

Effective 5/13/2014

53A-1a-505 Charter schools authorized by the State Charter School Board -- Application process -- Prohibited bases of application denial.

- (1)
 - (a) An applicant seeking authorization of a charter school from the State Charter School Board shall provide a copy of the application to the local school board of the school district in which the proposed charter school shall be located either before or at the same time it files its application with the State Charter School Board.
 - (b) The local board may review the application and may offer suggestions or recommendations to the applicant or the State Charter School Board prior to its acting on the application.
 - (c) The State Charter School Board shall give due consideration to suggestions or recommendations made by the local school board under Subsection (1)(b).
 - (d) The State Charter School Board shall review and, by majority vote, either approve or deny the application.
 - (e) The State Board of Education shall, by majority vote, within 60 days after action by the State Charter School Board under Subsection (1)(d):
 - (i) approve or deny an application approved by the State Charter School Board; or
 - (ii) hear an appeal, if any, of an application denied by the State Charter School Board.
 - (f) The State Board of Education's action under Subsection (1)(d) is final action subject to judicial review.
 - (g) A charter school application may not be denied on the basis that the establishment of the charter school will have any or all of the following impacts on a public school, including another charter school:
 - (i) an enrollment decline;
 - (ii) a decrease in funding; or
 - (iii) a modification of programs or services.
- (2) The State Board of Education shall make a rule providing a timeline for the opening of a charter school following the approval of a charter school application by the State Charter School Board.
- (3) After approval of a charter school application and in accordance with Section 53A-1a-508, the applicant and the State Charter School Board shall set forth the terms and conditions for the operation of the charter school in a written charter agreement.
- (4) The State Charter School Board shall, in accordance with State Board of Education rules, establish and make public the State Charter School Board's:
 - (a) application requirements, in accordance with Section 53A-1a-504;
 - (b) application process, including timelines, in accordance with this section; and
 - (c) minimum academic, financial, and enrollment standards.

Amended by Chapter 363, 2014 General Session