

1                   **STATE CHARTER SCHOOL BOARD AMENDMENTS**

2                                   2011 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Howard A. Stephenson**

5                           House Sponsor: David G. Butterfield

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7   **LONG TITLE**

8   **General Description:**

9           This bill modifies procedures for the selection of members of the State Charter School  
10 Board.

11 **Highlighted Provisions:**

12           This bill:

13           ▶ provides that of the seven members appointed by the governor to the State Charter  
14 School Board, three members shall:

- 15                   • be nominated by an organization that represents Utah's charter schools; and  
16                   • have expertise or experience in developing or administering a charter school;

17           ▶ allows the governor to seek nominations from more than one organization that  
18 represents Utah's charter schools;

19           ▶ allows the governor to remove a member of the State Charter School Board at any  
20 time for official misconduct, habitual or willful neglect of duty, or for other good

21 and sufficient cause; and

22           ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

24           None

25 **Other Special Clauses:**

26           None

27 **Utah Code Sections Affected:**



28 AMENDS:

29 **53A-1a-501.5**, as last amended by Laws of Utah 2010, Chapter 286



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

32 Section 1. Section **53A-1a-501.5** is amended to read:

33 **53A-1a-501.5. State Charter School Board created.**

34 (1) As used in this section, "organization that represents Utah's charter schools" means  
35 an organization, except a governmental entity, that advocates for charter schools, charter school  
36 parents, or charter school students.

37 [~~(1)~~] (2) (a) The State Charter School Board is created consisting of the following  
38 members appointed by the governor:

- 39 (i) two members who have expertise in finance or small business management;
- 40 (ii) three members who:

41 (A) are [appointed from a slate of at least six candidates] nominated by an organization  
42 that represents Utah's charter schools; and

43 (B) have expertise or experience in developing or administering a charter school; and

44 (iii) two members who are [~~appointed from a slate of at least four candidates~~]  
45 nominated by the State Board of Education.

46 (b) Each appointee shall have demonstrated dedication to the purposes of charter  
47 schools as outlined in Section 53A-1a-503.

48 (c) At least two candidates shall be nominated for each appointment made under  
49 Subsection (2)(a)(ii) or (iii).

50 (d) The governor may seek nominations for a prospective appointment under  
51 Subsection (2)(a)(ii) from one or more organizations that represent Utah's charter schools.

52 [~~(2)~~] (3) (a) State Charter School Board members shall serve four-year terms[~~, except~~  
53 ~~three of the initial members appointed by the governor shall be appointed for a two-year term].~~

54 (b) If a vacancy occurs, the governor shall appoint a replacement for the unexpired  
55 term.

56 (4) The governor may remove a member at any time for official misconduct, habitual  
57 or willful neglect of duty, or for other good and sufficient cause.

58 [~~(3)~~] (5) (a) The State Charter School Board shall annually elect a chair from its

59 membership.

60 (b) Four members of the board shall constitute a quorum.

61 (c) Meetings may be called by the chair or upon request of three members of the board.

62 [~~(4)~~] (6) A member may not receive compensation or benefits for the member's service,

63 but may receive per diem and travel expenses in accordance with:

64 (a) Section 63A-3-106;

65 (b) Section 63A-3-107; and

66 (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and

67 63A-3-107.

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**Legislative Review Note**

as of 9-23-10 9:14 AM

**Office of Legislative Research and General Counsel**