

1 **CHARTER SCHOOL GOVERNING BOARD TRAINING**

2 2023 GENERAL SESSION

3 STATE OF UTAH

4
5 **LONG TITLE**

6 **General Description:**

7 This bill provides training requirements for a charter school governing board.

8 **Highlighted Provisions:**

9 This bill:

10 ▶ requires:

- 11 • a charter school authorizer to train the charter school governing board; and
- 12 • the state board to establish minimum standards for a charter school authorizer to
- 13 develop and provide training to a charter school governing board; and

14 ▶ makes conforming changes.

15 **Money Appropriated in this Bill:**

16 None

17 **Other Special Clauses:**

18 None

19 **Utah Code Sections Affected:**

20 AMENDS:

21 **53G-5-205**, as last amended by Laws of Utah 2020, Chapter 408

22
23 *Be it enacted by the Legislature of the state of Utah:*

24 Section 1. Section **53G-5-205** is amended to read:

25 **53G-5-205. Charter school authorizers -- Power and duties -- Charter application**

26 **minimum standard.**

27 (1) The following entities are eligible to authorize charter schools:

28 (a) the State Charter School Board;

29 (b) a local school board; or

30 (c) a board of trustees of an institution in the state system of higher education as

31 described in Section 53B-1-102.

32 (2) A charter school authorizer shall:

33 (a) annually review and evaluate the performance of charter schools authorized by the
34 authorizer and hold a charter school accountable for the school's performance; [~~and~~]

35 (b) develop and provide annual training to a charter school governing board, including
36 training on:

37 (i) conducting a public meeting in accordance with:

38 (A) Title 52, Chapter 4, Open and Public Meetings Act;

39 (B) Section 53G-5-413; and

40 (C) any other applicable state law or rule;

41 (ii) complying with Title 63G, Chapter 2, Government Records Access Management
42 Act;

43 (iii) operating a charter school in accordance with the written charter school agreement
44 established under Section 53G-5-303; and

45 (iv) any other training required by federal or state laws, rules, or regulations; and

46 [~~(b)~~] (c) monitor charter schools authorized by the authorizer for compliance with
47 federal and state laws, rules, and regulations.

48 (3) A charter school authorizer may:

49 (a) authorize and promote the establishment of charter schools, subject to the
50 provisions in this part;

51 (b) make recommendations on legislation and rules pertaining to charter schools to the
52 Legislature and state board, respectively;

53 (c) make recommendations to the state board on the funding of charter schools;

54 (d) provide technical support to charter schools and persons seeking to establish charter
55 schools by:

56 (i) identifying and promoting successful charter school models;

57 (ii) facilitating the application and approval process for charter school authorization;

58 (iii) directing charter schools and persons seeking to establish charter schools to
59 sources of funding and support;

60 (iv) reviewing and evaluating proposals to establish charter schools for the purpose of
61 supporting and strengthening proposals before an application for charter school authorization is
62 submitted to a charter school authorizer; or

63 (v) assisting charter schools to understand and carry out their charter obligations; or

64 (e) provide technical support, as requested, to another charter school authorizer relating
65 to charter schools.

66 (4) Within 60 days after an authorizer's approval of an application for a new charter
67 school, the state board may direct an authorizer to do the following if the authorizer or charter
68 school applicant failed to follow statutory or state board rule requirements made in accordance
69 with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:

70 (a) reconsider the authorizer's approval of an application for a new charter school; and

71 (b) correct deficiencies in the charter school application or authorizer's application
72 process as described in statute or state board rule, made in accordance with Title 63G, Chapter
73 3, Utah Administrative Rulemaking Act, before approving the new application.

74 (5) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
75 Rulemaking Act, make rules establishing minimum standards that a charter school authorizer is
76 required to apply when:

77 (a) evaluating a charter school application; [or]

78 (b) developing and providing the training required under Subsection (2)(b); or
79 ~~[(b)]~~ (c) monitoring charter school compliance.

80 (6) The minimum standards described in Subsection (5) shall include:

81 (a) reasonable consequences for an authorizer that fails to comply with statute or state
82 board rule;

83 (b) a process for an authorizer to review:

84 (i) the skill and expertise of a proposed charter school's governing board; and

85 (ii) the functioning operation of the charter school governing board of an authorized
86 charter school;

87 (c) a process for an authorizer to review the financial viability of a proposed charter
88 school and of an authorized charter school;

89 (d) a process to evaluate:

90 (i) how well an authorizer's authorized charter school complies with the charter
91 school's charter agreement;

92 (ii) whether an authorizer's authorized charter school maintains reasonable academic
93 standards; and

94 (iii) standards that an authorizer is required to meet to demonstrate the authorizer's

95 capacity to oversee, monitor, and evaluate the charter schools the authorizer authorizes.