

School Community Councils

Formation of Community Councils—

Each school within the District shall, in consultation with the Board of Education, establish a school community council at the school building level.

A school or District administrator may not prohibit or discourage a 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.

The Board shall report approval dates of required plans (listed below) to the Utah State Office of Education.

Utah Code Ann. §53A-1a-108 (2013)

Utah Admin. Code R277-491-4 (July 9, 2012)

Purposes of Community Councils—

The purposes of school community councils are to involve parents or guardians of students in decision making at the school level, improve the quality of education of students, prudently expend School LAND Trust Program money, and increase public awareness of school trust lands and related land policies, management of the State School Fund, and educational excellence.

Utah Code Ann. § 53A-1a-108(2) (2013)

Composition of Councils—

Each school community council shall consist of school employees (including the school's principal) and parents or guardians of students who are attending the school.

The recommended composition of school community councils for high schools is six (6) parent or guardian members and four (4) school employee members (including the principal). The recommended composition of school community councils for other schools is four (4) parent or guardian members and two (2) employee members (including the principal). The school community council is not required to have the recommended composition and can by majority vote of a quorum of the council determine how many members the council will have, provided that there are at least two (2) school employee members and there are at least two (2) more parent or guardian members than school employee members.

The number of parent or guardian members of a school community council who are not educators employed by the school district shall exceed the number of parent or guardian members who are educators employed by the school district. If, after an election, the number of parent or guardian members who are not educators employed by the school district does not exceed the number of parent or guardian members who are educators employed by the school district, the parent or guardian members of the school community council shall appoint one or more parent or

guardian members to the school community council so that the number of parent or guardian members who are not educators employed by the school district exceeds the number of parent or guardian members who are educators employed by the school district.

Each community council shall elect a chair from its parent or guardian members and a vice chair from its parent or guardian members or school employee members other than the principal.

Utah Code Ann. §53A-1a-108 (2013)

Notice of Available Community Council Positions—

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 ten (10) days before the date of the election. The notice shall include:

1. the dates and times of the election;
2. a list of council positions that are up for election; and
3. instructions for becoming a candidate for a community council position;

Utah Code Ann. §53A-1a-108 (2013)

Selection of School Employee Members—

The principal shall serve as an ex officio member with full voting privileges. A school administrator may not serve as chair or vice chair of the school community council.

Employee members shall be elected by secret ballot by a majority vote of the school employees. The employee member election shall be held in the same season as the election for parent or guardian members. The principal, or the principal's designee, shall oversee the elections. Results of the election shall be made available to the public upon request.

If the number of employee candidates is less than or equal to the number of open employee positions, no election is required.

If an employee position on the council remains unfilled following an election or after appointment when no election is required, the other employee members of the council shall appoint an employee to fill the position.

Utah Code Ann. §53A-1a-108 (2013)

Utah Admin. Code R277-491-3 (July 9, 2012)

Selection of Parent and/or Guardian Members—

Parent or guardian members shall be elected by secret ballot by a majority vote of those voting in an election held at the school. Only parents or guardians of students attending the school are eligible to vote in this election. Ballots cast in this election shall be deposited in a secure ballot box.

If the number of parent or guardian candidates is less than or equal to the number of open parent or guardian positions, no election is required.

School community councils may establish procedures that allow for ballots to be clearly marked and mailed to the school in the case of geography or school distances that would otherwise discourage parent participation. Hand-delivered or mailed ballots shall meet the same timelines for voters voting in person. Schools may allow parents to vote by electronic ballot. If a school allows voting by electronic means, the opportunity shall be clearly explained on the school's website including:

1. directions for electronic voting;
2. security provisions for electronic voting;
3. statement to parents and community members that violations of a school's voting procedures may disqualify a parent's vote or invalidate an election, or both.

The principal, or the principal's designee, shall oversee the elections. Results of the election shall be made available to the public upon request.

