

## **Chapter 14**

### **Nomination and Election of State and Local School Boards**

#### **Part 1**

#### **State School Board - Nomination and Election**

##### **20A-14-101.1 Definitions.**

As used in this part:

- (1) "Board" means the State Board of Education.
- (2) "Board block equivalency file" means the electronic file designated as SB2005S07\_BEf.txt that assigns each of Utah's 71,207 census blocks to a particular State Board of Education district.
- (3) "Board shapefile" means the electronic shapefile that:
  - (a) is the resulting projection of the Board block equivalency file; and
  - (b) stores the boundary of each of the 15 State Board of Education districts.
- (4) "Census block" means any one of the 71,207 individual geographic areas into which the Bureau of the Census of the United States Department of Commerce has divided the state of Utah, to each of which the Bureau of the Census has attached a discrete population tabulation from the 2020 decennial census.
- (5) "Shapefile" means the digital vector storage format for storing geometric location and associated attribute information.

Amended by Chapter 10, 2021 Special Session 2

##### **20A-14-101.5 State Board of Education -- Number of members -- State Board of Education district boundaries.**

- (1) The State Board of Education shall consist of 15 members, with one member to be elected from each State Board of Education district.
- (2) The Legislature adopts the official census population figures and maps of the Bureau of the Census of the United States Department of Commerce developed in connection with the taking of the 2020 national decennial census as the official data for establishing State Board of Education district boundaries.
- (3)
  - (a) Notwithstanding Subsection (2), the Legislature enacts the district numbers and boundaries of the State Board of Education districts designated in the Board block equivalency file and resulting Board shapefile that is the electronic component of Laws of Utah 2021, Second Special Session, Chapter 10:
    - (i) for purposes of nominating and electing certain members of the State Board of Education beginning January 1, 2022; and
    - (ii) for all other purposes beginning January 2, 2023.
  - (b) The Legislature shall ensure that the Board shapefile, and the State Board of Education district boundaries generated from the Board shapefile, are accessible on the Utah Legislature's website.

Amended by Chapter 18, 2022 General Session

##### **20A-14-102 State Board of Education districts -- Filing -- Legal boundaries.**

- (1)

- (a) The Legislature shall file a copy of the Board block equivalency file enacted by the Legislature and the resulting Board shapefile with the lieutenant governor's office.
  - (b) The legal boundaries of State Board of Education districts are contained in the Board shapefile on file with the lieutenant governor's office.
- (2)
- (a) The lieutenant governor shall:
    - (i) verify the Board block equivalency file that the Legislature files under Subsection (1) using block equivalency file security code "3045e67dd19fd1085282c1d9a89a7873" and the resulting Board shapefile;
    - (ii) generate maps of each State Board of Education district from the Board shapefile; and
    - (iii) ensure that the district maps are available for viewing on the lieutenant governor's website.
  - (b) If there is any inconsistency between the district maps and the Board shapefile resulting from the Board block equivalency file, the Board shapefile is controlling.

Amended by Chapter 10, 2021 Special Session 2

**20A-14-102.1 Omissions from maps -- How resolved.**

- (1) If any area of the state is omitted from a State Board of Education district in the Board shapefile in the possession of the lieutenant governor's office, the county clerk of the affected county, upon discovery of the omission, shall attach the area to the appropriate State Board of Education district according to the requirements of Subsections (2) and (3).
- (2) If the omitted area is surrounded by a single State Board of Education district, the county clerk shall attach the area to that district.
- (3) If the omitted area is contiguous to two or more State Board of Education districts, the county clerk shall attach the area to the district that has the least population, as determined by the Utah Population Committee.
- (4) The county clerk shall certify in writing and file with the lieutenant governor any attachment made under this section.

