

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 supervision
6 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 charter
17 school under Sections [53G-5-304](#) through [53G-5-306](#).

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

20 (4)(a) "Charter school agreement" or "Charter agreement" means a written agreement
21 between a charter school and its authorizer containing the terms and conditions for the
22 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 as
31 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 by
38 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) "Lease adjusted debt burden ratio" means a school's cumulative annual debt
42 service payments, inclusive of cumulative annual lease payments, divided by the school's
43 unrestricted annual operating revenue.]~~

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

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

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

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

53 ~~[(10) "Probation" means a written formal action and notification through which a school
54 is required to demonstrate the school's compliance with the authorizer's probationary
55 requirements.~~

56 ~~———— (11) "Replication school" means a charter school affiliated with an existing charter~~
57 ~~school physically located in the state of Utah that:~~

58 ~~———— (a) has the same governing board as the existing charter school;~~

59 ~~———— (b) has a similar program of instruction as the existing charter school;~~

60 ~~———— (c) is located at a different site or in a different geographical area than the existing~~
61 ~~charter school; and~~

62 ~~———— (d) has a separate school number than the existing charter school.]~~

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

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

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

72 (15) "Restricted revenue" means the same as the term is defined in Section 63J-1-102.

73 (1~~[4]~~⁶) "Satellite school" means a charter school affiliated with an existing charter
74 school physically located within the state of Utah that:

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

76 (b) ~~[has a]~~ may have a similar or different program of instruction or grades served from
77 the existing charter school;

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

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

81 (1~~[5]~~⁷) "School number" means a number assigned by the Superintendent in
82 accordance with National Center for Education Statistics criteria that identifies a distinct school
83 within an LEA.

84 (1[6]8) "State Charter School Board" means the board established in Section 53G-5-
85 201.

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

87 (a) not restricted revenue; or

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

90 (1[7]8) "Utah Consolidated Application" or "UCA" means the web-based grants
91 management tool employed by the Superintendent through which LEAs submit plans and
92 budgets for approval by the Superintendent or Board.

93 (1[8]9) "Utah eTranscript and Record Exchange" or "UTREx" has the same meaning
94 as described in Subsection R277-484-2(11).

95 **KEY: education, charter schools**

96 **Date of Enactment or Last Substantive Amendment: January 9, 2019**

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