

**PROPOSAL TO TRANSFER OPERATION AND CONTROL OF  
A CHARTER SCHOOL**

**SUBMITTED BY**

**TRANSFEROR: THE SALT LAKE SCHOOL FOR THE PERFORMING ARTS**

**AND**

**TRANSFeree: QUAIL RUN PRIMARY SCHOOL, dba CANYON GROVE ACADEMY**

**April 29, 2024**

## EXECUTIVE SUMMARY

Through the 2024 Utah legislative session, H.B. 301 created a new mechanism allowing for the control and operation of a charter school to be transferred from a charter school governing board to the governing board of another charter school or of a nonprofit corporation. Specifically, Utah Code Title 53G, Chapter 5, Part 5, Section 502(8) reads as follows:

*A charter school governing board that has not entered into a school improvement process may voluntarily provide a proposal to the authorizer for consideration of transferring operation and control of the charter school to:*

- a. The school district in which the charter school is located;*
- b. The governing board of another charter school;*
- c. A private management company; or*
- d. The governing board of a nonprofit corporation.*

Pursuant to and in accordance with 53G-5-502, The Salt Lake School for the Performing Arts (SPA) wishes to transfer the operation and control of their charter school to another charter school governing board, namely, Canyon Grove Academy.

### PROPOSED TRANSFEROR:



**Entity name:** The Salt Lake School for the Performing Arts

**Entity type:** Utah nonprofit corporation

**Charter school name:** The Salt Lake School for the Performing Arts

**Authorizer:** Salt Lake School District

**Authorized Year:** 2006

**Governing Board Members:** Doug Keefe, Kari Plaster, Tina Gillman, Illana Harrus, Tracy Evans, Kristi Swett, Kyla Plaster, Ashley Hill, and Jodie Osofsky.

### PROPOSED TRANSFEREE:



**Entity name:** Quail Run Primary School Foundation  
**dba** Canyon Grove Academy

**Entity type:** Utah nonprofit corporation

**Charter school name:** Canyon Grove Academy

**Authorizer:** State Charter School Board

**Authorized Year:**

**Governing Board Members:**

### PROPOSED TRANSFER DATE:

**May 15, 2024**

## **CONTEXT OF THE SCHOOLS**

The Salt Lake School for the Performing Arts (SPA) is a 501(c)(3) tax exempt non-profit corporation and was granted a charter to open SPA beginning with the 2017-2018 school year.

SPA is located in Salt Lake City, Utah in the Salt Lake City School District. The mission of SPA is to “empower students through a vibrant arts curriculum combined with rich academics to foster opportunities and build a community where creativity thrives and students make a lasting impact on and off the stage.” SPA is a public charter high school that provides education to students in grades 9 through 12. There is no lottery for admission and no specifications on limits per grade level.

Quail Run Primary School Foundation, dba Canyon Grove Academy, (Canyon Grove) is a public charter school educating roughly 700 students. Canyon Grove offers hybrid learning through digital and non-digital, synchronous and asynchronous, both on-campus and off-campus. The mission of Canyon Grove is to be an inspired community of learners, parents, and educators who find fulfillment and joy in pursuing excellence in learning, self-accountability, and in meeting unique individual needs in order to prepare students for the life-long pursuit of knowledge to attain their potential. The school currently serves grades K-8.

## **BASIS FOR THE TRANSFER**

SPA has concluded that transferring the operation and control is imperative for the continuation of its educational mission.

