

Testimony for the Senate Education Committee

March 9, 2015

Nicole: Good morning, members of the Senate Education Committee. My name is Nicole Fielder, and I'm from Nicholasville. With me is Ross Boggess from Lexington, Ashton Bishop from Greensburg, and Gentry Fitch also from Nicholasville. We are joined by other members of the Student Voice Team and adult allies, including Prichard Committee Executive Director Stu Silberman, who are sitting behind us in support. We are so dedicated to House Bill 236 and what it represents that we fought the snowstorm to speak before you last Thursday, but ended up building a snowman instead when this meeting was cancelled. We are missing our classes today because we want to tell you why, when it comes to the superintendent screening process, student voice matters.

Kentucky law, as it currently stands, makes it difficult for us to fully contribute to making our schools better. Students are excluded from representation on many of the most important school governance bodies. In most cases, from Site Based Decision-Making Councils to district school boards to superintendent screening committees, we are shut out from participating in meaningful school governance.

The passage of House Bill 236, a bipartisan, cost-free, opt-in measure, is a step to remedy that by meaningfully including students in just one, limited body of school governance—the superintendent screening committee. Allowing districts that are ready to add a student representative on this committee will give students the chance to demonstrate the added value young people can bring to making our schools better.

Ross: When Fayette County Public Schools began looking for a new superintendent in November, members of the Student Voice Team asked the school board to include a student representative on the screening committee. Although the board told us they would make every effort to include students in the process, they said the makeup of the screening committee was set by state law and did not include a student member.

That law, and a strict interpretation by the Attorney General's office, constrained the school board's sincere attempts to involve students substantially in this critically important work.

KRS 160.352 limits the membership of the superintendent screening committee to two teachers, one board of education member, one principal, one parent, one classified employee, and in some cases, one minority member. *But* the current law systematically excludes students.

Our Commonwealth can do better than this.

As part of a statewide group of middle school through college-age students working as partners to improve Kentucky public schools, we know—firsthand—how informed young people can contribute significantly to school governance.

Ashton: In response, we drafted House Bill 236, which amends KRS 160.352 to add an optional, peer-elected high school student to superintendent screening committees. With the passage of this bill, the district school board could choose to add a student representative. Representative Graham agreed to sponsor the legislation. Last week, the House Education Committee recommended the bill favorably to the floor, and it passed in the House with a final vote of 88 to 5.

In the course of building support for HB 236, we have heard concerns about students being entrusted with confidential personnel information. We take the issue seriously and have done our homework to address it.

Gentry: Legal concerns about students serving in this capacity as minors is not based in fact. First Amendment attorney Jon Fleischaker of Dinsmore and Shohl explains: "There IS no legal reason why a minor cannot have access to confidential information which may exist in a superintendent search."

And if there is any additional legal uncertainty, University of Kentucky's General Counsel William Thro says that parents could sign a confidentiality agreement on the minor's behalf. Alternatively, candidates could simply waive their confidentiality rights, just as patients do when disclosing health information at the doctor's office.

Nicole: Yet other skeptics claim that adolescents are inherently incapable of handling sensitive information. But a cursory look at the history books and headlines proves that, in the realm of public policy, students are capable of doing remarkably high-level work.

At the age of 14, future President John Quincy Adams represented the United States on a mission in Russia to convince Catherine the Great to support the cause of the United States. More recently, 17-year-old Malala Yousafzai won the Nobel Peace Prize fighting for the rights of girls worldwide to receive an equitable education.

And in the more modest context of serving on a superintendent screening committee, students who already serve in high capacities of school governance across America further dispel the concern about confidentiality.

Ashton: In Washington DC, and Hawaii, students serve on the state board of education. And in Montgomery County Maryland, students have elected a student representative to the board for decades.

Alan Shay, who successfully served on the Montgomery County board and as a voting member of the superintendent screening committee at the age of 16, is adamant about students' ability to manage sensitive information. "In the history of our board," he said, "there has never been an issue with confidentiality on the part of our student member."

Rachel Gunther from the Boston-based Youth on Board, which trains young people to serve on boards with adults, confirms Shay's statement. When it comes to ensuring students can handle sensitive information related to board service, she emphasized, *training is everything* .

Gunther told us decades of field experience dictate that there is virtually no difference between young people and adults in the ability to apply discretion with sensitive personnel information.

Gentry: With the proper training, we will be ready to join our peers in DC, Maryland, and Hawaii in taking a more active role in school governance.

Patrick Henry said at the First Continental Congress: "I am not a Virginian, but an American!" He was reminding his peers that **they** were citizens not only of their state, but also of this great nation. We remind you today that **we** are not just students in school, but also citizens of this great Commonwealth.

So on behalf of the students of Kentucky, we ask you to provide districts with the option of allowing some of its younger citizens, the chief stakeholders of education, to contribute to a decision that affects us *directly*.

Now is the time to pass House Bill 236 and show the entire nation that the Commonwealth of Kentucky knows that Student Voice Matters.

The Prichard Committee Student Voice Team was founded in the fall of 2012 to integrate student voice into education policy making. The group worked in 2013 with adult allies to restore funding in Kentucky to 2008 levels and is currently developing ways to educate students about the Common Core and are preparing to release an investigation of postsecondary transitions in Kentucky.

Nicole Fielder and Gentry Fitch are seniors at West Jessamine High School in Nicholasville. Ross Boggess is a senior at Henry Clay High School in Lexington. Ashton Bishop is an eight grader at Green County Middle School in Greensburg.