student members may request to participate in meetings remotely, and may be excused to leave meetings early, upon the approval of the Board President.

*NOTE: The law specifies that the ex officio student member is not entitled to vote, attend executive sessions or other meetings/hearings that are not open to the public, or receive compensation. The rest of the below paragraph consists of the logical extension of those prohibitions to clarify the role and limitations of the position.*

Ex officio student member(s) will NOT: be allowed to vote; be allowed to attend executive sessions or any other meetings or hearings not open to the public; or be entitled to receive compensation of any form for participating at Board meeting. Neither will they have the authority to call a special and/or emergency meeting of the Board; be considered a “member” of the Board for the purpose of establishing a quorum for conducting business; or be allowed to see or discuss documents or information regarding individual district personnel, collective bargaining negotiations, individual student records, or any other confidential matters.

*NOTE: Because the new law takes effect July 1, 2025, it is reasonable to establish the term of office to begin on July 1 in 2025 and in subsequent years. Understanding that students may not be available during the summer, the Board should discuss with its attorney whether to excuse participation during the summer months.*

Ex officio student member(s) will serve for a term of one (1) year, commencing on July 1 and ending on the succeeding June 30. [*Optional sentence*: Attendance at Board meetings is optional for the ex officio student member during July and August.]

*NOTE: While not required, the following list outlines expectations of ex officio student Board members with an eye toward civic learning, representational democracy, and student engagement.*

Specifically, ex officio student members of the Board are expected to:

1. Bring a student perspective to the Board's discussions;
2. Bring student concerns to the Board's attention;
3. Represent the student body on the Board;
4. Report back to the student body on the Board's actions; and
5. Solicit input from students on matters impacting the district, at the direction of the Board.

### **Qualifications and Selection of the Ex Officio Student Member of the Board**

*NOTE: The legal qualifications for students in union free, central, central high school, small city school districts, and BOCES are described below. The law for large city school districts does not list specific student qualifications, but the Board could apply the same qualifications. There are no requirements for when the selection process must take place, but if the term year begins July 1, the selection process would have to take place during the previous school year.*

*A paragraph pertaining to filling vacancies is under the last subheading.*

[*For component districts only*: Ex officio student member(s) must have attended high school in the district for at least one year prior to selection.] [*For BOCES only*: Ex officio student members must be students who have attended a high school within their component district for at least one year and who participate in a program administered by the BOCES.] The selection process will take place at the end of the school year preceding the next term.

*NOTE: The district must establish a process for selecting a student member in accordance with Education Law. If, prior to August 5, 2003, the Board had a policy that allowed for a student ex officio Board member, that policy may remain in effect for the selection process. However, if the Board did not have such a policy, it must establish a process for selecting a student member in accordance with Education Law.*

*The law provides for several options for union free, central, central high school, and small city school districts. We have included these options below for the Board's consideration. Please review and select the appropriate option for the district.*

*The law does not specify a particular selection process for large city school districts, just that the Board of Education must establish a process for designating at least one student as ex officio member. The Board is free to choose one of the methods available for other types of school districts, or establish something that works for the district.*

*NOTE (cont.):*

*If your district's selection process is anything other than the student president of the high school, you could have a specific procedure to address solicitation of interested candidates, how to conduct elections (including whether to permit incoming 9<sup>th</sup> graders to vote), or other considerations, those can be included here. We encourage school boards to cast as wide a net as possible, and not unduly restrict student participation, particularly if the Board chooses options 4 through 6 above.*

*Alternates are not specifically provided for in law, but as districts must select at least one ex officio student member, having an alternate is a possibility.*

**[For component districts only:** Ex officio student Board members will be *(select one of the following, except #2 is not an option for small city school districts:* (1) the student president of the high school; (2) duly elected by the student body; (3) selected by the high school student government; (4) selected by the high school principal; (5) selected by the Superintendent of Schools; or (6) selected by a majority vote of the Board of Education.)] **[Optional language:** An alternate ex officio student Board member will be *[insert selection method: \_\_\_\_\_].*]

*NOTE: Each BOCES must establish a process for determining which component district or districts shall select the ex officio student members each school year, which must provide for fair representation among the component districts. A rotational schedule is one way to do this. The BOCES must also establish a process by which component districts select the ex officio student member(s). Alternates are not specifically provided for in law, but as BOCES must select at least one (or more) ex officio student member, having an alternate is a possibility. The law does not specify how the student may or must be selected. Sample language is provided below to be similar to component school districts.*

**[For BOCES only:** Student ex officio member(s) of the Board will be selected by the applicable component district(s) according to a rotational schedule. The student(s) will be: *(select one of the following or develop a different process:* (1) elected by students participating in BOCES programs from that component district; (2) selected by a high school principal of the component district; (3) selected by the component district's Superintendent; (4) selected by a majority vote of the component district's Board of Education.)] **Optional language:** An alternate ex officio student Board member will be *[insert selection method: \_\_\_\_\_].* The rotational schedule for the component district(s) to select a student ex officio member of the Board is as follows: *insert the process for representation among the component districts: \_\_\_\_\_.*]

**[Optional language if the student ex officio member is NOT the student president of the high school:** All qualified students interested in serving as ex officio student member are encouraged to apply in the manner established by the administration. The district will advertise the position of ex officio student member of the Board to high school students, as well as the method of applying for the position, well in advance of the deadline for doing so. The High School Principal will verify that the students meet the requirements outlined in this policy.]

***[For component districts with more than one high school: Fair High School Representation***

*NOTE: For union free, central, central high school, and small city school districts with more than one high school, the selection process must provide for fair representation among the high schools. Rotating high schools every year could be a workable solution. Alternatively, the district could have an ex officio student member from each high school, and either all attend meetings or they take turns attending meetings. There is no such requirement for large city school districts or BOCES, but the Board could decide to rotate representation from among its high schools.*

The selection process will allow for fair representation among the district's high schools, with a student from each high school represented on a rotating basis. Specifically, *[insert the district's process for fair representation among the high schools: \_\_\_\_\_].*

**Additional Provisions**

*NOTE: The following paragraphs are optional and provided for the Board's consideration. While the law does not provide for removal of the ex officio student member, school boards have the power under Education Law section 1709(18) and 2502(8) to remove one of their members or declare the office vacant. We believe it is reasonable to hold the ex officio student member to the same standards, as well as permit them to resign. However, as this is not addressed in the law, you may wish to discuss this with your attorney.*

The ex officio student member represents the student body, and acts as an example for the students of the district. Such students are expected to abide by all applicable Board policies including the student Code of Conduct. Violations may result in removal from the position as determined by the Board. Ex officio student members may resign in writing to the District Clerk. The Board may also declare the seat vacant if the ex officio student member fails to attend three consecutive Board meetings without sufficient excuse.

*NOTE: The issue of vacancy is not addressed in the law, so we suggest the following paragraph to address that possibility.*

If there is a vacancy due to resignation or removal, and there is no alternate, the Board will decide if there is enough time to select another student as ex officio student member in accordance with this policy, and if there is not, will leave the position vacant until the next term begins.

The Superintendent or designee is responsible for arranging an orientation and training program for the ex officio student member. The Superintendent will establish procedures for the ex officio student member with the Board of Education if necessary to implement this policy.

**Ref:** Education Law §§1702(3); 1709; 1804(12); 1901(2); 1950(2-c); 2109; 2502(10); 2552; 2553(1-a), (11)

Adoption date: