

**Representative Keven J. Stratton** proposes the following substitute bill:

**SCHOOL COMMUNITY COUNCIL AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Keven J. Stratton**

Senate Sponsor: Deidre M. Henderson

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**LONG TITLE**

**General Description:**

This bill modifies provisions related to school community council and charter trust land council requirements.

**Highlighted Provisions:**

This bill:

- requires a school community council or charter trust land council to develop and incorporate certain safety principles, including coordination regarding the safety principles with administrators; and
- makes technical and conforming changes.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53G-7-1202**, as last amended by Laws of Utah 2018, Chapters 107 and 448

**53G-7-1205**, as enacted by Laws of Utah 2018, Chapter 448

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

27 Section 1. Section **53G-7-1202** is amended to read:

28 **53G-7-1202. School community councils -- Duties -- Composition -- Election**  
29 **procedures and selection of members.**

30 (1) As used in this section:

31 (a) "Digital citizenship" means the norms of appropriate, responsible, and healthy  
32 behavior related to technology use, including digital literacy, ethics, etiquette, and security.

33 (b) "District school" means a public school under the control of a local school board  
34 elected under Title 20A, Chapter 14, Nomination and Election of State and Local School  
35 Boards.

36 (c) "Educator" means the same as that term is defined in Section [53E-6-102](#).

37 (d) (i) "Parent or guardian member" means a member of a school community council  
38 who is a parent or guardian of a student who:

39 (A) is attending the school; or

40 (B) will be enrolled at the school during the parent's or guardian's term of office.

41 (ii) "Parent or guardian member" may not include an educator who is employed at the  
42 school.

43 (e) "Safety principles" means safety principles that, when incorporated into programs  
44 and resources, impact academic achievement by strengthening a safe and wholesome learning  
45 environment, including continual efforts for safe technology utilization and digital citizenship.

46 [~~e~~] (f) "School community council" means a council established at a district school in  
47 accordance with this section.

48 [~~f~~] (g) "School employee member" means a member of a school community council  
49 who is a person employed at the school by the school or school district, including the principal.

50 [~~g~~] (h) "School LAND Trust Program money" means money allocated to a school  
51 pursuant to Section [53F-2-404](#).

52 (2) A district school, in consultation with the district school's local school board, shall  
53 establish a school community council at the school building level for the purpose of:

54 (a) involving parents or guardians of students in decision making at the school level;

55 (b) improving the education of students;

56 (c) prudently expending School LAND Trust Program money for the improvement of

57 students' education through collaboration among parents and guardians, school employees, and  
58 the local school board; and

59 (d) increasing public awareness of:

60 (i) school trust lands and related land policies;

61 (ii) management of the State School Fund established in Utah Constitution Article X,  
62 Section V; and

63 (iii) educational excellence.

64 (3) (a) Except as provided in Subsection (3)(b), a school community council shall:

65 (i) create a school improvement plan in accordance with Section 53G-7-1204;

66 (ii) create the School LAND Trust Program in accordance with Section 53G-7-1206;

67 (iii) advise and make recommendations to school and school district administrators and  
68 the local school board regarding:

69 (A) the school and its programs;

70 (B) school district programs;

71 (C) a child access routing plan in accordance with Section 53G-4-402;

72 (D) safe technology utilization and digital citizenship; and

73 (E) other issues relating to the community environment for students;

74 (iv) provide for education and awareness on safe technology utilization and digital  
75 citizenship that empowers:

76 (A) a student to make smart media and online choices; and

77 (B) a parent or guardian to know how to discuss safe technology use with the parent's  
78 or guardian's child; ~~and~~

79 (v) partner with the school's principal and other administrators to ensure that adequate  
80 on and off campus Internet filtering is installed and consistently configured to prevent viewing  
81 of harmful content by students and school personnel, in accordance with local school board  
82 policy and Subsection 53G-7-216(3)[-]; and

83 (vi) in accordance with state board rule regarding school community council  
84 expenditures and funding limits:

85 (A) work with students, families, and educators to develop and incorporate safety  
86 principles at the school; and

87 (B) hold at least an annual discussion with the school's principal and district

88 administrators regarding safety principles at the school and district level in order to coordinate  
89 the school community council's effort to develop and incorporate safety principles at the  
90 school.

