

**Effective 5/13/2014**

**53A-1a-506.5 Charter school students -- Admissions procedures -- Transfers.**

- (1) As used in this section:
  - (a) "District school" means a public school under the control of a local school board elected pursuant to Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.
  - (b) "Nonresident school district" means a school district other than a student's school district of residence.
  - (c) "School district of residence" means a student's school district of residence as determined under Section 53A-2-201.
  - (d) "School of residence" means the school to which a student is assigned to attend based on the student's place of residence.
- (2)
  - (a) The State School Board, in consultation with the State Charter School Board, shall make rules describing procedures for students to follow in applying for entry into, or exiting, a charter school.
  - (b) The rules under Subsection (2)(a) shall, at a minimum, provide for:
    - (i) posting on a charter school's Internet website, beginning no later than 60 days before the school's initial period of applications:
      - (A) procedures for applying for admission to the charter school;
      - (B) the school's opening date, if the school has not yet opened, or the school calendar; and
      - (C) information on how a student may transfer from a charter school to another charter school or a district school;
    - (ii) written notification to a student's parent or legal guardian of an offer of admission;
    - (iii) written acceptance of an offer of admission by a student's parent or legal guardian;
    - (iv) written notification to a student's current charter school or school district of residence upon acceptance of the student for enrollment in a charter school; and
    - (v) the admission of students at:
      - (A) any time to protect the health or safety of a student; or
      - (B) times other than those permitted under standard policies if there are other conditions of special need that warrant consideration.
  - (c) The rules under Subsection (2)(a) shall prevent the parent of a student who is enrolled in a charter school or who has accepted an offer of admission to a charter school from duplicating enrollment for the student in another charter school or a school district without following the withdrawal procedures described in Subsection (3).
- (3) The parent of a student enrolled in a charter school may withdraw the student from the charter school for enrollment in another charter school or a school district by submitting to the charter school:
  - (a) on or before June 30, a notice of intent to enroll the student in the student's school of residence for the following school year;
  - (b) after June 30, a letter of acceptance for enrollment in the student's school district of residence for the following year;
  - (c) a letter of acceptance for enrollment in the student's school district of residence in the current school year;
  - (d) a letter of acceptance for enrollment in a nonresident school district; or
  - (e) a letter of acceptance for enrollment in a charter school.
- (4)

- (a) A charter school shall report to a school district, by the last business day of each month the aggregate number of new students, sorted by their school of residence and grade level, who have accepted enrollment in the charter school for the following school year.
- (b) A school district shall report to a charter school, by the last business day of each month, the aggregate number of students enrolled in the charter school who have accepted enrollment in the school district in the following school year, sorted by grade level.
- (5) When a vacancy occurs because a student has withdrawn from a charter school, the charter school may immediately enroll a new student from its list of applicants.
- (6) Unless provisions have previously been made for enrollment in another school, a charter school releasing a student from enrollment during a school year shall immediately notify the school district of residence, which shall enroll the student in the school district of residence and take additional steps as may be necessary to ensure compliance with laws governing school attendance.
- (7)
  - (a) The parent of a student enrolled in a charter school may withdraw the student from the charter school for enrollment in the student's school of residence in the following school year if an application of admission is submitted to the school district of residence by June 30.
  - (b) If the parent of a student enrolled in a charter school submits an application of admission to the student's school district of residence after June 30 for the student's enrollment in the school district of residence in the following school year, or an application of admission is submitted for enrollment during the current school year, the student may enroll in a school of the school district of residence that has adequate capacity in:
    - (i) the student's grade level, if the student is an elementary school student; or
    - (ii) the core classes that the student needs to take, if the student is a secondary school student.
  - (c) State Board of Education rules made under Subsection (2)(a) shall specify how adequate capacity in a grade level or core classes is determined for the purposes of Subsection (7)(b).
- (8) Notwithstanding Subsection (7), a school district may enroll a student at any time to protect the health and safety of the student.
- (9) A school district or charter school may charge secondary students a one-time \$5 processing fee, to be paid at the time of application.

Amended by Chapter 363, 2014 General Session