Amended by Chapter 10, 2021 Special Session 2

**20A-14-102.2 Uncertain boundaries -- How resolved.**

- (1) As used in this section:
  - (a) "Affected party" means:
    - (i) a state school board member whose State Board of Education district boundary is uncertain because the feature used to establish the district boundary in the Board shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether the member or another individual resides in a particular State Board of Education district;
    - (ii) a candidate for state school board whose State Board of Education district boundary is uncertain because the feature used to establish the district boundary in the Board shapefile has been removed, modified, or is unable to be identified or who is uncertain about whether the candidate or another individual resides in a particular State Board of Education district;  
or
    - (iii) an individual who is uncertain about which State Board of Education district contains the individual's residence because the feature used to establish the district boundary in the Board shapefile has been removed, modified, or is unable to be identified.
  - (b) "Feature" means a geographic or other tangible or intangible mark such as a road or political subdivision boundary that is used to establish a State Board of Education district boundary.

- (2)
- (a) An affected party may file a written request petitioning the lieutenant governor to determine:
    - (i) the precise location of the State Board of Education district boundary;
    - (ii) the number of the State Board of Education district in which an individual resides; or
    - (iii) both Subsections (2)(a)(i) and (ii).
  - (b) In order to make the determination required by Subsection (2)(a), the lieutenant governor shall review:
    - (i) the Board block equivalency file and the resulting Board shapefile; and
    - (ii) any other relevant data such as aerial photographs, aerial maps, or other data about the area.
  - (c) No later than the first business day that is at least five calendar days after the day on which the lieutenant governor receives the request, the lieutenant governor shall:
    - (i) complete the review described in Subsection (2)(b); and
    - (ii) make a determination.
  - (d) If the lieutenant governor determines the precise location of the State Board of Education district boundary, the lieutenant governor shall:
    - (i) prepare a certification identifying the appropriate State Board of Education district boundary and attaching a map, if necessary; and
    - (ii) send a copy of the certification to:
      - (A) the affected party;
      - (B) the county clerk of the affected county; and
      - (C) the Utah Geospatial Resource Center created under Section 63A-16-505.
  - (e) If the lieutenant governor determines the number of the State Board of Education district in which a particular individual resides, the lieutenant governor shall send a letter identifying that district by number to:
    - (i) the individual;
    - (ii) the affected party who filed the petition, if different than the individual whose State Board of Education district number was identified; and
    - (iii) the county clerk of the affected county.

Amended by Chapter 448, 2025 General Session

**20A-14-102.3 County clerk, Utah Geospatial Resource Center, and lieutenant governor responsibilities -- Maps and voting precinct boundaries.**

- (1) As used in this section:
  - (a) "Geospatial center" means the Utah Geospatial Resource Center.
  - (b) "Redistricting boundary data" means the Board shapefile in the possession of the lieutenant governor's office.
- (2) Each county clerk shall obtain a copy of the redistricting boundary data for the clerk's county from the lieutenant governor's office.
- (3)
  - (a) A county clerk may create one or more county maps that identify the boundaries of State Board of Education districts as generated from the redistricting boundary data.
  - (b) Before publishing or distributing any map or data created by the county clerk that identifies the boundaries of State Board of Education districts within the county, the clerk shall submit the county map and data to the lieutenant governor and to the geospatial center for review.
  - (c) Within 30 calendar days after the day on which the geospatial center receives a county map and data from a county clerk, the geospatial center shall:

