

SB0227S01 compared with SB0227

~~{deleted text}~~ shows text that was in SB0227 but was deleted in SB0227S01.

inserted text shows text that was not in SB0227 but was inserted into SB0227S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Deidre M. Henderson proposes the following substitute bill:

CHARTER SCHOOL REVISIONS

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Deidre M. Henderson

House Sponsor: _____

LONG TITLE

General Description:

This bill amends and enacts provisions related to charter schools.

Highlighted Provisions:

This bill:

- ▶ defines terms;~~{~~
- ▶ ~~amends provisions related to the elements included in a charter agreement;}~~ and
- ▶ allows a charter school authorizer, in response to a request of the governing board of a charter school and subject to certain conditions, to:
 - terminate the school's charter; and
 - ~~{designate the charter school as a satellite school of a high performing charter school or }~~transfer operation and control of the charter school to the school district where the charter school is located or to a high performing charter

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school.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

~~{AMENDS:~~

~~———— **53A-1a-508**, as repealed and reenacted by Laws of Utah 2014, Chapter 363~~

~~{ENACTS:~~

~~———— **53A-1a-509.5**, Utah Code Annotated 1953~~

Be it enacted by the Legislature of the state of Utah:

Section 1. Section ~~{53A-1a-508}~~ **53A-1a-509.5** is ~~{amended to read:~~

~~———— **53A-1a-508. Charter agreement -- Content -- Modification:**~~

- ~~———— (1) A charter agreement:~~
 - ~~———— (a) is a contract between the charter school applicant and the charter school authorizer;~~
 - ~~———— (b) shall describe the rights and responsibilities of each party; and~~
 - ~~———— (c) shall allow for the operation of the applicant's proposed charter school;~~
- ~~———— (2) A charter agreement shall include:~~
 - ~~———— (a) the name of:
 - ~~———— (i) the charter school; and~~
 - ~~———— (ii) the charter school applicant;~~~~
 - ~~———— (b) the mission statement and purpose of the charter school;~~
 - ~~———— (c) the charter school's opening date;~~
 - ~~———— (d) the grade levels and number of students the charter school will serve;~~
 - ~~———— (e) a description of the structure of the charter school's governing board, including:
 - ~~———— (i) the number of board members;~~
 - ~~———— (ii) how members of the board are appointed; and~~
 - ~~———— (iii) board members' terms of office;~~~~
 - ~~———— (f) assurances that:
 - ~~———— (i) the governing board shall comply with:~~~~

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- ~~—— (A) the charter school's bylaws;~~
- ~~—— (B) the charter school's articles of incorporation; and~~
- ~~—— (C) applicable federal law, state law, and State Board of Education rules;~~
- ~~—— (ii) the governing board will meet all reporting requirements described in Section 53A-1b-115; and~~
- ~~—— (iii) except as provided in Title 53A, Chapter 20b, Part 2, Charter School Credit Enhancement Program, neither the authorizer nor the state, including an agency of the state, is liable for the debts or financial obligations of the charter school or a person who operates the charter school;~~
- ~~—— (g) which administrative rules the State Board of Education will waive for the charter school;~~
- ~~—— (h) [minimum financial standards for operating the charter school] performance standards determined by the charter authorizer and the charter school; and~~
- ~~—— [(i) minimum standards for student achievement; and]~~
- ~~—— [(j)] (i) signatures of the charter school authorizer and the charter school's governing board members.~~
- ~~—— (3) A charter agreement may not be modified except by mutual agreement between the charter school authorizer and the governing board of the charter school.~~
- ~~—— Section 2. Section 53A-1a-509.5 is enacted to read:~~

~~†~~enacted to read:

53A-1a-509.5. Voluntary school improvement process.

(1) As used in this section, "high performing charter school" means a charter school that:

- (a) satisfies all requirements of state law and State Board of Education rules;
- (b) has operated for at least three years meeting the terms of the school's charter agreement; and
- (c) has students performing at or above the academic performance standard in the school's charter agreement.

(2) (a) Subject to Subsection (2)(b), a governing board may voluntarily request the charter school's authorizer to place the school in a school improvement process.

- (b) A governing board shall provide notice and a hearing on the governing board's

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intent to make a request under Subsection (2)(a) to parents and guardians of students enrolled in the charter school.

(3) An authorizer ~~shall~~:

~~(a) may~~ grant a governing board's request to be placed in a school improvement process if the governing board has provided notice and a hearing under Subsection (2)(b)~~;~~.

~~(b)4) An authorizer that has entered into a school improvement process with a governing board shall:~~

~~(a) enter into a contract with the governing board on the terms of the school improvement process;~~

~~(c)b) notify the State Board of Education that the authorizer has entered into a school improvement process with the governing board; and~~

~~(d)c) notify the Utah Charter School Finance Authority that the authorizer has entered into a school improvement process with the governing board if the charter school is a qualifying charter school with outstanding bonds issued in accordance with Chapter 20b, Part 2, Charter School Credit Enhancement Program.~~

~~(4)5) Upon notification under Subsection ~~(3)4)(c)b)~~, the State Board of Education shall notify charter schools and the school district in which the charter school is located that the governing board has entered into a school improvement process with the charter school's authorizer.~~

~~(5)6) A high performing charter school or the school district in which the charter school is located may apply to the governing board to assume operation of the charter school that has been placed in a school improvement process.~~

~~(6)7) A governing board that has entered into a school improvement process shall review applications submitted under Subsection ~~(5)6)~~ and submit a proposal to the charter school's authorizer to:~~

~~(a) terminate the school's charter, notwithstanding the requirements of Section 53A-1a-510; and~~

~~(b) transfer operation and control of the charter school to:~~

~~(i) the school district in which the charter school is located; or~~

~~(ii) a high performing charter school.~~

~~(7)8) (a) Except as provided in Subsection ~~(7)8)(b)~~, an authorizer may:~~

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(i) approve a governing board's proposal under Subsection (~~f6~~7); or

(ii) terminate the school's charter in accordance with Section 53A-1a-510.

(b) An authorizer may not take an action under Subsection (~~f7~~8)(a) for a qualifying charter school with outstanding bonds issued in accordance with Chapter 20b, Part 2, Charter School Credit Enhancement Program, without mutual agreement of the Utah Charter School Finance Authority and the authorizer.

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Legislative Review Note

~~as of 2-18-15 9:28 AM~~

~~Office of Legislative Research and General Counsel}~~