

Representative Ron Bigelow proposes the following substitute bill:

SCHOOL COMMUNITY COUNCILS

2002 GENERAL SESSION

STATE OF UTAH

Sponsor: Bill Wright

This act modifies provisions related to the State System of Public Education by specifying the duties, powers, and membership of a school community council and establishing a process for the selection of council members. This act amends provisions relating to the school improvement plans and the School LAND Trust Program. This act takes effect on July 1, 2002.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-1-402.6, as enacted by Chapter 301, Laws of Utah 2000

53A-1-606.5, as last amended by Chapter 179, Laws of Utah 2001

53A-1a-108, as last amended by Chapter 59, Laws of Utah 2000

53A-3-402, as last amended by Chapter 119, Laws of Utah 2000

53A-3-701, as enacted by Chapter 335, Laws of Utah 2001

53A-16-101.5, as last amended by Chapter 59, Laws of Utah 2000

ENACTS:

53A-1a-108.5, Utah Code Annotated 1953

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

Section 1. Section **53A-1-402.6** is amended to read:

53A-1-402.6. Focus on core curriculum.

(1) In establishing minimum standards related to curriculum and instruction requirements under Subsection 53A-1-402(1)(c), the State Board of Education shall, in consultation with local school boards and local school superintendents, define and establish a core curriculum.



26 (2) The board shall include in its definition an identification of the basic knowledge, skills,
27 and competencies each student is expected to acquire or master as the student advances through
28 the public education system.

29 (3) ~~(a)~~ Local school boards shall design their school programs to focus on the core
30 curriculum with the expectation that each program will enhance or help achieve mastery of the
31 core curriculum.

32 ~~[(b) As part of the report required by each school for its participation in the School LAND~~
33 ~~Trust Program under Section 53A-16-101.5, the school committee shall report on the value of each~~
34 ~~program at the school that is part of the school trust land plan as it relates to enhancing the core~~
35 ~~curriculum.]~~

36 Section 2. Section **53A-1-606.5** is amended to read:

37 **53A-1-606.5. Reading achievement in grades one through three -- Monitoring --**
38 **Reporting -- Additional instruction.**

39 (1) (a) The Legislature recognizes that:

40 (i) reading is the most fundamental skill, the gateway to knowledge and lifelong learning;

41 (ii) there is an ever increasing demand for literacy in the highly technological society we
42 live in;

43 (iii) students who do not learn to read will be economically and socially disadvantaged;

44 (iv) reading problems exist in almost every classroom;

45 (v) almost all reading failure is preventable if reading difficulties are diagnosed and treated
46 by no later than the end of the third grade; and

47 (vi) early identification and treatment of reading difficulties can result in students learning
48 to read by the end of the third grade.

49 (b) It is therefore:

50 (i) the long-term goal of the state to have every student in the state's public education
51 system reading on or above grade level by the end of the third grade; and

52 (ii) the short-term goal of the state to have 90% or more of all third graders reading on or
53 above grade level by the end of the third grade in 2006.

54 (c) (i) The superintendent of public instruction or the superintendent's designee shall make
55 an annual report to the State Board of Education and to the Legislature's Education Interim
56 Committee on the goals established in Subsection (1)(b).

57 (ii) The information shall be reported as part of the U-PASS testing program as required
58 under Section 53A-3-602.5, beginning with the 2001-02 school year, and include the following
59 for each school district and elementary school:

60 (A) the number and percent of all students reading on or above grade level at the end of
61 the first, second, and third grades;

62 (B) the annual reading achievement growth from the prior year and cumulative reading
63 achievement growth from the base year of 2001-02 in the percent of students reading on or above
64 grade level for each year;

65 (C) those schools that reach the 90% reading achievement goal or achieve a sufficient
66 magnitude of gain each year as determined by the State Board of Education from the 2001-02 base
67 year or do both; and

68 (D) those elementary schools that fail to achieve a sufficient magnitude of gain each year
69 as determined by the State Board of Education from the 2001-02 base year.

70 (d) The State Board of Education, through the superintendent of public instruction, shall
71 determine as part of the U-PASS testing program:

72 (i) the appropriate statewide tests to assess reading levels at the end of each year in the
73 first, second, and third grades;

74 (ii) an appropriate standard or cut score on each assessment for determining grade level
75 reading mastery; and

76 (iii) the actual percent of students reading on or above grade level in the first, second, and
77 third grades at each public elementary school as required under Subsection (1)(c)(i) by dividing
78 the headcount enrollment of students reading on or above grade level at that grade by the
79 headcount enrollment of students in the building at that grade on the date that the reading
80 assessment is administered.

