

**SCHOOL COMMUNITY COUNCIL AMENDMENTS**

2007 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Ronda Rudd Menlove**

Senate Sponsor: Howard A. Stephenson

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**LONG TITLE**

**General Description:**

This bill modifies provisions regarding the membership and term of office of school community council members.

**Highlighted Provisions:**

This bill:

- ▶ expands eligibility for school community council membership; and
- ▶ allows schools, in consultation with local school boards, to set the beginning date of the term of office for school community council members.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-1a-108**, as last amended by Chapter 119, Laws of Utah 2006

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*Be it enacted by the Legislature of the state of Utah:*

Section 1. Section **53A-1a-108** is amended to read:

**53A-1a-108. School community councils authorized -- Duties -- Composition -- Selection of members.**



28 (1) As used in this section:

29 (a) "At large member" means a person who:

30 (i) is 18 years of age or older;

31 (ii) resides within the boundaries of the school; and

32 (iii) is not employed at the school.

33 [~~(a)~~] (b) "Parent or guardian member" means a parent or guardian of a student who is  
34 attending the school or who will be enrolled at the school at any time during the parent's or  
35 guardian's initial term of office. "Parent or guardian member" may not include a person who  
36 meets the definition of a school employee member unless the person's employment at the  
37 school does not exceed an average of six hours per week.

38 [~~(b)~~] (c) "School employee member" means a person employed at a school by the  
39 school or school district, including the principal.

40 (2) Each public school, in consultation with its local school board, shall establish a  
41 school community council at the school building level.

42 (3) (a) Each school community council shall:

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

44 (ii) develop the School LAND Trust Program in accordance with Section  
45 53A-16-101.5;

46 (iii) assist in the development and implementation of a staff professional development  
47 plan as provided by Section 53A-3-701;

48 (iv) develop a child access routing plan in accordance with Section 53A-3-402; and

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

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

55 (4) (a) Each school community council shall consist of school employee members  
56 [~~and~~], parent or guardian members, and at large members in accordance with this section.

57 (b) Except as provided in [~~Subsection~~] Subsections (4)(c) and (d):

58 (i) each school community council for a high school shall have six parent or guardian

59 members and five school employee members, including the principal; and

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

62 (c) (i) A school community council may have a larger membership provided that the  
63 number of parent or guardian members exceeds the number of school employee members.

64 (ii) A school community council may have a smaller membership provided that:

65 (A) the number of parent or guardian members exceeds the number of school employee  
66 members; and

67 (B) there are at least two school employee members on the school community council.

68 (d) In addition to the number of parent and guardian members and school employee  
69 members as provided in Subsection (4)(b) or (4)(c), a school community council may have one  
70 or more at large members provided that the number of school employee members and at large  
71 members combined does not exceed the number of parent and guardian members.

72 (5) (a) Each school employee member, except the principal, shall be elected by a  
73 majority vote of the school employees and [~~serves~~] serve a two-year term [~~beginning July 1~~].  
74 The principal shall serve as an ex officio member with full voting privileges.

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

78 (ii) Only parents or guardians of students attending the school may vote at the election  
79 under Subsection (5)(b)(i).

80 (iii) Any person running for the position of parent or guardian [~~of a student who meets~~  
81 ~~the qualifications of this section~~] member or at large member may file or declare himself as a  
82 candidate for election to a school community council.

83 (c) Written notice of the elections held under Subsections (5)(a) and (5)(b) shall be  
84 given at least two weeks prior to the elections.

85 (d) Results of the elections held under Subsections (5)(a) and (5)(b) shall be made  
86 available to the public upon request.

87 (e) (i) If a parent or guardian position on a school community council remains unfilled  
88 after an election is held, the other parent or guardian members of the council shall appoint a  
89 parent or guardian who meets the qualifications of this section to fill the position.

90 (ii) If a school employee position on a school community council remains unfilled after  
91 an election is held, the other school employee members of the council shall appoint a school  
92 employee to fill the position.

93 (iii) If an at large position on a school community council remains unfilled after an  
94 election is held, the incoming council shall appoint a person who meets the qualifications of an  
95 at large member as provided in Subsection (1).

96 [~~(iii)~~] (iv) The chair of the community council shall notify the local school board of  
97 each appointment made pursuant to Subsection (5)(e)(i) [~~or~~], (ii), or (iii).

98 [~~(iv)~~] (v) A member appointed to a school community council pursuant to Subsection  
99 (5)(e)(i) [~~or~~], (ii), or (iii) shall serve a two-year term [~~beginning July 1~~].

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

102 (g) (i) Each public school, in consultation with its local school board, shall set the  
103 beginning date of the term of office for school community council members.

104 (ii) Council members may serve up to three successive terms.

105 (h) (i) Each school community council shall elect a chair and vice chair from its parent  
106 or guardian members, at large members, and elected employee members.

107 (ii) No more than one parent or guardian member or elected employee member may at  
108 the same time serve as an officer specified in Subsection (5)(h)(i).

109 (6) (a) A school community council may create subcommittees or task forces to:

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

111 (ii) develop all or part of a plan listed in Subsection (3).

112 (b) Any plan or part of a plan developed by a subcommittee or task force shall be  
113 subject to the approval of the school community council.

114 (c) A school community council may appoint individuals who are not council members  
115 to serve on a subcommittee or task force, including parents, school employees, or other  
116 community members.

**Legislative Review Note**  
as of 1-9-07 9:53 AM

**Office of Legislative Research and General Counsel**

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**H.B. 239 - School Community Council Amendments**

**Fiscal Note**

2007 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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*1/17/2007, 12:28:52 PM, Lead Analyst: Schoenfeld, J.D.*

**Office of the Legislative Fiscal Analyst**