Any parent or guardian who qualifies to be a candidate may file or declare him or herself as a candidate for election to the council. An individual qualifies to be a candidate if she or he is the parent or guardian of a student who will be enrolled at the school during the parent or guardian's term of office; however, if the parent or guardian is also an educator employed at the school, the parent or guardian is not eligible to be a "parent or guardian" candidate or member of the council.

The election for the parent and/or guardian members shall be held in the spring or in the fall, as determined by each school's principal. However, once the election season has been determined, it must remain the same for at least four years before it can be changed.

Spring elections for parent or guardian members shall be scheduled by the principal on a date or dates such that the election is completed before the last week of school.

Fall elections for parent or guardian members shall be scheduled by the principal on a date or dates such that the election is completed before October 15.

If a parent or guardian position on the council remains unfilled following an election or after appointment when no election is required, the other parent or guardian members of the council shall appoint a parent or guardian who meets the above qualifications to fill the position.

Utah Code Ann. §53A-1a-108 (2013)

Utah Admin. Code R277-491-3 (July 9, 2012)

Term of Office—

Elected or appointed members of the council shall serve a two (2) year term beginning either the first day of the school year (for spring elections) or on November 1 (for fall elections). However, terms shall be staggered so that no more

than approximately half of council members stand for election in any one year. A member's term shall be extended as needed until his or her replacement's term begins (for example, to avoid a gap that would result from a shift from one election season to the other). A school community council member may serve successive terms so long as the member continues to meet the eligibility requirements to be a parent or guardian member or an employee member.

Utah Code Ann. §53A-1a-108 (2013)

Updating Council Membership—

By or before November 15 of each year, the principal shall enter the names of the council members on the state School LAND Trust Program website.

Utah Code Ann. § 53A-1a-108(5)(g) (2013)

Duties of Councils—

Each school community council shall advise and make recommendations to the school, school district administrators, and the local school board regarding the school and its programs, school district programs, and other issues relating to the community environment for students.

Each school community council shall also:

1. Create a school improvement plan in accordance with § 53A-1a-108.5;
2. Create a School LAND Trust program for the school in accordance with § 53A-16-101.5;
3. Assist in the creation and implementation of a staff professional development plan in accordance with § 53A-3-701; and
4. Advise and make recommendations to school and district administrators and the school board regarding the school and its programs, school district programs, a child access routing plan in accordance with § 53A-3-402, and other issues relating to the community environment for students.
5. In addition, each school community council for an elementary school shall develop a reading achievement plan in accordance with § 53A-1-606.5.

Utah Code Ann. §53A-1a-108 (2013)

Community Council Training—

The superintendent or designee shall provide annual training to the community councils of the District. This training shall include education of the chair and vice chair regarding their responsibilities, informing council members about the resources available on the state School LAND Trust website, and educating the members about the following statutes which govern school community councils:

Utah Code § 53A-1a-108 (relating to the establishment, composition, and duties of community councils); Utah Code § 53A-1a-108.1 (regarding open meeting requirements applicable to community councils); Utah Code § 53A-1a-108.5 (regarding the school improvement plan); and Utah Code § 53A-16-101.5 (regarding the School LAND Trust program).

Utah Code Ann. § 53A-1a-108(8) (2013)

Community Councils Open Meetings Requirements—

School community councils are not a “public body” subject to the requirements of and are exempt from the Utah Open and Public Meetings Act. However, a school community council shall conduct its business in an open and transparent manner according to the following requirements:

1. A meeting of a school community council is open to the public.
2. A school community council may not close any portion of a meeting.
3. On or before November 15, the principal shall post the following information on the school’s website and in the school office:
 - a. The proposed school community council meeting schedule for the year;
 - b. A telephone number or email address, or both, where each school community council member can be reached directly; and
 - c. 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.
 - d. The school community council shall identify and use methods to provide this information to a parent or guardian without Internet access but without using School LAND Trust Program funds.
4. A school community council shall, at least one week prior to a meeting, post the following information on the school's website:
 - i. a notice of the meeting, time, and place;
 - ii. an agenda for the meeting; and
 - iii. the minutes of the previous meeting.
 - a. An agenda required under Subsection (4)(ii) shall provide reasonable specificity to notify the public as to the topics to be

considered at the meeting. Each topic shall be listed under an agenda item on the meeting agenda.

