

**EDUCATORS' PROFESSIONAL LEARNING**

2014 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Bradley G. Last**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to educators' professional learning.

**Highlighted Provisions:**

This bill:

► requires a school district or charter school to implement professional learning that meets specified standards;

► requires the State Board of Education, school districts, and charter schools to:

- determine resources needed to implement professional learning that meets specified standards; and

- evaluate the impact of professional learning efforts and resources; and

► requires a school district or charter school to use Quality Teaching Block Grant money to implement professional learning that meets specified standards.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-1a-108**, as last amended by Laws of Utah 2013, Chapter 296

**53A-17a-124**, as last amended by Laws of Utah 2010, Chapter 3



28 REPEALS AND REENACTS:

29 **53A-3-701**, as last amended by Laws of Utah 2003, Chapter 221



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 -- Duties -- Composition -- Election**  
34 **procedures and selection of members.**

35 (1) As used in this section:

36 (a) "Educator" has the meaning defined in Section **53A-6-103**.

37 (b) (i) "Parent or guardian member" means a member of a school community council  
38 who is a parent or guardian of a student who:

39 (A) is attending the school; or

40 (B) will be enrolled at the school during the parent's or guardian's term of office.

41 (ii) "Parent or guardian member" may not include an educator who is employed at the  
42 school.

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

45 (d) "School LAND Trust Program money" means money allocated to a school pursuant  
46 to Section **53A-16-101.5**.

47 (2) Each public school, in consultation with its local school board, shall establish a  
48 school community council at the school building level for the purpose of:

49 (a) involving parents or guardians of students in decision making at the school level;

50 (b) improving the education of students;

51 (c) prudently expending School LAND Trust Program money for the improvement of  
52 students' education through collaboration among parents and guardians, school employees, and  
53 the local school board; and

54 (d) increasing public awareness of:

55 (i) school trust lands and related land policies;

56 (ii) management of the State School Fund established in Utah Constitution Article X,  
57 Section V; and

58 (iii) educational excellence.

59 (3) (a) Except as provided in Subsection (3)(b), a school community council shall:

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

61 (ii) create the School LAND Trust Program in accordance with Section 53A-16-101.5;

62 and

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

65 [(iv)] (iii) advise and make recommendations to school and school district  
66 administrators and the local school board regarding the school and its programs, school district  
67 programs, a child access routing plan in accordance with Section 53A-3-402, and other issues  
68 relating to the community environment for students.

69 (b) In addition to the duties specified in Subsection (3)(a), a school community council  
70 for an elementary school shall create a reading achievement plan in accordance with Section  
71 53A-1-606.5.

72 (c) A school or school district administrator may not prohibit or discourage a school  
73 community council from discussing issues, or offering advice or recommendations, regarding  
74 the school and its programs, school district programs, the curriculum, or the community  
75 environment for students.

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

78 (b) Except as provided in Subsection (4)(c) or (d):

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

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

83 (c) A school community council may determine the size of the school community  
84 council by a majority vote of a quorum of the school community council provided that:

85 (i) the membership includes two or more parent or guardian members than the number  
86 of school employee members; and

87 (ii) there are at least two school employee members on the school community council.

88 (d) (i) The number of parent or guardian members of a school community council who  
89 are not educators employed by the school district shall exceed the number of parent or guardian

90 members who are educators employed by the school district.

91 (ii) If, after an election, the number of parent or guardian members who are not  
92 educators employed by the school district does not exceed the number of parent or guardian  
93 members who are educators employed by the school district, the parent or guardian members of  
94 the school community council shall appoint one or more parent or guardian members to the  
95 school community council so that the number of parent or guardian members who are not  
96 educators employed by the school district exceeds the number of parent or guardian members  
97 who are educators employed by the school district.

98 (5) (a) Except as provided in Subsection (5)(f), a school employee member, other than  
99 the principal, shall be elected by secret ballot by a majority vote of the school employees and  
100 serve a two-year term. The principal shall serve as an ex officio member with full voting  
101 privileges.

102 (b) (i) Except as provided in Subsection (5)(f), a parent or guardian member shall be  
103 elected by secret ballot at an election held at the school by a majority vote of those voting at the  
104 election and serve a two-year term.

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

107 (iii) Any parent or guardian of a student who meets the qualifications of this section  
108 may file or declare the parent's or guardian's candidacy for election to a school community  
109 council.

110 (iv) (A) Subject to Subsections (5)(b)(iv)(B) and (5)(b)(iv)(C), a timeline for the  
111 election of parent or guardian members of a school community council shall be established by  
112 a local school board for the schools within the school district.

113 (B) An election for the parent or guardian members of a school community council  
114 shall be held near the beginning of the school year and completed before October 15 or held in  
115 the spring and completed before the last week of school.

116 (C) Each school shall establish a time period for the election of parent or guardian  
117 members of a school community council under Subsection (5)(b)(iv)(B) that is consistent for at  
118 least a four-year period.

119 (c) (i) The principal of the school, or the principal's designee, shall provide notice of  
120 the available community council positions to school employees, parents, and guardians at least

121 10 days before the date that voting commences for the elections held under Subsections (5)(a)  
122 and (5)(b).

123 (ii) The notice shall include:

124 (A) the dates and times of the elections;

125 (B) a list of council positions that are up for election; and

126 (C) instructions for becoming a candidate for a community council position.

127 (iii) The principal of the school, or the principal's designee, shall oversee the elections  
128 held under Subsections (5)(a) and (5)(b).

129 (iv) Ballots cast in an election held under Subsection (5)(b) shall be deposited in a  
130 secure ballot box.

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

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

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

139 (iii) A member appointed to a school community council under Subsection (5)(e)(i) or  
140 (ii) shall serve a two-year term.

