

**Representative Kevin S. Garn** proposes the following substitute bill:

**CHARTER SCHOOL BUILDING AND**

**ENROLLMENT AMENDMENTS**

2008 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kevin S. Garn**

Senate Sponsor: Dan R. Eastman

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**LONG TITLE**

**General Description:**

This bill modifies charter school provisions of the State System of Public Education.

**Highlighted Provisions:**

This bill:

▶ modifies the reporting deadlines and requirements relating to students who have accepted enrollment in a charter school; and

▶ makes technical corrections.

**Monies Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53A-1a-506.5**, as enacted by Laws of Utah 2007, Chapter 344

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

Section 1. Section **53A-1a-506.5** is amended to read:



26 **53A-1a-506.5. Charter school students -- Applications -- Deadlines.**

27 (1) (a) The State School Board, in consultation with the State Charter School Board,  
28 shall make rules describing procedures for students to follow in applying for entry into a new  
29 charter school or a charter school that has increased its capacity.

30 (b) The rules under Subsection (1)(a) shall provide, as a minimum, for:

31 (i) distribution to interested parties of information about charter schools, charter school  
32 opening dates, and how to apply for admission;

33 (ii) use of standard application forms prescribed by the State Board of Education;

34 (iii) an initial period of applications that shall include:

35 [~~(iii)~~] (A) submission of applications until the third Friday in February by those seeking  
36 admission for the following year;

37 [~~(iv)~~] (B) written notification to the student's parent or legal guardian of an offer of  
38 acceptance or the rejection of an application by March 31; and

39 [~~(v)~~] (C) written acceptance of the offer by the student's parent or legal guardian by  
40 April 30;

41 (iv) procedures for the additional submission, notification, and written acceptance of  
42 applications subsequent to the period described under Subsection (1)(b)(iii), to be concluded  
43 prior to June 30;

44 [~~(vi)~~] (v) written notification to a student's current charter school or resident school  
45 district upon acceptance of that student for enrollment in a charter school; and

46 [~~(vii)~~] (vi) the admission of students, provided that the admission does not disqualify  
47 the charter school from any federal funding, at:

48 (A) any time to protect the health or safety of a student; or

49 (B) times other than those permitted under standard policies if there are other  
50 conditions of special need that warrant consideration.

51 (c) The rules under Subsection (1)(a) shall prevent the parent of a student who is  
52 enrolled in a charter school or who has accepted an offer as described in Subsection (1)(b)(v)  
53 from duplicating enrollment for that student in another charter school or a school district  
54 without following the withdrawal procedures described in Subsection (2).

55 (2) The parent of a student enrolled in a charter school may withdraw the student from  
56 that charter school for enrollment in another charter school or a school district by:

57 (a) submitting notice of intent to enroll the student in the district of residence for the  
 58 subsequent year to the student's charter school no later than ~~[March 31]~~ June 30 of the current  
 59 school year;

60 (b) submitting notice of intent to enroll the student in another charter school for the  
 61 subsequent school year to the current charter school of attendance, together with a letter of  
 62 acceptance from the proposed charter school of attendance, no later than ~~[March 31]~~ June 30 of  
 63 the current school year; or

64 (c) obtaining approval from both the charter school of attendance and the school  
 65 district or charter school in which enrollment is sought, if the parent desires to change the  
 66 student's enrollment during the school year or after ~~[March 31]~~ June 30.

67 (3) A charter school shall report to school districts, by the last business day in April,  
 68 May, June, July, and August, the aggregate numbers of ~~H~~→ **new** ←~~H~~ students, sorted by their  
 68a resident school  
 69 and grade level, who have accepted enrollment in the charter school.

70 ~~[(3)]~~ (4) When a vacancy occurs because a student has withdrawn from a charter  
 71 school, that charter school may immediately enroll a new student from its list of applicants.

72 ~~[(4)]~~ (5) Unless provisions have previously been made for enrollment in another  
 73 school, a charter school releasing a student from enrollment shall immediately notify the  
 74 district of residence, which shall enroll the student in the resident district and take such  
 75 additional steps as may be necessary to ensure compliance with laws governing school  
 76 attendance.

77 ~~[(5)]~~ (6) A school district or charter school may charge secondary students a one-time  
 78 \$5 processing fee, to be paid at the time of application.

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**Fiscal Note**

**H.B. 472 1st Sub. (Buff) - Charter School Building and Enrollment  
Amendments**

2008 General Session

State of Utah

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**State Impact**

Enactment of this bill will not require additional appropriations.

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**Individual, Business and/or Local Impact**

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.

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