

28 retirement programs;

29       ▶ allows a charter school to weight its lottery to give a slightly better chance of  
30 admission to educationally disadvantaged students; and

31       ▶ makes technical changes.

32 **Money Appropriated in this Bill:**

33       None

34 **Other Special Clauses:**

35       ~~H~~→ ~~[None]~~ This bill coordinates with S.B. 171, Student-Centered Learning Pilot

35a Program, by providing technical amendments. ←~~H~~

36 **Utah Code Sections Affected:**

37 AMENDS:

38       10-9a-103, as last amended by Laws of Utah 2013, Chapters 309 and 334

39       11-36a-102, as last amended by Laws of Utah 2013, Chapter 200

40       17-27a-103, as last amended by Laws of Utah 2013, Chapters 309, 334, and 476

41       49-12-202, as last amended by Laws of Utah 2009, Chapters 51 and 165

42       49-13-202, as last amended by Laws of Utah 2012, Chapter 298

43       49-22-202, as last amended by Laws of Utah 2012, Chapter 298

44       52-4-209, as last amended by Laws of Utah 2012, Chapter 403

45       53A-1a-501.3, as last amended by Laws of Utah 2013, Chapter 10

46       53A-1a-501.6, as last amended by Laws of Utah 2010, Chapter 353

47       53A-1a-503.5, as last amended by Laws of Utah 2008, Chapter 319

48       53A-1a-505, as last amended by Laws of Utah 2005, Chapter 291

49       53A-1a-506, as last amended by Laws of Utah 2013, Chapter 278

50       53A-1a-506.5, as last amended by Laws of Utah 2010, Chapter 162

51       53A-1a-507, as last amended by Laws of Utah 2011, Chapter 349

52       53A-1a-509, as last amended by Laws of Utah 2012, Chapter 201

53       53A-1a-510, as last amended by Laws of Utah 2012, Chapter 201

54       53A-1a-510.5, as enacted by Laws of Utah 2007, Chapter 344

55       53A-1a-512, as last amended by Laws of Utah 2012, Chapter 425

56       53A-1a-514, as last amended by Laws of Utah 2007, Chapter 344

57       53A-1a-515, as last amended by Laws of Utah 2010, Chapters 162 and 303

58       53A-1a-517, as enacted by Laws of Utah 2007, Chapter 344

1702 (B) current teachers who choose not to teach at the converted charter school or who are  
 1703 not retained by the school at the time of its conversion would receive a first preference for  
 1704 transfer to open teaching positions for which they qualify within the school district, and, if no  
 1705 positions are open, contract provisions or board policy regarding reduction in staff would  
 1706 apply.

1707 (2) (a) An existing public school that converts to charter status under a charter granted  
 1708 by a local school board may:

1709 (i) continue to receive the same services from the school district that it received prior to  
 1710 its conversion; or

1711 (ii) contract out for some or all of those services with other public or private providers.

1712 (b) Any other charter school authorized by a local school board may contract with the  
 1713 board to receive some or all of the services referred to in Subsection (3)(a).

1713a **H→ (c) Except as specified in a charter agreement, local school board assets do not transfer**  
 1713b **to an existing public school that converts to charter status under a charter granted by a local**  
 1713c **school board under this section. ←H**

1714 (3) (a) (i) A public school that converts to a charter school under a charter granted by a  
 1715 local school board shall receive funding:

1716 (A) through the school district; and

1717 (B) on the same basis as it did prior to its conversion to a charter school.

1718 (ii) The school may also receive federal money designated for charter schools under  
 1719 any federal program.

1720 (b) (i) A local school board-authorized charter school operating in a facility owned by  
 1721 the school district and not paying reasonable rent to the school district shall receive funding:

1722 (A) through the school district; and

1723 (B) on the same basis that other district schools receive funding.

1724 (ii) The school may also receive federal money designated for charter schools under  
 1725 any federal program.

