



Strategic Vision and Plan  
For Authorizing, Monitoring, and Supporting  
Public Charter Schools



## Table of Contents

MISSION, VISION, AND CORE VALUES.....	3
CHARTERING AND AUTHORIZING IN UTAH.....	4
THE UTAH STATE CHARTER SCHOOL BOARD.....	9
PRIORITIES OF THE UTAH STATE CHARTER SCHOOL BOARD.....	9
STRATEGIC GOVERNANCE GOALS OF THE UTAH STATE CHARTER SCHOOL BOARD.....	9
APPENDIX A: AUTHORIZER SPECIFIC CODE, BOARD RULE, SCSB WEBSITE.....	10
APPENDIX B: SCSB PORTFOLIO.....	12



## **MISSION, VISION, AND CORE VALUES**

### **Mission**

Advancing quality choice, innovation, and student success through rigorous authorizing and supportive oversight.

### **Vision**

Every student has access to an excellent education that meets their unique learning needs.

### **Values**

The State Charter School Board embraces the following values and expects the schools it authorizes to share in these values.

### **Excellence**

We continue to be the best charter authorizer in the state and a model to authorizers across the country. We do not settle for average, and we celebrate high achievement. We learn and grow from mistakes and adjust when necessary. What we do, we do well.

### **Trust**

We are accountable to the people of Utah to authorize and oversee good schools. Great trust is placed in us to hold schools accountable. At times this means making hard decisions, which cannot be passed to any other entity. For our authorized schools, "the buck stops here."

### **Impact**

The work of an authorizer is far more than bureaucratic regulation. We oversee compliance and performance in order to provide guardrails for authorized schools and pathways to success.

### **Authenticity**

We stay true to our mission and vision regardless of pressures to act otherwise. We are transparent and honest to our stakeholders. We do what we say we are going to do and be what we commit to be.

### **Compassion**

We show kindness and respect while holding schools accountable. Compassion does not change the actions we take but the way we take those actions.

## CHARTERING AND AUTHORIZING IN UTAH

The Utah Legislature passed Utah's first charter school law in 1998 to create schools that provided parents and students with alternatives to traditional public schools. Debates leading up to the passage of this first charter school law envisioned schools given increased autonomy for increased accountability, where individual schools were "free to make any or all changes to traditional school policy and practice that might enhance students' performance."<sup>1</sup>

Utah's initial charter school legislation instructed the Utah State Board of Education ("USBE") to authorize charter schools for a three-year period as a pilot program, established an eight-school limit, and granted no automatic waivers to authorized charter schools. Waivers were requested, considered, and granted at the discretion of the USBE, the state's only charter school authorizer at the time. As a result of these limitations, the Center for Education Reform judged Utah's charter law as weak.<sup>2</sup>

Even in this early stage of authorizing, Utah's charter law allowed for charter schools administered by their local boards of directors as legally independent entities that were accountable to the USBE and other entities for compliance with federal laws related to civil rights, health, safety, and special education as well as applicable state laws. Utah's law also established charter schools as public schools (no tuition), answerable to Utah's public school accountability measures, and supported by public funding.

By 2000, the USBE had authorized the eight charter schools allowed by law. Pro-charter lobbyists and parents pushed for an increase to the cap, and by 2001, legislation passed that allowed for the authorization of four additional schools. In the next few years, the legislature allowed for the authorization of additional schools in a stepped growth plan and in response to pressure from parent groups. In these initial years of charter authorization in Utah, the USBE authorized the first 28 charter schools.

As the legislature approved removal of a cap on the number of charter schools that could be authorized in the state, it recognized the need to establish an independent authorizing entity in 2004, the Utah State Charter School Board ("SCSB"). This need was, in part, a response to requests from the USBE which was now authorizing nearly 30 additional charter schools, each a Local Education Agency ("LEA"). The Utah State Charter School Board was directed to advocate for charter schools in Utah, hold charter schools accountable for compliance and performance, and promote innovation in the public-school sector.

