

28 Utah Code Sections Affected by Coordination Clause:

29 **53A-1a-502.5**, as last amended by Laws of Utah 2010, Chapters 162, 303, and 35330

31 *Be it enacted by the Legislature of the state of Utah:*32 Section 1. Section **53A-1a-502.5** is amended to read:33 **53A-1a-502.5. Approval of increase in charter school enrollment capacity.**34 (1) The State Board of Education may approve an annual increase in charter school
35 enrollment capacity in the 2012-13 school year or thereafter [~~subject to the Legislature~~
36 ~~appropriating funds for the increase in charter school enrollment capacity~~] equal to 2% of total
37 school district enrollment as of October 1 of the prior school year.38 [~~(2) (a) If the Legislature does not appropriate funds for an increase in charter school~~
39 ~~enrollment capacity that is tentatively approved by the State Board of Education, the State~~
40 ~~Board of Education shall request the State Charter School Board to prioritize the tentatively~~
41 ~~approved schools and expansions based on approved funds.]~~42 [~~(b) The State Charter School Board shall submit a prioritized list of tentatively~~
43 ~~approved schools and expansions to the State Board of Education for final approval.]~~44 [~~(c) A charter school or expansion that is tentatively approved, but not funded, shall be~~
45 ~~considered to be tentatively approved for the next application year and receive priority status~~
46 ~~for available funding.]~~47 (2) In approving an increase in ~~Ĥ→~~ [~~charter school~~] ~~the ←Ĥ~~ enrollment capacity
48a ~~Ĥ→ of existing charter schools ←Ĥ~~, the State Board of
48 Education shall give preference to an application for expansion submitted by Ĥ→ :48a (a) ~~←Ĥ~~ a high performing
49 charter school, as evidenced by the charter school's proficiency and progress scores on the
50 school's U-PASS accountability report Ĥ→ [;] ; or50a (b) a charter school that has substantially higher levels of student achievement
50b compared to schools with similar demographics.50c (3)(a) The State Charter School Board shall submit recommendations to the State
50d Board of Education for the expansion of the enrollment capacity of existing charter schools.50e (b) A charter school expansion that is not approved by the State Board of Education
50f shall be considered to be tentatively approved for the next application year. ←Ĥ51 Section 2. **Coordinating H.B. 339 with S.B. 59 -- Substantive amendments.**52 If this H.B. 339 and S.B. 59, School Grading System, both pass, it is the intent of the
53 Legislature that the Office of Legislative Research and General Counsel shall prepare the Utah
54 Code database for publication by amending Subsection 53A-1a-502.5(2) to read:55 "(2) In approving an increase in charter school enrollment capacity, the State Board of
56 Education shall give preference to an application for expansion submitted by a charter school
57 that has received a letter grade of A on the school grading system Ĥ→ or has substantially higher
57a levels of student achievement compared to schools with similar demographics ←Ĥ ."