81 (2) Local school boards shall annually review the U-PASS data regarding reading at school
82 and district levels and shall work with districts and schools to review and revise plans as needed
83 to meet the goal set in Subsection (1)(b).

84 (3) (a) Each school district shall require the elementary schools within its district
85 boundaries to develop, in conjunction with all other school planning processes and requirements,
86 a reading achievement plan at each school for its kindergarten, first, second, and third graders to
87 reach the reading goals set in Subsection (1)(b).

88 (b) The reading achievement plan shall be:

89 (i) subject to Subsection (3)(e), developed under the direction of the school community
90 council or a subcommittee or task force created by the school community council; and

91 (ii) implemented by the school's principal, teachers, and other appropriate school staff.

92 ~~(b)~~ (c) The school principal shall take primary responsibility to provide leadership and
93 allocate resources and support for teachers and students, most particularly for those who are
94 reading below grade level, to achieve the reading goals.

95 ~~(c)~~ (d) Each reading achievement plan shall include:

96 (i) an assessment component that:

97 (A) ~~[identifies]~~ allows only the principal, teachers, and other appropriate school staff to
98 identify those students who are reading below grade level;

99 (B) uses U-PASS and local assessment information throughout the year to determine
100 students' instructional needs; and

101 (C) is consistent with the exemption provisions of Subsection 53A-1-603(3)(c) regarding
102 such students as students with disabilities or limited English proficiency;

103 (ii) an intervention component:

104 (A) that provides adequate and appropriate interventions focused on bringing each student
105 up to reading at or above grade level and which would permit retention in the grade level of a
106 student reading below grade level based on a joint determination made by the principal or the
107 principal's designee, the student's teacher, and the student's parent;

108 (B) based on best practices identified through proven researched-based methods;

109 (C) that includes parental participation; and

110 (D) that, as resources allow, involves a reading specialist; and

111 (iii) a reporting component consistent with the data to be included in the school
112 performance report required under Section 53A-3-602.5.

113 (e) In developing or reviewing a reading achievement plan, a school community council
114 or subcommittee or task force of a school community council may not have access to data that
115 reveal the identity of students.

116 (4) The school district shall approve each school's plan prior to its implementation and
117 review each plan annually.

118 Section 3. Section **53A-1a-108** is amended to read:

119 **53A-1a-108. School community councils authorized -- Duties -- Composition --**
120 **Selection of members.**

121 (1) ~~[(a)]~~ Each public school, in consultation with its local school board, shall establish a
122 school community council at the school building level ~~[to improve student achievement by~~
123 ~~developing a plan to include:]~~.

124 ~~[(i) the school's identified most critical academic needs;]~~

125 ~~[(ii) a recommended course of action to meet the identified academic needs;]~~

126 ~~[(iii) a specific listing of any programs, practices, materials, or equipment that the school~~
127 ~~will need to implement its action plan to have a direct impact on the instruction of students and~~
128 ~~result in measurable increased student performance; and]~~

129 ~~[(iv) how the school intends to enhance or improve academic excellence at the school;]~~

130 ~~[(b) The school may develop a multiyear plan, but the plan must be presented and~~
131 ~~approved annually by the local school board of the district in which the school is located;]~~

132 ~~[(c) The school shall:]~~

133 ~~[(i) implement the plan as developed by the council and approved by the local board;]~~

134 ~~[(ii) provide ongoing support for the council's plan;]~~

135 ~~[(iii) meet school board reporting requirements regarding performance and accountability;]~~

136 ~~[(iv) publicize to its patrons and the general public its plan to enhance or improve~~
137 ~~academic excellence at the school, including the results of those efforts; and]~~

138 ~~[(v) through its council prepare and present an annual report to its local school board at~~
139 ~~the end of the school year;]~~

140 (2) (a) Each school community council shall:

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

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

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

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

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

149 (b) In addition to the duties specified in Subsection (2)(a), a school community council for

150 an elementary school shall develop a reading achievement plan in accordance with Section
 151 53A-1-606.5.

152 ~~[(2)]~~ (3) (a) Each school community council shall consist of school employees, including
 153 the school's principal, and parents or guardians of students who are attending the school, except
 154 for parents or guardians who are employed at the school.

