

# USBE's Role in Charter School Governance

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# 1997-2004 USBE as Authorizer

1997 - HB 389

1998 - HB 145

2001 - SB 169

2002 - SB 138

State Legislature creates the Centennial Charter Schools Task Force

- USBE made the sole authorizer of Charter Schools during the Pilot program and could authorize up to 8 charter schools for a 3-year period
- Local School Boards given authority to convert district schools to charter schools

- The total number of charter schools the USBE could authorize is increased to 12
- Local School Boards able to authorize charter schools with no limit on number of schools

USBE's charter school limit increased to 16

# 2004-2018 USBE Final Approval of Authorizer Decisions

2004 - HB 152

- The State Charter School Board (SCSB) is created
- USBE, required to transfer all charter agreements of the state's charter schools to the SCSB but retains final approval of authorization for new charter schools

2005

- The legislature removes limitations on the number of charter schools the SCSB can authorize.

2010 - SB 55

- Institutions of Higher Education become eligible charter school authorizers
- Requires USBE approval of charter authorization

# 2019 to Present

## USBE Oversight of Authorizers and Processes

2016 Charter school Task Force

2018 - HB 313

- Recommendations on the governance structure of the USBE and SCSB
- Final approval authority (to approve or deny applications or requests) removed from USBE, only authority to review application and request processes remains
- Legislation directed USBE to enact rule to establish minimum standards for authorizers (Section 53G-5-205)
- USBE enacted Board administrative rules to govern the authorization process, including requiring charter authorizers to submit processes they utilize for charter applications, requests and approvals to the USBE (Rule R277-552)

# USBE Oversight of Authorizer Processes

## Applicable code and rule

- State Law Provisions: Section [53G-5-205](#) and Administrative Rule [R277-552](#)
- The roles and responsibilities of the USBE are clearly defined by both the applicable code and this rule
- USBE Recently amended R277-552 to provide Authorizers more autonomy over small expansion requests

## Authorizers with Approved Processes Since Passage of 2018 HB 313

- Three authorizers submitted charter school application processes to USBE that have been approved:
  - State Charter School Board (SCSB)
  - Utah State University (USU)
  - Utah Technical University (UTU)
- The SCSB, USU and UTU reported that the USBE approved their applications and processes as they wanted them
- The SCSB's new process for small expansion requests recently approved by USBE
- USBE to begin the review of the SCSB's application processes for large expansion and satellite school requests in September

# Thank you

Jim Moss, Chair Utah State Board of Education

Angie Stallings, Deputy Superintendent of Policy

Scott Jones, Deputy Superintendent of Finance

# Appendix- Resources

- Charter Schools in Utah, LFA Issue Brief 2011 Interim, <https://le.utah.gov/interim/2011/pdf/00002352.pdf>
- A Performance Audit of Utah's Charter School Governance Structure, OLAG Audit, June 2021, [https://lag.utleg.gov/olag-doc/2021-09\\_RPT.pdf](https://lag.utleg.gov/olag-doc/2021-09_RPT.pdf)