91 (b) To fulfill the school community council's duties described in Subsections (3)(a)(iv)  
92 and (v), a school community council may:

93 (i) partner with one or more non-profit organizations; or

94 (ii) create a subcommittee.

95 (c) A school or school district administrator may not prohibit or discourage a school  
96 community council from discussing issues, or offering advice or recommendations, regarding  
97 the school and its programs, school district programs, the curriculum, or the community  
98 environment for students.

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

101 (b) Except as provided in Subsection (4)(c) or (d):

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

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

106 (c) A school community council may determine the size of the school community  
107 council by a majority vote of a quorum of the school community council provided that:

108 (i) the membership includes two or more parent or guardian members than the number  
109 of school employee members; and

110 (ii) there are at least two school employee members on the school community council.

111 (d) (i) The number of parent or guardian members of a school community council who  
112 are not educators employed by the school district shall exceed the number of parent or guardian  
113 members who are educators employed by the school district.

114 (ii) If, after an election, the number of parent or guardian members who are not  
115 educators employed by the school district does not exceed the number of parent or guardian  
116 members who are educators employed by the school district, the parent or guardian members of  
117 the school community council shall appoint one or more parent or guardian members to the  
118 school community council so that the number of parent or guardian members who are not

119 educators employed by the school district exceeds the number of parent or guardian members  
120 who are educators employed by the school district.

121 (5) (a) Except as provided in Subsection (5)(f), a school employee member, other than  
122 the principal, shall be elected by secret ballot by a majority vote of the school employees and  
123 serve a two-year term. The principal shall serve as an ex officio member with full voting  
124 privileges.

125 (b) (i) Except as provided in Subsection (5)(f), a parent or guardian member shall be  
126 elected by secret ballot at an election held at the school by a majority vote of those voting at the  
127 election and serve a two-year term.

128 (ii) (A) Except as provided in Subsection (5)(b)(ii)(B), only a parent or guardian of a  
129 student attending the school may vote in, or run as a candidate in, the election under Subsection  
130 (5)(b)(i).

131 (B) If an election is held in the spring, a parent or guardian of a student who will be  
132 attending the school the following school year may vote in, and run as a candidate in, the  
133 election under Subsection (5)(b)(i).

134 (iii) Any parent or guardian of a student who meets the qualifications of this section  
135 may file or declare the parent's or guardian's candidacy for election to a school community  
136 council.

137 (iv) (A) Subject to Subsections (5)(b)(iv)(B) and (5)(b)(iv)(C), a timeline for the  
138 election of parent or guardian members of a school community council shall be established by  
139 a local school board for the schools within the school district.

140 (B) An election for the parent or guardian members of a school community council  
141 shall be held near the beginning of the school year or held in the spring and completed before  
142 the last week of school.

143 (C) Each school shall establish a time period for the election of parent or guardian  
144 members of a school community council under Subsection (5)(b)(iv)(B) that is consistent for at  
145 least a four-year period.

146 (c) (i) At least 10 days before the date that voting commences for the elections held  
147 under Subsections (5)(a) and (5)(b), the principal of the school, or the principal's designee,  
148 shall provide notice to each school employee, parent, or guardian, of the opportunity to vote in,  
149 and run as a candidate in, an election under this Subsection (5).

