

1                   **STATE CHARTER SCHOOL BOARD AMENDMENTS**

2                                   2018 GENERAL SESSION

3                                   STATE OF UTAH

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

5                           House Sponsor: \_\_\_\_\_

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7   **LONG TITLE**

8   **General Description:**

9           This bill amends State Charter School Board membership provisions.

10 **Highlighted Provisions:**

11       This bill:

12           ▶ prohibits an employee of a charter school or an individual serving on a charter  
13 school governing board from serving as a member of the State Charter School  
14 Board; and

15           ▶ makes technical corrections.

16 **Money Appropriated in this Bill:**

17       None

18 **Other Special Clauses:**

19       None

20 **Utah Code Sections Affected:**

21 AMENDS:

22           **53G-5-201**, as renumbered and amended by Laws of Utah 2018, Chapter 3

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

25       Section 1. Section **53G-5-201** is amended to read:

26       **53G-5-201. State Charter School Board created.**

27       (1) As used in this section, "organization that represents Utah's charter schools" means



28 an organization, except a governmental entity, that advocates for charter schools, charter school  
29 parents, or charter school students.

30 (2) (a) The State Charter School Board is created consisting of the following members  
31 appointed by the governor:

32 (i) two members who have expertise in finance or small business management;

33 (ii) three members who:

34 (A) are nominated by an organization that represents Utah's charter schools; and

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

36 (iii) two members who are nominated by the State Board of Education.

37 (b) Each appointee shall have demonstrated dedication to the purposes of charter  
38 schools as outlined in Section [53G-5-104](#).

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

41 (d) (i) A member of the State Charter School Board may not be an employee of a  
42 charter school or serve on a governing board.

43 (ii) If an individual is a member of the State Charter School Board on or after May 8,  
44 2018, and that member is also an employee of a charter school or serves on a governing board  
45 at any time during the member's appointment to the State Charter School Board, the member's  
46 seat is vacated when the member's term expires.

47 [~~(d)~~] (e) The governor may seek nominations for a prospective appointment under  
48 Subsection (2)(a)(ii) from one or more organizations that represent Utah's charter schools.

49 (3) (a) State Charter School Board members shall serve four-year terms.

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

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

54 (5) (a) The State Charter School Board shall annually elect a chair from its  
55 membership.

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

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

58 (6) A member may not receive compensation or benefits for the member's service, but

59 may receive per diem and travel expenses in accordance with:

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

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

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

63 63A-3-107.

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**Legislative Review Note**  
**Office of Legislative Research and General Counsel**