

**CHARTER SCHOOL PROXIMITY AMENDMENTS**

2018 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Justin L. Fawson**

Senate Sponsor: Howard A. Stephenson

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**LONG TITLE**

**General Description:**

This bill amends a provision related to charter school enrollment preferences.

**Highlighted Provisions:**

This bill:

- amends a provision related to a charter school enrollment preference regarding the proximity of a student's residence to a charter school.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53G-6-502**, as renumbered and amended by Laws of Utah 2018, Chapter 3

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

Section 1. Section **53G-6-502** is amended to read:

**53G-6-502. Eligible students.**

(1) As used in this section:

(a) "At capacity" means operating above the school's open enrollment threshold.

(b) "District school" means a public school under the control of a local school board



28 elected pursuant to Title 20A, Chapter 14, Nomination and Election of State and Local School  
29 Boards.

30 (c) "Open enrollment threshold" means the same as that term is defined in Section  
31 [53G-6-401](#).

32 (d) "Refugee" means a person who is eligible to receive benefits and services from the  
33 federal Office of Refugee Resettlement.

34 (e) "School of residence" means the same as that term is defined in Section [53G-6-401](#).

35 (2) All resident students of the state qualify for admission to a charter school, subject  
36 to the limitations set forth in this section and Section [53G-6-503](#).

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

40 (b) If the number of applications exceeds the capacity of a program, class, grade level,  
41 or the charter school, the charter school shall select students on a random basis, except as  
42 provided in Subsections (4) through (8).

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

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

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

47 (c) a sibling of an individual who was previously or is presently enrolled in the charter  
48 school;

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

50 (e) a student articulating between charter schools offering similar programs that are  
51 governed by the same charter school governing board;

52 (f) a student articulating from one charter school to another pursuant to an articulation  
53 agreement between the charter schools that is approved by the State Charter School Board; or

54 (g) a student who resides within up to a two-mile radius of the charter school and  
55 whose school of residence is at capacity.

56 (5) (a) Except as provided in Subsection (5)(b), and notwithstanding Subsection (4)(g),  
57 a charter school that is approved by the State Board of Education after May 13, 2014, and is  
58 located in a high growth area as defined in Section [53G-6-504](#) shall give an enrollment

59 preference to a student who resides within a two-mile radius of the charter school.

60 (b) The requirement to give an enrollment preference under Subsection (5)(a) does not  
61 apply to a charter school that was approved without a high priority status pursuant to  
62 Subsection 53G-6-504(7)(b).

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

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

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

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

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

78 (9) A charter school may not discriminate in the charter school's admission policies or  
79 practices on the same basis as other public schools may not discriminate in admission policies  
80 and practices.