

CENTER FOR CREATIVITY, INNOVATION, AND DISCOVERY

Trust Land Council Policy

Policy

The Board of Directors of the Center for Creativity, Innovation, and Discovery has established this policy to provide clarifying information about the school's Trust Land Council and to assist the council in fulfilling its responsibilities consistent with Utah Code §53G-7-1202 through 53G-7-1205 and Utah Admin. Code §R277-491. The policy also provides procedures for establishing and maintaining Trust Land Councils or establishing the Board of Directors as the Trust Land Council.

Purpose

This policy intends to encourage increased participation of parents and others on the Trust Land Council or Board of Directors, when the board is the Trust Land Council; to increase public awareness of School Trust Lands; and to guide the school in compliance with laws governing school Trust Land Councils.

Definitions

Digital Citizenship: means the norms of appropriate, responsible, and healthy behavior related to technology use, including digital literacy, ethics, etiquette, and security.

Educator: means a person who holds a license; a teacher, counselor, administrator, librarian, or other person required, under rules of the state board, to hold a license; for an audiologist or speech language pathologist, an individual who an LEA employs and holds a credential from the Division of Professional Licensing or the Utah State Board of Education.

Local School Board: means the locally elected school board designated in Utah Code §53G-4-201.

Other Member: means a member of the community at large, or a teacher, administrator, or educator who is not employed at the school.

Parent or Grandparent Member: means a member of a school Trust Land Council who is a parent or grandparent of a student who is attending the school or will be enrolled at the school during the parent's term of office; a parent member may not include an educator who is employed at the school.

Principal: means an administrator employed in the designated capacity of a lead administrator at the school or a designee of the principal.

Safety Principles: means safety principles that, when incorporated into programs and resources, impact academic achievement by strengthening a safe and wholesome learning environment, including continual efforts for safe technology utilization and digital citizenship.

School Community: means the group of parents, guardians, and grandparents of students enrolled in a particular charter school; or the intentional network of students, families, educators, and board members unified around a specific educational mission, rather than a geographic neighborhood.

School Community Council: means a council established at a district or charter school in accordance with Utah Code §53G-7-1202 through 53G-7-1205 and Utah Admin. Code §R277-491.

School Employee Member: means a member of a school community council who is a person employed at the school by the charter school or school district, including the principal.

School Land Trust Program Money: means money allocated to a school pursuant to Utah Code §53F-2-404.

Student: means a child in a public school, grades K-12, counted at a particular school or LEA on the audited October 1 fall enrollment report.

Teacher and Student Success Act Plan: means a school performance and student academic achievement improvement plan as defined in Utah Code §53G-7-1301 and Utah Code §53G-7-1305.

Trust Land Council: means a duly elected council, constituted as described below, that prepares a plan for the use of School Land Trust Program money; or, the school's Board of Directors if the membership of the board meets the requirements described below.

Purpose of Trust Land Councils

- To involve parents and guardians of students in decision making at the school;
- To improve the education of students;
- To expend School Land Trust Program money for the improvement of students' education through collaboration among parents, school employees, and the Board of Directors; and,
- To increase public awareness of School Trust Lands and related land policies; management of the State School Fund established in Utah Constitution Article X, Section V; and educational excellence.

Charter School Trust Land Council Exceptions

Utah Code §53G-7-1205 provides charter schools with two exceptions to the constitution of Trust Land Councils:

- The school's Board of Directors may serve as the school's Trust Land Council if the membership of the board includes at least two more parents/grandparents than other members combined;
- If the Board of Directors decides to serve as the Trust Land Council, no election of council members is required.

Requirements for Chair of Trust Land Council

In accordance with Utah Code §53G-7-1205(6), a parent grandparent of a student enrolled at the charter school must serve as the chair or co-chair of the Charter Trust Land Council. This requirement applies whether the school has an elected Charter Trust Land Council or the charter school governing board serves as the council.

- Accordingly, when a charter school's governing board serves as the Trust Land Council, an eligible parent or grandparent serving on the board must be designated as chair or co-chair of the council to conduct Trust Land Council business.
- This requirement does **not** require a parent or grandparent to serve as chair of the governing board.

School Trust Land Council General Membership Requirements In accordance with Utah Code §53G-7-1205, the membership of the school's Trust Land Council shall include the following:

- Parents or grandparents of students enrolled at the charter school and other members who are neither parents nor grandparents;
- Two more parents/grandparents than other members combined;
- Council members who are parents or grandparents of students enrolled at the school shall be elected in accordance with procedures established by the Board of Directors;
- A parent or grandparent of a student enrolled at the school shall serve as the Chair or Co-Chair of the school's Trust Land Council;

School Trust Land Council Specific Membership Requirements When the Trust Land Council at the Center for Creativity, Innovation, and Discovery is not the charter school board of directors, the council will include the following specific members:

- Parent/Grandparent Members: Four (4) voting parent/grandparent members who are elected by a majority of parents/guardians from the school community represented by the Trust Land Council; any parent or grandparent of a student who attends the school may run as a candidate in the election.
- School Employee Member: One (1) voting school employee member elected by the employees from the specific school represented by the Trust Land Council; any school employee who works at a school may run as a candidate in the election.
- Principal/Administrator: One (1) the Executive Director will serve as an *ex officio* non-voting member.

