

SCHOOL COMMUNITY COUNCIL AMENDMENTS

2023 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Jefferson Moss

Senate Sponsor: Chris H. Wilson

LONG TITLE

General Description:

This bill grants the State Board of Education certain rulemaking authority regarding school community councils for which there are insufficient members to fill certain positions.

Highlighted Provisions:

This bill:

▶ grants the State Board of Education certain rulemaking authority regarding school community councils for which there are insufficient members to fill certain positions.

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 2020, Chapter 161

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

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

53G-7-1202. School community councils -- Duties -- Composition -- Election



28 **procedures and selection of members.**

29 (1) As used in this section:

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

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

33 (c) (i) "Parent member" means a member of a school community council who is a
34 parent of a student who:

35 (A) is attending the school; or

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

37 (ii) "Parent member" may not include an educator who is employed at the school.

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

41 (e) "School community council" means a council established at a district school in
42 accordance with this section.

43 (f) "School employee member" means a member of a school community council who is
44 a person employed at the school by the school or school district, including the principal.

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

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

49 (a) involving parents of students in decision making at the school level;

50 (b) improving the education of students;

51 (c) prudently expending School LAND Trust Program money for the improvement of
52 students' education through collaboration among parents, school employees, and the local
53 school board; and

54 (d) increasing public awareness of:

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

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

58 (iii) educational excellence.

- 59 (3) (a) Except as provided in Subsection (3)(b), a school community council shall:
- 60 (i) create the School LAND Trust Program and LAND Trust plan in accordance with
- 61 Section [53G-7-1206](#);
- 62 (ii) advise and make recommendations to school and school district administrators and
- 63 the local school board regarding:
- 64 (A) the school and its programs;
- 65 (B) school district programs;
- 66 (C) a child access routing plan in accordance with Section [53G-4-402](#);
- 67 (D) safe technology utilization and digital citizenship; and
- 68 (E) other issues relating to the community environment for students;
- 69 (iii) provide for education and awareness on safe technology utilization and digital
- 70 citizenship that empowers:
- 71 (A) a student to make smart media and online choices; and
- 72 (B) a parent to know how to discuss safe technology use with the parent's child;
- 73 (iv) partner with the school's principal and other administrators to ensure that adequate
- 74 on and off campus Internet filtering is installed and consistently configured to prevent viewing
- 75 of harmful content by students and school personnel, in accordance with local school board
- 76 policy and Subsection [53G-7-216\(3\)](#);
- 77 (v) in accordance with state board rule regarding school community council
- 78 expenditures and funding limits:
- 79 (A) work with students, families, and educators to develop and incorporate safety
- 80 principles at the school; and
- 81 (B) hold at least an annual discussion with the school's principal and district
- 82 administrators regarding safety principles at the school and district level in order to coordinate
- 83 the school community council's effort to develop and incorporate safety principles at the
- 84 school; and
- 85 (vi) provide input to the school's principal on a positive behaviors plan in accordance
- 86 with Section [53G-10-407](#).
- 87 (b) To fulfill the school community council's duties described in Subsections (3)(a)(iii)
- 88 and (iv), a school community council may:
- 89 (i) partner with one or more non-profit organizations; or

90 (ii) create a subcommittee.

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

95 (4) (a) [Each] Except as provided in Subsection (4)(e), each school community council
96 shall consist of school employee members and parent members in accordance with this section.

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

98 (i) each school community council for a high school shall have six parent members and
99 four school employee members, including the principal; and

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

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

104 (i) the membership includes two or more parent members than the number of school
105 employee members; and

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

107 (d) (i) The number of parent members of a school community council who are not
108 educators employed by the school district shall exceed the number of parent members who are
109 educators employed by the school district.

110 (ii) If, after an election, the number of parent members who are not educators employed
111 by the school district does not exceed the number of parent members who are educators
112 employed by the school district, the parent members of the school community council shall
113 appoint one or more parent members to the school community council so that the number of
114 parent members who are not educators employed by the school district exceeds the number of
115 parent members who are educators employed by the school district.

116 (e) The state board may make rules, in accordance with Title 63G, Chapter 3,
117 Administrative Rulemaking Act, governing a school community council when, under unique
118 circumstances that the state board identifies, there are insufficient members to fill the positions
119 described in this Subsection (4).

120 (5) (a) Except as provided in Subsection (5)(f), a school employee member, other than

121 the principal, shall be elected by secret ballot by a majority vote of the school employees and
122 serve a two-year term. The principal shall serve as an ex officio member with full voting
123 privileges.

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

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

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

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

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

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

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

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

148 (ii) The notice shall include:

149 (A) the dates and times of the elections;

150 (B) a list of council positions that are up for election; and

151 (C) instructions for becoming a candidate for a community council position.

152 (iii) The principal of the school, or the principal's designee, shall oversee the elections
153 held under Subsections (5)(a) and (5)(b).

154 (iv) Ballots cast in an election held under Subsection (5)(b) shall be deposited in a
155 secure ballot box.

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

158 (e) (i) If a parent position on a school community council remains unfilled after an
159 election is held, the other parent members of the council shall appoint a parent who meets the
160 qualifications of this section to fill the position.

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

164 (iii) A member appointed to a school community council under Subsection (5)(e)(i) or
165 (ii) shall serve a two-year term.

166 (f) (i) If the number of candidates who file for a parent position or school employee
167 position on a school community council is less than or equal to the number of open positions,
168 an election is not required.

169 (ii) If an election is not held pursuant to Subsection (5)(f)(i) and a parent position
170 remains unfilled, the other parent members of the council shall appoint a parent who meets the
171 qualifications of this section to fill the position.

172 (iii) If an election is not held pursuant to Subsection (5)(f)(i) and a school employee
173 position remains unfilled, the other school employee members of the council shall appoint a
174 school employee who meets the qualifications of this section to fill the position.

175 (g) The principal shall enter the names of the council members on the School LAND
176 Trust website on or before October 20 of each year, pursuant to Section [53G-7-1203](#).

177 (h) Terms shall be staggered so that approximately half of the council members stand
178 for election each year.

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

182 (j) Each school community council shall elect:

- 183 (i) a chair from its parent members; and
184 (ii) a vice chair from either its parent members or school employee members,
185 excluding the principal.
- 186 (6) (a) A school community council may create subcommittees or task forces to:
187 (i) advise or make recommendations to the council; or
188 (ii) develop all or part of a plan listed in Subsection (3).
- 189 (b) Any plan or part of a plan developed by a subcommittee or task force shall be
190 subject to the approval of the school community council.
- 191 (c) A school community council may appoint individuals who are not council members
192 to serve on a subcommittee or task force, including parents, school employees, or other
193 community members.
- 194 (7) (a) A majority of the members of a school community council is a quorum for the
195 transaction of business.
- 196 (b) The action of a majority of the members of a quorum is the action of the school
197 community council.
- 198 (8) A local school board shall provide training for a school community council each
199 year, including training:
- 200 (a) for the chair and vice chair about their responsibilities;
201 (b) on resources available on the School LAND Trust website; and
202 (c) on this part.