

53A-1a-508. Content of a charter -- Modification of charter (redline copy)

- (1) The major issues involving the operation of a charter school shall be considered in advance by the applicant for a charter school and written into the school's charter.
- (2) The applicant shall set measureable goals in identified areas by which the governing board shall be held accountable for the school's performance.
- (3) ~~(2)~~ The governing body of the charter school and the chartering entity shall sign the charter.
- (4) ~~(3)~~ The charter shall include:
 - (a) the purpose of the school and mission specific goals by which the chartering entity can hold the governing board accountable;
 - (b) ~~(a)~~ the target population of the school, including the age or grade levels to be served by the school, projected maximum number of students to be enrolled and the projected enrollment in each of the first five years of operation, services provided to special populations, admission procedures, and student attendance and enrollment goals by which the chartering entity can hold the governing board accountable;
 - (c) a market analysis of the community in which the school plans to locate;
 - (d) a comprehensive capital facility plan including how the governing board proposes to acquire and finance the maintenance of facilities;
 - (e) ~~(d)~~ the financial business plan, three-year budget, and financial performance and sustainability goals by which the chartering entity can hold the governing board accountable for the school and the provisions which will be made for auditing the school under Subsection [53A-1a-507\(4\)](#);
 - (f) ~~(e)~~ fiscal procedures that are consistent with generally accepted financial management standards to be used by the school;
~~(b) the projected maximum number of students to be enrolled in the school and the projected enrollment in each of the first three years of operations;~~
 - (g) ~~(e)~~ the governance structure of the school including board performance and stewardship goals by which the chartering entity can hold the governing board accountable;
 - (h) ~~(e)~~ the mission and education goals of the school, the curriculum offered and instructional program of the school, and the methods of assessing whether students are meeting educational goals, to include at a minimum participation in the assessments required in law and board rule. In addition, student achievement level goals by which the chartering entity can hold the governing board accountable Utah Performance Assessment System for Students under Chapter 1, Part 6, Achievement Tests;
 - (i) a school closure plan explaining the school's plan to self-evaluate its performance using the chartering entity's minimum standards and governing board determined targets in its charter application and Charter Agreement;
 - (j) ~~(f)~~ admission and dismissal procedures, including suspension/expulsion procedures;
 - (k) ~~(g)~~ procedures to review complaints of parents regarding the operation of the school;
 - (l) ~~(h)~~ the opportunity for parental involvement at the school;
 - ~~(i) how the school will provide adequate liability and other appropriate insurance for the school, its governing body, and its employees;~~
 - ~~(j) the proposed school calendar, including the length of the school day and school year;~~
 - ~~(k) whether any agreements have been entered into or plans developed with school districts regarding participation of charter school students in extracurricular activities within the school districts;~~
 - ~~(l) the district within which the school will be located and the address of the school's physical facility, if known at the time the charter is signed;~~

- (m) ~~(m)~~ the qualifications to be required of school employees ~~the teachers~~, including the requirement of a criminal background check, employee evaluations, employment of relatives, and terms and conditions of employment;
 - (n) ~~(p)~~ a description of school services, including administrative and supervisory services and proposed services obtained through service providers;
 - (o) a description of how the school will provide special education and related services, as documented on IEPs;
 - (p) ~~(n)~~ in the case of an existing public school converting to charter status, alternative arrangements for current students who choose not to attend the charter school and for current teachers who choose not to teach at the school after its conversion to charter status;
 - ~~(o)~~ the school's intention to create a library;
 - ~~(r)~~ the school's policies and procedures regarding:
 - (i) ~~(i)~~ employee evaluation; and
 - (ii) ~~(ii)~~ employment of relatives; and
 - (q) ~~(s)~~ assurances, including an acknowledgment that neither the chartering entity nor the state, including an agency of the state, is liable for the debts or financial obligations of the charter school or persons or entities who operate the charter school.
- (5) The charter may include other information as determined by the chartering entity.
- (6) A charter may be modified by mutual agreement of the chartering entity and the governing body of the school.
- (7) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the State Board of Education shall make rules that establish the procedures and deadlines for approved charter schools to apply and qualify for expansion, including the establishment of satellite campuses.

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 - (f) fiscal procedures that are consistent with generally accepted financial management standards to be used by the school;
 - (g) the governance structure of the school including board performance and stewardship goals by which the chartering entity can hold the governing board accountable;
 - (h) the curriculum offered and instructional program of the school, and the methods of assessing whether students are meeting educational goals, to include at a minimum participation in the assessments required in law and board rule. In addition, student achievement level goals by which the chartering entity can hold the governing board accountable;
 - (i) a school closure plan explaining the school's plan to self-evaluate its performance using the chartering entity's minimum standards and governing board determined targets in its charter application and Charter Agreement;
 - (j) dismissal procedures, including suspension/expulsion procedures;
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53A-1a-501.6. Power and duties of State Charter School Board (redline copy)

(1) The State Charter School Board shall:

- (a) authorize and promote the establishment of charter schools, subject to the provisions in this part;
- (b) annually review and evaluate the performance of charter schools authorized by the State Charter School Board and hold the schools accountable for their performance;
- (c) monitor charter schools authorized by the State Charter School Board for compliance with federal and state laws, rules, and regulations;
- ~~—(d) provide technical support to charter schools and persons seeking to establish charter schools by:~~
 - ~~—(i) identifying and promoting successful charter school models;~~
 - ~~—(ii) facilitating the application and approval process for charter school authorization;~~
 - ~~—(iii) directing charter schools and persons seeking to establish charter schools to sources of private funding and support;~~
 - ~~—(iv) reviewing and evaluating proposals to establish charter schools for the purpose of supporting and strengthening proposals before an application for charter school authorization is submitted to a chartering entity; and~~
- ~~—(v) assisting charter schools to understand and carry out their charter obligations;~~
- (e) provide technical support, as requested, to a chartering entity relating to charter schools;
- (f) make recommendations on legislation and rules pertaining to charter schools to the Legislature and State Board of Education, respectively; and
- (g) make recommendations to the State Board of Education on the funding of charter schools.

(2) The State Charter School Board may:

- (a) contract; and
- (b) sue and be sued; and
- ~~(c) (i) at the discretion of the charter school, provide administrative services to, or perform other school functions for, charter schools authorized by the State Charter School Board; and~~
- ~~—(ii) charge fees for the provision of services or functions.~~

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