155 (b) Except as provided in Subsection (3)(c):

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

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

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

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

163 (A) the number of parent and guardian members exceeds the number of employee
 164 members; and

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

166 ~~[(b)]~~ (4) (a) Each employee member, except the principal, shall be elected by a majority
 167 vote of the employees and serves a two-year term beginning July 1. The principal shall serve as
 168 an ex officio member with full voting privileges.

169 ~~[(c)]~~ (b) (i) Each parent or guardian member shall be elected at an election held at the
 170 school by a majority vote of those voting at the election and serves a two-year term beginning July
 171 1.

172 (ii) Only parents or guardians of students attending the school may vote at the election
 173 under Subsection ~~[(2)(c)]~~ (4)(b)(i).

174 (iii) ~~h~~ [(A)] ~~h~~ A parent or guardian of a student qualifies to be a candidate for election to a
 175 school community council if at any time during the parent's or guardian's initial term of office, the
 176 student will be enrolled at the school.

177 ~~h~~ [(B) A parent or guardian member of a school community council qualifies to be a
 178 candidate for reelection even though the parent's or guardian's student will not be enrolled in the
 179 school during the parent's or guardian's term of office.] ~~h~~

180 (iv) Any parent or guardian of a student who meets the qualifications of this section may

181 file or declare himself as a candidate for election to a school community council.

182 ~~[(d)]~~ (c) Written notice of the elections held under Subsections ~~[(2)(b)]~~ (4)(a) and ~~[(e)]~~
183 (4)(b) shall be given at least two weeks prior to the elections.

184 ~~[(e) Council members may serve up to three successive terms.]~~

185 (d) Results of the elections held under Subsections (4)(a) and (4)(b) shall be made
186 available to the public upon request.

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

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

193 (iii) The chair of the community council shall notify the local school board of each
194 appointment made pursuant to Subsections (4)(e)(i) or (ii).

195 (iv) A member appointed to a school community council pursuant to Subsection (4)(e)(i)
196 or (ii) shall serve a two-year term beginning July 1.

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

199 ~~[(g) The principal may appoint council members if employees or parents do not request~~
200 ~~an election for their respective groups.]~~

201 ~~[(h) The number of parent members shall equal the number of school employees who serve~~
202 ~~on the council, not counting the principal.]~~

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

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

206 (ii) No more than one parent or guardian member or elected employee member may at the
207 same time serve as an officer specified in Subsection (4)(h)(i).

208 (5) (a) A school community council may create subcommittees or task forces to:

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

210 (ii) develop all or part of a plan listed in Subsection (2).

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

212 to the approval of the school community council.

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

216 Section 4. Section **53A-1a-108.5** is enacted to read:

217 **53A-1a-108.5. School improvement plan.**

218 (1) (a) Each school community council shall annually evaluate the school's U-PASS test
219 results and use the evaluations in developing a school improvement plan.

220 (b) In evaluating U-PASS test results and developing a school improvement plan, a school
221 community council may not have access to data that reveal the identity of students.

222 (2) Each school improvement plan shall:

223 (a) identify the school's most critical academic needs;

224 (b) recommend a course of action to meet the identified needs;

225 (c) list any programs, practices, materials, or equipment that the school will need to
226 implement its action plan to have a direct impact on the instruction of students and result in
227 measurable increased student performance; and

228 (d) describe how the school intends to enhance or improve academic achievement,
229 including how financial resources available to the school, such as School LAND Trust Program
230 monies received under Section 53A-16-101.5 and state and federal grants, will be used to enhance
231 or improve academic achievement.

232 (3) The school improvement plan shall focus on the school's most critical academic needs
233 but may include other actions to enhance or improve academic achievement and community
234 environment for students.

235 (4) The school principal shall make available to the school community council the school
236 budget and other data needed to develop the school improvement plan.

237 (5) The school improvement plan shall be subject to the approval of the local school board
238 of the school district in which the school is located.

239 (6) A school community council may develop a multiyear school improvement plan, but
240 the plan must be presented to and approved annually by the local school board.

241 (7) Each school shall:

242 (a) implement the school improvement plan as developed by the school community council

243 and approved by the local school board;

244 (b) provide ongoing support for the council's plan; and

245 (c) meet local school board reporting requirements regarding performance and
246 accountability.

247 Section 5. Section **53A-3-402** is amended to read:

248 **53A-3-402. Powers and duties generally.**

249 (1) Local school boards shall spend minimum school program funds for programs and
250 activities for which the State Board of Education has established minimum standards or rules
251 under Section 53A-1-402.