Members of the SCSB were appointed by the Governor based on a balance of skills thought to support good authorizing and oversight. Charter School stakeholders debated whether the SCSB should be focused on advocacy or accountability, or even innovation. Eventually, a balance of responsibilities was thought to be reached by ensuring that at least two members of the SCSB had significant expertise in charter school development or administration.<sup>3</sup>

---

<sup>1</sup> Marlies Burns, "A history of the development of charter school legislation in Utah" (2012), 107. All Graduate Theses and Dissertations. 1293. <https://digitalcommons.usu.edu/etd/1293>. For reference, this dissertation gives a full overview of the history of the inception of charter school law and charter school authorization in Utah.

<sup>2</sup> Marlies Burns, "A history," 107 ff.

<sup>3</sup> Marlies Burns, "A History," 111-113.

Since the creation of the SCSB and its beginning of operations in 2005, the Utah Legislature has eliminated the caps on the number of charter schools that can be authorized annually in Utah. The Legislature has also established additional authorizers beyond the SCSB based on an authorizer's ability to follow processes outlined and approved by the USBE. In an effort to provide additional resources for charter schools, the Legislature has provided charter school start-up monies, opportunities for bonding for acquisition of facilities, funds to increase SCSB staff members who support and monitor their authorized charter schools. These expanded legislative resources have intended to provide training to charter schools, their boards, and their staff members regardless of whether the SCSB or other authorizing entities have authorized specific charter schools in the state.

Over the intervening years, the Legislature has also provided the SCSB with authorities and powers beyond those enumerated in the initial charter school law with the intention of improving the SCSB's ability, and the ability of all charter school authorizers, to support and monitor their authorized charter schools. Some of these authorities include, but are not limited to, the ability to replace board members or administrators of specific charter schools, transfer a school's charter from a struggling to a successful charter school, or request records from entities providing services to charter schools.

With support from the Legislature for the expansion of charter schools and for quality authorizing, the charter school movement has flourished in Utah. In 2010, there were 71 charter schools in operation. By fall of 2022, that number had nearly doubled to 140 charter schools. Currently, the SCSB authorizes 126 of those charter schools representing 103 distinct LEAs. There were 78,623 students enrolled in a charter school for the 2022-2023 school year, which was 11.4% of all public-school students. Typically, charter schools serve a higher rate of traditionally underserved student populations. The 2022-2023 school year was no exception for students who are economically disadvantaged (29.5%), students with disabilities (15.5%), and students who are ethnic or racial minorities (34.8%). For the latest charter school data, see the [SCSB Annual Report](#).

As the SCSB considers its strategic planning, it should note that it is currently ranked 25th in strength of charter school law according to a report from the [National Alliance for Public Charter Schools State Report](#). The SCSB may also want to consider the components of best charter school law according to this national organization as it seeks to improve Utah's charter school law and the environment in which charter schools operate in Utah:

- No Caps on the growth of charter schools in a state.
- A Variety of Charter Schools Allowed, including new startups and public school conversions.
- Non-district Authorizers Available, to which charter applicants may directly apply.
- Authorizer and Overall Program Accountability System Required, whereby all authorizers must affirm interest to become an authorizer (except for a legislatively created state charter school commission) and participate in an authorizer reporting program based on objective data, as overseen by some state-level entity with the power to sanction.
- Adequate Authorizer Funding, including provisions for guaranteed funding from the state or authorizer fees and public accountability for such expenditures.
- Transparent Charter School Application, Review, and Decision-making Processes, including comprehensive academic, operational, and governance application requirements, with such applications reviewed and acted on following professional authorizer standards.
- Performance-based Charter School Contracts Required, with such contracts created as separate post-application documents between authorizers and charter schools detailing academic

performance expectations, operational performance expectations, and school and authorizer rights and duties.