- (i) review the county map and data to evaluate if the county map and data accurately reflect the boundaries of State Board of Education districts established by the Legislature in the redistricting boundary data;
    - (ii) determine whether the county map and data are correct or incorrect; and
    - (iii) communicate those findings to the lieutenant governor.
  - (d) The lieutenant governor shall either notify the county clerk that the county map and data are correct or inform the county clerk that the county map and data are incorrect.
  - (e) If the county clerk receives notice from the lieutenant governor that the county map and data submitted are incorrect, the county clerk shall:
    - (i) make the corrections necessary to conform the county map and data to the redistricting boundary data; and
    - (ii) resubmit the corrected county map and data to the lieutenant governor for a new review under this Subsection (3).
- (4)
- (a) Subject to the requirements of this Subsection (4), each county clerk shall establish voting precincts and polling places within each State Board of Education district according to the procedures and requirements of Section 20A-5-303.
  - (b) Within five business days after the day on which the county legislative body approves the voting precincts under Section 20A-5-303, each county clerk shall submit a voting precinct map identifying the boundaries of each voting precinct within the county to the lieutenant governor and to the geospatial center for review.
  - (c) Within 30 calendar days after the day on which the geospatial center receives a voting precinct map from a county clerk, the geospatial center shall:
    - (i) review the voting precinct map to evaluate if the voting precinct map accurately reflects the boundaries of State Board of Education districts established by the Legislature in the redistricting boundary data;
    - (ii) determine whether the voting precinct map is correct or incorrect; and
    - (iii) communicate those findings to the lieutenant governor.
  - (d) The lieutenant governor shall either notify the county clerk that the voting precinct map is correct or notify the county clerk that the voting precinct map is incorrect.
  - (e) If the county clerk receives notice from the lieutenant governor that the voting precinct map is incorrect, the county clerk shall:
    - (i) make the corrections necessary to conform the voting precinct map to the redistricting boundary data; and
    - (ii) resubmit the corrected voting precinct map to the lieutenant governor and to the geospatial center for a new review under this Subsection (4).

Amended by Chapter 448, 2025 General Session

**20A-14-103 State Board of Education members -- Term -- Requirements.**

- (1) Unless otherwise provided by law and except as provided in Subsection (2):
  - (a) voters in the following districts, as designated in the Senate block equivalency file, shall elect a State Board of Education member for a term of four years:
    - (i) at the 2022 General Election, State Board of Education Districts 1, 2, 4, 5, 8, 11, and 14; and
    - (ii) at the 2024 General Election, State Board of Education Districts 3, 6, 7, 9, 10, 12, 13, and 15; and

- (b) a State Board of Education member representing a district described in Subsection (1)(a)(ii) on November 16, 2021, shall represent the realigned district, if the State Board of Education member resides in the realigned district, for a term of office that ends January 6, 2025.
- (2)
  - (a) As used in this Subsection (2), "District 6" means District 6 as designated in the Senate block equivalency file.
  - (b) If one of the incumbent State Board of Education members from District 6 files written notice with the lieutenant governor by close of business on January 3, 2022, that the member will not seek election to the State Board of Education from District 6:
    - (i) the filing incumbent member may serve until January 2, 2023, in representation of the district to which the member was elected at the 2020 General Election; and
    - (ii) the other incumbent member from District 6 shall serve out the term for which the member was elected, in representation of District 6, which is until January 6, 2025.
  - (c) If neither or both incumbent State Board of Education members in District 6 file the written notice described in Subsection (2)(b):
    - (i) the incumbent members may serve until January 2, 2023, in representation of the district to which the members were elected at the 2020 General Election;
    - (ii) the lieutenant governor shall designate District 6 as an office to be filled in the 2022 General Election in the notice of election required by Section 20A-5-101;
    - (iii) the State Board of Education member elected from District 6 at the 2022 General Election shall be elected to serve a term of office of two years; and
    - (iv) the State Board of Education member elected from District 6 at the 2024 General Election shall be elected to serve a term of office of four years.
- (3)
  - (a) A person seeking election to the State Board of Education shall have been a resident of the State Board of Education district in which the person is seeking election for at least one year as of the date of the election.
  - (b) A person who has resided within the State Board of Education district, as the boundaries of the district exist on the date of the election, for one year immediately preceding the date of the election shall be considered to have met the requirements of this Subsection (3).
- (4) A State Board of Education member shall:
  - (a) be and remain a registered voter in the State Board of Education district from which the member was elected or appointed; and
  - (b) maintain the member's primary residence within the State Board of Education district from which the member was elected or appointed during the member's term of office.
- (5) A State Board of Education member may not, during the member's term of office, also serve as an employee of the State Board of Education.

Amended by Chapter 10, 2021 Special Session 2

**20A-14-104.1 State Board of Education -- Candidacy.**

- (1) A person interested in becoming a candidate for the office of State Board of Education member shall:
  - (a) file a declaration of candidacy in accordance with Sections 20A-9-201 and 20A-9-202;
  - (b) file a certificate of nomination in accordance with Sections 20A-9-501, 20A-9-502, and 20A-9-503; or
  - (c) seek placement on the ballot as a write-in candidate in accordance with Sections 20A-9-601 and 20A-9-602.

