

Effective 5/13/2014

53A-1a-506 Eligible students.

- (1) As used in this section:
 - (a) "District school" means a public school under the control of a local school board elected pursuant to Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.
 - (b) "Refugee" means a person who is eligible to receive benefits and services from the federal Office of Refugee Resettlement.
- (2) All resident students of the state qualify for admission to a charter school, subject to the limitations set forth in this section and Section 53A-1a-506.5.
- (3)
 - (a) A charter school shall enroll an eligible student who submits a timely application, unless the number of applications exceeds the capacity of a program, class, grade level, or the charter school.
 - (b) If the number of applications exceeds the capacity of a program, class, grade level, or the charter school, students shall be selected on a random basis, except as provided in Subsections (4) through (8).
- (4) A charter school may give an enrollment preference to:
 - (a) a child or grandchild of an individual who has actively participated in the development of the charter school;
 - (b) a child or grandchild of a member of the charter school governing board;
 - (c) a sibling of a student presently enrolled in the charter school;
 - (d) a child of an employee of the charter school;
 - (e) students articulating between charter schools offering similar programs that are governed by the same governing board;
 - (f) students articulating from one charter school to another pursuant to an articulation agreement between the charter schools that is approved by the State Charter School Board; or
 - (g) students who reside within:
 - (i) the school district in which the charter school is located;
 - (ii) the municipality in which the charter school is located; or
 - (iii) a two-mile radius of the charter school.
- (5)
 - (a) Except as provided in Subsection (5)(b), a charter school that is approved by the State Board of Education after May 13, 2014, and is located in a high growth area shall give an enrollment preference to students who reside within a two-mile radius of the charter school.
 - (b) The requirement to give an enrollment preference under Subsection (5)(a) does not apply to a charter school that was approved without a high priority status pursuant to Subsection 53A-1a-502.5(6)(b).
- (6) If a district school converts to charter status, the charter school shall give an enrollment preference to students who would have otherwise attended it as a district school.
- (7)
 - (a) A charter school whose mission is to enhance learning opportunities for refugees or children of refugee families may give an enrollment preference to refugees or children of refugee families.
 - (b) A charter school whose mission is to enhance learning opportunities for English language learners may give an enrollment preference to English language learners.
- (8) A charter school may weight its lottery to give a slightly better chance of admission to educationally disadvantaged students, including:
 - (a) low-income students;

- (b) students with disabilities;
 - (c) English language learners;
 - (d) migrant students;
 - (e) neglected or delinquent students; and
 - (f) homeless students.
- (9) A charter school may not discriminate in its admission policies or practices on the same basis as other public schools may not discriminate in their admission policies and practices.

Amended by Chapter 291, 2014 General Session

Amended by Chapter 363, 2014 General Session

Amended by Chapter 406, 2014 General Session