Terms of Each Position

- Term Duration: All elected members of the Trust Land Council will serve a term of two (2) years;
- Staggered Terms When Possible: Terms for elected members will be staggered so

that half of the four (4) elected council members are up for election each year; • Multiple Terms: Members may serve multiple or successive terms as long as they remain eligible (such as having a student enrolled at the school or being a school employee).

- Date of Beginning of Term: The term of each elected member will begin at the time of notice of the results of the election.

Vacancies or Resignations

If a full council is not elected or if a seat becomes vacant, parent members of the council will appoint individuals to fill vacant parent positions, and the school employee member will appoint an individual to fill a vacant school employee position. If a particular group has no sitting members, the Director or Principal will appoint a member to fill a vacancy or resignation.

Trust Land Council Election and Appointments

If the Board of Directors decides not to serve as the school's Trust Land Council, the membership of the council shall be elected by the following processes:

Responsibility of the Board of Directors

- The Board of Directors will establish the timeline for each election of parent and grandparent members of the Trust Land Council;
- The timeline should remain consistent for a period of years to ensure that members of the school community can anticipate the process for participation.

Election Procedures

- Election Oversight: A Director or Principal, or a Director or Principal's designee will oversee the elections.
- Timeframe for Elections: The school will conduct elections in late August or early September before the first official council meeting of the school year if there are elected members whose terms are expiring.
- Notice of Elections: The school must provide a notice of vacancies, election procedures, and candidate forms to its school community at least ten (10) days before voting takes place. The notice must include the positions that are available, dates and times of elections, and instructions for becoming a candidate.
- Voting: Votes can be cast by any of the following options:
 - Parents/Guardians obtain a form in the main office of the school;
 - School employees may obtain a form in the main office of school;
 - An electronic form will be sent out to all parents/guardians and school employees to vote for their respective representative/s;
 - Voting must be completed within ten (10) days of the beginning of an

- election or from the date on which the electronic form was sent;
 - Depending on the number of candidates, the election may include ranked choice voting.
- Secret Ballot: The school must provide a voting method or voting methods that ensure a secret ballot. Any hard-copy ballots must be deposited in a secure ballot box.
- Voting Violations: Violations of a school's voting procedures may disqualify the vote of a parent, guardian, or school employee .
- Notice of Results: The results of the election shall be published to the school community.

Exception to the Requirement to Hold an Election

If the number of people who filed is not more than the available positions, the school is not required to hold an election.

Membership Submission

Council membership forms and principal assurances will be submitted to the Utah State Board of Education (USBE) on or before October 20 of each year per Utah Code §53G-7-1203.

Trust Land Council Responsibilities

In accordance with Utah Code §53G-7-1202 through 53G-7-1205 and Utah Admin. Code §R277-491, Trust Land Councils shall:

- Work with students, families, and educators to develop and incorporate a safety principles as defined in Utah Code §53G-7-1202; and,
- Hold at least an annual discussion with the school's administrators to coordinate efforts to develop and incorporate safety principles, as defined in Utah Code §53G-7-1202;
- Provide input to the school's Executive Director on a positive behaviors plan in accordance with Utah Code §53G-10-407.
- Create the School Land Trust Program and Land Trust Plan in accordance with Utah Code §53G-7-1206.
- Advise and make recommendations to the school administrators and Board of Directors regarding:
 - the school and its programs;
 - a child access routing plan in accordance with Utah Code §53G-4-402;
 - safe technology utilization and digital citizenship; and,
 - other issues relating to the community environment for students.
- Provide for education and awareness on safe technology utilization and digital citizenship that empowers:

- a student to make smart media and online choices; and,
- a parent to know how to discuss safe technology use with the parent's child.
- Partner with the school's Executive Director and other administrators to ensure that adequate on and off campus Internet filtering is installed and consistently configured to prevent viewing of harmful content by students and school personnel in accordance with the school's policies and Utah Code §53G-7-216.
- Work with students, families, and educators to develop and incorporate safety principles at the school;
- Hold at least an annual discussion with the school's Executive Director and other administrators regarding safety principles at the school and LEA-level in order to coordinate the school community council's effort to develop and incorporate safety principles at the school; and,
- Provide input to the school's Executive Director on a positive behaviors plan in accordance with Utah Code §53G-10-407.

