

28 **Selection of members.**

29 (1) As used in this section:

30 (a) "School community member" means a person who is 18 years of age or older and:

31 (i) resides within the boundaries of the school;

32 (ii) is a parent or guardian of a student enrolled at the school; or

33 (iii) is employed at a place of employment within a city that is at least partially
34 encompassed by the school boundaries.

35 (b) "School employee" means a person employed by the school or school district,
36 including the school principal.

37 ~~[(1)]~~ (2) Each public school, in consultation with its local school board, shall establish
38 a school community council at the school building level.

39 ~~[(2)]~~ (3) (a) Each school community council shall:

40 (i) develop a school improvement plan in accordance with Section 53A-1a-108.5;

41 (ii) develop the School LAND Trust Program in accordance with Section
42 53A-16-101.5;

43 (iii) ~~[assist in the development and implementation of]~~ develop a staff professional
44 development plan as provided by Section 53A-3-701;

45 (iv) develop a plan for student performance and evaluation;

46 (v) develop a plan for curriculum review and evaluation;

47 ~~[(iv)]~~ (vi) develop a child access routing plan in accordance with Section 53A-3-402;

48 and

49 ~~[(v)]~~ (vii) advise and make recommendations to school and school district
50 administrators and the local school board regarding the school and its programs, school district
51 programs, and other issues relating to the community environment for students.

52 (b) In addition to the duties specified in Subsection ~~[(2)]~~ (3)(a), a school community
53 council for an elementary school shall develop a reading achievement plan in accordance with
54 Section 53A-1-606.5.

55 ~~[(3)]~~ (4) (a) Each school community council shall ~~[consist of school employees,~~
56 ~~including the school's principal, and parents or guardians of students who are attending the~~
57 ~~school, except for parents or guardians who are employed at the school.];~~

58 ~~[(b) Except as provided in Subsection (3)(c):]~~

59 ~~[(i) each school community council for a high school shall have six parent or guardian~~
60 ~~members and five employee members, including the principal; and]~~

61 ~~[(ii) each school community council for a school other than a high school shall have~~
62 ~~four parent or guardian members and three employee members, including the principal.]~~

63 (i) consist of at least five members;

64 (ii) consist of at least two school employees, including the school principal, who serves
65 as an ex officio member with full voting privileges; and

66 (iii) ensure, through procedures developed by the school community council, that the
67 number of school employees does not constitute a majority of council membership.

68 ~~[(c)(i) (b) A school community council may have a larger membership provided that~~
69 ~~[the number of parent and guardian members exceeds the number of employee members.];~~

70 ~~[(ii) A school community council may have a smaller membership provided that:]~~

71 ~~[(A) the number of parent and guardian members exceeds the number of employee~~
72 ~~members; and]~~

73 ~~[(B) there are at least two employee members on the school community council.]~~

74 ~~[(4)(a) Each employee]~~

75 (i) the school community council determines the number of members; and

76 (ii) the number of school employees does not constitute a majority.

77 (5) (a) Each school community council member, except the principal, including a
78 member who is a school employee other than the school principal, shall:

79 (i) be elected by a majority [vote of the employees and serves] of those voting at an
80 election held under the direction of the school community council; and

81 (ii) serve a two-year term beginning July 1. [The principal shall serve as an ex officio
82 member with full voting privileges.]

83 ~~[(b)(i) Each parent or guardian member shall be elected at an election held at the~~
84 ~~school by a majority vote of those voting at the election and serves a two-year term beginning~~
85 ~~July 1.]~~

86 ~~[(ii) Only parents or guardians of students attending the school may vote at the election~~
87 ~~under Subsection (4)(b)(i).]~~

88 ~~[(iii) A parent or guardian of a student qualifies to be a candidate for election to a~~
89 ~~school community council if at any time during the parent's or guardian's initial term of office,~~

90 ~~the student will be enrolled at the school.]~~

91 ~~[(iv) Any parent or guardian of a student who meets the qualifications of this section~~
92 ~~may file or declare himself as a candidate for election to a school community council.]~~

93 (b) (i) A school community member who resides within school boundaries or has a
94 child enrolled at the school may vote at the election under this Subsection (5).

95 (ii) A school community member running for school community council membership
96 shall file a declaration of candidacy according to procedures specified by the school community
97 council.

98 (iii) Written public notice of the declaration of candidacy requirement shall be
99 provided prior to receiving any declaration of candidacy and at least two weeks prior to the
100 final declaration filing date.

101 (c) Written public notice of the elections held under Subsections ~~[(4)]~~ (5)(a) and ~~[(4)]~~
102 (5)(b) shall be given at least two weeks prior to the elections.

103 (d) Results of the elections held under Subsections ~~[(4)]~~ (5)(a) and ~~[(4)]~~ (5)(b) shall be
104 made available to the public ~~[upon request].~~

105 (e) (i) If a ~~[parent or guardian]~~ position on a school community council remains
106 unfilled after an election is held, the ~~[other parent and guardian]~~ existing members of the
107 incoming council shall appoint a ~~[parent or guardian]~~ school community member who meets
108 the qualifications of this section to fill the position.

109 ~~[(ii) If an employee position on a school community council remains unfilled after an~~
110 ~~election is held, the other employee members of the council shall appoint an employee to fill~~
111 ~~the position.]~~

112 ~~[(iii)]~~ (ii) The chair of the community council shall notify the local school board of
113 each school community council election or appointment made pursuant to ~~[Subsections~~
114 ~~(4)(c)(i) or (ii)]~~ this section.

115 ~~[(iv)]~~ (iii) A member elected or appointed to a school community council pursuant to
116 ~~[Subsection (4)(c)(i) or (ii)]~~ this section shall serve a two-year term beginning July 1.

117 (f) Initial terms shall be staggered so that no more than 50% of the council members
118 stand for election in any one year.

119 ~~[(g) Council members may serve up to three successive terms.]~~

120 ~~[(h) (i)]~~ (g) Each school community council shall elect a chair and vice chair from ~~[its~~

121 ~~parent or guardian members and elected employee members]~~ the council members who are not
122 school employees.

123 ~~[(ii) No more than one parent or guardian member or elected employee member may at~~
124 ~~the same time serve as an officer specified in Subsection (4)(h)(i).]~~

125 ~~[(5)]~~ (6) (a) A school community council may create subcommittees or task forces to:

126 (i) advise or make recommendations to the council; or

127 (ii) develop all or part of a plan listed in Subsection ~~[(2)]~~ (3).

128 (b) Any plan or part of a plan developed by a subcommittee or task force shall be

129 subject to the approval of the school community council.

130 (c) A school community council may appoint individuals who are not council members

131 to serve on a subcommittee or task force, including parents, school employees, or other

132 community members.

Legislative Review Note

as of 12-22-04 3:12 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0151

School Community Councils

28-Jan-05

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State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst