

1 **SCHOOL COMMUNITY COUNCIL AMENDMENTS**

2 2006 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Patrice M. Arent**

5 House Sponsor: Sheryl L. Allen

7 **LONG TITLE**

8 **General Description:**

9 This bill modifies school community council membership qualifications.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ provides definitions;
- 13 ▶ modifies school community council membership qualifications; and
- 14 ▶ makes technical corrections.

15 **Monies Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **53A-1a-108**, as last amended by Chapter 324, Laws of Utah 2002

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

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

25 **53A-1a-108. School community councils authorized -- Duties -- Composition --**

26 **Selection of members.**

27 (1) As used in this section:



28 (a) "Parent or guardian member" means a parent or guardian of a student who is
29 attending the school or who will be enrolled at the school at any time during the parent's or
30 guardian's initial term of office. "Parent or guardian member" may not include a person who
31 meets the definition of a school employee member unless the person's employment at the
32 school normally requires an average of less than ten hours per week.

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

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

37 [(2)] (3) (a) Each school community council shall:

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

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

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

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

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

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

50 [(3)] (4) (a) Each school community council shall consist of school [~~employees,~~
51 ~~including the school's principal, and parents or guardians of students who are attending the~~
52 ~~school, except for parents or guardians who are employed at the school]~~ employee members
53 and parent or guardian members in accordance with this section.

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

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

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

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

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

63 (A) the number of parent ~~[and]~~ or guardian members exceeds the number of school
64 employee members; and

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

66 ~~[(4)]~~ (5) (a) Each school employee member, except the principal, shall be elected by a
67 majority vote of the school employees and serves a two-year term beginning July 1. The
68 principal shall serve as an ex officio member with full voting privileges.

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

71 (ii) Only parents or guardians of students attending the school may vote at the election
72 under Subsection ~~[(4)]~~ (5)(b)(i).

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

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

78 (c) Written notice of the elections held under Subsections ~~[(4)]~~ (5)(a) and ~~[(4)]~~ (5)(b)
79 shall be given at least two weeks prior to the elections.

80 (d) Results of the elections held under Subsections ~~[(4)]~~ (5)(a) and ~~[(4)]~~ (5)(b) shall be
81 made available to the public upon request.

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

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

88 (iii) The chair of the community council shall notify the local school board of each
89 appointment made pursuant to ~~[Subsections (4)]~~ Subsection (5)(e)(i) or (ii).

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

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

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

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

97 (ii) No more than one parent or guardian member or elected employee member may at
98 the same time serve as an officer specified in Subsection [~~(4)~~] (5)(h)(i).

99 [~~(5)~~] (6) (a) A school community council may create subcommittees or task forces to:

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

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

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

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

Legislative Review Note
as of 12-7-05 3:12 PM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel