

Agency: UTAH STATE BOARD OF EDUCATION

Request Title: *Charter Trust Land Council Membership 2026*

Purpose Statement:

To provide a way for new charter schools to access Trust Lands funding in the first year of operation prior to conducting trust land council elections. This will allow the school to use funds near the beginning of the year rather than waiting until spring, which sometimes results in approved plans not implemented and the funds being carried over to the following school year.

What is the nature of your request?

Select one:

POLICY REQUEST – You are seeking changes to Utah State Code to improve your program/services.

FUNDING REQUEST – You are seeking new or additional financial resources to support a program/service for education.

BOTH POLICY and FUNDING – You are proposing a new program or expansion of an existing program that will require new/amended state code and financial resources.

Current Funding for FY 2026: *(Provide current year funding differentiating one-time and ongoing funding for the program.)*

This request would not trigger a fiscal note change.

Projected Results: *(Provide 1-2 bullets on how the policy/funding request would lead to a measurable outcome in the K-12 education system (ex. performance measure).)*

- New charter schools will meet the required November 1 due date to submit plans for funding.

- Charter school students will benefit from School LAND Trust funding near the beginning of the school year.

Rationale: *(Describe in 1-2 bullet points the “why” behind your request. Why is this action necessary for K-12 education?)*

A simple code change is required exempting new charter schools from conducting required elections in the first year of operation to receive funding from the School LAND Trust Program. Without the exemption limited to the first year of operation, most new schools that require a council election are not receiving funding until spring, sometimes resulting in approved plans not implemented and the funds being carried over to the following school year.

If not funded/approved: *(Describe in 1 sentence the impact of not funding/approving this request. This needs to be based on factual evidence.)*

School LAND Trust funding will continue to be delayed to new charter schools that require a parent election.

USBE Lead Point of Contact:

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USBE Section: School Children’s Trust

Additional USBE points of contact (as needed):

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POLICY REQUEST

This section only needs to be completed if you are making a policy request (creating or changing existing Utah Code language).

1. Section(s) of State Code to be addressed (if none, insert "N/A"):

Utah Code Section [53G-7-1205](#)

2. Summarize the request, the specific problem it will solve, and how it will solve the problem. (Describe the issues or concerns the legislation will address:)

In new charter schools where the charter board doesn't have a two parent/grandparent member majority, under current law, the board is required to create election procedures for the election of a council that is consistent with the law. For new schools, creating the election procedure and conducting an election before the required November 1 due date has proven to be difficult. The result is schools often do not receive funding until spring and sometimes carry-over unspent funds to the following year.

3. Describe the history of the issues or concerns including relevant context and timelines:

See above.

4. What are the suggested legislative solutions? Include code references and suggested language where possible:

The recommendation is for new charter schools to use their board as the Charter Trust Land Council in the first year of operation, even when the board doesn't meet the required two-parent/grandparent majority membership. This would only be applicable in the first year of operation to allow the school to receive timely much needed funding for their students in the first year of operation. It will give the board time to create election procedures and conduct parent election to assure parent involvement in the second school year.

See proposed changes in yellow below:

53G-7-1205

(3)(a)The membership of the council shall include parents or grandparents of students enrolled at the charter school and may include other members.

(b)Except as provided in Subsection (4)(c), the number of council members who are parents or grandparents of students enrolled at the charter school shall exceed all other members combined by at least two.

(4)(a)A charter school governing board may serve as the charter school's council if the membership of the charter school governing board meets the requirements of Subsection (3)(b), or

(b) Notwithstanding Subsection (3)(b), in its first year of operation, a charter school governing board may serve as the charter school's council.

(5)(a)Except as provided in Subsection (5)(b) or (5)(c), council members who are parents or grandparents of students enrolled at the school shall be elected in accordance with procedures established by the charter school governing board.

(b)Subsection (5)(a) does not apply to a charter school governing board that serves as a council under either Subsection (4).

For policy only requests, please address these questions as well. If you are also making a funding request, these questions will be addressed in the next section below:

5. Provide details, sources, research, and analysis to which forms evidence-basis for this request or the associated program (e.g, cost benefit analysis, program evaluation, results from pilot program, etc). Include whether this data is currently collected and available or whether new data will be collected:

A working group of the Trust Lands Advisory Committee consisting of charter directors, business administrators, board members and a State Charter School Board Member met to address challenges for charter schools related to the School LAND Trust Program. It is a simple request needing a code change. The State Charter School Board has heard the request and has indicated their support for the concept. The Trust Lands Advisory Committee to the Board is recommending the change.

If you are making a **Policy Request, STOP here** and email Greg Connell (Greg.Connell@schools.utah.gov) to inform him the request is complete and has been reviewed by your Deputy Superintendent.