- (2) The office of State Board of Education member may be filled by an individual running as a member of a political party, as unaffiliated, or as a write-in candidate.

Amended by Chapter 507, 2019 General Session

## **Part 2**

### **Election of Members of Local Boards of Education**

#### **20A-14-201 Boards of education -- School board districts -- Creation -- Redistricting.**

- (1) The county legislative body, for local school districts whose boundaries encompass more than a single municipality, and the municipal legislative body, for local school districts contained completely within a municipality, shall divide the local school district into local school board districts as required under Subsection 20A-14-202(1).
- (2) The county and municipal legislative bodies shall divide the school district so that the local school board districts are substantially equal in population and are as contiguous and compact as practicable.
- (3) County and municipal legislative bodies shall redistrict local school board districts to meet the population, compactness, and contiguity requirements of this section:
  - (a) at least once every 10 years;
  - (b) for a new school district or a reorganized new school district that is approved by the voters at a regular general election under Section 53G-3-301.1, 53G-3-301.3, or 53G-3-301.4, before April 1 of the following year;
  - (c) whenever school districts are consolidated;
  - (d) whenever a school district loses more than 20% of the population of the entire school district to another school district;
  - (e) whenever a school district loses more than 50% of the population of a local school board district to another school district;
  - (f) whenever a school district receives new residents equal to at least 20% of the population of the school district at the time of the last redistricting because of a transfer of territory from another school district; and
  - (g) whenever it is necessary to increase the membership of a board as a result of changes in student membership under Section 20A-14-202.
- (4) If a school district receives territory containing less than 20% of the population of the transferee district at the time of the last redistricting, the local school board may assign the new territory to one or more existing school board districts.
- (5) Except as provided in Subsection 53G-3-302(1)(b)(ii), redistricting does not affect the right of any school board member to complete the term for which the member was elected.
- (6)
  - (a) After redistricting, representation in a local school board district shall be determined as provided in this Subsection (6).
  - (b) If, after redistricting, only one board member whose term extends beyond redistricting lives within a local school board district, that board member shall represent that local school board district.
  - (c) If, after redistricting, two or more members whose terms extend beyond redistricting live within a local school board district, the members involved shall select one member by lot to represent the local school board district.

- (d) The other members shall serve at-large for the remainder of their terms.
  - (e) The at-large board members shall serve in addition to the designated number of board members for the board in question for the remainder of their terms.
  - (f) If there is no board member living within a local school board district whose term extends beyond redistricting, the seat shall be treated as vacant and filled as provided in this part.
- (7)
- (a) If, before an election affected by redistricting, the county or municipal legislative body that conducted the redistricting determines that one or more members shall be elected to terms of two years to meet this part's requirements for staggered terms, the legislative body shall determine by lot which of the redistricted local school board districts will elect members to two-year terms and which will elect members to four-year terms.
  - (b) All subsequent elections are for four-year terms.
- (8) Within 10 calendar days after the day of a local school board district boundary change, the county or municipal legislative body making the change shall send an accurate map or plat of the boundary change to the Utah Geospatial Resource Center created under Section 63A-16-505.
- (9) Subsections (4) through (7) do not apply to a redistricting that occurs under Subsection (3)(b).

Amended by Chapter 448, 2025 General Session

**20A-14-202 Local boards of education -- Membership -- When elected -- Qualifications -- Avoiding conflicts of interest.**

