

Charter School FAQs

What are charter schools?

Charter schools are tuition-free public schools open to any state resident created by a group of parents, teachers or community leaders who see an educational need in their community. The charter school controls its own curriculum, staffing, organization, and budget. Like other public schools, charter schools serve students from kindergarten through the 12th grade.

What is the purpose of charter schools?

Charters Schools offer parents and students additional choices about where students attend school and the school's curricular emphasis. They allow educators freedom to try new strategies to inspire students and to experiment with innovative ways of educating students. Also, charter schools allow individuals and organizations outside of the traditional education system to create and run public schools.

Are charter schools considered public schools?

Yes. A public school is defined as a school that is open to the public, funded by the public, and accountable to the public. Charter schools meet all three tests.

Can anyone attend a charter school?

Yes. Like other public schools, charter schools must be open to every child regardless of race, religion, disability, or academic ability. However, if the number of students applying to enroll in a charter school exceeds the capacity of the school or of programs, classes, or grade levels within the school, then those to be admitted are chosen at random from among the applicants, subject to certain preferences:

Mandatory Preference

If a public school converts to charter school status, students who would have attended the public school must be given preference in enrollment.

Optional Preference

Based on the written charter, preference may also be given to the following:

- Students whose parent or grandparents were actively involved in the development of the charter school (Founders)
- Students whose parent or grandparents serve or served on the governing board
- Students who have a sibling who attends or attended the charter school
- Students returning from the previous school year
- Students who reside within the school district where the charter school is located
- Students who reside up to two-miles from the school
- Students whose parent is a staff member in the charter school
- Students whose parents are in the military

Do charter schools serve special population students?

Like all public schools, charter schools are required to provide access and services to all students, including students with disabilities, limited English proficiency, socio-economic disadvantages, and other special needs.

Are charter schools diverse?

Yes. Nationwide, students in charter schools have similar demographic characteristics to students in all public schools. However, charter schools in some states serve significantly higher percentages of minority or economically disadvantaged students. In Utah, the demographics vary from school to school, with some schools serving very diverse populations.

Are charter schools required to meet state education standards or offer standardized tests?

As public schools, Utah's charter schools must comply with the State's requirements for student assessment.

How are charter schools held accountable?

A charter school must make the same annual reports as other public schools, including an annual financial audit and monthly budget report. Charter schools must participate in the statewide testing programs and submit all required reports requested by the Utah State Board of Education. Additionally, the authorizer of the charter school is required to develop an accountability plan for each school and conduct a review every five years.

What state laws apply to charter schools?

Charter schools are public schools and as such are required to comply with all Utah laws, except those that expressly do not apply to charter schools. For example, charter schools must comply with laws pertaining to special education, the accounting system, student health and safety, compulsory school attendance, and standardized testing. The Utah State Board of Education (USBE) may waive any of its rules for a charter school or other public school if the school applies for a waiver and USBE finds that the waiver would not violate applicable law or cause harm to students or the school. A Charter School is exempt from existing negotiated agreements relating to the hiring, employment, and dismissal of employees. A charter school's governing body may determine the level of compensation and the terms and conditions of employment for its employees.

Must charter schools comply with federal laws and regulations?

Yes. Charter schools are subject to most of the same federal, constitutional, statutory, and regulatory requirements applicable to other public schools.

Are charter schools required to be accredited?

Yes. All Utah public secondary schools offering high school credit and/or diplomas must be accredited by AdvancED. Accreditation is optional for all public schools K-8.

What is the Utah Code that governs charter schools?

The Utah Charter Schools Act is part of the Utah Strategic Planning Act for Educational Excellence and is part of the State System of Public Education (53G-5 et seq.)

May a charter school be religious in nature?

No. As with other public schools, charter schools must be non-religious in their programs, admissions policies, governance, employment practices and all other operations, and the charter school's curriculum must be completely secular. However, like other public schools, charter schools may enter into partnerships with any community group for secular purposes.

