

1                   **STATE CHARTER SCHOOL BOARD AMENDMENTS**

2                                   2011 GENERAL SESSION

3                                   STATE OF UTAH

4                           **Chief Sponsor: Howard A. Stephenson**

5                           House Sponsor: David G. Butterfield

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7 **LONG TITLE**

8 **General Description:**

9           This bill modifies procedures for the selection of members of the State Charter School  
10 Board.

11 **Highlighted Provisions:**

12           This bill:

13           ▶ provides that of the seven members appointed by the governor to the State Charter  
14 School Board, three members shall:

- 15                   • be nominated by an organization that represents Utah's charter schools; and
- 16                   • have expertise or experience in developing or administering a charter school;

17           ▶ allows the governor to seek nominations from more than one organization that  
18 represents Utah's charter schools;

19           ▶ allows the governor to remove a member of the State Charter School Board at any  
20 time for official misconduct, habitual or willful neglect of duty, or for other good  
21 and sufficient cause; and

22           ▶ makes technical changes.

23 **Money Appropriated in this Bill:**

24           None

25 **Other Special Clauses:**

26           None

27 **Utah Code Sections Affected:**

28 AMENDS:

29           **53A-1a-501.5**, as last amended by Laws of Utah 2010, Chapter 286

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31 *Be it enacted by the Legislature of the state of Utah:*32 Section 1. Section **53A-1a-501.5** is amended to read:33 **53A-1a-501.5. State Charter School Board created.**34 (1) As used in this section, "organization that represents Utah's charter schools" means  
35 an organization, except a governmental entity, that advocates for charter schools, charter school  
36 parents, or charter school students.37 ~~[(1)]~~ (2) (a) The State Charter School Board is created consisting of the following  
38 members appointed by the governor:

39 (i) two members who have expertise in finance or small business management;

40 (ii) three members who:

41 (A) are [appointed from a slate of at least six candidates] nominated by an organization  
42 that represents Utah's charter schools; and43 (B) have expertise or experience in developing or administering a charter school; and44 (iii) two members who are ~~[appointed from a slate of at least four candidates]~~

45 nominated by the State Board of Education.

46 (b) Each appointee shall have demonstrated dedication to the purposes of charter  
47 schools as outlined in Section 53A-1a-503.48 (c) At least two candidates shall be nominated for each appointment made under  
49 Subsection (2)(a)(ii) or (iii).50 (d) The governor may seek nominations for a prospective appointment under  
51 Subsection (2)(a)(ii) from one or more organizations that represent Utah's charter schools.52 ~~[(2)]~~ (3) (a) State Charter School Board members shall serve four-year terms~~[-except~~  
53 ~~three of the initial members appointed by the governor shall be appointed for a two-year term].~~54 (b) If a vacancy occurs, the governor shall appoint a replacement for the unexpired  
55 term.56 (4) The governor may remove a member at any time for official misconduct, habitual  
57 or willful neglect of duty, or for other good and sufficient cause.

58            [~~3~~] (5) (a) The State Charter School Board shall annually elect a chair from its  
59 membership.

60            (b) Four members of the board shall constitute a quorum.

61            (c) Meetings may be called by the chair or upon request of three members of the board.

62            [~~4~~] (6) A member may not receive compensation or benefits for the member's service,  
63 but may receive per diem and travel expenses in accordance with:

64            (a) Section 63A-3-106;

65            (b) Section 63A-3-107; and

66            (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and  
67 63A-3-107.