

Representative John Dougall proposes the following substitute bill:

SCHOOL COMMUNITY COUNCILS

2005 GENERAL SESSION

STATE OF UTAH

Sponsor: John Dougall

LONG TITLE

General Description:

This bill modifies the composition, operation, duties, and election of school community councils.

Highlighted Provisions:

This bill:

- ▶ expands eligibility for school community council membership;
- ▶ modifies the membership, operation, duties, and election procedures of school community councils; and
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-1a-108, as last amended by Chapter 324, Laws of Utah 2002

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

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



26 **53A-1a-108. School community councils authorized -- Duties -- Composition --**
27 **Selection of members.**

28 (1) As used in this section:

29 (a) "School community member" means a person who is 18 years of age or older and:

30 (i) resides within the boundaries of the school;

31 (ii) is a parent or guardian of a student enrolled at the school;

32 (iii) owns a business that is located within a city that is at least partially encompassed
33 by the school boundaries; and

34 (b) "School employee" means a person employed by the school or school district,
35 including the school principal.

36 [~~(1)~~] (2) Each public school, in consultation with its local school board, shall establish
37 a school community council at the school building level.

38 [~~(2)~~] (3) (a) Each school community council shall:

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

40 (ii) develop the School LAND Trust Program in accordance with Section
41 53A-16-101.5;

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

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

45 (v) advise and make recommendations to school and school district administrators and
46 the local school board regarding the school and its curriculum, student performance, and other
47 programs, school district programs, and other issues relating to the community environment for
48 students.

49 (b) In addition to the duties specified in Subsection [~~(2)~~] (3)(a), a school community
50 council for an elementary school shall develop a reading achievement plan in accordance with
51 Section 53A-1-606.5.

52 [~~(3)~~] (4) (a) Each school community council shall consist of school employees,
53 including the school's principal, and [~~parents or guardians of students who are attending the~~
54 ~~school~~] school community members, except for [~~parents or guardians~~] school community
55 members who are employed at the school.

56 (b) Except as provided in Subsection [~~(3)~~] (4)(c):

57 (i) each school community council for a high school shall have six ~~[parent or guardian]~~
58 school community members and five employee members, including the principal; and

59 (ii) each school community council for a school other than a high school shall have
60 four ~~[parent or guardian]~~ school community members and three employee members, including
61 the principal.

62 (c) (i) A school community council may have a larger membership provided that the
63 number of ~~[parent and guardian]~~ school community members exceeds the number of employee
64 members.

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

66 (A) the number of ~~[parent and guardian]~~ school community members exceeds the
67 number of employee members; and

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

69 ~~[(4) (a) Each employee member;]~~

70 (5) (a) Each school employee member of the school community council except the
71 principal, shall be elected by a majority vote of the employees ~~[and]~~.

72 (b) Each school community council member other than a school employee:

73 (i) shall be elected by a majority of school community members voting at an election
74 held under the direction of the school community council; and

75 (ii) serves a two-year term beginning July 1.

76 (c) The principal shall serve as an ex officio school employee member with full voting
77 privileges.

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

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

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

86 ~~[(iv) Any parent or guardian of a student who meets the qualifications of this section~~
87 ~~may file or declare himself as a candidate for election to a school community council.]~~

88 (d) (i) A school community member who resides within school boundaries or has a
89 child enrolled at the school may vote at the election under this Subsection (5).

90 (ii) A school community member running for school community council membership
91 shall file a declaration of candidacy according to procedures specified by the school community
92 council.

93 (iii) Written public notice of the declaration of candidacy requirement shall be
94 provided prior to receiving a declaration of candidacy and at least two weeks prior to the final
95 declaration filing date.

96 ~~[(c)]~~ (iv) Written public notice of the elections held under [Subsections (4)(a) and
97 ~~(4)(b)] this Subsection (5) shall be given at least two weeks prior to the elections.~~

98 ~~[(d)]~~ (v) Results of the elections held under [Subsections (4)(a) and (4)(b)] this
99 Subsection (5) shall be made available to the public [upon request].

100 (e) (i) If a ~~[parent or guardian]~~ position on a school community council remains
101 unfilled after an election is held, the ~~[other parent and guardian]~~ members of the incoming
102 council shall appoint a ~~[parent or guardian]~~ school community member who meets the
103 qualifications of this section to fill the position.

104 ~~[(ii) If an employee position on a school community council remains unfilled after an~~
105 ~~election is held, the other employee members of the council shall appoint an employee to fill~~
106 ~~the position.]~~

107 ~~[(iii)]~~ (ii) The chair of the community council shall notify the local school board of
108 each school community council election or appointment made pursuant to [Subsections
109 ~~(4)(c)(i) or (ii)] this section.~~

110 ~~[(iv)]~~ (iii) A member elected or appointed to a school community council pursuant to
111 [Subsection (4)(c)(i) or (ii)] this section shall serve a two-year term beginning July 1.

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

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

115 (h) ~~[(i)]~~ Each school community council shall elect a chair and vice chair from ~~[its~~
116 ~~parent or guardian members and elected employee members]~~ the council members who are not
117 school employees.

118 ~~[(ii) No more than one parent or guardian member or elected employee member may at~~

119 ~~the same time serve as an officer specified in Subsection (4)(h)(i).]~~

120 [~~(5)~~] (6) (a) A school community council may create subcommittees or task forces to:

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

122 (ii) develop all or part of a plan listed in Subsection [~~(2)~~] (3).

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

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

128 (7) A school community council is subject to the provisions of Title 52, Chapter 4,

129 Open and Public Meetings.

130 (8) Attendance of a simple majority of the school community council members

131 constitutes a quorum for the transaction of official business.