

1 **R277. Education, Administration.**

2 **R277-550. Charter Schools - Definitions.**

3 **R277-550-1. Authority and Purpose.**

4 (1) This rule is authorized by:

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

7 (b) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute the
8 Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) [Title 53G, Chapter 5](#), Charter Schools, which allows the Board to make rules
10 governing aspects of operations of charter schools.

11 (2) The purpose of this rule is to establish definitions for rules governing charter
12 schools.

13 (3) The definitions contained in this rule apply to Rules [R277-550](#) through [R277-](#)
14 [555](#).

15 **R277-550-2. Definitions.**

16 (1) "Amendment" means a change or addition to a charter agreement.

17 (2) "Authorizer" means an entity approved to authorize the establishment of a
18 charter school under Sections [53G-5-304](#) through [53G-5-306](#).

19 (3) "Charter school" means a public school created in accordance with the
20 provisions of [Title 53G, Chapter 5](#), Charter Schools.

21 (4)(a) "Charter school agreement" or "Charter agreement" means a written
22 agreement between a charter school and its authorizer containing the terms and
23 conditions for the operation of a charter school.

24 (b) The charter school agreement maintained by a charter school's authorizer is
25 the final, official, and complete agreement.

26 (5) "Charter school deficiency" means:

27 (a) failure of a charter school to comply with its charter agreement, including
28 governance, financial, academic, or operational obligations;

29 (b) failure of a charter school to comply with the requirements of state or federal
30 law or board rule;

31 (c) failure of a charter school to meet terms established by the school's authorizer
32 as part of a remediation process; or

33 (d) fraud or misuse of funds by charter school governing board members or
34 employees.

35 (6) "Charter school governing board" means the local board that governs a charter
36 school.

37 (7) "Expansion" means:

38 (a) an increase in the number of grade levels offered by a charter school identified
39 by a single school number; or

40 (b) an increase in the number of students for which a charter school identified by a
41 single school number is authorized to receive funding.

42 (8) "Mentor" means an individual or organization with expertise or demonstrated
43 competence, approved by the State Charter School Board to advise charter schools in the
44 Mentoring Program.

45 (9) "Mentoring program" means the State Charter School Board mentoring
46 program.

47 (10) "New school" means any school receiving a new school number, including a
48 new charter school, or a new satellite school.

49 (11) "Net lease adjusted debt burden ratio" means a school's cumulative annual
50 debt service payments, inclusive of loans and facility lease payments, divided by the
51 school's unrestricted annual operating revenue.

52 (12) "Non-operating charter school" means a charter school that has not received
53 minimum school program funds or federal funds and is not providing educational services
54 during a fiscal year, such as a charter school in a start-up period.

55 (13) "Operating charter school" means a charter school that has received
56 minimum school program funds or federal funds and is providing educational services
57 during a fiscal year.

58 (14) "Probation" means a written formal action and notification through which a
59 school is required to demonstrate the school's compliance with the authorizer's
60 probationary requirements.

61 (15) "Restricted revenue" means the same as the term is defined in Section [63J-1-](#)
62 [102](#).

63 (16) "Satellite school" means a charter school affiliated with an existing charter
64 school physically located within the state of Utah that:

65 (a) has the same governing board as the existing charter school;

66 (b) has the same authorizer as the existing charter school;

67 ~~(b)c~~ may have a similar or different program of instruction or grades served from
68 the existing charter school;

69 ~~(e)d~~ is located at a different site or in a different geographical area than the
70 existing charter school; and

71 ~~(e)e~~ has a separate school number than the existing charter school.

72 (17) "School number" means a number assigned by the Superintendent in
73 accordance with National Center for Education Statistics criteria that identifies a distinct
74 school within an LEA.

75 (18) "State Charter School Board" means the board established in Section [53G-5-](#)
76 [201](#).

77 (19) "Unrestricted revenue" means revenue that is:

78 (a) not restricted revenue; or

79 (b) restricted revenue that may be used for purposes of paying for annual debt
80 service payments, including loans and facility lease payments.

81 (20) "Utah Consolidated Application" or "UCA" means the web-based grants
82 management tool employed by the Superintendent through which LEAs submit plans and
83 budgets for approval by the Superintendent or Board.

84 (21) "Utah eTranscript and Record Exchange" or "UTREx" has the same meaning
85 as described in Subsection [R277-484-2\(11\)](#).

86 **KEY: education, charter schools**

87 **Date of Enactment or Last Substantive Amendment: August 12, 2020**

88 **Authorizing, and Implemented or Interpreted Law: [Art X Sec 3](#); [53E-3-401](#); [53G-5-](#)**
89 **[205](#)**