



Monday, November 16, 2015

RE: Election of Members of the Utah State Charter School Board

As a matter of ongoing discussion and consideration, Utah Charter Network's (UCN) Executive Director Kim Frank, as well as other UCN board members, have met with state legislators and education leaders in the governor's office, and, the Utah State Office of Education (USOE), to discuss whether members of the Utah State Charter School Board (USCSB) should be subject to public election.

Currently, USCSB members are appointed by the governor. Normally, positions on the USCSB that become vacant are filled following the solicitation and acceptance of recommendations of candidate names to the governor's office, with final appointment powers resting with the Chief Executive.

Although the USCSB is primarily an advisory board, it does exercise some authority great than that of normal boards. For example, Utah Code gives the USCSB "authorization" powers to provide a vetting process to pass through, for its consideration, new charter school applications for final approval by the Utah State Board of Education (USBE). Charter applicants must clear a relatively subjective USCSB vote (based on several application reviewers' preliminary subjective critiques, using an objectively structured rubric) to be considered "worthy" of a hearing by the USBE. Generally speaking, the process works well enough for charter student population growth to annually increase between 4000-7000 students per year; however, some charter applicants in the past have expressed that they feel they have been dealt with unfairly—that their application was subjected to inter- and intra-board politics.

A legislative bill file was opened during the 2015 Utah General Legislative Session (last session) to begin the preliminary discussion with stakeholders, as to the viability of such a proposal. With recent determinations in court as to the "constitutionality" of current statutory elections methodologies in Utah, the UCN Board of Directors feels compelled to raise the question, once again, to the legislature as to whether members of the USCSB should be elected by a legitimate constituent population. Individuals serving on influential boards of this type should be accountable to the people (constituencies) they represent. Subjecting members of this board to public election will provide for reasonable accountability to an electorate.

Numerous organizational and diagrammatical structures have been considered and discussed at length by stakeholders to this point; however, UCN's Executive Director continues to accept input from all who wish to provide their thoughts. Please direct questions or input to Kim Frank at (801) 722-8911, or email: kim@utahcharternetwork.com.

-UCN