

3403 (1) (a) An applicant seeking authorization of a charter school from the State Charter
 3404 School Board shall provide a copy of the application to the local school board of the school
 3405 district in which the proposed charter school shall be located either before or at the same time it
 3406 files its application with the State Charter School Board.

3407 (b) The local school board may review the application and may offer suggestions or
 3408 recommendations to the applicant or the State Charter School Board prior to its acting on the
 3409 application.

3410 (c) The State Charter School Board shall give due consideration to suggestions or
 3411 recommendations made by the local school board under Subsection (1)(b).

3412 (d) The State Charter School Board shall review and, by majority vote, either approve
 3413 or deny the application.

3414 (e) A charter school application may not be denied on the basis that the establishment
 3415 of the charter school will have any or all of the following impacts on a public school, including
 3416 another charter school:

- 3417 (i) an enrollment decline;
- 3418 (ii) a decrease in funding; or
- 3419 (iii) a modification of programs or services.

3420 (2) The state board shall, in accordance with Title 63G, Chapter 3, Utah Administrative
 3421 Rulemaking Act, make a rule providing a timeline for the opening of a charter school following
 3422 the approval of a charter school application by the State Charter School Board.

3423 (3) After approval of a charter school application and in accordance with Section
 3424 [53G-5-303](#), the applicant and the State Charter School Board shall set forth the terms and
 3425 conditions for the operation of the charter school in a written charter agreement.

3426 (4) The State Charter School Board shall, in accordance with state board rules,
 3427 establish and make public the State Charter School Board's:

- 3428 (a) application requirements, in accordance with Section [53G-5-302](#);
- 3429 (b) application process, including timelines, in accordance with this section; and
- 3430 (c) minimum academic, financial, and enrollment standards.

3431 Section 74. Section [53G-5-406](#) is amended to read:

3432 **53G-5-406. Accountability -- Rules.**

3433 **§→ [f] ←§** The state board shall, **§→ [f] ←§** ~~In accordance with Title 63G, Chapter 3, Utah~~
 3433a ~~Administrative~~ **Ⓢ**

- 3434 ~~Rulemaking Act, and~~ ←§ after consultation with chartering entities, §→ [the state board shall] ←§
- 3434a make
- 3435 rules §→ in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, ←§
- 3435a that:
- 3436 (1) require a charter school to develop an accountability plan, approved by its charter
- 3437 school authorizer, during its first year of operation;
- 3438 (2) require an authorizer to:
- 3439 (a) visit a charter school at least once during:
- 3440 (i) its first year of operation; and
- 3441 (ii) the review period described under Subsection (3); and
- 3442 (b) provide written reports to its charter schools after the visits; and
- 3443 (3) establish a review process that is required of a charter school once every five years
- 3444 by its authorizer.
- 3445 Section 75. Section **53G-5-501** is amended to read:
- 3446 **53G-5-501. Noncompliance -- Rulemaking.**
- 3447 (1) If a charter school is found to be out of compliance with the requirements of
- 3448 Section **53G-5-404** or the school's charter agreement, the charter school authorizer shall notify
- 3449 the following in writing that the charter school has a reasonable time to remedy the deficiency,
- 3450 except as otherwise provided in Subsection **53G-5-503(4)**:
- 3451 (a) the charter school governing board; and
- 3452 (b) if the charter school is a qualifying charter school with outstanding bonds issued in
- 3453 accordance with Part 6, Charter School Credit Enhancement Program, the Utah Charter School
- 3454 Finance Authority.
- 3455 (2) If the charter school does not remedy the deficiency within the established timeline,
- 3456 the authorizer may:
- 3457 (a) subject to the requirements of Subsection (4), take one or more of the following
- 3458 actions:
- 3459 (i) remove a charter school director or finance officer;
- 3460 (ii) remove a charter school governing board member; or
- 3461 (iii) appoint an interim director or mentor to work with the charter school; or
- 3462 (b) subject to the requirements of Section **53G-5-503**, terminate the school's charter
- 3463 agreement.
- 3464 (3) The costs of an interim director or mentor appointed pursuant to Subsection (2)(a)