

[Title 53A](#) State System of Public Education

[Chapter 1a](#) Utah Strategic Planning Act for Educational Excellence

Section 108 School community councils authorized -- Duties -- Composition -- Election procedures and selection of members.

53A-1a-108. School community councils authorized -- Duties -- Composition -- Election procedures and selection of members.

(1) As used in this section:

(a) "Educator" has the meaning defined in Section **53A-6-103**.

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

(A) is attending the school;

(B) will be enrolled at the school at any time during the parent's or guardian's initial term of office; or

(C) was enrolled at the school during the parent or guardian member's initial term of office as provided in Subsection (5)(g)(iii).

(ii) "Parent or guardian member" may not include an educator who is employed by the school district in which the school is located unless the educator's employment does not exceed an average of six hours per week.

(c) "School employee member" means a member of a school community council who is 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) create a school improvement plan in accordance with Section **53A-1a-108.5**;

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

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

(iv) advise and make recommendations to school and school district administrators and the local school board regarding the school and its programs, school district programs, a child access routing plan in accordance with Section **53A-3-402**, 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 create a reading achievement plan in accordance with Section **53A-1-606.5**.

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

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

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

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

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

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

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

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

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

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

(b) (i) Each parent or guardian member shall be elected by secret ballot at an election held at the school by a majority vote of those voting at the election and serve a two-year term.

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

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

(iv) An election for the parent or guardian members of a school community council shall:

(A) extend for a period of at least three consecutive school days; and

(B) commence no later than 30 days after the first day of the school year.

(c) (i) The principal of the school, or the principal's designee, shall provide notice of the available community council positions to school employees, parents, and guardians at least 21 days before the date that voting commences for the elections held under Subsections (5)(a) and (5)(b).

(ii) The notice shall include:

(A) the dates and times of the elections;

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

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

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

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

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

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

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

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

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

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

(g) (i) Each public school, in consultation with its local school board, shall set the beginning date of the term of office for school community council members.

(ii) A school community council member may serve up to three successive terms.

(iii) If a parent or guardian member's child is enrolled in the school at any time during the parent or guardian member's initial term of office, the parent or guardian member may serve up to three successive terms even though the parent or guardian member's child is no longer enrolled in the school.

(h) Each school community council shall elect:

(i) two cochair from its parent or guardian members or one cochair from its parent or guardian members and one cochair from its elected employee members; or

(ii) a chair and a vice chair from its parent or guardian members.

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

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

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

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

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

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

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

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

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

(iv) a telephone number, if available, and email address, if available, where each community council member can be reached directly.

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

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

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

(A) mailing the information;

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

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

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

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

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

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

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

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

(b) an agenda for the meeting; and

(c) a summary of the previous meeting.

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

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

(10) A local school board shall give each school community council member a copy of the following statutes governing school community councils:

(a) Section **53A-1a-108**;

(b) Section **53A-1a-108.5**; and

(c) Section **53A-16-101.5**.

Amended by Chapter 45, 2011 General Session

Amended by Chapter 293, 2011 General Session

Amended by Chapter 293, 2011 General Session, (Coordination Clause)

Amended by Chapter 342, 2011 General Session