252 (2) (a) A board may purchase, sell, and make improvements on school sites, buildings, and
253 equipment and construct, erect, and furnish school buildings.

254 (b) School sites or buildings may only be conveyed or sold on board resolution affirmed
255 by at least two-thirds of the members.

256 (3) (a) A board may participate in the joint construction or operation of a school attended
257 by children residing within the district and children residing in other districts either within or
258 outside the state.

259 (b) Any agreement for the joint operation or construction of a school shall:

260 (i) be signed by the president of the board of each participating district;

261 (ii) include a mutually agreed upon pro rata cost; and

262 (iii) be filed with the State Board of Education.

263 (4) A board may establish, locate, and maintain elementary, secondary, and vocational
264 schools.

265 (5) A board may enroll children in school who are at least five years of age before
266 September 2 of the year in which admission is sought.

267 (6) A board may establish and support school libraries.

268 (7) A board may collect damages for the loss, injury, or destruction of school property.

269 (8) A board may authorize guidance and counseling services for children and their parents
270 or guardians prior to, during, or following enrollment of the children in schools.

271 (9) (a) A board may apply for, receive, and administer funds made available through
272 programs of the federal government.

273 (b) Federal funds are not considered funds within the school district budget under Title

274 53A, Chapter 19, School District Budgets.

275 (c) Federal funds may only be expended for the purposes for which they are received and
276 are accounted for by the board.

277 (10) (a) A board may organize school safety patrols and adopt rules under which the
278 patrols promote student safety.

279 (b) A student appointed to a safety patrol shall be at least ten years old and have written
280 parental consent for the appointment.

281 (c) Safety patrol members may not direct vehicular traffic or be stationed in a portion of
282 a highway intended for vehicular traffic use.

283 (d) Liability may not attach to a school district, its employees, officers, or agents or to a
284 safety patrol member, a parent of a safety patrol member, or an authorized volunteer assisting the
285 program by virtue of the organization, maintenance, or operation of a school safety patrol.

286 (11) (a) A board may on its own behalf, or on behalf of an educational institution for which
287 the board is the direct governing body, accept private grants, loans, gifts, endowments, devises,
288 or bequests that are made for educational purposes.

289 (b) These contributions are not subject to appropriation by the Legislature.

290 (12) (a) A board may appoint and fix the compensation of a compliance officer to issue
291 citations for violations of Subsection 76-10-105(2).

292 (b) A person may not be appointed to serve as a compliance officer without the person's
293 consent.

294 (c) A teacher or student may not be appointed as a compliance officer.

295 (13) A board shall adopt bylaws and rules for its own procedures.

296 (14) (a) A board shall make and enforce rules necessary for the control and management
297 of the district schools.

298 (b) All board rules and policies shall be in writing, filed, and referenced for public access.

299 (15) A board may hold school on legal holidays other than Sundays.

300 (16) (a) Each board shall establish for each school year a school traffic safety committee
301 to implement this Subsection (16).

302 (b) The committee shall be composed of one representative of:

303 (i) the schools within the district;

304 (ii) the Parent Teachers' Association of the schools within the district;

- 305 (iii) the municipality or county;
- 306 (iv) state or local law enforcement; and
- 307 (v) state or local traffic safety engineering.
- 308 (c) The committee shall:
- 309 (i) receive suggestions from parents, teachers, and others and recommend school traffic
- 310 safety improvements, boundary changes to enhance safety, and school traffic safety program
- 311 measures;
- 312 (ii) review and submit annually to the Department of Transportation and affected
- 313 municipalities and counties a child access routing plan for each elementary, middle, and junior
- 314 high school within the district;
- 315 (iii) consult the Utah Safety Council and the Division of Family Health Services and
- 316 provide training to all school children in kindergarten through grade six, within the district, on
- 317 school crossing safety and use; and
- 318 (iv) help ensure the district's compliance with rules made by the Department of
- 319 Transportation under Section 41-6-20.1.
- 320 (d) The committee may establish subcommittees as needed to assist in accomplishing its
- 321 duties under Subsection (16)(c).
- 322 (e) The board shall require the school community council of each elementary, middle, and
- 323 junior high school within the district to develop and submit annually to the committee a child
- 324 access routing plan.
- 325 (17) (a) Each school board shall adopt and implement a comprehensive emergency
- 326 response plan to prevent and combat violence in its public schools, on school grounds, on its
- 327 school vehicles, and in connection with school-related activities or events.
- 328 (b) The board shall implement its plan by July 1, 2000.
- 329 (c) The plan shall:
- 330 (i) include prevention, intervention, and response components;
- 331 (ii) be consistent with the student conduct and discipline polices required for school
- 332 districts under Title 53A, Chapter 11, Part 9, School Discipline and Conduct Plans;
- 333 (iii) require inservice training for all district and school building staff on what their roles
- 334 are in the emergency response plan; and
- 335 (iv) provide for coordination with local law enforcement and other public safety

336 representatives in preventing, intervening, and responding to violence in the areas and activities
337 referred to in Subsection (17)(a).

