

**ENROLLMENT PREFERENCE FOR MILITARY CHILDREN**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Val L. Peterson**

Senate Sponsor: Ann Millner

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**LONG TITLE**

**General Description:**

This bill enacts provisions creating a charter school enrollment preference for children of military servicemembers.

**Highlighted Provisions:**

This bill:

▶ amends charter school enrollment provisions to establish a preference for a child of a military servicemember.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**53G-6-502**, as last amended by Laws of Utah 2018, Chapter 380 and 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:



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

29 (b) "District school" means a public school under the control of a local school board  
30 elected pursuant to Title 20A, Chapter 14, Nomination and Election of State and Local School  
31 Boards.

32 (c) "Open enrollment threshold" means the same as that term is defined in Section  
33 [53G-6-401](#).

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

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

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

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

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

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

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

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

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

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

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

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

56 (g) a student who resides within up to a two-mile radius of the charter school and  
57 whose school of residence is at capacity~~[-];~~ or

58 (h) a child of a military servicemember as defined in Section [53B-8-102](#).

59 (5) (a) Except as provided in Subsection (5)(b), and notwithstanding Subsection (4)(g),  
60 a charter school that is approved by the State Board of Education after May 13, 2014, and is  
61 located in a high growth area as defined in Section 53G-6-504 shall give an enrollment  
62 preference to a student who resides within a two-mile radius of the charter school.

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

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

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

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

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

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

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