



Utah State Charter School Board

Procedures

It is the intent of the State Charter School Board (SCSB) to establish flexible processes to meet the duties and obligations that have been placed on it as an authorizer pursuant to [§53G-5-101](#) *et seq.* and to address such other matters that are deemed necessary to promote the purpose of the charter schools that it has authorized. In establishing such processes, the SCSB shall follow the following procedures:

1. The SCSB or the SCSB staff or any charter school may propose to the SCSB a standard, guideline, or policy (“Proposal”) to deal with any matter that comes under the jurisdiction of the SCSB as is found in [§53G-5-101](#) *et seq.*, any other authorizing statute, any authorizing board rule, or under a Charter Agreement.
 - a. Before the SCSB may act to consider a Proposal, the SCSB shall publish on its [website](#):
 - i. the Proposal and the proposed language concerning the Proposal; and
 - ii. an analysis and justification for the Proposal.
 - b. The analysis of the Proposal shall include, but not be limited to:
 - i. a summary of the Proposal;
 - ii. the purpose of the Proposal;
 - iii. the statutory or contractual reference to the duty or obligation that the Proposal is associated with;
 - iv. the financial impact the Proposal may have on those affected for a one year period;
 - v. how interested parties, including affected charter schools, can review the Proposal and how they may present their views on the Proposal to the SCSB;
 - vi. when the Proposal will be considered by the SCSB; and
 - vii. the procedure whereby comments can be received, both in writing and in person.
 - c. Before the SCSB may take action on proposed Proposal, it shall collect written comments and publish the comments on its [website](#) in the same place as the Proposal.
 - d. If a Proposal seeks to modify an existing standard, guideline, or policy, an analysis shall be made showing how the existing standard, guideline, or policy will be changed or otherwise effected by the Proposal.
 - e. Any additional material or analysis concerning the Proposal may be made by any interested or effected person or entity by making a written request addressed to the SCSB. Those materials shall be published on the SCSB [website](#) where appropriate.
 - f. If the SCSB reasonably expects that a proposed process will have a measurable negative effect on any charter school the SCSB shall seek to reduce the impact by:
 - i. trying to establish a less stringent process; or
 - ii. trying to mitigate the impact by establishing a more favorable timetable or, if applicable, deadlines.
2. The SCSB shall establish an appropriate public comment period before considering the Proposal, which may be as long as the SCSB deems advisable but in no account shall be less than thirty (30) days

following the date of publication, unless exigent circumstances require a different public comment period.

A summary of the comments shall be:

- a. considered in any action taken on the Proposal; and
 - b. made available to the public in the meeting in which the Proposal is considered by the SCSB.
3. When the SCSB determines that exigent circumstances require a different public comment period, the SCSB shall:
- a. publish the Proposal and the analysis and justification on the SCSB website as provided in Subsection 1a;
 - b. notify interested persons as provided in Section 4;
 - c. make the standard, guideline, or policy effective for a period not exceeding 120 days on the date of publishing the Proposal on the SCSB's website; and
 - d. comply with the regular procedures of this policy if the SCSB intends to make the standard, guideline, or policy effective beyond 120 days.
4. The SCSB shall mail a copy of the analysis to each person who has made a timely request of the SCSB for advance notice of the SCSB's proceedings for making standards, guidelines, and policies and to any other person who, by statutory or federal mandate or in the judgment of the SCSB, should also receive notice.
5. No process shall be put in place except the matter be acted on by the SCSB in its regularly-scheduled meeting and only after the matter has been thoroughly discussed and reviewed by the SCSB. All such proposals shall be confirmed by the SCSB by majority vote.
6. Any amendments or changes to any standard, guideline, or policy shall be made only by compliance with this policy, or as may be governed by statute or any other writing, including the Charter Agreement.

Adopted: May 11, 2017
Reviewed and Amended: May 9, 2019
Proposed Amendments: May 11, 2023