150 (ii) The notice shall include:  
151 (A) the dates and times of the elections;  
152 (B) a list of council positions that are up for election; and  
153 (C) instructions for becoming a candidate for a community council position.  
154 (iii) The principal of the school, or the principal's designee, shall oversee the elections  
155 held under Subsections (5)(a) and (5)(b).  
156 (iv) Ballots cast in an election held under Subsection (5)(b) shall be deposited in a  
157 secure ballot box.  
158 (d) Results of the elections held under Subsections (5)(a) and (5)(b) shall be made  
159 available to the public upon request.  
160 (e) (i) If a parent or guardian position on a school community council remains unfilled  
161 after an election is held, the other parent or guardian members of the council shall appoint a  
162 parent or guardian who meets the qualifications of this section to fill the position.  
163 (ii) If a school employee position on a school community council remains unfilled after  
164 an election is held, the other school employee members of the council shall appoint a school  
165 employee to fill the position.  
166 (iii) A member appointed to a school community council under Subsection (5)(e)(i) or  
167 (ii) shall serve a two-year term.  
168 (f) (i) If the number of candidates who file for a parent or guardian position or school  
169 employee position on a school community council is less than or equal to the number of open  
170 positions, an election is not required.  
171 (ii) If an election is not held pursuant to Subsection (5)(f)(i) and a parent or guardian  
172 position remains unfilled, the other parent or guardian members of the council shall appoint a  
173 parent or guardian who meets the qualifications of this section to fill the position.  
174 (iii) If an election is not held pursuant to Subsection (5)(f)(i) and a school employee  
175 position remains unfilled, the other school employee members of the council shall appoint a  
176 school employee who meets the qualifications of this section to fill the position.  
177 (g) The principal shall enter the names of the council members on the School LAND  
178 Trust website on or before October 20 of each year, pursuant to Section [53G-7-1203](#).  
179 (h) Terms shall be staggered so that approximately half of the council members stand  
180 for election each year.

181 (i) A school community council member may serve successive terms provided the  
182 member continues to meet the definition of a parent or guardian member or school employee  
183 member as specified in Subsection (1).

184 (j) Each school community council shall elect:

185 (i) a chair from its parent or guardian members; and

186 (ii) a vice chair from either its parent or guardian members or school employee  
187 members, excluding the principal.

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

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

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

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

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

196 (7) (a) A majority of the members of a school community council is a quorum for the  
197 transaction of business.

198 (b) The action of a majority of the members of a quorum is the action of the school  
199 community council.

200 (8) A local school board shall provide training for a school community council each  
201 year, including training:

202 (a) for the chair and vice chair about their responsibilities;

203 (b) on resources available on the School LAND Trust website; and

204 (c) on this part.

205 Section 2. Section **53G-7-1205** is amended to read:

206 **53G-7-1205. Charter trust land councils.**

207 (1) To receive School LAND Trust Program funding as described in Sections  
208 [53F-2-404](#) and [53G-7-1206](#), a charter school governing board shall establish a charter trust  
209 land council, which shall prepare a plan for the use of School LAND Trust Program money that  
210 includes the elements described in Subsection [53G-7-1206](#)(4).

211 (2) (a) The membership of the council shall include parents or guardians of students

212 enrolled at the school and may include other members.

213 (b) The number of council members who are parents or guardians of students enrolled  
214 at the school shall exceed all other members combined by at least two.

215 (3) A charter school governing board may serve as the charter trust land council that  
216 prepares a plan for the use of School LAND Trust Program money if the membership of the  
217 charter school governing board meets the requirements of Subsection (2)(b).

218 (4) (a) Except as provided in Subsection (4)(b), council members who are parents or  
219 guardians of students enrolled at the school shall be elected in accordance with procedures  
220 established by the charter school governing board.

221 (b) Subsection (4)(a) does not apply to a charter school governing board that serves as  
222 the charter trust land council that prepares a plan for the use of School LAND Trust Program  
223 money.

224 (5) A parent or guardian of a student enrolled at the school shall serve as chair or  
225 co-chair of a charter trust land council that prepares a plan for the use of School LAND Trust  
226 Program money.

227 (6) In accordance with state board rule regarding charter trust land council  
228 expenditures and funding limits, a charter trust land council shall:

229 (a) work with students, families, and educators to develop and incorporate safety  
230 principles, as defined in Section 53G-7-1202, at the school; and

231 (b) hold at least an annual discussion with charter school administrators to coordinate  
232 efforts to develop and incorporate safety principles, as defined in Section 53G-7-1202, at the  
233 school level.