

Is it time to update your charter?

Most likely you are like 90% of the charter schools in Utah: operating with a charter that only partially reflects practice. The founders applied with a best laid plan and great ideas of what your school would look like and what it would achieve and then reality hit. Or things had to change to keep up with legislative requirements or just to make sense operationally. Many of the application items were to demonstrate an understanding of running a school, not to be permanently in effect. Don't even get me started on the goals! However, your charter contract incorporates the entire application. As you can see this causes an almost immediate issue with fidelity, as operational details can and should change over time. And let's be honest no one wants you to amend your charter with every operational change. Thus the contract itself has created a situation where a school is almost always out of compliance with the charter. But the charter is a legally binding contract and so the SCSB and the school should make fidelity to the charter a priority.

How can you get your charter into fidelity? There are two options for making the charter reflect current practice. You can amend the application or you can convert to the Exhibit "A" format.

Amendment Process

The amendment process keeps the original chart, including the application intact, but allows you to modify elements of the application. In this process you, the school, do the majority of the work. Once you have made all the changes and submitted the redline copy to staff, with the correct application, the governing board will appear before the SCSB to request those changes to the application be agreed to. If approved, an addendum outlining the changes is signed, and a new copy of the charter is filed in UCAP.

Exhibit "A"

The Exhibit "A" process is a little different than the amendment process. The Exhibit "A" is designed to make it easier for a school to be in compliance with the approved elements of the charter and to make it an accurate and useful document. In this process, SCSB staff does the majority of the work. If a school requests a draft Exhibit "A", staff reviews the existing application and any amendments that have previously occurred and extracts the relevant details to complete the template. Staff sends the governing board/designee a draft of the Exhibit "A". If the school has no changes, goals are set and approved in an open meeting and the form returned to staff. If the school disagrees with any elements presented by staff, the school submits a red line version for discussion. Staff will work with the designee by email, over the phone, or in person to ensure both parties are comfortable with the wording of the key elements and the technical elements. Once a final Exhibit "A" is agreed upon, staff submits the document to the Authorizing Committee for review. If there are not concerns, the item is placed on the SCSB consent calendar for approval by the full board. The SCSB approves the new agreement, the chair signs, and the form is returned to the school for signatures and a resolution.

More Information?

For a quick online training regarding this process, please visit <https://www.utahscsb.org/update-your-charter>

To contact SCSB staff about the process of updating your charter, call Rabecca Cisneros at 801-538-7990

Which Amendment Process is Right for My School?

	Work done by school	Work done by SCSB	Requires an application	Appear before SCSB	Keeps application incorporated to contract	Sign a new agreement	Set new goals	SCSB staff support through process
Amendment	✓		✓	✓	✓			✓
Exhibit "A"		✓				✓	✓	✓