

28 Boards.

29 (b) "Refugee" means a person who is eligible to receive benefits and services from the
30 federal Office of Refugee Resettlement.

31 (2) All resident students of the state qualify for admission to a charter school, subject
32 to the limitations set forth in this section and Section 53A-1a-506.5.

33 (3) (a) A charter school shall enroll an eligible student who submits a timely
34 application, unless the number of applications exceeds the capacity of a program, class, grade
35 level, or the charter school.

36 (b) If the number of applications exceeds the capacity of a program, class, grade level,
37 or the charter school, the charter school shall select students [~~shall be selected~~] on a random
38 basis, except as provided in Subsections (4) through (8).

39 (4) A charter school may give an enrollment preference to:

40 (a) a child or grandchild of an individual who has actively participated in the
41 development of the charter school;

42 (b) a child or grandchild of a member of the charter school governing board;

43 (c) a sibling of a [~~student~~] an individual who was previously or is presently enrolled in
44 the charter school;

45 (d) a child of an employee of the charter school;

46 (e) [~~students~~] a student articulating between charter schools offering similar programs
47 that are governed by the same charter school governing board;

48 (f) [~~students~~] a student articulating from one charter school to another pursuant to an
49 articulation agreement between the charter schools that is approved by the State Charter School
50 Board; or

51 (g) students who reside within:

52 (i) the school district in which the charter school is located;

53 (ii) the municipality in which the charter school is located; or

54 (iii) a two-mile radius of the charter school.

55 (5) (a) Except as provided in Subsection (5)(b), a charter school that is approved by the
56 State Board of Education after May 13, 2014, and is located in a high growth area shall give an
57 enrollment preference to [~~students~~] a student who [~~reside~~] resides within a two-mile radius of
58 the charter school.

59 (b) The requirement to give an enrollment preference under Subsection (5)(a) does not
60 apply to a charter school that was approved without a high priority status pursuant to
61 Subsection ~~53A-1a-502.5~~(6)(7)(b).

62 (6) If a district school converts to charter status, the charter school shall give an
63 enrollment preference to students who would have otherwise attended it as a district school.

64 (7) (a) A charter school whose mission is to enhance learning opportunities for
65 refugees or children of refugee families may give an enrollment preference to refugees or
66 children of refugee families.

67 (b) A charter school whose mission is to enhance learning opportunities for English
68 language learners may give an enrollment preference to English language learners.

69 (8) A charter school may weight ~~[its]~~ the charter school's lottery to give a slightly better
70 chance of admission to educationally disadvantaged students, including:

- 71 (a) low-income students;
- 72 (b) students with disabilities;
- 73 (c) English language learners;
- 74 (d) migrant students;
- 75 (e) neglected or delinquent students; and
- 76 (f) homeless students.

77 (9) A charter school may not discriminate in its admission policies or practices on the
78 same basis as other public schools may not discriminate in ~~[their]~~ admission policies and
79 practices.

Legislative Review Note
Office of Legislative Research and General Counsel