

30 (b) A charter school shall submit a request for an increase in enrollment capacity
31 pursuant to Subsection (2)(a) on or before October 1 of the school year for which the increase
32 in enrollment capacity is requested.

33 (2) (a) A charter school may annually submit a request to the State Board of Education
34 for an increase in enrollment capacity in the amount of .25 times the number of students in
35 grades 9 through 12 enrolled in an online course in the previous school year through the
36 Statewide Online Education Program.

37 (b) The State Board of Education shall approve an increase in enrollment capacity
38 made under Subsection (2)(a) subject to the availability of sufficient funds appropriated under
39 Section 53A-1a-513 to provide the full amount of the per student allocation for each charter
40 school student in the state to supplement school district property tax revenues.

41 (c) An increase in enrollment capacity approved under Subsection (2)(b) shall be a
42 permanent increase in the charter school's enrollment capacity.

43 ~~(2)~~ (3) (a) If the Legislature does not appropriate funds for an increase in charter
44 school enrollment capacity that is tentatively approved by the State Board of Education, the
45 State Board of Education shall request the State Charter School Board to prioritize the
46 tentatively approved schools and expansions based on approved funds.

47 (b) The State Charter School Board shall submit a prioritized list of tentatively
48 approved schools and expansions to the State Board of Education for final approval.

49 (c) A charter school or expansion that is tentatively approved, but not funded, shall be
50 considered to be tentatively approved for the next application year and receive priority status
51 for available funding.