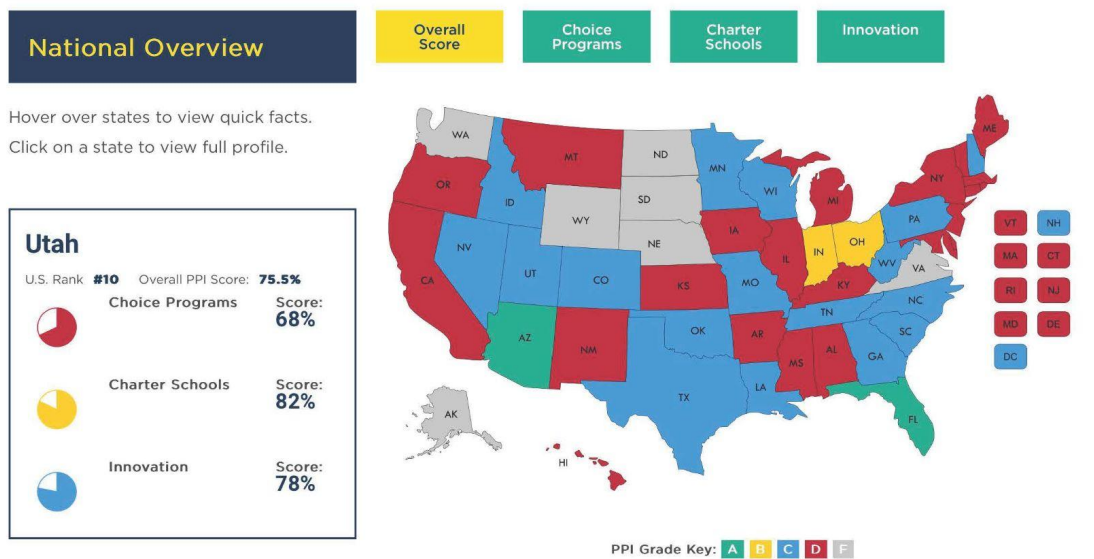
- Comprehensive Charter School Monitoring and Data Collection Processes so that all authorizers can verify charter school compliance with applicable law and their performance-based contracts.
- Clear Processes for Renewal, Nonrenewal, and Revocation Decisions, including school closure and dissolution procedures to be used by all authorizers.
- Transparency Regarding Educational Service Providers, provided there is a clear performance contract between an independent charter school board and the service provider and there are no conflicts of interest between the two entities.
- Fiscally and Legally Autonomous Schools with Independent Charter School Boards, whereby charter schools are created as autonomous entities with their boards having most of the powers granted to traditional school boards.
- Clear Student Enrollment and Lottery Procedures, which must be followed by all charter schools.
- Automatic Exemptions from Many State and District Laws and Regulations, except for those covering health, safety, civil rights, student accountability, employee criminal history checks, open meetings, freedom of information requirements, and generally accepted accounting principles.
- Automatic Collective Bargaining Exemption, whereby charter schools are exempt from any outside collective bargaining agreements, while not interfering with laws and other applicable rules protecting the rights of employees to organize and be free from discrimination.
- Multi-school Charter Contract and/or Multi-charter School Contract Boards Allowed, whereby an independent charter school board may oversee multiple schools linked under a single charter contract or may hold multiple charter contracts.
- Extracurricular and Interscholastic Activities Eligibility and Access, whereby (a) charter school students and employees are eligible for state- and district-sponsored interscholastic leagues, competitions, awards, scholarships, and recognition programs to the same extent as district public school students and employees; and (b) students at charter schools that do not provide extracurricular and interscholastic activities have access to those activities at district- public schools for a fee via a mutual agreement.
- Clear Identification of Special Education Responsibilities, including clarity on which entity is the local education agency responsible for such services and how such services are to be funded (especially for low-incident, high-cost cases).
- Equitable Operational Funding and Equal Access to All State and Federal Categorical Funding, flowing to the school in a timely fashion and in the same amount as district schools following eligibility criteria similar to all other public schools.
- Equitable Access to Capital Funding and Facilities, including multiple provisions such as facilities funding, access to public space, and access to financing tools.
- Access to Relevant Employee Retirement Systems, with the option to participate in a similar manner as all other public schools.
- Full-time Virtual Charter School Provisions, including specific provisions regarding authorizing structure, enrollment criteria, enrollment levels, accountability for performance, funding levels based on costs, and performance-based funding.

The National Alliance for Public Charter Schools suggested several areas in which Utah could improve its charter school environment.

- Utah’s law contains a cap with room for ample growth and allows multiple authorizing entities. The state has also made notable strides in recent years to provide more equitable funding to public charter schools but could improve in this area.
- Potential areas for additional improvement include:
  - Ensuring authorizing accountability.
  - Ensuring transparency regarding educational service providers.
  - Providing more operational autonomy to charter schools.
  - Strengthening accountability for full-time virtual charter schools.

The Center for Education Reform used a rubric in the areas of Choice Programs, Charter Schools, and Innovation to rank states in December 2022. Utah showed good strength in charter schools and innovation, and placed in the top 10 for parent choice.

