

Representative John Dougall proposes the following substitute bill:

1 **SCHOOL COMMUNITY COUNCILS**

2 2005 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: John Dougall**

5

6 **LONG TITLE**

7 **General Description:**

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

10 **Highlighted Provisions:**

11 This bill:

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

16 **Monies Appropriated in this Bill:**

17 None

18 **Other Special Clauses:**

19 None

20 **Utah Code Sections Affected:**

21 AMENDS:

22 **53A-1a-108**, as last amended by Chapter 324, Laws of Utah 2002

23

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

25 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) "At-large member" means a person who is 18 years of age or older and is not
30 employed at the school and who:

31 (i) resides within the boundaries of the school; or

32 (ii) owns a business that is located within:

33 (A) the school boundaries; or

34 (B) a municipality that is at least partially encompassed by the school boundaries.

35 (b) "Parent member" means a parent or guardian who is not employed at the school and
36 who:

37 (i) has a student enrolled at the school; or

38 (ii) will have a student enrolled at the school during the member's initial term of office.

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

40 (i) resides within the boundaries of the school; or

41 (ii) is a parent or guardian of a student enrolled at the school.

42 (d) "School employee" means a person employed at the school, including the school
43 principal.

44 (e) "School employee member" means a person employed at the school, including the
45 school principal.

46 [~~(1)~~] (2) Each public school, in consultation with its local school board, shall establish
47 a school community council at the school building level.

48 [~~(2)~~] (3) (a) Each school community council shall:

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

50 (ii) develop the School LAND Trust Program in accordance with Section
51 53A-16-101.5;

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

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

55 (v) advise and make recommendations to school and school district administrators and
56 the local school board regarding the school and its curriculum, student performance, student

57 transportation and safety, and other programs, school district programs, and other issues
 58 relating to the community environment for students.

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

62 [~~(3)~~] (4) (a) Each school community council shall consist of [~~school employees,~~
 63 ~~including the school's principal, and parents or guardians of students who are attending the~~
 64 ~~school, except for parents or guardians who are employed at the school]~~ members as provided
 65 in this Subsection (4).

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

67 (i) each school community council for a high school shall have [~~six~~]:

68 (A) five parent [~~or guardian~~] members [~~and~~];

69 (B) five school employee members, including the principal; and

70 (C) one at-large member.

71 (ii) each school community council for a school other than a high school shall have
 72 [~~four~~]:

73 (A) three parent [~~or guardian~~] members [~~and~~];

74 (B) three school employee members, including the principal[-]; and

75 (C) one at-large member.

76 (c) (i) A school community council may have a larger membership provided that the
 77 combined number of parent and [~~guardian~~] at-large members exceeds the number of school
 78 employee members.

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

80 (A) the combined number of parent and [~~guardian~~] at-large members exceeds the
 81 number of school employee members; and

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

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

84 (5) (a) Each school employee member of the school community council, except the
 85 principal, shall be:

86 (i) elected by a majority vote of the school employees; and

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

88 (b) Each parent member and each at-large member:

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

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

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

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

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

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

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

104 (d) (i) A parent or at-large member running for school community council membership
105 shall file a declaration of candidacy according to procedures specified by the school community
106 council.

107 (ii) Written public notice of the declaration of candidacy requirement shall be provided
108 prior to receiving a declaration of candidacy and at least two weeks prior to the final
109 declaration filing date.

110 ~~[(e) (iii) Written public notice of the elections held under [Subsections (4)(a) and~~
111 ~~(4)(b)] this Subsection (5) shall be given at least two weeks prior to the elections.~~

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

114 (e) (i) If a parent or [guardian] at-large position on a school community council
115 remains unfilled after an election is held, the [other parent and guardian] members of the
116 incoming council shall appoint a parent or [guardian] at-large member who meets the
117 qualifications of this section to fill the position.

118 (ii) If [an] a school employee position on a school community council remains unfilled

119 after ~~[an]~~ a school election is held, the other employee members of the council shall appoint an
120 employee to fill the position.

121 (iii) The chair of the community council shall notify the local school board of each
122 school community council election or appointment made pursuant to ~~[Subsections (4)(e)(i) or~~
123 ~~(ii)]~~ this section.

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

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

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

129 (h) ~~[(i)]~~ Each school community council shall elect a chair and vice chair from its
130 ~~[parent or guardian] members [and elected employee members].~~

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

133 ~~[(5)]~~ (6) (a) A school community council may create subcommittees or task forces to:

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

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

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

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

141 (7) A school community council is subject to the provisions of Title 52, Chapter 4,
142 Open and Public Meetings.

143 (8) Attendance of a simple majority of the school community council members
144 constitutes a quorum for the transaction of official business.

Fiscal Note
Bill Number HB0151S02

School Community Councils

08-Feb-05

8:06 AM

State Impact

Provisions of this bill may be handled within existing budgets.

Individual and Business Impact

No fiscal impact

Office of the Legislative Fiscal Analyst