338 (d) The State Board of Education, through the state superintendent of public instruction,
339 shall develop comprehensive emergency response plan models that local school boards may use,
340 where appropriate, to comply with Subsection (17)(a).

341 (e) Each local school board shall, by July 1 of each year, certify to the State Board of
342 Education that its plan has been practiced at the school level and presented to and reviewed by its
343 teachers, administrators, students, and their parents and local law enforcement and public safety
344 representatives.

345 (18) A board shall do all other things necessary for the maintenance, prosperity, and
346 success of the schools and the promotion of education.

347 Section 6. Section **53A-3-701** is amended to read:

348 **53A-3-701. School and school district professional development plans.**

349 (1) (a) Each public school and school district shall develop and implement a systematic,
350 comprehensive, and long-term plan for staff professional development.

351 (b) Each school shall use its school community council, school directors, or a
352 subcommittee [~~of~~] or task force created by the school community council [~~as described in~~
353 ~~Subsection 53A-16-101.5(4)] as provided in Section 53A-1-108 to help develop and implement~~
354 the plan.

355 (2) Each plan shall include the following components:

356 (a) an alignment of professional development activities at the school and school district
357 level with:

358 (i) the school improvement plan under Section 53A-1a-108.5;

359 [~~(i)~~] (ii) the School LAND Trust Program authorized under Section 53A-16-101.5;

360 [~~(ii)~~] (iii) the Utah Performance Assessment System for Students under Title 53A, Chapter
361 1, Part 6, Achievement Tests;

362 [~~(iii)~~] (iv) the Educational Technology Initiative under Title 53A, Chapter 1, Part 7,
363 Educational Technology Programs;

364 [~~(iv)~~] (v) Sections 53A-6-101 [and] through 53A-6-104 of the Educator Licensing and
365 Professional Practices Act;

366 [~~(v)~~] (vi) Title 53A, Chapter 9, Teacher Career Ladders; and

367 [~~(vi)~~] (vii) Title 53A, Chapter 10, Educator Evaluation;

368 (b) provision for the development of internal instructional leadership and support;

369 (c) the periodic presence of all stakeholders at the same time in the professional

370 development process, to include administrators, educators, support staff, parents, and students;

371 (d) provisions for the use of consultants to enhance and evaluators to assess the

372 effectiveness of the plan as implemented; and

373 (e) the time required for and the anticipated costs of implementing and maintaining the

374 plan.

375 (3) (a) Each local school board shall review and either approve or recommend

376 modifications for each school plan within its district so that each school's plan is compatible with

377 the district plan.

378 (b) The board shall:

379 (i) provide positive and meaningful assistance to a school, if requested by its community

380 council or school directors, in drafting and implementing its plan; and

381 (ii) monitor the progress of each school plan and hold each school accountable for meeting

382 the objectives of its plan.

383 (4) (a) The State Board of Education, through the superintendent of public instruction,

384 shall work with school districts to identify the resources required to implement and maintain each

385 school's and school district's professional development plan required under this section.

386 (b) (i) The state board shall make an annual budget recommendation to the Legislature for

387 state funding of professional development plans under this section.

388 (ii) The recommendation shall take into account:

389 (A) monies that could be used for professional development from the programs listed in

390 Subsection (2)(a); and

391 (B) the professional development block grant program authorized under the Minimum

392 School Program Act.

393 (5) (a) For the fiscal year beginning July 1, 2001, school districts shall use \$10,000,000

394 of the school professional development appropriation made in Section 53A-17a-124, for teacher

395 professional development days beyond the regular school year as follows:

396 (i) each school district shall use its allocation for teacher professional development related

397 to implementing and maintaining the Utah Performance Assessment System for Students and may

398 use such training models as Schools for All and Urban Learning Centers in its professional
399 development program; and

400 (ii) monies for these two additional days shall be allocated to a school district without
401 requiring matching monies.

