

CHARTER SCHOOL LAW REVISIONS

2008 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Rebecca D. Lockhart

Senate Sponsor: Dan R. Eastman

6	Cosponsors:	Gregory H. Hughes	Curtis Oda
7	Bradley M. Daw	Eric K. Hutchings	Aaron Tilton
8	Craig A. Frank	Todd E. Kiser	Stephen H. Urquhart
9	Gage Froerer	Merlynn T. Newbold	Mark W. Walker
10	Christopher N. Herrod	Michael E. Noel	

LONG TITLE

General Description:

This bill modifies provisions relating to charter schools.

Highlighted Provisions:

This bill:

- ▶ modifies the appointment procedures for the staff director of the State Charter School Board;
- ▶ modifies provisions relating to the purposes and status of charter schools;
- ▶ requires the State School Board, in consultation with the State Charter School Board, to make rules relating to charter school accountability; and
- ▶ makes technical corrections.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

53A-1a-501.7, as enacted by Laws of Utah 2004, Chapter 251

53A-1a-503, as last amended by Laws of Utah 2004, Chapter 251

31 53A-1a-503.5, as enacted by Laws of Utah 2004, Chapter 251

32 ENACTS:

33 53A-1a-519, Utah Code Annotated 1953



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

36 Section 1. Section 53A-1a-501.7 is amended to read:

37 **53A-1a-501.7. State Charter School Board -- Staff director -- Facilities.**

38 (1) (a) The State Charter School Board, with the consent of the superintendent of
39 public instruction, shall appoint a staff director for the State Charter School Board [~~shall be~~
40 ~~appointed by the superintendent of public instruction, with the consent of the State Charter~~
41 ~~School Board~~].

42 [~~(b) If the State Charter School Board withholds consent of an appointment, the board~~
43 ~~shall state its reasons in writing to the superintendent of public instruction.~~]

44 [(~~e~~) (b) The State Charter School Board [~~may petition the superintendent of public~~
45 ~~instruction for removal of the staff director for cause; however, the superintendent of public~~
46 ~~instruction~~] shall have [~~sole~~] authority to remove the staff director with the consent of the
47 superintendent of public instruction.

48 [(~~d~~) (c) The position of staff director is exempt from the career service provisions of
49 Title 67, Chapter 19, Utah State Personnel Management Act.

50 (2) The superintendent of public instruction shall provide space for staff of the State
51 Charter School Board in facilities occupied by the Utah State Office of Education, with costs
52 charged for the facilities equal to those charged other sections and divisions within the Utah
53 State Office of Education and Utah State Office of Rehabilitation.

54 Section 2. Section 53A-1a-503 is amended to read:

55 **53A-1a-503. Purpose.**

56 The purposes of the state's charter schools as a whole are to:

57 (1) continue to improve student learning;

58 (2) encourage the use of different and innovative teaching methods;

- 59 (3) create new professional opportunities for educators that will allow them to actively
- 60 participate in designing and implementing the learning program at the school;
- 61 (4) increase choice of learning opportunities for students;
- 62 (5) establish new models of public schools and a new form of accountability for schools
- 63 that emphasizes the measurement of learning outcomes and the creation of innovative
- 64 measurement tools;
- 65 (6) provide opportunities for greater parental involvement in management decisions at
- 66 the school level; and
- 67 (7) expand public school choice in areas where schools have been identified for school
- 68 improvement, corrective action, or restructuring under the No Child Left Behind Act of 2001,
- 69 20 U.S.C. Sec. 6301 et seq.

70 Section 3. Section **53A-1a-503.5** is amended to read:

71 **53A-1a-503.5. Status of charter schools.**

- 72 (1) Charter schools are:
- 73 (a) considered to be public schools within the state's public education system; ~~and~~
- 74 (b) subject to Subsection 53A-1-401(3)[-]; and
- 75 (c) governed by independent boards and held accountable to a legally binding written
- 76 contractual agreement.
- 77 (2) A charter school may be established by creating a new school or converting an
- 78 existing public school to charter status.

79 Section 4. Section **53A-1a-519** is enacted to read:

80 **53A-1a-519. Accountability -- Rules.**

81 In accordance with Title 63, Chapter 46a, Utah Administrative Rulemaking Act and

82 after consultation with the State Charter School Board, the State Board of Education shall

83 make rules that:

- 84 (1) require a charter school to develop an accountability plan, approved by the State
- 85 Charter School Board, during its first year of operation;
- 86 (2) require a charter school authorizer to:

- 87 (a) visit a charter school at least once during:
88 (i) its first year of operation; and
89 (ii) the review period described under Subsection (3); and
90 (b) provide written reports to its charter schools after the visits; and
91 (3) establish a review process that is required of a charter school once every five years
92 by its authorizer.