141 (f) (i) If the number of candidates who file for a parent or guardian position or school  
142 employee position on a school community council is less than or equal to the number of open  
143 positions, an election is not required.

144 (ii) If an election is not held pursuant to Subsection (5)(f)(i) and a parent or guardian  
145 position remains unfilled, the other parent or guardian members of the council shall appoint a  
146 parent or guardian who meets the qualifications of this section to fill the position.

147 (iii) If an election is not held pursuant to Subsection (5)(f)(i) and a school employee  
148 position remains unfilled, the other school employee members of the council shall appoint a  
149 school employee who meets the qualifications of this section to fill the position.

150 (g) The principal shall enter the names of the council members on the School LAND  
151 Trust website on or before November 15 each year, pursuant to Section [53A-1a-108.1](#).

152 (h) Terms shall be staggered so that approximately half of the council members stand  
153 for election each year.

154 (i) A school community council member may serve successive terms provided the  
155 member continues to meet the definition of a parent or guardian member or school employee  
156 member as specified in Subsection (1).

157 (j) Each school community council shall elect:

158 (i) a chair from its parent or guardian members; and

159 (ii) a vice chair from either its parent or guardian members or school employee  
160 members, excluding the principal.

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

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

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

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

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

169 (7) (a) A majority of the members of a school community council is a quorum for the  
170 transaction of business.

171 (b) The action of a majority of the members of a quorum is the action of the school  
172 community council.

173 (8) A local school board shall provide training for a school community council each  
174 year, including training:

175 (a) for the chair and vice chair about their responsibilities;

176 (b) on resources available on the School LAND Trust website; and

177 (c) on the following statutes governing school community councils:

178 (i) Section 53A-1a-108;

179 (ii) Section 53A-1a-108.1;

180 (iii) Section 53A-1a-108.5; and

181 (iv) Section 53A-16-101.5.

182 Section 2. Section 53A-3-701 is repealed and reenacted to read:

183 **53A-3-701. Professional learning standards.**

184 (1) As used in this section, "professional learning" means a comprehensive, sustained,  
185 and intensive approach to improving teachers' and principals' effectiveness in raising student  
186 achievement.

187 (2) A school district or charter school shall implement high quality professional  
188 learning that meets the following standards:

189 (a) professional learning occurs within learning communities committed to continuous  
190 improvement, collective responsibility, and goal alignment;

191 (b) professional learning requires skillful leaders who develop capacity, advocate, and  
192 create support systems, for professional learning;

193 (c) professional learning requires prioritizing, monitoring, and coordinating resources  
194 for educator learning;

195 (d) professional learning uses a variety of sources and types of student, educator, and  
196 system data to plan, assess, and evaluate professional learning;

197 (e) professional learning integrates theories, research, and models of human learning to  
198 achieve its intended outcomes;

199 (f) professional learning applies research on change and sustains support for  
200 implementation of professional learning for long-term change; and

201 (g) professional learning aligns its outcomes with:

202 (i) performance standards for teachers and school administrators as described in rules  
203 of the State Board of Education; and

204 (ii) performance standards for students as described in the core curriculum standards  
205 adopted by the State Board of Education pursuant to Section [53A-1-402.6](#).

206 (3) (a) In the fall of 2014, the State Board of Education, through the state  
207 superintendent of public instruction, shall conduct a survey of school districts and charter  
208 schools to:

209 (i) determine the effectiveness of current professional learning practices; and

210 (ii) identify resources to implement professional learning as described in Subsection

211 (2).

212 (b) (i) Annually in the fall, beginning in 2015 through 2020, the State Board of  
213 Education, through the state superintendent of public instruction, in conjunction with school

214 districts and charter schools, shall gather and use data to determine the impact of professional  
215 learning efforts and resources.

216 (ii) Data used to determine the impact of professional learning efforts and resources  
217 under Subsection (3)(b)(i) shall include:

218 (A) student achievement data;

219 (B) educator evaluation data; and

220 (C) survey data.

221 Section 3. Section **53A-17a-124** is amended to read:

222 **53A-17a-124. Quality Teaching Block Grant Program -- State contributions.**

223 (1) The State Board of Education shall distribute money appropriated for the Quality  
224 Teaching Block Grant Program to school districts and charter schools according to a formula  
225 adopted by the board, after consultation with school districts and charter schools, that allocates  
226 the funding in a fair and equitable manner.

227 (2) ~~[(a) Schools]~~ School districts and charter schools shall use Quality Teaching Block  
228 Grant money to implement ~~[school and school district comprehensive, long-term professional~~  
229 ~~development plans required by]~~ professional learning as described in Section **53A-3-701**.

230 ~~[(b) In recognition of exceptional quality teaching, Quality Teaching Block Grant~~  
231 ~~money may be used for the award of individual Quality Teaching Bonuses for Exemplary~~  
232 ~~Teachers to recognize and reward excellence in classrooms as determined by school principals~~  
233 ~~in partnership with their school community councils.]~~

234 ~~[(3) Each local school board shall:]~~

235 ~~[(a) as provided by Section **53A-3-701**, review and either approve or recommend~~  
236 ~~modifications for each school's comprehensive, long-term professional development plan~~  
237 ~~within the district so that each school's plan is compatible with the district's comprehensive,~~  
238 ~~long-term professional development plan; and]~~

239 ~~[(b) in an open public meeting, approve a plan to spend Quality Teaching Block Grant~~  
240 ~~money to implement the school district's comprehensive, long-term professional development~~  
241 ~~plan.]~~



**Legislative Review Note**  
as of 2-4-14 12:33 PM

**Office of Legislative Research and General Counsel**