Land Trust Plans

A Trust Land Council shall create a program to use the school's Land Trust allocation to implement a component of the school's success plan, including:

- The school's identified most critical academic needs;
- A recommended course of action to meet the identified academic needs; ● A specific listing of any programs, practices, materials, or equipment that the school will need to implement a component of the school's success plan in order to have a direct impact on the instruction of students and result in measurable increased student performance;
- How the school intends to spend the school's allocation of funds to enhance or improve academic excellence at the school.
- The Trust Land Council shall create and vote to adopt a Land Trust plan in a meeting of the council at which a quorum is present.
- If the majority of the quorum votes to adopt a Land Trust Plan, the Land Trust Plan is adopted.

Trust Land Council Meeting Procedures

Council Chairs

At the first meeting of each year after the council is seated, the council will elect a Chair from the parent members and a Vice-Chair from either the parent or school employee members. A Director or Principal is not eligible to hold an office.

Officer Responsibilities

The Chair will conduct meetings, make assignments to council members, and request

reports on those assignments. In the Chair's absence, the Vice-Chair will conduct the meetings. The Chair may delegate responsibilities to other council members as needed.

Rules of Procedure

Meetings will be conducted and actions taken according to simplified rules of parliamentary procedure as required by Utah Code § 53G-7-1203. Council actions will be decided by motions and voting, with all votes and motions recorded in the meeting minutes.

Tie Votes on Council Motions

- Failed Motion: A vote that splits evenly with an equal number of votes for and against is not passed; it is considered a failed motion.
- No Automatic Tiebreaker: Standard parliamentary rules used by the council do not give the Chair an automatic extra or deciding vote to break a tie.
- Next Steps: When a motion loses due to a tie, the council can continue discussion, amend the motion, propose a new modified motion, or table the item for a future meeting

Removing Members

A council member may be removed from office under the following circumstances: ●

Member Relocation: Council membership may be discontinued when a member's relocation prevents them from serving on the council.

- Attendance: The member fails to attend four (4) consecutive regular council meetings without prior notification to the Council Chair.
- Moral Turpitude: A member may be removed if that member acts or behaves in a way that gravely violates community standards, showing inherent baseness, vileness, or depravity.
- Removal Process: The Council Chair will administratively remove a council member for member relocation or failure to attend. The council members must vote and agree by majority to remove a council member for moral turpitude.

Resignation of Members

A Council member may resign from membership on the council by providing written notification to the Council Chair.

Quorum

A quorum, which is a majority of the council members, is necessary to conduct official business and vote. This quorum requirement does not necessitate a two-parent majority.

Reporting Conflicts of Interest

Council members must adhere to the school's Conflict of Interest Policy. Council

members must disclose a conflict of interest. Members will have the opportunity to disclose conflicts of interest as they begin their service on the council, as well as annually.

Trust Land Council Committees

A Trust Land Council may create subcommittees or task forces to advise or make recommendations to the council and develop all or part of a Land Trust Plan. Any plan or section of a plan developed by a subcommittee or task force shall be subject to the approval of the Trust Land Council. The council may appoint individuals who are not council members to serve on a subcommittee or task force, including parents, school employees, or other community members.

Trust Land Council Website Notifications

In accordance with Utah Code §53G-7-1202 through 53G-7-1205 and Utah Admin. Code §R277-491, the school must ensure that certain items are on the school's website:

- The Trust Land Council must provide notice of meetings one week before the council meeting is held and an agenda for the meeting;
- Notice of the date, time, and place of the Trust Land Council meetings;
- Draft minutes of the previous meeting;
- Minutes of the Trust Land Council meetings;
- Rules of order and procedures used by the Trust Land Council to conduct meetings;
- Approved minutes of the Trust Land Council meetings for at least the previous year;
- The proposed Trust Land Council meeting schedule for the school year; ● A school-specific link to the Public Reports on the School Land Trust website; ● The dollar amount of funds the school receives;
- A link to the school's final reports for the last five school years; ● A link to the school Land Trust Plan for the current school year.

Required Trust Land Council Training

The Board of Directors shall provide annual training for the Trust Land Council to include the following:

- Training for the Chair and Vice Chair about their responsibilities; ● Training on resources available on the School Land Trust website; and, ● Training on this policy.
- If the Board of Directors serves as the Trust Land Council, the board shall ensure that its members are trained annually on School Land Trust Funds, Trust Land Councils, and other training available on the School Land Trust website.

Prohibitions on Administrators

The Executive Director and other administrators may not prohibit or discourage a school Trust Land Council from discussing issues, or offering advice or recommendations, regarding the school and its programs, the curriculum, or the community environment for students.

Revised: September 24, 2026