

R277-551 received final approval by the Utah State Board of Education on January 10, 2019. R277-551 is published in the February 1, 2019 Utah State Bulletin, subject to a 30-day comment period, with a first possible effective date of March 11, 2019.

R277. Education, Administration.

R277-551. Charter Schools - General Provisions.

R277-551-1. Authority and Purpose.

(1) This rule is authorized under:

(a) Utah Constitution Article X, Section 3, which vests general control and supervision over public education in the Board;

(b) Section 53F-2-702, which directs the Board to distribute funds for charter school students directly to the charter school;

(c) Subsection 53E-3-401(4), which allows the Board to adopt rules in accordance with its responsibilities; and

(d) Subsection 53G-5-205(5), which requires the Board to make rules establishing minimum standards that a charter school authorizer is required to apply.

(2) The purpose of this rule is to provide operational requirements for charter schools.

R277-551-2. Alternate Methods for Determining the Economically Disadvantaged Status of a Charter School's Students.

(1) A charter LEA with a charter school that does not participate in the National School Lunch Program shall comply with the requirements of this Section R277-551-2 to identify the economically disadvantaged status of students in the school's daily UTREx submission.

(2) A charter LEA described in Subsection (1):

(a) shall determine the economically disadvantaged status for its students on the basis of criteria no less stringent than those established by the U.S. Department of Agriculture for identifying students who qualify for reduced price lunch for the fiscal year in question; or

(b) may use the Charter School Declaration of Household Income form provided

by the Superintendent for this purpose.

(3) A school that does not use the form identified in Subsection (2)(b) shall maintain equivalent documentation in its records, which may be subject to review by the Superintendent.

R277-551-3. Transportation.

(1) A charter school may not receive to-and-from school transportation funds except as provided under Section 53F-5-211.

(2) A charter school that provides transportation to students shall comply with the inspection and safety requirements of Section 53-8-211.

(3) A school district may provide transportation for charter school students on a space-available basis on approved routes.

(4)(a) A school district may provide transportation or transportation information to charter school students and their parents who participate in transportation by the school district as guests.

(b) Charter schools or charter school students may forfeit with no recourse the privilege of transportation, as described in Subsection (4)(a), for violation of district policies.

R277-551-4. Student Health, Safety, and Welfare Reporting Requirements.

(1)(a) The State Charter School Board shall provide a form ~~[on its website]~~ for ~~[individuals]~~ a charter school to report threats to health, safety or welfare of students consistent with Subsection 53G-5-503(4).

(b) The State Charter School Board shall ~~[share reports received on]~~ provide reports received, as described in Subsection (1)(a):

(i) to the Superintendent; and

(ii) for charter schools from other authorizers, [with]to the applicable authorizer.

(2) Individuals making reports about threats shall report suspected criminal activity to local law enforcement and suspected child abuse to local law enforcement or

the Division of Child and Family Services consistent with:

- (a) Section 62A-4a-403;
- (b) Subsection 53G-9-203(3)(a); and
- (c) Rule R277-401.

(4) A charter school shall verify that potential criminal activity or suspected child abuse has been reported consistent with state law and this rule.

(5) A charter school shall act promptly to investigate and take disciplinary action, if appropriate, against students who may be participants in threatening activities or take appropriate and reasonable action to protect students or both.

(6) All charter schools shall be subject to accountability standards established by the Board and to monitoring and internal auditing by the Board.

R277-551-5. Charter School Information for Students and Parents.

(1) An authorizer shall ensure that each of the authorizer's charter schools has a website that contains the following information:

- (a) the charter school's governance structure, including the name, qualification, and contact information of all charter school governing board members;
- (b) the number of new students that will be admitted into the school;
- (c) the school calendar, which shall include:
 - (i) the first and last days of school;
 - (ii) scheduled holidays;
 - (iii) scheduled professional development days; and
 - (iv) scheduled non-school days;
- (d) timelines for acceptance of new students consistent with Section 53G-6-503;
- (e) the requirement and availability of a charter school student application;
- (f) the application timeline to be considered for enrollment in the charter school;
- (g) procedures for transferring to or from a charter school;
- (h) timelines for a transfer;

(i) provisions for payment, if required, of a one-time fee per secondary school enrollment, not to exceed \$5.00, consistent with Subsection 53G-6-503(9);

(j) the charter school governing board's policies; and

(k) other items required by:

(i) the charter school's authorizer;

(ii) statute; and

(iii) Board rule.

(2) The fee described in Subsection 1(l) is subject to fee waiver in accordance with Rule R277-407.

(3) A charter school shall have an operative and readily accessible website containing the information described in Subsection (1) at least 180 days before the proposed opening day of school.

KEY: education, charter schools

Date of Enactment or Last Substantive Amendment:

Authorizing, and Implemented, or Interpreted Law: Art X Sec 3; 53E-3-401; 53G-5-205