22-11-401. School accountability committee - creation - qualifications - elections.

(1) (a) Each district public school and each institute charter school shall establish a school accountability committee. Each school accountability committee shall consist of at least seven members as follows:

(I) The principal of the school or the principal's designee;

(II) At least one teacher who provides instruction at the school;

(III) At least three parents or legal guardians of students enrolled in the school;

(IV) At least one adult member of an organization of parents, teachers, and students recognized by the school; and

(V) At least one person from the community.

(b) The local school board or the institute shall determine the actual number of persons on the school accountability committee and the method for selecting the members of the school accountability committee. If the local school board or the institute chooses to increase the number of persons on the school accountability committee, it shall ensure that the number of parents, as described in subparagraph (III) of paragraph (a) of this subsection (1), on the committee exceeds the number of representatives from the group with the next highest representation.

(c) A person may not be selected to fill more than one of the member positions required in paragraph (a) of this subsection (1) in a single term.

(d) If the local school board or the institute determines that the members of a school accountability committee should be appointed, the appointing authority shall, to the extent practicable, appoint persons to serve on the school accountability committee who reflect the student populations that are significantly represented within the school. If the local school board or the institute determines that persons shall be elected to serve on the school accountability committee, the school principal shall encourage persons who reflect the student populations that are significantly represented within the school to seek election to the committee. Said student populations may include, but need not be limited to:

(I) Students who are members of non-Caucasian races;

(II) Students who are eligible for free or reduced-cost lunch through the federal "National School Lunch Act", 42 U.S.C. sec. 1751 et seq.;

(III) Students with limited English proficiency, as defined in section 22-24-103 (4);

(IV) Students who are migrant children, as defined in section 22-23-103 (2);

(V) Students who are identified as children with disabilities pursuant to section 22-20-108; and

(VI) Students who are identified as gifted children, as defined in section 22-20-202 (6).

(2) The members of each school accountability committee shall annually select from among the parent representatives elected to the committee a member to serve as chair or co-chair of the committee.

(3) If a vacancy arises on a school accountability committee because of a member's resignation or disqualification or any other reason, the remaining members of the school accountability committee shall fill the vacancy by majority action.

(4) Notwithstanding any provision of this section to the contrary:
(a) If, after making good-faith efforts, a principal or an organization of parents, teachers, and students is unable to find a sufficient number of persons who are willing to serve on the school accountability committee, the principal, with advice from the organization of parents, teachers, and students, may establish an alternative membership plan for the school accountability committee, which plan shall reflect the membership specified in paragraph (a) of subsection (1) of this section as much as practicable;

(b) The members of the governing board of a district charter school or an institute charter school may serve as members of the school accountability committee;

(c) In a school district with five hundred or fewer enrolled students, a member of the local school board may serve on a school accountability committee, and the district accountability committee may serve as a school accountability committee.