

Effective 7/1/2018

Superseded 5/14/2019

53G-7-1206 School LAND Trust Program.

(1) As used in this section:

- (a) "Charter agreement" means an agreement made in accordance with Section 53G-5-303 that authorizes the operation of a charter school.
- (b) "Charter school authorizer" means the same as that term is defined in Section 53G-5-102.
- (c) "Charter trust land council" means a council established by a charter school governing board under Section 53G-7-1205.
- (d) "Council" means a school community council or a charter trust land council.
- (e) "District school" means a public school under the control of a local school board elected under Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.
- (f) "School community council" means a council established at a district school in accordance with Section 53G-7-1202.

(2) There is established the School LAND (Learning And Nurturing Development) Trust Program under the State Board of Education to:

- (a) provide financial resources to public schools to enhance or improve student academic achievement and implement a component of a district school's school improvement plan or a charter school's charter agreement; and
- (b) involve parents and guardians of a school's students in decision making regarding the expenditure of School LAND Trust Program money allocated to the school.

(3) To receive an allocation under Section 53F-2-404:

- (a) a district school shall have established a school community council in accordance with Section 53G-7-1202;
- (b) a charter school shall have established a charter trust land council in accordance with Section 53G-7-1205; and
- (c) the school's principal shall provide a signed, written assurance that the school is in compliance with Subsection (3)(a) or (b).

(4)

(a) A council shall create a program to use the school's allocation distributed under Section 53F-2-404 to implement a component of the school's improvement plan or charter agreement, including:

- (i) the school's identified most critical academic needs;
- (ii) a recommended course of action to meet the identified academic needs;
- (iii) a specific listing of any programs, practices, materials, or equipment that the school will need to implement a component of its school improvement plan to have a direct impact on the instruction of students and result in measurable increased student performance; and
- (iv) how the school intends to spend its allocation of funds under this section to enhance or improve academic excellence at the school.

(b)

- (i) A council shall create and vote to adopt a plan for the use of School LAND Trust Program money in a meeting of the council at which a quorum is present.
- (ii) If a majority of the quorum votes to adopt a plan for the use of School LAND Trust Program money, the plan is adopted.

(c) A council shall:

- (i) post a plan for the use of School LAND Trust Program money that is adopted in accordance with Subsection (4)(b) on the School LAND Trust Program website; and

- (ii) include with the plan a report noting the number of council members who voted for or against the approval of the plan and the number of council members who were absent for the vote.
- (d)
 - (i) The local school board of a district school shall approve or disapprove a plan for the use of School LAND Trust Program money.
 - (ii) If a local school board disapproves a plan for the use of School LAND Trust Program money:
 - (A) the local school board shall provide a written explanation of why the plan was disapproved and request the school community council who submitted the plan to revise the plan; and
 - (B) the school community council shall submit a revised plan in response to a local school board's request under Subsection (4)(d)(ii)(A).
 - (iii) Once a plan has been approved by a local school board, a school community council may amend the plan, subject to a majority vote of the school community council and local school board approval.
- (e) A charter trust land council's plan for the use of School LAND Trust Program money is subject to approval by the:
 - (i) charter school governing board; and
 - (ii) charter school's charter school authorizer.
- (5)
 - (a) A district school or charter school shall:
 - (i) implement the program as approved;
 - (ii) provide ongoing support for the council's program; and
 - (iii) meet State Board of Education reporting requirements regarding financial and performance accountability of the program.
 - (b)
 - (i) A district school or charter school shall prepare and post an annual report of the program on the School LAND Trust Program website each fall.
 - (ii) The report shall detail the use of program funds received by the school under this section and an assessment of the results obtained from the use of the funds.
 - (iii) A summary of the report shall be provided to parents or guardians of students attending the school.
- (6) On or before October 1 of each year, a school district shall record the amount of the program funds distributed to each school under Section 53F-2-404 on the School LAND Trust Program website to assist schools in developing the annual report described in Subsection (5)(b).
- (7) The president or chair of a local school board or charter school governing board shall ensure that the members of the local school board or charter school governing board are provided with annual training on the requirements of this section.
- (8)
 - (a) The School LAND Trust Program shall provide training to the entities described in Subsection (8)(b) on:
 - (i) the School LAND Trust Program; and
 - (ii)
 - (A) a school community council; or
 - (B) a charter trust land council.
 - (b) The School LAND Trust Program shall provide the training to:
 - (i) a local school board or a charter school governing board;
 - (ii) a school district or a charter school; and

- (iii) a school community council.
- (9) The School LAND Trust Program shall annually review each school's compliance with applicable law, including rules adopted by the State Board of Education, by:
 - (a) reading each School LAND Trust Program plan submitted; and
 - (b) reviewing expenditures made from School LAND Trust Program money.
- (10) The board shall designate a staff member who administers the School LAND Trust Program:
 - (a) to serve as a member of the Land Trusts Protection and Advocacy Committee created under Section 53D-2-202; and
 - (b) who may coordinate with the Land Trusts Protection and Advocacy Office director, appointed under Section 53D-2-203, to attend meetings or events within the School and Institutional Trust System, as defined in Section 53D-2-102, that relate to the School LAND Trust Program.