

**Draft 4 – Recommended
from TLAC to Full Board
12.14.2023**



**UTAH STATE BOARD OF EDUCATION
RESOLUTION NO. 2022-01-2023-2
Adopted February 3, 2022 Subject to Board
Approval**

**A Resolution Establishing the Official Position of
the Utah State Board of Education Regarding
School Trust Lands and Funds**

WHEREAS as a condition of Statehood, Utah accepted one-ninth of the land in the state in trust to support public schools and to compensate Utah for the vast amounts of federal land which Utah relinquished the right to tax; and

WHEREAS of the original land grant to support common schools, 3.25 3 million surface acres and 4.16 5 million mineral acres remain; and

WHEREAS these School Trust Lands are spread throughout the state, ~~some of which are positioned in environmentally or culturally sensitive areas, particularly scenic areas, or areas with excellent recreation opportunities that are more suitable for preservation than development~~ and the School and Institutional Trust Lands Administration carefully considers highest and best use, some of which include energy development, mineral extraction, real estate development, forest management, outdoor recreation and livestock grazing, along with short and long-term land use and value creation when engaging in land exchanges, leases, or sale of school trust property; and

WHEREAS the permanent State School Fund, comprised of trust revenue from management of the school trust lands, contributions to the fund, and growth of the fund contains ~~\$3.10~~ billion; and

WHEREAS the School Trust Lands and permanent State School Fund comprise the School Trust; and

~~WHEREAS the success of the School Trust is intrinsically tied to maintaining independence from political interference; and~~

WHEREAS the Utah Legislature created the School and Institutional Trust Lands Administration and School and Institutional Trust Fund Administration Office as independent state agencies within the executive branch.

WHEREAS the Utah Enabling Act and the Utah State Constitution require the School Trust growth to be managed consistent with trust principles including that the funds are managed ~~growth earnings be used for the support of common schools in Utah~~ for the support of common schools with a commitment to intergenerational equity fair and equitable distributions to both current and future school children.

NOW, THEREFORE, BE IT RESOLVED in order for the school trust to continue to be a growing revenue stream impacting student achievement, that the Utah State Board of Education encourages the Utah State Legislature to protect the School Trust and the requirement that it be dedicated solely to K-12 public education; and

BE IT FURTHER RESOLVED that the Utah State Board of Education encourages the Utah State

Legislature to support all distributions from the permanent State School Fund be locally administered to meet each school's critical academic needs and to enhance public education, not supplant current funding; and

BE IT FURTHER RESOLVED that the Utah State Board of Education encourages state and local officials, the School and Institutional Trust Lands Board and Administration, ~~and~~ the School and Institutional Trust Funds Board and Office, and the Land Trusts Protection and Advocacy Office and Committee to take all necessary steps to assure the School Trust is managed prudently and ~~productively~~ profitably for the ~~benefit of public education beneficiaries~~, consistent with standard trust principles, including managing the permanent fund and distributions with a commitment to funding equality parity from the School Trust; ~~thereby obtaining much-needed revenue for Utah's public schools; and~~

BE IT FURTHER RESOLVED that the Utah State Board of Education supports the School and Institutional Trust Lands Administration and School and Institutional Trust Fund Administration Office in operating as independent state agencies; and

BE IT FURTHER RESOLVED that the Utah State Board of Education continues to encourage federal and state officials to ensure the School Trust is held harmless and fairly compensated when School Trust Lands are captured, sold or traded; ~~and.~~

~~BE IT FURTHER RESOLVED that the Utah State Board of Education encourages the Utah State Legislature to support all distributions from the permanent State School Fund be locally administered to meet each school's critical academic needs and to enhance public education, not supplant current funding.~~

ADOPTED THIS 3rd DAY OF FEBRUARY 2022. Subject to Board approval.