

Summary of Changes Resulting from the Utah 2011 Legislative Session

School Community Councils

July 2011

For purposes of this list, "councils" mean school community councils.

Council Membership – Staff may serve as parent members if they have students attending the school unless they are licensed, employed by the district and work more than an average of six hours per week. Parent positions may not be filled by licensed employees of the district unless they work less than an average of six hours per week.

Council Elections – Elections must now be held open for three consecutive school days at the school. Elections must commence prior to the 31st day of the school year. Elections may be held in the spring if a process is established that notices and invites the parents of incoming students to participate and ensures that parents who will no longer have students at the school do not participate in the election. The parents who receive notice and participate in the elections should be the same parents that would be invited to participate if the election were held in the fall. Council members elected before June 15, 2011, may serve the term under the provisions in effect before the new requirements became effective. To be re-elected for subsequent terms a member will have to qualify under the law and rules then in effect.

Council Officers – Councils may have a chair and vice-chair or co-chairs. Parents are elected by the council to fill the positions. A school employee member may serve as a co-chair if a parent member serves as the other co-chair but both co-chairs could be elected from the parent members.

Council Voting – A majority of council members are a quorum for conducting business. The action of a majority of the quorum is the action of the council.

Noticing – A new requirement for noticing is to provide a list of the members of the council with a direct email, where available and phone number, where available. Names and contact information, where available, must be posted on the website and provided directly to all parents.

Councils and Administration – The law now clarifies that a school or district administrator may not discourage or prohibit a council from discussing issues, offering advice or recommendations about the school or district programs, curriculum or community environment for students.

Assurance by Principals - Principals shall sign a written assurance that includes the following:

- the membership of the council conforms to the law,
- the members were elected according to the requirements in law and board rule, and
- when appointments needed to be made, that the parent or employee members on the council filled the vacant positions according to the law.

A legislative audit has been authorized in the law specifically to review that the election and appointments were made properly. In schools where the audit finds that elections have not occurred properly and/or membership on the council doesn't conform to the law, funding may be reduced or eliminated.

School LAND Trust Plan Approval –When the plan approved by the council is submitted, a report will be included noting when the vote took place and who voted for and against, and who was absent.

Child Access Routing Plan – The Child Access Routing Plan is still required in 53A-3-402.

Approval of School Land Trust Plans by Local Boards – Local boards may approve or not approve school plans. If plans are not approved, the local board must send a written statement to the council explaining what needs to be revised before submitting the school plan again for approval.

Local Boards Providing Sections of Code to Council Members – Local boards shall provide each council member with a copy of the following sections of code:

53A-1a-108 - School Community Councils

53A-1a-108.5 – School Improvement Plan

53A-16-108.5 – School LAND Trust Program

School LAND Trust Program Funding for Charter Schools – Charter Schools are collectively considered as a single district for the first 10% of the total annual distribution. The 10% is divided equally between districts in the formula that distributes the money to schools. This is consistent with current practice but has not been in statute before.

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