

House Bill 1190

By: Representatives Sanchez of the 42nd, Berry of the 56th, McQueen of the 61st, Westbrook of the 163rd, Cameron of the 1st, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to
2 elementary and secondary education, so as to provide for the qualification and selection of
3 students to advise the State Board of Education and local boards of education; to provide for
4 the Georgia Teacher of the Year to be invited to advise the State Board of Education; to
5 provide for a definition; to provide for compensation; to provide for restrictions; to provide
6 for rules and regulations; to provide for construction; to provide for a short title; to provide
7 for an effective date; to provide for related matters; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as the "Students and Teachers SPEAK Act."

12 **SECTION 2.**

13 Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and
14 secondary education, is amended in Article 1, relating to the State Board of Education, by

15 revising subsection (a) of Code Section 20-2-1, relating to board created, appointment of
16 members, and powers, as follows:

17 "(a)(1) The State Board of Education is created. The state board shall be composed of
18 one member from each congressional district in this state, who shall be appointed by the
19 Governor by and with the advice and consent of the Senate. The Governor shall not be
20 a member of the state board. The state board provided for by this article shall have the
21 powers and duties provided by law for the state board on January 25, 1943, and such as
22 may be thereafter provided and shall be subject to all provisions of law with respect to
23 the state board not inconsistent with this article.

24 (2) The General Assembly shall be authorized to provide by law for public school
25 teachers and students to serve as advisors ex officio to the State Board of Education."

26 **SECTION 3.**

27 Said chapter is further amended in said article by adding a new Code section to read as
28 follows:

29 "20-2-1.1.

30 (a) As used in this Code section, the term 'student member' means a student enrolled in
31 grade 11 or 12 in a Georgia public school who is 16 years of age or older and who has been
32 selected to serve as an advisor ex officio to the State Board of Education by the Governor
33 as provided in subsection (c) of this Code section.

34 (b)(1) A student member shall be invited by the State Board of Education to serve as an
35 advisor ex officio at meetings held pursuant to Code Section 20-2-5 and public hearings
36 held pursuant to Code Section 20-2-5.1.

37 (2) No student member shall advise on or otherwise participate in any way on any legal
38 matter, any individual student discipline matter, any individual personnel matter, or any
39 other matters deemed sensitive or inappropriate by the chairperson of the State Board of
40 Education. No student member shall have access to any confidential information.

41 including, but not limited to, confidential information relating to any individual student,
42 any individual student's family, or any individual school official or employee. No student
43 member shall attend any executive session or other meeting of the State Board of
44 Education that is not open to the public.

45 (3) A student member shall be entitled to receive the sum provided for in Code Section
46 45-7-21 for actual expenses incurred in connection with attendance at such meetings and
47 hearings of the State Board of Education and actual costs of transportation to and from
48 the place of such meetings and hearings.

49 (c) By October 1 of each year, the Governor shall be authorized to select a student member
50 to be invited to serve as an advisor ex officio to the State Board of Education for a term of
51 not more than one school year to be determined by the Governor. The student member
52 selection process shall include a state-wide application and review process to be established
53 by the State Board of Education, which shall include, but shall not be limited to, provisions
54 that:

55 (1) Applications to be a student member may be submitted by any individual who will
56 be 16 years of age or older and enrolled in grade 11 or 12 in a public school in this state
57 on October 1 of the current year;

58 (2) Applications accompanied by an original essay written by the candidate, the
59 candidate's full transcript, and recommendations by at least one current teacher and the
60 candidate's school principal shall be submitted to the candidate's respective regional
61 educational service agency (RESA);

62 (3) Each RESA shall select a semifinalist for an interview by a panel of qualified
63 individuals designated by the State School Superintendent. Such interviews may be
64 conducted in person or by electronic means;

65 (4) Upon interviewing the semifinalists, the interview panel shall recommend three
66 finalists to be interviewed by the State School Superintendent. Such interviews may be
67 conducted in person or by electronic means;

68 (5) Upon interviewing the three finalists recommended by the interview panel, the State
69 School Superintendent shall be authorized to make a recommendation to the Governor
70 regarding selection of a student member; and

71 (6) The Governor shall be authorized to select a student member.

72 (d) The State Board of Education shall adopt rules necessary to implement and administer
73 the provisions of this Code section."

74 **SECTION 4.**

75 Said chapter is further amended in Article 3, relating to local boards of education, by revising
76 Code Section 20-2-54, which was previously reserved, as follows:

77 "20-2-54.

78 (a) Each local board of education is encouraged to invite one or more appointed student
79 representatives to serve as advisors ex officio to such local board of education. The
80 number of such student representatives, the method and manner of their appointment, and
81 the length of their service shall be prescribed by the local board of education.

82 (b)(1) Each student representative provided for in subsection (a) of this Code section
83 shall serve as a liaison between the student body of his or her local school system and the
84 local board of education. The student representative shall be charged with representing
85 the student body as a whole.

86 (2) No student representative shall advise on or otherwise participate in any vote on any
87 legal matter, any individual student discipline matter, any individual personnel matter,
88 or any other matters deemed sensitive or inappropriate by the chairperson of the local
89 board of education. No student representative shall have access to any confidential
90 information, including, but not limited to, confidential information relating to any
91 individual student, any individual student's family, or any individual official or employee
92 of the local school system. No student representative shall attend any executive session
93 or other meeting of the local board of education that is not open to the public.

94 (3) Each student representative shall have the right to make an advisory vote that shall
 95 not be counted as part of the local board's official vote on issues germane to the student
 96 body as a whole, including, but not limited to, student codes of conduct, school calendars,
 97 and class schedules. The germaneness of an issue shall be determined by the chairperson
 98 of the local board of education.

99 (c) Nothing in this Code section shall be construed to provide for either a minimum or
 100 maximum number of student representatives.

101 (d) Nothing in this Code section shall be construed to prevent local boards of education
 102 from providing for additional regulations regarding student representatives. Reserved."

103 **SECTION 5.**

104 Said chapter is further amended in Subpart 2 of Part 6 of Article 6, relating to conditions of
 105 employment, by revising paragraph (2) of Code Section 20-2-212.1, relating to increase in
 106 state salary of person selected as Georgia Teacher of the Year and advisory role, as follows:

107 "(2) Be invited by the State Board of Education to serve as an advisor ex officio at a
 108 ~~meeting~~ meetings held pursuant to Code Section 20-2-5 or a ~~public hearing~~ and public
 109 hearings held pursuant to Code Section 20-2-5.1, for which he or she shall be entitled to
 110 receive the sum provided for by Code Section 45-7-21 for actual expenses incurred in
 111 connection with attendance at such ~~meeting or hearing~~ meetings and hearings of the State
 112 Board of Education and actual costs of transportation to and from the place of such
 113 ~~meeting or hearing~~ meetings and hearings."

114 **SECTION 6.**

115 This Act shall become effective upon its approval by the Governor or upon its becoming law
 116 without such approval.

117

SECTION 7.

118 All laws and parts of laws in conflict with this Act are repealed.