1726 (c) Subject to the provisions in Section 53A-1a-502.5, a charter school authorized by a  
 1727 local school board shall receive funding as provided in Section 53A-1a-513.

1728 (d) (i) A charter school authorized by a local school board, but not described in  
 1729 Subsection (3)(a), (b), or (c) shall receive funding:

1730 (A) through the school district; and

1731 (B) on the same basis that other district schools receive funding.

1732 (ii) The school may also receive federal money designated for charter schools under

1919 reduce the level of money in the debt service reserve fund to less than the debt service reserve  
1920 fund requirement.

1921 (b) So long as the applicable bonds issued under the credit enhancement program  
1922 remain outstanding, money in a debt service reserve fund may be withdrawn in an amount that  
1923 would reduce the level of money in the debt service reserve fund to less than the debt service  
1924 reserve fund requirement if the money is withdrawn for the purpose of:

1925 (i) paying the principal of, redemption price of, or interest on a bond when due and if  
1926 no other money of the qualifying charter school is available to make the payment, as  
1927 determined by the authority; or

1928 (ii) paying any redemption premium required to be paid when the bonds are redeemed  
1929 prior to maturity if no bonds will remain outstanding upon payment from the funds in the  
1930 qualifying charter school's debt service reserve fund.

1931 (8) Money in a qualifying charter school's debt service reserve fund that exceeds the  
1932 debt service reserve fund requirement may be withdrawn by the qualifying charter school.

1933 (9) (a) The authority shall annually, on or before December 1, certify to the governor  
1934 the amount, if any, required to restore amounts on deposit in the debt service reserve funds of  
1935 qualifying charter schools to the respective debt service reserve fund requirements.

1936 (b) The governor shall request from the Legislature an appropriation of the certified  
1937 amount to restore amounts on deposit in the debt service reserve funds of qualifying charter  
1938 schools to the respective debt service reserve fund requirements.

1939 (c) The Legislature may appropriate money to the authority to restore amounts on  
1940 deposit in the debt service reserve funds of qualifying charter schools to the respective debt  
1941 service reserve fund requirements.

1942 (d) A qualifying charter school that receives money from an appropriation to restore  
1943 amounts on deposit in a debt service reserve fund to the debt service reserve fund requirement,  
1944 shall repay the state at the time and in the manner as the authority shall require.

1945 (10) The authority may create and establish other funds for its purposes.

1945a **H→ Section 27. Coordinating H.B. 419 with S.B. 171--Technical amendments.**  
1945b **If this H.B. 419 and S.B. 171, Student-Centered Learning Pilot Program, both pass and**  
1945c **become law, it is the intent of the Legislature that the Office of Legislative Research and**  
1945d **General Counsel in preparing the Utah Code database for publication, modify**  
1945e **Subsection 53A-1a-508(3) to read:**

1945f **"(3) (a) Except as provided in Subsection (3)(b), a charter agreement may not be**  
1945g **modified except by mutual agreement between the charter school authorizer and the**

1945h governing board of the charter school.

1945i (b) (i) Subject to Subsection (3)(c), at the request of the governing board of a charter  
1945j school that is selected to participate in the Student-Centered Learning Pilot Program created  
1945k in Section 53A-15-1403, the charter school's authorizer shall attach an addendum to the  
1945l school's charter indicating the charter is modified to be consistent with the requirements of the  
1945m Student-Centered Learning Pilot Program and describing those modifications.

1945n (ii) A charter school authorizer shall make the modifications described in Subsection  
1945o (3)(b)(i) without requiring the charter school to participate in a charter amendment process.

1945p (c) (i) If an increase in a charter school's enrollment capacity is required to participate  
1945q in the Student-Centered Learning Pilot Program, the charter school shall submit a request for  
1945r an increase in enrollment capacity to the State Board of Education.

1945s (ii) The State Board of Education may approve an increase in enrollment capacity for  
1945t the charter school subject to the availability of sufficient funds appropriated under Section  
1945u 53A-1a-513." ←Ĥ