

SCHOOL TRUST LANDS

WHEREAS, As a condition of Statehood, Utah accepted one-ninth of the state of Utah in a trust to support public schools and to compensate Utah for the vast amounts of federal land which Utah relinquished the right to tax^{1,2}; and

WHEREAS, The Utah Legislature has created the School and Institutional Trust Land Administration (SITLA), an independent agency, to manage these school lands for the sole benefit of Utah public schools, with strict adherence to their trust obligations^{3,4}; and

WHEREAS, All net revenue from the lands are saved in the permanent State School Fund and the Utah Legislature has created the School and Institutional Trust Finance Office (SITFO), an independent agency, to manage the investment of the permanent State School Fund for the sole benefit of Utah public schools, with strict adherence to their trust obligation^{5,6}; and

WHEREAS, Utah PTA and its constituent organizations have been involved in educating elected officials in Utah and nationally about school trust lands and their fiduciary responsibility to the trust^{7,8}; and

WHEREAS, Utah PTA and its constituent organizations have advocated for changes in the management and operation of the trust, which has resulted in tremendously increased revenues. They continue to be an important voice in ensuring that the school children of Utah are fairly dealt with in relation to the trust^{9,10}; and

WHEREAS, In 1999, the Utah State Legislature created the School LAND Trust program which provided for parents, teachers, and administrators to prepare a plan that determines their students' greatest academic need. The program is funded from the interest and dividends from the permanent State School Fund^{11,12,13}; now, therefore, be it

Resolved That Utah PTA encourage State and local officials to take all necessary steps to assure that management of the School Trust Lands is in accordance with trust duties and principles including undivided loyalty to the beneficiaries, a duty to make trust property productive, a duty to keep and render accounts, and a duty to exercise prudence and skill in administering the trust, thereby obtaining much-needed revenue for Utah's public schools; and be it further

Resolved That Utah PTA work to encourage Federal and State officials to fulfill their responsibilities under the Enabling Act by assisting the State in proper management of School Trust Lands for their intended purpose to support public schools; and in cases where management for trust purposes would conflict with other important purposes, such as protection of archaeological, aesthetic, or other environmental or cultural resources, that the Federal Government or State purchase, or trade the affected lands for other lands of comparable value; and be it further

- Resolved That Utah PTA encourage Federal and State officials to ensure the School Trust is made whole if Trust Lands are captured by the creation of a federal conservation or other area, including an up-front trade of captured Trust Lands for other lands of comparable value; and be it further
- Resolved That Utah PTA encourage any trade or purchase be for the full value of the trust lands, with an appropriate additional amount to compensate the school trust for losses incurred due to failure to permit reasonable development of the trust lands in question; and be it further
- Resolved That Utah PTA encourage the State Legislature to protect the permanent State School Fund for dedication to K-12 public education; and be it further; and
- Resolved That Utah PTA encourage the Utah State Legislature to support all distributions from the permanent State School Fund being dispersed to each K-12 public school to improve student academic performance; and be it further
- Resolved That Utah PTA and its constituent organizations encourage participation on committees and local school community councils making decisions about the use of the funding and work to ensure funds are used wisely to improve academic excellence in the schools.

Documentation

¹Utah Enabling Act Section 3

²Utah Constitution Article 10 Section 5

³Utah Code Title 53C School And Institutional Trust Lands Management Act

⁴Utah State Legislature 1994 HB250 Second Substitute School and Institutional Trust Lands Management Act

⁵Utah State Legislature 2014 HB168 Second Substitute School and Institutional Trust Lands and Funds Management Provisions, sponsor Melvin R. Brown

⁶Utah Code Title 53D School and Institutional Trust Fund

⁷"PTA Involvement in Trust Lands: A History" <http://www.utahpta.org/files/docs/PTATrustLandsHistory.pdf>

⁸"Utah PTA Presented with Friend of the Trust Award" <http://trustlands.utah.gov/utah-pta-presented-with-friend-of-the-trust-award>

⁹"PTA Involvement in Trust Lands: A History" <http://www.utahpta.org/files/doce/PTATrustLandsHistory.pdf>

¹⁰"A Brief Historical Overview of the Management of the Utah Trust Lands and the Permanent Trust Funds, "A Case Study of What Can Happen With Research and Beneficiary Involvement" December 9, 2004 http://class-wp.digitaltrike.com/wp-content/uploads/2012/10/History_of_Utah_Trust_Land_Reforms.pdf

¹¹Utah State Legislature 1999 HB350 Use of Interest on State School Fund, Sponsor: Melvin R. Brown

¹²Utah Code Title 53A-16-101.5. School LAND Trust Program -- Purpose -- Distribution of funds -- School plans for use of funds.

¹³Utah State Board of Education Board Rule R277-477. Distribution of Funds from the Interest and Dividend Account and Administration of the School LAND Trust Program.