

Representative Kenneth W. Sumsion proposes the following substitute bill:

COMMUNITY COUNCIL ELECTIONS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kenneth W. Sumsion

Senate Sponsor: Margaret Dayton

LONG TITLE

General Description:

This bill modifies the Utah Strategic Planning Act for Educational Excellence by amending provisions for the election of members of school community councils.

Highlighted Provisions:

This bill:

- ▶ adds provisions for conducting elections of members of school community councils by secret ballot;
- ▶ requires the principal of the school, or the principal's designee, to provide notice of the election and the available community council positions at least 14 days before the date of the election;
- ▶ provides that the principal of the school, or the principal's designee, oversee the election for parent or guardian members of the council;
- ▶ requires that ballots for parent or guardian members be deposited in a secure ballot box; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:



26 None

27 **Utah Code Sections Affected:**

28 AMENDS:

29 **53A-1a-108**, as last amended by Laws of Utah 2006, Chapter 119



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

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

33 **53A-1a-108. School community councils authorized -- Duties -- Composition --**

34 **Election procedures and selection of members.**

35 (1) As used in this section:

36 (a) (i) "Parent or guardian member" means a member of a school community council
37 who is a parent or guardian of a student who is attending the school or who will be enrolled at
38 the school at any time during the parent's or guardian's initial term of office.

39 (ii) "Parent or guardian member" may not include a person who meets the definition of
40 a school employee member unless the person's employment at the school does not exceed an
41 average of six hours per week.

42 (b) "School employee member" means a member of a school community council who
43 is a person employed at a school by the school or school district, including the principal.

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

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

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

48 (ii) develop the School LAND Trust Program in accordance with Section
49 53A-16-101.5;

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

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

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

56 (b) In addition to the duties specified in Subsection (3)(a), a school community council

57 for an elementary school shall develop a reading achievement plan in accordance with Section
58 53A-1-606.5.

59 (4) (a) Each school community council shall consist of school employee members and
60 parent or guardian members in accordance with this section.

61 (b) Except as provided in Subsection (4)(c):

62 (i) each school community council for a high school shall have six parent or guardian
63 members and five school employee members, including the principal; and

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

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

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

69 (A) the number of parent or guardian members exceeds the number of school employee
70 members; and

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

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

75 (b) (i) Each parent or guardian member shall be elected by secret ballot at an election
76 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 parent or guardian of a student who meets the qualifications of this section
81 may file or declare himself as a candidate for election to a school community council.

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

84 (c) (i) The principal of the school, or the principal's designee, shall provide notice of
85 the available community council positions to school employees, parents, and guardians at least
86 14 days before the date that voting commences for the elections held under Subsections (5)(a)
87 and (5)(b).

88 (ii) The notice shall include:
89 (A) the dates and times of the elections;
90 (B) a list of council positions that are up for election; and
91 (C) instructions for becoming a candidate for a community council position.
92 (iii) The principal of the school, or the principal's designee, shall oversee the elections
93 held under Subsections (5)(a) and (5)(b).

94 (iv) Ballots cast in an election held under Subsection (5)(b) shall be deposited in a
95 secure ballot box;

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

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

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

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

106 (iv) A member appointed to a school community council [~~pursuant to~~] under
107 Subsection (5)(e)(i) or (ii) shall serve a two-year term beginning July 1.

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

110 (g) Council members may serve up to three successive terms.

111 (h) (i) Each school community council shall elect a chair and vice chair from its parent
112 or guardian members and elected employee members.

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

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

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

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

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

119 subject to the approval of the school community council.

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

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

122 community members.

H.B. 127 2nd Sub. (Gray) - Community Council Elections

Fiscal Note

2008 General Session

State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

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.