5. The notice requirement of Subsection (4) may be disregarded and an emergency meeting held if:
 - a. because of unforeseen circumstances it is necessary for a school community council to hold an emergency meeting to consider matters of an emergency or urgent nature; and
 - b. the school community council gives the best notice practicable of:
 - i. the time and place of the emergency meeting; and
 - ii. the topics to be considered at the emergency meeting.
6. An emergency meeting of a school community council may not be held unless:
 - a. an attempt has been made to notify all the members of the school community council; and
 - b. a majority of the members of the school community council approve the meeting.
7. A school community council may not take final action on a topic in a meeting unless the topic is:
 - a. listed under an agenda item as required by Subsection (4)(b); and
 - b. included with the advance public notice required by Subsection (4).
8. Written minutes shall be kept of a school community council meeting.
9. Written minutes of a school community council meeting shall include:
 - a. the date, time, and place of the meeting;
 - b. the names of members present and absent;
 - c. a brief statement of the matters proposed, discussed, or decided;
 - d. a record, by individual member, of each vote taken;

- e. the name of each person who:
 - i. is not a member of the school community council; and
 - ii. after being recognized by the chair, provided testimony or comments to the school community council;
 - iii. the substance, in brief, of the testimony or comments provided; and
 - iv. any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes.

10. The written minutes of a school community council meeting are a public record under Title 63G, Chapter 2, Government Records Access and Management Act and shall be retained for three years.

11. "Rules of order and procedure" means a set of rules that govern and prescribe in a public meeting:

- a. parliamentary order and procedure;
- b. ethical behavior; and
- c. civil discourse.

12. A school community council shall:

- a. adopt rules of order and procedure to govern a public meeting of the school community council;
- b. conduct a public meeting in accordance with the rules of order and procedure adopted by the council and
- c. make the rules of order and procedure available to the public:
 - i. at each public meeting of the school community council; and
 - ii. on the school's website.

Utah Code Ann. § 52-4-103(8)(b)(iii) (2012)
Utah Code Ann. § 53A-1a-108.1 (2013)

School Improvement Plan—

Each school community council shall create a school improvement plan. In developing this plan, the council shall annually evaluate and use the results of the school's U-PASS test. (However the council may not have access to data which reveals the identity of students.)

The school improvement plan shall:

1. identify the school's most critical academic needs;
2. recommend a course of action to meet those needs;
3. list any programs, practices, materials, or equipment that the school will need to implement its action plan to have a direct impact on the instruction of students and result in measurably increased student performance; and
4. describe how the school intends to enhance or improve academic achievement, including how financial resources available to the school (for example, state and federal grants, or School LAND Trust Program monies) will be used for this purpose.

The school principal shall make the school budget and other data available to the council as needed in developing the school improvement plan.

The school improvement plan developed by the council is subject to the approval of the Board of Education. The school improvement plan as approved by the Board of Education shall be implemented by the school. The school shall provide ongoing support for the council's plan.

The school shall also through the school community council prepare and present an annual report to the Board of Education at the end of the school year which details the use of School LAND Trust funds and which assesses the results obtained from the use of those funds, and which also details the use of funds from other sources and the results obtained from use of those sources.

The council may develop a multi-year school improvement plan, but the plan must nevertheless be presented to and approved by the Board of Education each year.

Utah Code Ann. § 53A-1a-108.5 (2002)

School LAND Trust Program—

In developing the school improvement plan, the council shall include a program to use the School LAND Trust funds allocated to the school to implement a component of the school improvement plan, including a description of programs, practices, materials or equipment needed to implement the component of the plan.

