

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 R277-555.

14 **R277-550-2. Definitions.**

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

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

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

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

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

25 (5) "Charter school deficiency" means:

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

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

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

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

34 (6) “Charter school governing board” means the local board that governs a charter
35 school.

36 (7) “Expansion” means:

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

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

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

44 (9) “Mentoring program” means the State Charter School Board mentoring program.

45 (10) “Probation” means a written formal action and notification through which a
46 school is required to demonstrate its full compliance with its charter agreement, all
47 applicable laws, rules, and regulations, and remedies deficiencies.

48 (11) “Replication school” means a charter school affiliated with an existing charter
49 school physically located in the state of Utah that:

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

51 (b) has a similar program of instruction as the existing charter school;

52 (c) is located at a different site or in a different geographical area than the existing
53 charter school; and

54 (d) has a separate school number than the existing charter school.

55 (12) “Non-operating charter school” means a charter school that has not received
56 minimum school program funds or federal funds and is not providing educational services
57 during a fiscal year, such as a charter school in a start-up period.

58 (13) “Operating charter school” means a charter school that has received minimum
59 school program funds or federal funds and is providing educational services during a fiscal

60 year.

61 (14) "Satellite school" means a charter school affiliated with an existing charter
62 school physically located within the state of Utah that:

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

64 (b) has a different program of instruction or grades served from the existing charter
65 school;

66 (c) is located at a different site or in a different geographical area than the existing
67 charter school; and

68 (d) has a separate school number than the existing charter school.

69 (15) "School number" means a number assigned by the Superintendent in
70 accordance with National Center for Education Statistics criteria that identifies a distinct
71 school within an LEA.

72 (16) "State Charter School Board" means the board established in Section 53G-5-
73 201.

74 (17) "Utah Consolidated Application" or "UCA" means the web-based grants
75 management tool employed by the Superintendent through which LEAs submit plans and
76 budgets for approval by the Superintendent or Board.

77 (18) "Utah eTranscript and Record Exchange" or "UTREx" has the same meaning
78 as described in Subsection R277-484-2(11).

79 **KEY: education, charter schools**

80 **Date of Enactment or Last Substantive Amendment:**

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