- (1)
- (a) The board of education of a school district with a student population of less than 10,000 students comprises five members.
  - (b) The board of education of a school district with a student population of 10,000 or more students but fewer than 50,000 students comprises seven members.
  - (c) Before January 1, 2023, the board of education of a school district with a student population of 50,000 or more students comprises seven members.
  - (d) Beginning on January 1, 2023:
    - (i) the board of education of a school district with a student population of 50,000 or more students but fewer than 100,000 students:
      - (A) except as provided in Subsection (1)(d)(i)(B), comprises seven members; or
      - (B) comprises nine members if the board of education of the school district, by majority vote, increases the board to nine members; and
    - (ii) the board of education of a school district with a student population of 100,000 or more students comprises nine members.
  - (e) Student population is based on the October 1 student count submitted by districts to the State Board of Education.
  - (f) If the number of members of a local school board changes under Subsection (1)(b), (c), or (d), the county or municipality, as applicable, shall redistrict and hold elections as provided in Sections 20A-14-201 and 20A-14-203.
  - (g) Notwithstanding Subsections (1)(a) through (d), a school district with a seven-member or nine-member board does not decrease in size, regardless of subsequent changes in student population.
  - (h)
    - (i) Members of a local board of education shall be elected at each regular general election.
    - (ii) Except as provided in Subsection (1)(h)(iii), in a regular general election year:

- (A) no more than three members of a local board of education may be elected to a five-member board;
- (B) no more than four members of a local board of education may be elected to a seven-member board; and
- (C) no more than five members of a local board of education may be elected to a nine-member board.
- (iii) A number of members, in excess of the maximums described in Subsection (1)(h)(ii), may be elected only when required due to redistricting, to fill a vacancy, or to implement Subsections (1)(b) through (d).
- (i) One member of the local board of education shall be elected from each local school board district.
- (2)
  - (a) An individual seeking election to a local school board shall have been a resident of the local school board district in which the person is seeking election for at least one year immediately preceding the day of the general election at which the board position will be filled.
  - (b) A person who has resided within the local school board district, as the boundaries of the district exist on the date of the general election, for one year immediately preceding the date of the election shall be considered to have met the requirements of this Subsection (2).
- (3) A member of a local school board shall:
  - (a) be and remain a registered voter in the local school board district from which the member is elected or appointed; and
  - (b) maintain the member's primary residence within the local school board district from which the member is elected or appointed during the member's term of office.
- (4) A member of a local school board may not, during the member's term in office, also serve as an employee of that board.

Amended by Chapter 265, 2022 General Session

**20A-14-203 Becoming a member of a local board of education -- Declaration of candidacy -- Election.**

- (1) An individual may become a candidate for a local school board by:
  - (a) filing a declaration of candidacy with the county clerk during the declaration of candidacy filing period described in Section 20A-9-201.5; and
  - (b) paying the fee described in Section 20A-9-202.
- (2)
  - (a) The term of office for an individual elected to a local board of education is four years, beginning on the first Monday in January after the election.
  - (b) A member of a local board of education shall serve until a successor is:
    - (i) elected; or
    - (ii) appointed and takes or signs the constitutional oath of office.

Amended by Chapter 13, 2022 General Session

Amended by Chapter 265, 2022 General Session

**20A-14-204 Effect of transfer of a district on composition of local school board.**

If a portion of one school district becomes part of another school district, any member of the board of education residing within the transferred portion becomes a member of the board of the transferee district and shall serve the remainder of the term to which the member was elected.



Enacted by Chapter 1, 1995 General Session

**20A-14-205 Vacancies on local school boards.**

Vacancies on local school boards shall be filled as provided in Section 20A-1-511.

Enacted by Chapter 1, 1995 General Session

**20A-14-206 Student petition for student member on local school board.**

- (1) A student petition requesting that a local school board appoint a nonvoting student member to the board may be submitted to the board under this section.
- (2) The petition shall have the signatures of at least 500 students regularly enrolled in high school in the district or at least 10% of the number of students regularly enrolled in high school in the district, whichever is less.
- (3)
  - (a) Upon receipt of the petition, the board may appoint a nonvoting student member to serve a one-year term on the local school board as an addition to the number of regular members authorized by law.
  - (b) A student member's term begins July 1 and ends on June 30 of the following year.
- (4) A student board member shall be enrolled in a high school in the district and may be less than 18 years old.
- (5) A student member may participate in all board meetings, except executive sessions.
- (6)
  - (a) A student board member shall receive the same expense allowance granted other board members under Section 53G-4-204.
  - (b) A student member is not liable for any acts of the governing board.

Amended by Chapter 415, 2018 General Session