

Elected Charter Trust Land Council -Election Procedure Recommended Checklist-

What does the law say about Charter Trust Land Councils?

[53G-7-1205. Charter trust land councils.](#)

What are key things to know about Charter Trust Land Councils?

- There should be no alteration of the Governing Board's makeup to serve as the charter trust land council. If the board has a 2-parent/grandparent majority **without alteration**, it may serve. If it doesn't, an election to create a council is required.
- While a Governing Board serving as the council would be exempt from the following requirements, an elected council must:
 - Have posted election procedures (created by the governing board and must be in place before an election occurs)
 - Follow the School Community Council [Open & Public Meeting requirements](#)
 - Having [Rules of Order & Procedure](#) (created by and voted in by the council. They should be reviewed and, if needed, updated annually.)
 - Post the school [website requirements](#)
 - Complete a [council signature form](#)

What are items for the Governing Board to consider when creating an election procedure?

- When will an election take place? Will it be the Spring before a school year starts or the Fall of the school year, with respect to the deadline of October 20th to submit a Council Membership Form.
- How many members will be on the council? **The minimum is 2 parents/grandparents and must be a 2-person majority over any other type of member.**
 - Have you defined what an "other" member is?
 - Do you have an exact number of seats that will be on the council for parents/grandparents?
 - Do you have an exact number of seats that will be on the council for "other" members?

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What are items for the Governing Board to consider when creating an election procedure? (continued)

- Will the Director/Principal be an ex officio member? Do they have voting rights?
- Is the exact number of seats consistent with the law in having a 2-parent/grandparent majority? The principal/director is included with the “other” members?
- Will members serve a 1 or 2-year term?
- Will terms be staggered?
- What happens if a member is serving a 2-year term and their child is no longer at the school?
- Can a member serve successive terms through re-election?
- How many days before the election will it be noticed?
 - What medium will a notice be in? (posted at the school, an email, etc)
 - What must a notice include?
 - Dates and times of the election
 - A list of council positions that are up for election
 - Instructions for becoming a candidate for a community council position
 - What does a candidacy form look like? Is it different for a parent/grandparent member vs an “other” member?
- What does an election look like?
 - Who oversees the election?
 - Who is eligible to vote? Can parents/grandparents only vote for parents/grandparents? Who votes for “other” members?
 - How will eligibility for voting be determined?

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What are items for the Governing Board to consider when creating an election procedure? (continued)

- How will ballots be cast?
 - Are electronic ballots allowed or do they have to be delivered in-person? If electronic ballots are allowed, through what platform?
 - Are absentee ballots allowed? If so, how will they be handled?
 - How are tie votes determined?
- What happens if there are not enough candidates to fill open seats? Will appointments be made? By who?
- When will the chair be elected by the council? (A chair must be a parent or grandparent member)
- Can the council create subcommittees to delegate any work to?
- Are there any other election topics to be proactive about due to the unique needs of the LEA and school/s?

Where can I find more resources?

[Charter Trust Land Councils](#)

Contact the Utah State Board of Education School Children's Trust team at schoollandtrust@schools.utah.gov