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

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

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

(1) As used in this section:

(a) "Parent or guardian member" means a parent or guardian of a student who is attending the school or who will be enrolled at the school at any time during the parent's or guardian's initial term of office. "Parent or guardian member" may not include a person who meets the definition of a school employee member unless the person's employment at the school does not exceed an average of six hours per week.

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

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

(3) (a) Each school community council shall:

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

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

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

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

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

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

58 (4) (a) Each school community council shall consist of school employee members and
59 parent or guardian members in accordance with this section.

60 (b) Except as provided in Subsection (4)(c):

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

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

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

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

68 (A) the number of parent or guardian members exceeds the number of school employee
69 members; and

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

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

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

76 (ii) Only parents or guardians of students attending the school may vote at the election
77 under Subsection (5)(b)(i).

78 (iii) Any parent or guardian of a student who meets the qualifications of this section
79 may file or declare himself as a candidate for election to a school community council.

80 (c) Written notice of the elections held under Subsections (5)(a) and (5)(b) shall be
81 given at least two weeks prior to the elections.

82 (d) Results of the elections held under Subsections (5)(a) and (5)(b) shall be made
83 available to the public upon request.

84 (e) (i) If a parent or guardian position on a school community council remains unfilled
85 after an election is held, the other parent or guardian members of the council shall appoint a

86 parent or guardian who meets the qualifications of this section to fill the position.

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

90 (iii) The chair of the community council shall notify the local school board of each
91 appointment made pursuant to Subsection (5)(e)(i) or (ii).

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

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

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

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

99 (ii) No more than one parent or guardian member or elected employee member may at
100 the same time serve as an officer specified in Subsection (5)(h)(i).

101 (6) (a) A school community council may create subcommittees or task forces to:

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

103 (ii) develop all or part of a plan listed in Subsection (3).

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

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

109 (7) (a) A school community council shall provide the following information:

110 (i) the proposed school community council meeting schedule for the year, provided
111 during the first two weeks of the school year;

112 (ii) a summary of the school community council's actions and activities during the first
113 half of the school year information, provided at the mid-point of the school year; and

114 (iii) a summary of the annual report required under Section 53A-16-101.5 on how the
115 school's School LAND Trust Program monies were used to enhance or improve academic
116 excellence at the school and implement a component of the school's improvement plan, provided
117 at the beginning of the next school year.

118 (b) The school community council shall provide the information described in Subsection
119 (7)(a) by:

120 (i) posting the information on the school's website; and

121 (ii) providing individual delivery to each household that has a student attending the
122 school by:

123 (A) mailing the information;

124 (B) delivering a voice message describing the information and explaining where to
125 obtain the full information;

126 (C) sending an e-mail message containing the information;

127 (D) providing the information in a packet that is to be delivered to a student's parent or
128 guardian:

129 (I) during the school's annual registration period; or

130 (II) with the student's report card; or

131 (E) using a combination of the methods described in Subsections (7)(b)(ii)(A) through
132 (D).

133 (8) A school community council shall, at least one week prior to a meeting, post the
134 following information on the school's website:

135 (a) notice of the meeting date, time, and place;

136 (b) an agenda for the meeting; and

137 (c) a summary of the previous meeting.

138 Section 2. Section **53A-16-101.5** is amended to read:

139 **53A-16-101.5. School LAND Trust Program -- Purpose -- Distribution of funds --**
140 **School plans for use of funds.**

141 (1) There is established the School LAND (Learning And Nurturing Development)

142 Trust Program for the state's public schools to provide financial resources to enhance or
143 improve student academic achievement and implement a component of the school improvement
144 plan.

145 (2) (a) The program shall be funded each fiscal year:

146 (i) from the Interest and Dividends Account created in Section 53A-16-101; and

147 (ii) in the amount of the sum of the following:

148 (A) the interest and dividends from the investment of monies in the permanent State
149 School Fund deposited to the Interest and Dividends Account in the immediately preceding
150 year; and

151 (B) interest accrued on monies in the Interest and Dividends Account in the
152 immediately preceding fiscal year.

153 (b) On and after July 1, 2003, the program shall be funded as provided in Subsection
154 (2)(a) up to a maximum of an amount equal to 2% of the funds provided for the Minimum
155 School Program, pursuant to Title 53A, Chapter 17a, Minimum School Program Act, each
156 fiscal year.

157 (c) The Legislature shall annually allocate, through an appropriation to the State Board
158 of Education, a portion of School LAND Trust Program monies for the administration of the
159 program.

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

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

164 (ii) the remaining 90% of the funds shall be distributed on a per student basis, with each
165 district receiving its allocation based on the number of students in the district as compared to
166 the state total.

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

169 (c) In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act, the

170 board may make rules regarding the time and manner in which the student count shall be made
171 for allocation of the monies.

172 (4) Except as provided in Subsection (7), in order to receive its allocation under
173 Subsection (3), a school shall have established a school community council under Section
174 53A-1a-108.

175 (5) (a) The school community council or its subcommittee shall develop a program to
176 use its allocation under Subsection (3) to implement a component of the school's improvement
177 plan, including:

- 178 (i) the school's identified most critical academic needs;
- 179 (ii) a recommended course of action to meet the identified academic needs;
- 180 (iii) a specific listing of any programs, practices, materials, or equipment which the
181 school will need to implement a component of its school improvement plan to have a direct
182 impact on the instruction of students and result in measurable increased student performance;
183 and

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

186 (b) The school may develop a multiyear program, but the program shall be presented
187 and approved by the school community council and the local school board of the district in
188 which the school is located annually and as a prerequisite to receiving program funds allocated
189 under this section.

190 (6) (a) Each school shall:

- 191 (i) implement the program as approved by the school community council and approved
192 by the local school board;
- 193 (ii) provide ongoing support for the council's or its subcommittee's program; and
- 194 (iii) meet school board reporting requirements regarding financial and performance
195 accountability of the program[; ~~and~~].

196 [~~(iv) publicize to its patrons and the general public on how the funds it received under~~
197 ~~this section were used to enhance or improve academic excellence at the school and implement~~

198 ~~a component of the school's improvement plan, including the results of those efforts.]~~

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

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

203 (iii) A summary of the report shall be sent to households in accordance with the
204 provisions under Subsection 53A-1a-108(7).

205 (7) (a) The governing board of a charter school shall prepare a plan for the use of
206 school trust monies that includes the elements listed in Subsection (5).

207 (b) The plan shall be subject to approval by the entity that authorized the establishment
208 of the charter school.

209 (8) (a) A school community council and a governing board of a charter school may not
210 be required to:

211 (i) send a letter to legislators or other elected officials on the school's use of School
212 LAND Trust Program monies as a condition of receiving the monies; or

213 (ii) report to the State Board of Education or any local school board on whether any
214 letters were sent to legislators or other elected officials on the school's use of School LAND
215 Trust Program monies.

216 (b) Subsection (8)(a)(i) does not apply to the annual report to the local school board
217 required by Subsection (6)(b).

218 **Section 3. Effective date.**

219 This bill takes effect on July 1, 2008.