The program developed by the council to use the School LAND Trust funds is subject to the approval of the Board of Education. The program, as approved by the Board of Education, shall be implemented by the school. The school shall provide

ongoing support for the council's plan. The school shall also publicize to its patrons and the general public how the School LAND Trust funds were used to implement a component of the improvement plan and the results of those efforts. Also, through the school community council, the school shall prepare and post on the state School LAND Trust Program website an annual report each fall which details the use of School LAND Trust funds and which assesses the results obtained from the use of those funds. A summary of this report shall be provided to parents or guardians of students attending the school.

The council shall create and vote to adopt a plan for the School LAND Trust Program money in a meeting of the school community council at which a quorum is present.

If a majority of the quorum votes to adopt a plan for the use of School LAND Trust Program money, the plan is adopted.

A school community council shall:

1. post on the state School LAND Trust Program website a plan for the use of School LAND Trust program money that is adopted; and
2. include with the plan a report noting the number of community council members who voted for or against the approval of the plan and number of members who were absent for the vote.

The Board of Education shall approve or disapprove the plan for use of School LAND Trust Program money. If the Board of Education disapproves of the plan, the Board will provide a written explanation of the reasons for disapproval and request the council to revise the plan and the council shall submit a revised plan to the Board of Education for approval.

The school shall implement the program as approved, provide ongoing support for the program, and meet State Board of Education reporting requirements regarding financial and performance accountability of the program.

Utah Code Ann. § 53A-16-101.5 (2011)

Staff Professional Development Plan Assistance—

The school community council shall assist the school with the development and implementation of the school's staff professional development plan.

Utah Code Ann. § 53A-3-701 (2003)

Child Access Routing Plan—

Each school community council shall annually develop a child access routing plan for its school and submit it to the school traffic safety committee.

Utah Code Ann. § 53A-3-402(17)(c)(i) (2013)

Utah Code Ann. § 53A-1a-108 (2013)

Reading Achievement Plan for Elementary Schools—

The school community council for each elementary school shall develop a reading achievement plan for the school, which shall be submitted to the District for review and approval prior to implementation. The reading achievement plan must be reviewed and approved by the District annually. (In developing this plan, the council may not have access to data which reveal the identity of students.)

Following approval by the District, the reading achievement plan shall be implemented by the school's principal, teachers, and other appropriate staff.

The reading achievement plan shall be designed to reach the long-term goal of having all students in the school reading on or above grade level by the end of the third grade.

The reading achievement plan shall include the following components:

1. An assessment component that focuses on ongoing formative assessment to measure the five domains of reading (phonological awareness, phonics, fluency, comprehension, and vocabulary), as appropriate, and to inform instructional decisions, and which includes a reading assessment selected from a list recommended by the State Board of Education.
2. An intervention component that:
 - a. Provides adequate and appropriate interventions focused on each student attaining proficiency in reading skills;
 - b. Is based on best practices identified through proven research-based methods;
 - c. Provides intensive intervention, such as focused instruction in small groups, implemented at the earliest possible time for students having difficulty in reading;
 - d. Provides an opportunity for parents to receive materials and guidance so that they will be able to assist their children in attaining proficiency in reading skills; and
 - e. As resources allow, involves a reading specialist.
3. A reporting component that includes reporting to parents their child's literacy profile which documents ongoing formative assessment results and, at the end of third grade, their child's reading level.

Utah Code Ann. § 53A-1-606.5 (2011)

Subcommittees and Task Forces—

A school community council may create subcommittees or task forces to advise the council or make recommendations to the council, or to develop all or part of the plans that the council's duties require it to prepare. However, any plan or portion thereof developed by a subcommittee or task force shall be subject to the approval of the council.

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

Utah Code Ann. §53A-1a-108 (2013)