

30 that:

31 (a) satisfies all requirements of state law and State Board of Education rules;

32 (b) has operated for at least three years meeting the terms of the school's charter
33 agreement; and

34 (c) has students performing at or above the academic performance standard in the
35 school's charter agreement.

36 (2) (a) Subject to Subsection (2)(b), a governing board may voluntarily request the
37 charter school's authorizer to place the school in a school improvement process.

38 (b) A governing board shall provide notice and a hearing on the governing board's
39 intent to make a request under Subsection (2)(a) to parents and guardians of students enrolled
40 in the charter school.

41 (3) An authorizer may grant a governing board's request to be placed in a school
42 improvement process if the governing board has provided notice and a hearing under
43 Subsection (2)(b).

44 (4) An authorizer that has entered into a school improvement process with a governing
45 board shall:

46 (a) enter into a contract with the governing board on the terms of the school
47 improvement process;

48 (b) notify the State Board of Education that the authorizer has entered into a school
49 improvement process with the governing board; and

50 (c) notify the Utah Charter School Finance Authority that the authorizer has entered
51 into a school improvement process with the governing board if the charter school is a
52 qualifying charter school with outstanding bonds issued in accordance with Chapter 20b, Part
53 2, Charter School Credit Enhancement Program.

54 (5) Upon notification under Subsection (4)(b), the State Board of Education shall
55 notify charter schools and the school district in which the charter school is located that the
56 governing board has entered into a school improvement process with the charter school's
57 authorizer.

58 (6) A high performing charter school or the school district in which the charter school
59 is located may apply to the governing board to assume operation and control of the charter
60 school that has been placed in a school improvement process.

61 (7) A governing board that has entered into a school improvement process shall review
62 applications submitted under Subsection (6) and submit a proposal to the charter school's
63 authorizer to:

64 (a) terminate the school's charter, notwithstanding the requirements of Section
65 53A-1a-510; and

66 (b) transfer operation and control of the charter school to:

67 (i) the school district in which the charter school is located; or

68 (ii) a high performing charter school.

69 (8) Except as provided in Subsection (9) and subject to Subsection (10), an authorizer
70 may:

71 (a) approve a governing board's proposal under Subsection (7); or

72 (b) (i) deny a governing board's proposal under Subsection (7); and

73 (ii) (A) terminate the school's charter in accordance with Section 53A-1a-510;

74 (B) allow the governing board to submit a revised proposal; or

75 (C) take no action.

76 (9) An authorizer may not take an action under Subsection (8) for a qualifying charter
77 school with outstanding bonds issued in accordance with Chapter 20b, Part 2, Charter School
78 Credit Enhancement Program without mutual agreement of the Utah Charter School Finance
79 Authority and the authorizer.

80 (10) (a) An authorizer that intends to transfer operation and control of a charter school
81 as described in Subsection (7)(b) shall request approval from the State Board of Education.

82 (b) (i) The State Board of Education shall consider an authorizer's request under
83 Subsection (10)(a) within 30 days of receiving the request.

84 (ii) If the State Board of Education denies an authorizer's request under Subsection
85 (10)(a), the authorizer may not transfer operation and control of the charter school as described

86 in Subsection (7)(b).

87 (iii) If the State Board of Education does not take action on an authorizer's request

88 under Subsection (10)(a) within 30 days of receiving the request, an authorizer may proceed to

89 transfer operation and control of the charter school as described in Subsection (7)(b).