The Center for Education Reform is an organization whose mission is to “expand educational opportunities that lead to improved economic outcomes for all Americans, particularly our youth, ensuring that conditions are ripe for innovation, freedom and flexibility throughout U.S. education”. The organization is a strong advocate for parent choice, including, though not limited to, charter schools.



**Top 10 U.S. States**

Parent Power – Because no family’s income level, zip code, or child’s level of academic achievement should dictate education opportunity.

[More About The Index](#)

1. Florida - <b>94%</b>	6. West Virginia - <b>77%</b>
2. Arizona - <b>93%</b>	7. Minnesota - <b>77%</b>
3. Indiana - <b>87%</b>	8. District of Columbia - <b>76%</b>
4. Ohio - <b>80%</b>	9. Colorado - <b>76%</b>
5. Wisconsin - <b>78%</b>	10. Utah - <b>75%</b>

## Opportunity

## Innovation

## Policy Environment

### Charter Schools



Score:  
82%

Grade: **B**  
Rank: **#10**

While funding is tenuous each year, the environment for chartering in the Beehive state has grown increasingly open, with a number...



### Digital & Personalized Learning



Score:  
78%

Grade: **C**  
Rank: **#16**

Utah is a leader in promoting and understanding what is necessary for digital education. The Utah Education Network provides free digital tools...



### Leadership



Governor Spencer Cox, won the Beehive State. In January 2021, he stated, "We need to unleash innovation, we need to cut regulation and ..."



### Choice Programs (Scholarships, Vouchers, Tax Credits, etc.)



Score:  
68%

Grade: **D**  
Rank: **#13**

The Special Needs Opportunity Scholarship Program signed into law in April 2020 was expanded in spring 2022 to include eligibility for siblings of...



### COVID-19 Response



On March 13, Gov. Hebert closed schools temporarily in reaction to the COVID-19 outbreak, and on April 14 announced they would remain closed...



### Constitutional Issues



The state has a Blaine Amendment but it does not limit the ability of students to "use publicly funded scholarships to attend private, religious..."



### Teacher Quality 2020



Score:  
77%

Grade: **C**  
Rank: **#6**

Utah has rigorous content test requirements for prospective elementary teachers; licensure eligibility is based on passing four subtests...



### Fast Facts:

4th Grade Math Proficiency: 42%

8th Grade Math Proficiency: 34%

4th Grade Reading Proficiency: 37%

8th Grade Reading Proficiency: 36%

Average SAT Score: 1233/1600

Average ACT Score: 19.9/36

Graduation Rate: 87%



### Transparency



Utah gives parents access to a lot of data. Report cards are easily accessible in two clicks on Utah's DOE homepage by clicking Data Gateway..







## **THE UTAH STATE CHARTER SCHOOL BOARD**

The Utah State Charter School Board is Utah’s largest authorizer of public charter schools. The board actively champions the principles of educational autonomy, innovation, and flexibility in pedagogy, organization, and management. In partnership with the Utah State Board of Education, the SCSB provides oversight in the areas of finances, governance, and adherence to performance measures outlined within each individual charter agreement. The board also expects its schools to foster students’ development of the competencies and characteristics set forth in Utah’s Portrait of a Graduate.

## **PRIORITIES OF THE UTAH STATE CHARTER SCHOOL BOARD**

- Building a strong and capable organization and charter school community
- Increasing innovation and choice in public schools
- Monitoring fidelity to charter agreement performance measures, financial health, and governance
- Collaborating effectively with the Utah State Board of Education, charter associations, and the legislature
- Forming productive partnerships with authorized schools
- Developing customized performance measures embedded in bilateral charter school agreements for each authorized charter school.

## **STRATEGIC GOVERNANCE GOALS OF THE UTAH STATE CHARTER SCHOOL BOARD**

### **To be fully achieved in one year**

- Execute a Memorandum of Understanding with the State Board of Education.
- Build relationships with other charter authorizers to support good authorizing within Utah’s charter movement.

### **To be fully achieved in three years**

- Partner with authorized charter schools to support their achievement of unique charter agreement performance measures, financial stability, and good governance.
- Increase capacity among SCSB members and staff for supporting the priorities of the SCSB.
- Provide substantive value as a bilateral partner to schools authorized by the SCSB while supporting a competitive authorizing environment.

