



**New Charter School Proposal  
presented to the  
Utah State Charter School Board  
on behalf of**

**Virtual Preparatory Academy of Utah**

## Required Information

### *Charter School Information*

1. **Name of Proposed Charter School:** Virtual Preparatory Academy of Utah
2. **Name of Applicant:** Virtual Preparatory Academy of Utah Board
3. **Authorized Agent:** Janet Aikele
4. **Mailing Address:** 679 E. 1250 S. Providence, UT 84332
5. **Phone Number:** 703-439-7035
6. **Email Address:** janet.aikele@outlook.com
7. **New School Location and Location's School District(s):** Statewide

### *Governance Structure*

Name	Position	Area of Expertise	Any Charter Affiliations
Janet Aikele	Chairman	Education, school operation and leadership	No
Dr. Dwight Israelsen	Vice President	Education, business, finance, research	No
Susan Pulsipher	Board Member	Education, governance	No
Kirk Cullimore	Board Member	Governance, compliance,	No
Kennedy D. Nate	Board Member	Governance, employment, compliance	No

### *Enrollment*

8. **Year School will start:** 2025

9. **Grades Served:** K-12

**Does the proposed grade configuration match the resident district grade configuration?**

☒ Yes

☐ No: *Describe the difference.*

10.	10. Grades and Specific Number of Students Served by Grade													Max Enrollment
Year 1	K	1	2	3	4	5	6	7	8	9	10	11	12	
SY	40	40	40	40	40	40	60	60	80	80	80	0	0	600
Year 2	K	1	2	3	4	5	6	7	8	9	10	11	12	
SY	70	70	70	70	70	70	100	100	120	140	120	100	0	1,100
Year 3	K	1	2	3	4	5	6	7	8	9	10	11	12	
SY	100	100	100	100	100	100	130	130	160	160	160	160	100	1,600

### ***Waivers***

**11. Is this proposal seeking special treatment under UCA §53G-5-301?**

☐ Yes: *Provide a justification.*

**X** No

**12. Is this proposal seeking priority consideration under UCA §53G-5-504?**

☐ Yes: *Provide a justification.*

**X** No

*A charter school may apply to the State Board of Education for a waiver of any rule that inhibits or hinders the school from accomplishing its mission or educational goals set out in its charter.*

**13. List any waiver requests here (i.e., Rule numbers and titles). N/A**

### ***Signatures***

WE, THE UNDERSIGNED, do hereby certify that, to the best of our knowledge and belief, the data in this proposal are true and correct. Therefore, this proposal for charter school status and funding is hereby submitted with the full approval and support of the governing body of the proposed charter school.

Janet Aikele

Signature of Authorized Agent

*Janet Aikele*

Name of Charter School Board Chair (if different than Authorized Agent)

Signature of Charter School Board Chair (if different than Authorized Agent)

## 1. Key Elements

### 1a. State the proposed school's mission.

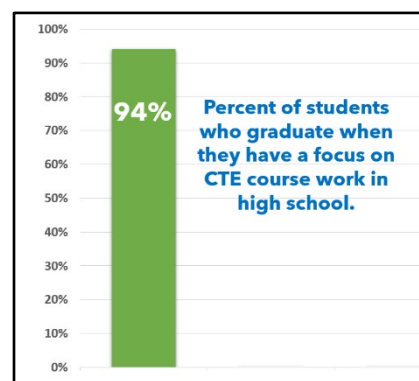
*The mission of Virtual Preparatory Academy of Utah (VPA of Utah) is to provide every student with an individualized, college and career-focused education in an interactive learning environment, rooted in rigor and innovation to connect K-12 learning and growth with future life success. VPA of Utah is dedicated to academic excellence that empowers and prepares students for a world of hope and opportunity.*

The hope and opportunity discussed in the mission above is strongly related to inspiration from author and futurist Joel Barker. He conducted a meta-analysis of research trying to understand how to predict the future success of students (Barker, 2015). Summarizing his findings, the best predictor of success was not I.Q. or socio-economic status. Nor was it the educational level of their parents. Nor was it race, gender or religion. Consistent with the early work of Benjamin Singer and Fred Polak, he concluded and proposes that the best predictor of a student's success in life was whether they had a positive image of their future (Singer, 1974 and Polak, 1973). Barker's conclusion is encouraging and empowering. Adults that have responsibility for and work with children impact the development of that positive image by connecting students to their vision of the future. That is exactly what the board intends to do with VPA of Utah.