## **DETAILS OF THE TRANSFER**

If a transfer is approved by the SCSB, Canyon Grove Academy will engage its legal counsel to draft legal documents effectuating the transfer. The documents will include the following details:

- a. An amendment to SPA’s charter to effectuate the new governance structure of the school, including a list of the charter school governing board members and any necessary updates to reflect the transfer of operation and control.
- b. Approval from SPA’s authorizer to transfer SPA’s charter to Canyon Grove.
- c. Canyon Grove will propose to its board of directors (the “CGA Board”) the creation of an advisory board, of which certain members of SPA’s board may participate, as determined in the CGA Board’s sole discretion.
- d. All assets held by SPA will inure to Canyon Grove Academy. This includes, but is not limited to, equipment, furnishings, financial reserves, and any intellectual property rights owned or licensed by SPA.
- e. Except for the Lease Agreement for SPA’s current location, if an agreement is reached by the parties before July 31, 2024, Canyon Grove agrees to assume all existing employee contracts and SPA’s current contract with Red Apple Financial for the term remaining on each contract. Following the agreement by both parties to proceed, the CGA Board will conduct a comprehensive assessment of the current staff and faculty following the closing of the transaction. Following this evaluation, which includes consultation with the SPA Administration and a budget review, the CGA Board will determine, in its sole discretion, which staff and faculty

contracts will be renewed, and will communicate as soon as practicable to impacted staff or faculty of their decision. Certain other identified agreements, not including the lease agreement, employment contracts or contract with Red Apple Financial, made by SPA will transfer to Canyon Grove at Canyon Grove's sole discretion. For all assumed contracts and agreements, Canyon Grove Academy will assume responsibility for fulfilling these agreements and will ensure continuity of services.

- f. Canyon Grove Academy is currently negotiating with the landlord of SPA's current facility. The aim is to secure a new lease agreement with more favorable terms that will enhance the school's financial viability.
- g. Canyon Grove Academy will develop a comprehensive plan for the transition of certain identified employees, including staff contracts, benefits, and any necessary training or orientation for employees transitioning to Canyon Grove Academy, as determined in the CGA Board's sole discretion.
- h. The parties will each ensure compliance with all regulatory requirements related to the transfer.
- i. Canyon Grove will agree to operate SPA under the name Salt Lake School for the Performing Arts for three years from the date of any transfer agreement, unless financial or other unforeseen circumstances warrant that the CGA Board modify the name prior to the termination of this three-year term.
- j. Canyon Grove will agree to keep the SPA's performing arts mission for three years from the date of any transfer agreement, unless financial or other unforeseen circumstances warrant that the CGA Board modify the mission prior to the termination of this three-year term.
- k. Each Party obtains and provides the necessary board approvals and corporate resolutions agreeing to any transfer agreement reached to by the Parties.
- l. The parties will deliver the transfer documents to the SCSB and appropriate departments of the State as directed to notify them of the transfer and to request dissolution of SPA. Therefore, all financial, academic, and any other reporting will fall under the Canyon Grove Academy identifier at any and all State offices.
- m. The Parties anticipate that the due diligence will be completed with a final agreement closing on or before July 31, 2024.
- n. Canyon Grove will agree to keep SPA located within the city limits of Salt Lake City, UT for three years from the date of any transfer agreement, unless financial or other unforeseen circumstances warrant that the CGA Board move the school prior to the termination of this three-year term.

The parties will deliver the transfer documents to the SCSB and appropriate departments of the State as directed to notify them of the transfer and to request dissolution of SPA. Therefore, all financial, academic, and any other reporting will fall under the Canyon Grove Academy identifier at any and all State offices.

## **OUTLOOK**

SPA is currently expecting to enroll 160 students for the 2024-2025 school year. Canyon Grove Academy has already prepared an outreach plan that addresses a variety of ways to market to students to increase enrollment for the 2024-2025 school year.

Canyon Grove has not entered into a contractual relationship with an education service provider, but may enter into such a relationship in the future as determined by the Canyon Grove Academy Board.

## APPROVAL

This proposal has been approved by the governing boards of Canyon Grove Academy and SPA.

Sincerely,

By:  \_\_\_\_\_

Name:

Title: [ ] of The Salt Lake School for the Performing Arts



*Acknowledged and agreed:*

By: Alen Howard \_\_\_\_\_

Name: Alen Howard

Title: Vice Chair of Canyon Grove Academy