

R277. Education, Administration.

R277-550. Charter Schools - Definitions.

R277-550-1. Authority and Purpose.

(1) This rule is authorized by:

(a) Utah Constitution [Article X, Section 3](#), which vests general control and supervision over public education in the Board;

(b) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute the Board's duties and responsibilities under the Utah Constitution and state law; and

(c) [Title 53G, Chapter 5](#), Charter Schools, which allows the Board to make rules governing aspects of operations of charter schools.

(2) The purpose of this rule is to establish definitions for rules governing charter schools.

(3) The definitions contained in this rule apply to Rules R277-550 through [R277-555](#).

R277-550-2. Definitions.

(1) "Amendment" means a change or addition to a charter agreement.

(2) "Authorizer" means an entity approved to authorize the establishment of a charter school under Sections [53G-5-304](#) through [53G-5-306](#).

(3) "Charter school" means a public school created in accordance with the provisions of [Title 53G, Chapter 5](#), Charter Schools.

(4)(a) "Charter school agreement" or "Charter agreement" means a written agreement between a charter school and its authorizer containing the terms and conditions for the operation of a charter school.

(b) The charter school agreement maintained by a charter school's authorizer is the final, official, and complete agreement.

(5) "Charter school deficiency" means:

(a) failure of a charter school to comply with its charter agreement, including governance, financial, academic, or operational obligations;

(b) failure of a charter school to comply with the requirements of state or federal law or board rule;

(c) failure of a charter school to meet terms established by the school's authorizer as part of a remediation process; or

(d) fraud or misuse of funds by charter school governing board members or employees.

(6) "Charter school governing board" means the local board that governs a charter school.

(7) "Expansion" means:

(a) an increase in the number of grade levels offered by a charter school identified by a single school number; or

(b) an increase in the number of students for which a charter school identified by a single school number is authorized to receive funding.

(8) "Large expansion" means a charter school's request for expansion if the expansion request:

(a) is for more than ~~50~~ 100 students;

(b) would necessitate significant school remodel; or

(c) is for more than one additional grade level.

~~(8)~~ (9) "Mentor" means an individual or organization with expertise or demonstrated competence, approved by the State Charter School Board to advise charter schools in the Mentoring Program.

~~(9)~~ (10) "Mentoring program" means the State Charter School Board mentoring program.

~~(10)~~ (11) "New school" means any school receiving a new school number, including a new charter school, or a new satellite school.

~~(11)~~ (12) "Net lease adjusted debt burden ratio" means a school's cumulative annual debt service payments, inclusive of loans and facility lease payments, divided by the school's unrestricted annual operating revenue.

58 ([12]13) "Non-operating charter school" means a charter school that has not
59 received minimum school program funds or federal funds and is not providing educational
60 services during a fiscal year, such as a charter school in a start-up period.

61 ([13]14) "Operating charter school" means a charter school that has received
62 minimum school program funds or federal funds and is providing educational services
63 during a fiscal year.

64 ([14]15) "Probation" means a written formal action and notification through which a
65 school is required to demonstrate the school's compliance with the authorizer's
66 probationary requirements.

67 ([15]16) "Restricted revenue" means the same as the term is defined in Section
68 63J-1-102.

69 ([16]17) "Satellite school" means a charter school affiliated with an existing charter
70 school physically located within the state of Utah that:

- 71 (a) has the same governing board as the existing charter school;
- 72 (b) has the same authorizer as the existing charter school;
- 73 (c) may have a similar or different program of instruction or grades served from the
74 existing charter school;
- 75 (d) is located at a different site or in a different geographical area than the existing
76 charter school; and
- 77 (e) has a separate school number than the existing charter school.

78 ([17]18) "School number" means a number assigned by the Superintendent in
79 accordance with National Center for Education Statistics criteria that identifies a distinct
80 school within an LEA.

81 (19) "Significant school remodel" means new construction or a renovation that
82 requires[;:

83 ~~_____ (a) a building permit from a local municipality or county; or~~

84 ~~_____ (b)] a project number from the Board as described in Rule [R277-471](#).~~

85 (20) "Small expansion" means a charter school's request for expansion if the
86 expansion request:

_____ (a) is for 50~~-or fewer~~-100 students;

_____ (b) would not necessitate a significant school remodel; and

_____ (c) is for no more than one additional grade.

([48]21) "State Charter School Board" means the board established in Section [53G-5-201](#).

([49]22) "Unrestricted revenue" means revenue that is:

(a) not restricted revenue; or

(b) restricted revenue that may be used for purposes of paying for annual debt service payments, including loans and facility lease payments.

([20]23) "Utah Consolidated Application" or "UCA" means the web-based grants management tool employed by the Superintendent through which LEAs submit plans and budgets for approval by the Superintendent or Board.

([24]24) "Utah eTranscript and Record Exchange" or "UTREx" has the same meaning as described in Subsection [R277-484-2](#)([44]17).

KEY: education, charter schools

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Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401](#); [53G-5-205](#)