

28 AMENDS:

29 **53A-1a-513**, as last amended by Laws of Utah 2011, Chapter 371

29a **Ĥ→ 63I-2-253, as last amended by Laws of Utah 2011, Chapters 303, 330, and 419 ←Ĥ**

30 ENACTS:

31 **53A-1a-513.5**, Utah Code Annotated 1953



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

34 Section 1. Section **53A-1a-513** is amended to read:

35 **53A-1a-513. Funding for charter schools.**

36 (1) As used in this section:

37 (a) "Charter school students' average local revenues" means the amount determined as
38 follows:

39 (i) for each student enrolled in a charter school on the previous October 1, calculate the
40 district per pupil local revenues of the school district in which the student resides;

41 (ii) sum the district per pupil local revenues for each student enrolled in a charter
42 school on the previous October 1; and

43 (iii) divide the sum calculated under Subsection (1)(a)(ii) by the number of students
44 enrolled in charter schools on the previous October 1.

45 (b) "District local property tax revenues" means the sum of a school district's revenue
46 received from the following levies:

47 (i) (A) a voted levy imposed under Section 53A-17a-133;

48 (B) a board levy imposed under Section 53A-17a-134;

49 (C) a 10% of basic levy imposed under Section 53A-17a-145;

50 (D) a tort liability levy imposed under Section 63G-7-704;

51 (E) a capital outlay levy imposed under Section 53A-16-107; and

52 (F) a voted capital outlay levy imposed under Section 53A-16-110; or

53 (ii) (A) a voted local levy imposed under Section 53A-17a-133;

54 (B) a board local levy imposed under Section 53A-17a-164, excluding revenues
55 expended for:

56 (I) recreational facilities and activities authorized under Title 11, Chapter 2,

57 Playgrounds;

58 (II) pupil transportation, up to the amount of revenue generated by a .0003 per dollar of

152 ~~as established in the school's charter]~~ for planning and implementation of the charter school.

153 (b) The State Board of Education shall coordinate the distribution of federal money
154 appropriated to help fund costs for establishing and maintaining charter schools within the
155 state.

156 (9) (a) A charter school may receive, hold, manage and use any devise, bequest, grant,
157 endowment, gift, or donation of any property made to the school for any of the purposes of this
158 part.

159 (b) It is unlawful for any person affiliated with a charter school to demand or request
160 any gift, donation, or contribution from a parent, teacher, employee, or other person affiliated
161 with the charter school as a condition for employment or enrollment at the school or continued
162 attendance at the school.

163 Section 2. Section **53A-1a-513.5** is enacted to read:

164 **53A-1a-513.5. Charter school start-up costs.**

165 (1) (a) The State Charter School Board shall use money appropriated for charter school
166 start-up costs to provide grants to charter schools to pay for expenses for the planning and
167 implementation of a charter school.

168 (b) The State Charter School Board ~~§~~ → :

168a (i) ~~←~~ ~~§~~ may use up to 8% of the money appropriated for
169 charter school start-up costs for financial monitoring of new charter schools and to provide
170 professional development or technical assistance for governing board members and staff of
171 new charter schools ~~§~~ → [] ; and

171a (ii) in accordance with rules adopted by the State Board of Education, may use up to
171b \$200,000 of the money appropriated for charter school start-up costs for a mentoring program
171c for new and existing charter schools. ~~←~~ ~~§~~

172 (2) The amount of a grant for charter school start-up costs shall be based on the
173 authorized enrollment of the charter school.

174 (3) The State Board of Education shall make rules consistent with this section
175 specifying:

176 (a) procedures for applying for and awarding grants for charter school start-up costs;

177 (b) permitted uses of grant money; and

178 (c) requirements for a charter school to submit the following to the State Charter
179 School Board:

180 (i) a budget for the grant money; and

181 (ii) a final report on the expenditure of the grant money.

181a1 **Ŝ→ (4) The State Board of Education shall make rules establishing a mentoring program for**
181a2 **new and existing charter schools. ←Ŝ**

181a **Ĥ→ Section 3. Section 63I-2-253 is amended to read:**

181b **63I-2-253. Repeal dates -- Titles 53, 53A, and 53B.**

181c **(1) Section 53A-1-403.5 is repealed July 1, 2012.**

181d **(2) Subsection 53A-1-603(5) is repealed July 1, 2015.**

- 181e **(3) Section 53A-1a-513.5 is repealed July 1, 2017.**
- 181f **(4) Title 53A, Chapter 1a, Part 10, UPSTART, is repealed July 1, 2014.**
- 181g **[~~(4)~~] (5) Subsection 53A-13-110(4) is repealed July 1, 2013.**
- 181h **[~~(5)~~] (6) Section 53A-15-1215 is repealed July 1, 2012. ←H**
- 182 **Section 3. Appropriation.**

183 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, the
 184 following sums of money are appropriated from resources not otherwise appropriated, out of
 185 the funds or accounts indicated for the fiscal year beginning July 1, 2012 and ending June 30,
 186 2013. These are additions to any amounts previously appropriated for fiscal year 2013.

187 To State Board of Education - State Charter School Board

188 From Education Fund \$2,500,000

189 Schedule of Programs:

190 Charter School Start-up Costs \$2,500,000

191 The Legislature intends that the appropriation under this section:

192 (1) ~~H~~ is ongoing, subject to availability of funds;

192a (2) is for fiscal years 2012-13, 2013-14, 2014-15, 2015-16, and 2016-17 only;

192b (3) ~~H~~ be used as provided in Section 53A-1a-513.5; and

193 ~~H~~ [(2)] (4) ~~H~~ not lapse at the end of ~~H~~ each ~~H~~ fiscal year ~~H~~ [2013] ~~H~~ .

194 **Section 4. Effective date.**

195 (1) Except as provided in Subsection (2), this bill takes effect on May 8, 2012.

196 (2) Uncodified Section 3, Appropriation, takes effect on July 1, 2012.

Legislative Review Note
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Office of Legislative Research and General Counsel