

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

(1) There is established the School LAND (Learning And Nurturing Development) Trust Program for the state's public schools to provide financial resources to enhance or improve student academic achievement and implement a component of the school improvement plan.

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

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

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

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

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

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

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

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

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

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

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

(c) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the board may make rules regarding the time and manner in which the student count shall be made for allocation of the monies.

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

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

(i) the school's identified most critical academic needs;

(ii) a recommended course of action to meet the identified academic needs;

(iii) a specific listing of any programs, practices, materials, or equipment which the school will need to implement a component of its school improvement plan to have a direct impact on the instruction of students and result in measurable increased student performance; and

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

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

(6) (a) Each school shall:

(i) implement the program as approved by the school community council and approved by the local school board;

(ii) provide ongoing support for the council's or its subcommittee's program; and

(iii) meet school board reporting requirements regarding financial and performance accountability of the program.

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

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

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

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

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

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

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

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

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

Amended by Chapter 332, 2008 General Session

Amended by Chapter 382, 2008 General Session

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