

New Charter School Applications:

REVIEW OF APPLICABLE STATUTORY AND REGULATORY AUTHORITY:

53A-1a-504. Charter school application -- Applicants -- Contents -- Expansion.

- (1) (a) An application to establish a charter school may be submitted by:
 - (i) an individual;
 - (ii) a group of individuals; or
 - (iii) a nonprofit legal entity organized under Utah law.
- (b) An authorized charter school may apply under this chapter for a charter from another charter school authorizer.

Then, the statute lists the elements that must and may be included in the application.

53A-1a-505. Charter schools authorized by the State Charter School Board -- Application process -- Prohibited bases of application denial.

- (1) (a) An applicant seeking authorization of a charter school from the State Charter School Board shall provide a copy of the application to the local school board of the school district in which the proposed charter school shall be located either before or at the same time it files its application with the State Charter School Board.
 - (b) The local board may review the application and may offer suggestions or recommendations to the applicant or the State Charter School Board prior to its acting on the application.
 - (c) The State Charter School Board shall give due consideration to suggestions or recommendations made by the local school board under Subsection (1)(b).
 - (d) The State Charter School Board shall review and, by majority vote, either approve or deny the application.
 - (e) The State Board of Education shall, by majority vote, within 60 days after action by the State Charter School Board under Subsection (1)(d):
 - (i) approve or deny an application approved by the State Charter School Board; or
 - (ii) hear an appeal, if any, of an application denied by the State Charter School Board.
 - (f) The State Board of Education's action under Subsection (1)(d) is final action subject to judicial review.
 - (g) A charter school application may not be denied on the basis that the establishment of the charter school will have any or all of the following impacts on a public school, including another charter school:
 - (i) an enrollment decline;
 - (ii) a decrease in funding; or
 - (iii) a modification of programs or services.
- (2) The State Board of Education shall make a rule providing a timeline for the opening of a charter school following the approval of a charter school application by the State Charter School Board.
 - (3) After approval of a charter school application and in accordance with Section 53A-1a-508, the applicant and the State Charter School Board shall set forth the terms and conditions for the operation of the charter school in a written charter agreement.
 - (4) The State Charter School Board shall, in accordance with State Board of Education rules, establish and make public the State Charter School Board's:
 - (a) application requirements, in accordance with Section 53A-1a-504;
 - (b) application process, including timelines, in accordance with this section; and
 - (c) minimum academic, financial, and enrollment standards.

R277-482-3. State Charter School Board Application and Training.

- A. All charter school applicants shall attend pre-application and planning year training sessions, as well as other training sessions designated by the State Charter School Board.
- B. Pre-application training sessions shall be scheduled four times annually and may be available electronically, as determined by the State Charter School Board.
- C. Charter schools and applicants that attend training sessions may be eligible for additional funds, upon approval, in an amount to be determined by the State Charter School Board provided through federal charter school funds or a General Fund appropriation to the extent of funds available. Charter school applicants that attend training sessions may receive priority for approval from the State Charter School Board and the Board.
- D. Training sessions shall provide information including:
 - (1) charter school implementation requirements;
 - (2) charter school statutory and Board requirements;
 - (3) charter school financial and data management requirements;
 - (4) charter school legal requirements;
 - (5) federal requirements for charter school funding; and
 - (6) other items as determined by the State Charter School Board.

R277-482-5. Timelines - Charter School Starting Date and Facilities.

- A. Chartering entities shall accept a proposed starting date from a charter school applicant, or the chartering entity shall negotiate and recommend a starting date prior to recommending final charter approval to the Board.
- B. Only charter schools approved as new charter schools by October 1, one fiscal year prior to the state fiscal year they intend to serve students shall be eligible for state funds.

PROPOSED BOARD POLICY, NEW SCHOOL APPLICATIONS:

- (1) The State Charter School Board will receive applications according to timelines and procedures set forth in the charter school application instructions.
- (2) When submitting a proposal, applicants will also make available Articles of Incorporation and Board Bylaws to the State Charter School Board.
- (3) Applicants approved to move forward in the application process based on a submitted proposal may not make significant changes to the following elements unless given State Charter School Board approval. If significant changes are made without approval, the application will not be considered with the original application cohort, but the applicant may submit an application with the next cohort.
 - (a) Location
 - (b) Main educational component
 - (c) Mission
 - (d) Governing board members
 - (e) Grades served
 - (f) Year school will start