

USBE Legislative Request Form

(Policy, Funding, & Efficiency / Reductions)

2027 General Session

SECTION 1: THE BOTTOM LINE

Request Title: Charter Membership TLAC

USBE Lead Point of Contact:

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- USBE Section: School Children's Trust

Director Reviewer: Paula Plant, School Children's Trust Director

Nature of Request (Select all that apply):

☒ **Policy Change:** Creating, amending, or repealing Utah State Code.
(Complete Section 4)

☐ **New/Increased Funding:** Seeking new financial resources.
(Complete Section 3)

☐ **Efficiency / Reduction:** Proposing the elimination or reduction of a program, mandate, or funding stream. (Complete Section 3 and/or 4)

Purpose Statement (BLUF - Bottom Line Up Front):

The Trust Lands Advisory Committee is recommending a change to statute creating an exemption for a charter school in their first year of operation to use the charter board as the Charter Trust Lands Council.

SECTION 2: THE BUSINESS CASE

The Problem:

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.

The Source:

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 heard the request and has indicated their support for the concept. The Trust Lands Advisory Committee to the Board is recommending the change for the second year. The language was included initially in Senator Fillmore's attendance bill in the 2026 Legislature without opposition. Changes were made to the bill. With the revisions, the bill no longer had a nexus to charter councils or the School LAND Trust Program and had to be removed. The language was moved between two other bills and ultimately time ran out without a 'sure to pass' vehicle.

Due to hearing no opposition in the 2026 session, the plan is to have a newly elected legislator carry it as a stand alone bill in the 2027 legislature.

Projected Results:

- 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.

Consequence of Inaction:

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

Evidence & Data:

New charter schools needing to seat a council through an election are not able to complete the requirements to have a completed plan by November 1.

SECTION 4: POLICY & STATUTE

Code Sections Affected:

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).

(6)A parent or grandparents of a student enrolled at a charter school shall serve as chair or co-chair of the charter school's council.

Suggested Legislative Solution:

See highlighted text above.

Safeguards:

No. It will resolve the challenge for new charter school students to receive School LAND Trust funds in the first year of operation.