Who authorizes charter schools in the State of Utah, and how many can be authorized?

Charter schools in Utah can be authorized by one of the following: The State Charter School Board, a local school board, or a board of trustees of a higher education institution that authorizes the establishment of a charter school. Utah's legislation does not place a limit on the number of charter schools that can open in the State. Even so, the number of students authorized is projected annually, with priority given to high growth areas.

What is the State Charter School Board?

The State Charter School Board (SCSB) is authorized by legislation and its members are appointed by the Governor. The SCSB is required by law to:

- authorize and promote the establishment of charter schools;
- annually review and evaluate the performance of schools they authorize;
- monitor their charter schools for compliance with federal and state laws, rules and regulations; provide technical support regarding charter schools;
- make recommendations on legislation, rules, and funding pertaining to charter schools.

Who is eligible to organize a charter school in Utah?

An application to establish a charter school may be submitted by an individual, a group of individual, or a nonprofit legal entity organized under Utah law. An authorized charter school may apply under this chapter for a charter form another charter school authorizer.

What is the process to start a charter school?

Please visit our "Start a School" tab for details regarding this process.

How is it determined where a charter will be located?

There are several factors that influence where a charter school chooses to locate. The availability of land and/or facilities is one important factor. Charter schools also focus on neighborhoods with a need for additional high-quality school options, and they often locate where there is a demonstrated need for the school model they plan to offer.

Is the community or neighborhood where the charter plans to be located part of the process?

In order to build strong community relationships and serve as a community anchor, successful schools must engage their community throughout the process. We encourage schools to both authentically engage their neighborhoods and build a local board reflective of their community.

Are teachers at charter schools highly qualified?

Under Every Student Succeeds Act (ESSA), the designation of Highly Qualified is no longer required. However, Utah charter schools may only employ educators who hold valid teaching certificates or who meet USBE requirements for alternative certification or authorization. A charter school may not employ an educator whose license has been suspended or revoked by the State Board of Education.

How are charter schools funded in Utah?

On the whole, charter schools are funded with taxpayer dollars, much like traditional districts. Charter schools are funded on the principle that state funds follow the student. Due to the configuration of charter schools versus traditional districts, students are funded at different percentages based on the grade level of the student. A charter school may not charge tuition or require students or parents to make donations and is subject to the same rules regarding school fees as other public schools.

What must be included in a charter school's charter?

A charter is a contract between a charter school and the authorizer, setting forth the conditions under which the school will operate. The charter should include detailed information about the school, including • The ages or grade levels to be served • Projected maximum student enrollment and projected enrollment each of the first 3 years of operation • The way the school will be governed • The budget and other financial matters • Provisions for financial audits and annual reports • The school's mission, educational goals, and curriculum • Plans for community outreach, including distribution of information about charter schools to interested parties, charter school opening dates, and how to apply for admission • Methods for student assessment, if any, in addition to participation in the statewide public education assessment program and end-of-level core curriculum assessments • Admission, suspension, and dismissal procedures including a student discipline and conduct policy • Procedures for reviewing parents' complaints about the school • Opportunities for involving parents • Insurance for the school, its employees and governing body • The school calendar, including the length of the school day and school year • Plans for extracurricular activities, if any • District in which school will be located and physical facilities' address, if known at time of application • Educator qualifications

How long is a charter valid?

A charter is valid until revoked or according to the terms set forth in the issued charter.

How are charter schools governed?

Charter schools have their own governing boards and most operate independently of local school districts. The Utah State Board of Education and the State Charter School Board have oversight responsibility for charter schools and annually review the progress of every charter school.

Can a charter school be closed?

A charter school authorizer may terminate a school's charter and stop funding, effectively closing the school, for failure to meet the requirements stated in the charter, failure to meet generally accepted standards of fiscal management, designation as a low performing school, failure to improve the school's grade, violation of requirements under the law, or other good cause shown.

A charter school may provide notice to its authorizer that it is relinquishing its charter.