402 (b) For the fiscal year beginning July 1, 2002, the Legislature shall increase the funding
403 for teacher professional development under Section 53A-17a-124 and Subsection (5)(a) to provide
404 for a total of three days of teacher professional development related to implementing and
405 maintaining the Utah Performance Assessment System for Students.

406 (c) Schools are urged to collaborate with one another in the implementation of the teacher
407 development program under Subsection (5)(a) to maximize the effectiveness of the appropriation.

408 (d) It is the intent of the Legislature that of the \$10,000,000 allocated to school districts
409 for additional days \$42,305 shall be allocated to the Utah Schools for the Deaf and the Blind per
410 day for each additional day funded.

411 Section 7. Section **53A-16-101.5** is amended to read:

412 **53A-16-101.5. School LAND Trust Program -- Contents -- Purpose -- Distribution**
413 **of funds -- School plans for use of funds.**

414 (1) [~~(a)~~] There is established [~~a~~] the School LAND (Learning And Nurturing
415 Development) Trust Program for the state's public schools to provide financial resources to
416 enhance [~~student academic performance and improve educational excellence~~] or improve student
417 academic achievement and implement a component of the school improvement plan.

418 [~~(b) As used in this section, "academic or educational excellence" means student~~
419 ~~performance in acquiring and mastering skills in the required state school curriculum.]~~

420 (2) The program shall be funded from that portion of the Uniform School Fund consisting
421 of all the interest and dividends on the State School Fund remaining after the deduction of the
422 amount retained in the State School Fund to protect the fund against losses due to inflation as
423 prescribed by the Utah Constitution Article X, Section 5.

424 (3) (a) The State Board of Education shall allocate all the monies referred to in Subsection
425 (2) annually for the fiscal year beginning July 1, 2000, and for each fiscal year thereafter as
426 follows:

427 (i) school districts shall receive 10% of the funds on an equal basis; and

428 (ii) the remaining 90% of the funds shall be distributed on a per student basis, with each

429 district receiving its allocation on the number of students in the district as compared to the state
430 total.

431 (b) Each school district shall distribute its allocation under Subsection (3)(a) to each
432 school within the district on an equal per student basis.

433 (c) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the
434 board may make rules regarding the time and manner in which the student count shall be made for
435 allocation of the monies.

436 (4) In order to receive its allocation under Subsection (3), ~~[each]~~ a school shall have
437 established a ~~[local]~~ school community council under Section 53A-1a-108 ~~[or a designated~~
438 ~~subcommittee of the council consisting of seven members:]~~.

439 ~~[(a) the school's principal;]~~

440 ~~[(b) two teachers appointed by the faculty at the school; and]~~

441 ~~[(c) four parents selected by the parents of students at the school and representing various~~
442 ~~grade levels at the school, one of whom shall be the school's PTA president if the school has one.]~~

443 (5) (a) The school community council or its subcommittee shall develop a [plan] program
444 to ~~[include]~~ use its allocation under Subsection (3) to implement a component of the school's
445 improvement plan, including:

446 (i) the school's identified most critical academic needs;

447 (ii) a recommended course of action to meet the identified academic needs;

448 (iii) a specific listing of any programs, practices, materials, or equipment which the school
449 will need to implement a component of its [action] school improvement plan to have a direct
450 impact on the instruction of students and result in measurable increased student performance; and

451 (iv) how the school intends to spend its allocation of funds under this section to enhance
452 or improve academic excellence at the school.

453 (b) The school may develop a multiyear [plan] program, but the ~~[plan must]~~ program shall
454 be presented and approved by the school community council and the local school board of the
455 district in which the school is located annually and as a prerequisite to receiving program funds
456 allocated under this section.

457 (6) (a) Each school shall:

458 (i) implement the [plan] program as ~~[developed]~~ approved by the school community
459 council [or its subcommittee] and approved by the local school board;

460 (ii) provide ongoing support for the council's or its subcommittee's [~~plan~~] program;

461 (iii) meet school board reporting requirements regarding financial and performance
462 accountability of the program; and

463 (iv) publicize to its patrons and the general public on how the funds it received under this
464 section were used to enhance or improve academic excellence at the school and implement a
465 component of the school's improvement plan, including the results of those efforts.

466 (b) (i) Each school through its council or its subcommittee shall prepare and present an
467 annual report of the program to its local school board at the end of the school year.

468 (ii) The report shall detail the use of program funds received by the school under this
469 section and an assessment of the results obtained from the use of the funds.

470 Section 8. **Effective date.**

471 This act takes effect on July 1, 2002.