

R277-491 received final approval by the Utah State Board of Education on June 6, 2019. R277-491 is published in the July 1, 2019 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of August 7, 2019.

R277. Education, Administration.

R277-491. School Community Councils.

R277-491-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board; and

(b) Subsection 53E-3-401(4), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law.

(2) The purpose of this rule is to:

(a) provide procedures and clarifying information to a school community council to assist the council in fulfilling school community council responsibilities consistent with Sections 53G-7-1202 through 53G-7-1203;

(b) provide direction to a local school board, school, and school district in establishing and maintaining a school community council;

(c) provide a framework and support for improved academic achievement of students that is locally driven from within an individual school;

(d) encourage increased participation of a parent, school employee, and others to support the mission of a school community council;

(e) increase public awareness of:

(i) school trust lands;

(ii) the permanent State School Fund; and

(iii) educational excellence; and

(f) enforce compliance with the laws governing a school community council.

(3) This rule does not apply to charter schools.

R277-491-2. Definitions.

(1) "Local school board" means the locally elected school board designated in Section 53G-4-201.

(2)(a) "Principal" means an administrator licensed as a principal in the state and

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employed in that capacity at a school.

(b) "Principal" includes a specific designee of the principal.

(3) "School community" means the geographic area a school district designates as the attendance area, with reasonable inclusion of a parent of a student who attends the school but lives outside the attendance area.

(4) "Student" means a child in a public school, grades kindergarten through 12, counted on the audited October 1 fall enrollment report.

R277-491-3. School Community Council Member Election Provisions.

(1) In addition to the election notice requirements of Section 53G-7-1202, the principal shall provide notice of:

(a) the location where a ballot may be cast; and

(b) the means by which a ballot may be cast, whether in person, by mail, or by electronic transfer.

(2)(a) A school community council may establish a procedure that allows a parent to mail a ballot to the school in the event the distance between a parent and the voting location would otherwise discourage parental participation.

(b) A mailed or hand-delivered ballot shall meet the same timeline as a ballot voted in person.

(3)(a) A school, school district, or local school board may allow a parent to vote by electronic ballot through a district approved election process that is consistent with the election requirements in Subsection 53G-7-1202(5).

(b) If allowed, the school or school district shall clearly explain on its website the opportunity to vote by electronic means.

(4) In the event of a change in statute or rule affecting the composition of a school community council, a council member who is elected or appointed prior to the change may complete the term for which the member was elected.

(5)(a) A public school that is a secure facility, juvenile detention facility, hospital program school, or other small or special school may receive School LAND Trust Program

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funds without having a school community council if the school demonstrates and documents a good faith effort to:

- (i) recruit members;
- (ii) have meetings; and
- (iii) publicize the opportunity to serve on the council.

(b) A local school board shall make the determination whether to grant the exemption for a school described in Subsection (5)(a).

R277-491-4. School Community Council Principal Responsibilities.

(1) Following an election, the principal shall enter and electronically sign on the School LAND Trust Program website a Principal's Assurance Form affirming:

- (a) the school community council's election;
- (b) that vacancies were filled by election if necessary; and
- (c) that the school community council's bylaws or procedures comply with Section 53G-7-1202, Rule R277-477, and this rule.

(2) In addition to the requirements of Subsections 53G-7-1203 (5) and (6), each year the principal shall post the following information on the school's website on or before October 20:

(a) an invitation to a parent to serve on the school community council that includes an explanation of how a parent can directly influence the expenditure of the School LAND Trust Program funds;

(b) the dollar amount the school receives each year from the School LAND Trust Program;

(c) a copy of or link to the current [School Improvement]Teacher and Student Success Plan as required in Section 53G-7-~~[1204]~~1302; and

~~[(d) if the School LAND Trust Plan and School Improvement Plan have been consolidated into one, a statement that the local board has consolidated the two plans into one.]~~

(d) minutes of approved council meetings for [the current](#) school year.

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R277-491-5. School Community Council Chair Responsibilities.

(1) After the school community council election, the school community council shall annually elect at the council's first meeting a chair and vice chair in accordance with Subsection 53G-7-1202(5)(j).

(2) The school community council chair shall:

(a) set the agenda for every meeting;

(b) conduct every meeting;

(c) keep written minutes of every meeting, consistent with Section 53G-7-1203;

(e) inform council members about resources available on the School LAND Trust Program website; and

(f) welcome and encourage public participation in school community council meetings.

(3) The chair may delegate the responsibilities established in this section as appropriate at the chair's discretion.

R277-491-6. School Community Council Business.

(1)(a) The school community council shall adopt rules of order and procedure to govern a council meeting in accordance with Subsection 53G-7-1203(10).

(b) The rules of order and procedure shall outline the process for:

(i) electing the school community council, including:

(A) the number of parent members and school employee members on the council;

and

(B) beginning dates for the term of each member's position;

(ii) selecting a chair and vice chair;

(iii) removing from office a member who moves away or fails to attend meetings regularly; and

(i[iv]) a member to declare a conflict of interest if required by the local school board's policy.

(2) The school community council shall:

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(a) report on a plan, program, or expenditure at least annually to the local school board; and

(b) encourage participation on the school community council by members of the school community and recruit a potential candidate to run for an open position on the council.

(3)(a) The principal shall provide an annual report to the school community council that summarizes current practices used by the school district and school to facilitate the school community council's responsibilities under Subsections 53G-7-1203(3)(a)(iii)(D), (iv), and (v).

(b) The report described in Subsection (3)(a) shall include:

(i) information concerning internet filtering protocols for school and district devices that access the internet;

(ii) local instructional practices, monitoring, and reporting procedures; and

(iii) internet safety training provided to a student and parent by the school or district.

(c) A school community council's School LAND Trust Program plan may not conflict with the school district's approved LEA plan related to a digital teaching and learning grant awarded to the school district under Title 53F, Chapter 2, Part 5.

(4) A school community council shall comply with the requirements of Subsection 53G-7-1202(3)(vi).

~~(4) A school community council may advise and inform the local school board and other members of the school community regarding the uses of School LAND Trust Program funds.~~

~~[R277-491-7. Failure to Comply with Rule.~~

~~—(1) If a local school board, school district, school, or school community council fails to comply with the provisions of this rule, the Superintendent may report the failure to the Audit Committee of the Board.~~

~~—(2)(a) The Audit Committee shall allow the local school board, school district, school, or school community council to present information to the Audit Committee.~~

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~~——(b) The Audit Committee of the Board may recommend to the Board a reduction or elimination of School LAND Trust funds for a school district or school if the Audit Committee finds that the local school board, school district, school, or school community council has not complied with statute or rule:~~

~~——(3) Before the Board takes action on the Audit Committee's recommendation, the Board shall allow the local school board, school district, school, or school community council to present information to the Board.]~~

KEY: school community councils

Date of Enactment or Last Substantive Amendment: January 9, 2018

Notice of Continuation: August 13, 2015

Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401(4), Title 53G, Chapter 7, Part 12.