

1 **R277. Education, Administration.**

2 **R277-491. School Community Councils.**

3 **R277-491-1. Authority and Purpose.**

4 (1) This rule is authorized by:

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

7 (b) Subsection 53[A-1]E-3-401(4), which allows the Board to make rules to execute
8 the Board's duties and responsibilities under the Utah Constitution and state law.

9 (2) The purpose of this rule is to:

10 (a) provide procedures and clarifying information to a school community council to
11 assist the council in fulfilling school community council responsibilities consistent with
12 Sections 53[A-1a-108]G-7-1202 [and] through 53[A-1a-108.1]G-7-1203;

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

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

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

19 (e) increase public awareness of:

20 (i) school trust lands;

21 (ii) the permanent State School Fund; and

22 (iii) educational excellence; and

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

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

25 **R277-491-2. Definitions.**

26 (1) "Local school board" means the locally elected school board designated in
27 Section 53[A-3-101]G-4-201.

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

29 employed in that capacity at a school.

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

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

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

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

37 (1) In addition to the election notice requirements of ~~S[ub]section 53[A-1a-~~
38 ~~108(5)(c)]G-7-1202~~, the principal shall provide notice of:

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

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

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

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

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

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

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

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

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

- 59 (i) recruit members;
- 60 (ii) have meetings; and
- 61 (iii) publicize the opportunity to serve on the council[; ~~and~~
- 62 ~~—(iv) publish election results to the school community].~~

63 (b) ~~[The]~~A local school board shall make the determination whether to grant the
64 exemption for a school described in Subsection (5)(a).

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

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

- 68 (a) the school community council's election;
- 69 (b) that vacancies were filled by election if necessary; and
- 70 (c) that the school community council's bylaws or procedures comply with Section
71 ~~53[A-1a-108]~~G-7-1202, Rule R277-477, and this rule.

72 (2) In addition to the requirements of Subsections ~~53[A-1a-108.1]~~G-7-1203 (5) and
73 (6), each year the principal shall post the following information on the school's website on
74 or before October 20:

- 75 (a) an invitation to a parent to serve on the school community council that includes
76 an explanation of how a parent can directly influence the expenditure of the School LAND
77 Trust Program funds;
- 78 (b) the dollar amount the school receives each year from the School LAND Trust
79 Program;
- 80 (c) a copy of or link to the current School Improvement Plan as required in Section
81 ~~53[A-1a-108.5]~~G-7-1204; and
- 82 (d) if the School LAND Trust Plan and School Improvement Plan have been
83 consolidated into one, a statement that the local board has consolidated the two plans into
84 one.

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

86 (1) After the school community council election, the school community council shall
87 annually elect at the council's first meeting a chair and vice chair in accordance with
88 Subsection 53~~[A-1a-108]~~G-7-1202(5)(j).

89 (2) The school community council chair shall:

90 ~~[(a) post the information required by Subsection 53A-1a-108.1(5);]~~

91 ~~[(b)a] set the agenda for every meeting;~~

92 ~~[(c)b] conduct every meeting;~~

93 ~~[(d)c] keep written minutes of every meeting, consistent with S[ub]section~~
94 ~~53[A-1a-108.1(9)]G-7-1203;~~

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

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

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

101 **R277-491-6. School Community Council Business.**

102 (1)(a) The school community council shall adopt rules of order and procedure to
103 govern a council meeting in accordance with Subsection 53~~[A-1a-108.1]~~G-7-1203(10).

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

105 (i) selecting a chair and vice chair;

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

108 (iii) a member to declare a conflict of interest if required by the local school board's
109 policy.

110 (2) The school community council shall:

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

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

116 (3)(a) The principal shall provide an annual report to the school community council
117 that summarizes current practices used by the school district and school to facilitate the
118 school community council's responsibilities under Subsections 53[A-1a-108(3)(a)]G-7-
119 1203(3)(a)(iii)(D), (iv), and (v).

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

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

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

124 (iii) internet safety training [~~required by Section 53A-1a-108~~] provided to a student
125 and parent by the school or district.

126 (c) A school community council's School LAND Trust Program plan may not conflict
127 with the school district's approved LEA plan related to a digital teaching and learning grant
128 awarded to the school district under Title 53[A]E, [c]Chapter [1]2, Part [14]5.

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

132 ~~**R277-491-7. Inapplicable to Charter Schools.**~~

133 ~~— This rule does not apply to a charter school.]~~

134 **R277-491-[8]7. Failure to Comply with Rule.**

135 (1) If a local school board, school district, school, or school community council fails
136 to comply with the provisions of this rule, the [~~School Children's Trust Director appointed~~
137 ~~under Section 53A-16-101.6~~] Superintendent may report the failure to the Audit Committee
138 of the Board.

139 (2)(a) The Audit Committee shall allow the local school board, school district, school,

140 or school community council to present information to the Audit Committee.

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

145 (3) Before the Board takes action on the Audit Committee’s recommendation, the
146 Board shall allow the local school board, school district, school, or school community
147 council to present information to the Board.

148 **KEY: school community councils**

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

150 **Notice of Continuation: August 13, 2015**

151 **Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53[A-4]E-3-401(4),**

152 **Title 53G, Chapter 7, Part 12.**