### **To be fully achieved in five years**

- Increase diversity of viable applications for new charter schools.
- Establish an innovative, friendly, and flexible environment for charter school operation related to state law, USBE rule, and equitable funding.
- Widely share innovative practices developed within Utah’s charter schools with other charter schools and districts.

### **To be fully achieved in more than five years**

- Increasing the number of SCSB staff members to support achievement of strategic goals.
- Being designated among the top ten states for charter schools by the National Alliance of Public Charter Schools.
- Promoting the success of charter schools through strategies related to flexible, adaptable, and accommodating authorizing, along with VSIP, mergers, and creative articulation agreements .

## APPENDIX A

### AUTHORIZER-SPECIFIC UTAH CODE, BOARD RULE, AND SCSB WEBSITE

#### Utah Code 53G, Chapter 5: Charter Schools

- **Part 1 General Provisions**
  - Section 101 Title.
  - Section 102 Definitions.
  - Section 103 Charter School Funding.
  - Section 104 Purpose of Charter Schools.
- **Part 2 State Charter School Board**
  - Section 201 Charter School Board created.
  - Section 202 Status and powers of State Charter School Board.
  - Section 203 State Charter School Board – Staff Director – Facilities.
  - Section 204 Charter School innovative practices – Report to State Charter School Board.
  - Section 205 Charter School authorizers – Power and Duties – Charter application minimum standard.
- **Part 3 Charter School Authorization**
  - Section 301 State Charter School Board to request applications for certain types of charter schools.
  - Section 302 Charter school application – Applicants – Contents.
  - Section 303 Charter Agreement – Content – Modification.
  - Section 304 Charter schools authorized by the State Charter School Board – Application process – Prohibited basis of application denial.
  - Section 305 Charters authorized by the local school boards – Application process – Local school board responsibilities.
  - Section 306 Charter schools authorized by a board of trustees of a higher education institution – Application process – Board of trustees responsibilities.
  - Section 307 Charter school authorization – Initial review period.
- **Part 4 Powers and Duties**
  - Section 401 Status of charter schools.
  - Section 402 Property tax exemption for property owned by a charter school.
  - Section 403 Charter school assets.
  - Section 404 Requirements for charter schools.
  - Section 405 Application of statutes and rules to charter schools.
  - Section 406 Accountability – Rules.
  - Section 407 Employees of charter schools.
  - Section 408 Criminal background checks on school personnel.
  - Section 409 Regulated transactions and relationships – Definitions – Rulemaking.
  - Section 410 Safe technology utilization and digital citizenship.
  - Section 411 Charter school fiscal year – statistical reports.
  - Section 412 Contract with regional education service agencies.
  - Section 413 Charter school governing board meetings – Rules of order and procedure.
  - Section 414 Required provision of period products in schools.
- **Part 5 Noncompliance, Charter Termination, and Liability**
  - Section 501 Noncompliance – Rulemaking.
  - Section 502 Voluntary school improvement process.

- o [Section 503 Termination of a charter agreement.](#)
- o [Section 504 Charter school closure.](#)
- o [Section 505 Tort liability.](#)
- **[Part 6 Charter School Credit Enhancement Program](#)**
  - o [Section 601 Definitions.](#)
  - o [Section 602 Utah Charter school Finance Authority created – Members – Compensation – Services.](#)
  - o [Section 603 Powers and duties of authority.](#)
  - o [Section 604 Limited obligations.](#)
  - o [Section 605 State to succeed to property of authority when encumbrances paid or authority dissolved.](#)
  - o [Section 606 Charter School Credit Enhancement Program – Standards for the designation of qualifying charter schools – Debt service reserve fund requirements.](#)
  - o [Section 607 Charter School Reserve Account contribution requirements for qualifying charter schools.](#)
  - o [Section 608 Bond issuance.](#)
  - o [Section 609 Limitation on participation in Charter School Credit Enhancement Program.](#)

**[Utah State Board of Education Administrative Rules](#)**

R277-550: [Charter Schools Definitions](#)

R277-551: [Charter Schools General Provisions](#)

R277-552: [Charter School Timelines and Approval Processes](#)

R277-553: [Charter School Oversight, Monitoring and Appeals](#)

R277-554: [State Charter School Board Grants and Mentoring Program](#)

R277-555: [Corrective Action Against Charter School Authorizers](#)

R277-556: [Charter School Closure Reserve Account](#)

State Charter School Board Website

<https://www.utahscsb.org/>

## APPENDIX B

### SCSB PORTFOLIO (AS OF 9/1/2023)

- Academy for Math Engineering & Science
- Advantage Arts Academy
- American Academy of Innovation
- American Leadership Academy
- American Preparatory Academy - Accelerated School
- American Preparatory Academy - Draper #1
- American Preparatory Academy - Draper #2
- American Preparatory Academy - Draper #3
- American Preparatory Academy - Salem
- American Preparatory Academy - The School for New Americans
- Ascent Academies of Utah Farmington
- Ascent Academies of Utah Lehi
- Ascent Academies of Utah Saratoga Springs
- Ascent Academies of Utah West Jordan
- Ascent Academies of Utah - West Valley
- Athenian eAcademy
- Athlos Academy of Utah
- Bear River Charter School
- Beehive Science & Technology Academy Elementary
- Beehive Science & Technology Academy Secondary
- Bonneville Academy
- Bridge Elementary School
- C.S. Lewis Academy
- Canyon Grove Academy
- Canyon Rim Academy
- Channing Hall
- City Academy
- Davinci Academy
- Mountain View Montessori
- Dual Immersion Academy
- Early Light Academy at Daybreak
- East Hollywood High
- Elevated Charter School
- Endeavor Hall
- Entheos Academy
- Entheos Academy Magna
- Esperanza School
- Excelsior Academy
- Franklin Discovery Academy
- Freedom Preparatory Academy
- Freedom Preparatory Academy - Vineyard
- Freedom Preparatory Academy – St. George
- Gateway Preparatory Academy
- George Washington Academy
- Good Foundations Academy
- Greenwood Charter School
- Guadalupe School
- Hawthorn Academy
- Hawthorn Academy South Jordan
- Highmark Charter School
- Ignite Entrepreneurship Academy
- Itineris Early College High
- Jefferson Academy
- John Hancock Charter School
- Karl G. Maeser Preparatory Academy
- Lakeview Academy
- Leadership Academy of Utah
- Leadership Learning Academy
- Leadership Learning Academy - Ogden
- Legacy Preparatory Academy
- Lincoln Academy
- Lumen Scholar Institute
- Mana Academy Charter School
- Maria Montessori Academy
- Merit College Preparatory Academy
- Moab Charter School
- Monticello Academy
- Monticello Academy West Point
- Mountain Heights Academy
- Mountain Sunrise Academy
- Mountain West Montessori Academy
- Mountainville Academy
- Navigator Pointe Academy
- No. UT. Acad. for Math Engineering & Science (NUAMES)
- No. UT. Acad. of Math Engineering & Science - Ogden
- Noah Webster Academy
- North Davis Preparatory Academy
- North Star Academy
- Odyssey Charter School
- Ogden Preparatory Academy

- Pacific Heritage Academy
- Paradigm High School
- Pinnacle Canyon Academy
- Promontory School of Expeditionary Learning
- Providence Hall
- Quest Academy
- Ranches Academy
- Reagan Academy
- Renaissance Academy
- Rockwell Charter High School
- Roots Charter High School
- Salt Lake Arts Academy
- Scholar Academy
- Soldier Hollow Charter School
- Spectrum Academy
- Spectrum Academy - Pleasant Grove
- St. George Academy
- Summit Academy
- Summit Academy - Bluffdale
- Summit Academy - Independence
- Syracuse Arts Academy
- Syracuse Arts Academy - North
- Terra Academy
- The Center for Creativity Innovation and Discovery
- Thomas Edison
- Thomas Edison - South
- Timpanogos Academy
- Treeside Charter School
- Utah Arts Academy
- Uintah River High
- Utah Connections Academy
- Utah County Academy of Science
- Utah Military Academy
- Utah Military Academy - Camp Williams
- Utah Virtual Academy
- Valley Academy
- Vanguard Academy
- Venture Academy
- Vista School
- Voyage Academy
- Walden School of Liberal Arts
- Wallace Stegner Academy-Salt Lake
- Wallace Stegner Academy-West Valley City
- Wasatch Peak Academy
- Wasatch Waldorf Charter School
- Weilenmann School of Discovery
- Winter Sports School