Utah parents want rigorous public-school options that allow them the flexibility to maximize learning time with their children, to be engaged and informed with their child's progress, and to know that their child is receiving personalized instruction to meet their needs and goals. They also want their children to be prepared for future local, state, national and global career opportunities. Finally, every parent wants their child to have a positive image of the future and, equally important, to be able to reach that future.

### 1b. State the legislative purpose(s) outlined in UCA 53G-5-104 which this school specifically satisfies.

VPA of Utah directly addresses five of the seven purposes outlined UCA 53G-5-104. Purpose #1 is addressed because when students develop a positive image of their future and they do so with a concentration of CTE courses, the graduation rate exceeds national averages. It addresses #2, #4 and #5 because the school has a one-of-a-kind learning ecosystem built with technological innovation, a different balance of synchronous instruction not used elsewhere in the state and it offers another choice of learning opportunity that can reach all corners of the state, thus also increasing equity of opportunity. This increase in equity is also aligned to purpose #7.



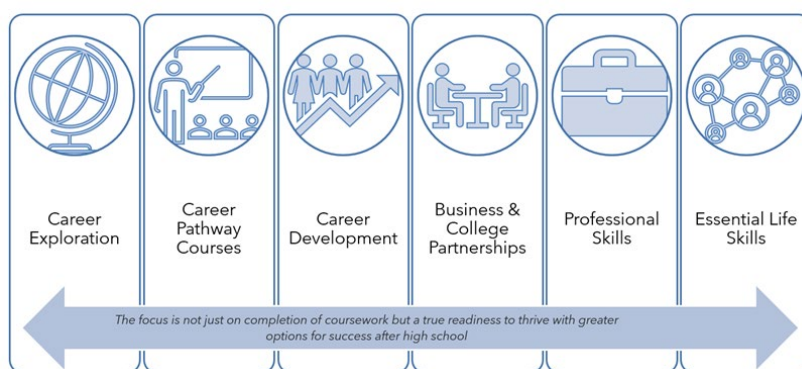
### 1c. Explain how the school will promote the State Charter School Board's mission & vision.

VPA of Utah is aligned with the State Charter School Board's mission, "Advancing quality choice, innovation, and student success through rigorous authorizing and supportive oversight", and its vision, "Every student has access to an excellent education that meets their unique

learning needs.” First and foremost, VPA of Utah represents a high-quality learning option for students who need and thrive in an online learning environment and/or who seek preparation for either a career choice and/or further learning in higher education. The innovative proposed learning ecosystem, the individualized teaching and learning, the data warehouse that puts much needed information in the hands of teachers on a daily basis, and the best curated curriculum and courses that are customizable to meet individual student learning needs, are a few of the innovations that VPA of Utah provides to increase student performance. All of the above are enhanced by well-trained, student-centered and Utah certified teachers who have access to robust professional development experience, easy access to a diverse and deep toolbox of resources. This saves time away from students, increasing their ability to personalize each student’s learning experience.

**1d. List the school’s key elements. The key elements of the Charter School, as set forth in the application, are programs and processes that are defining characteristics and make this school unique.**

Career Readiness: We will prepare students for what they have planned after graduation. We use the Career Readiness Triad, which includes a continuum of awareness, exploration, and readiness throughout all grade levels. Business, higher learning, and community partnerships throughout the state will provide diversity in both the learning opportunities for students and in geographical regions served. The school also will offer internships, certifications, and real-world experience. When a career readiness model is utilized, connecting academics to technical knowledge with real-world experiences, student interest and engagement increases, and students are more likely to pursue and succeed in postsecondary opportunities (Saunders, Chrisman, 2011). Career readiness also positively impacts problem-solving skills, project completion, time management, critical thinking skills, motivation, engagement, self-efficacy, college aspirations, and employability (Alfeld et al., 2007, Lekes et al., 2007, and Alfeld et al., 2013). The chart below highlights key components of the overall Career Readiness emphasis.



Adults Who Care: The board understands and believes the connection between education and the business community is vital for student success. School staff are trained and know the value of rigor, relevance, and relationships and that they support the success of all students.

**Student Engagement:** According to Julie Gray and Melanie DiLoreto, “active learning and student engagement is imperative for increased student learning and ultimately retention” (2016). We believe that students are more than a standardized test score. We teach the whole child. In addition to academic relationships with their teachers, the Student Support Team will empower students to overcome academic, social, emotional, and mental health challenges to succeed in school and their community. Students stay engaged with daily live instruction. Personalized instruction zeroes in on each student’s needs and progress toward mastery of standards through the learning ecosystem’s unique data warehouse. Access to robust data allows teachers to use formative, summative, and benchmark assessments to monitor progress in mastering standards and plan future instruction to accelerate student growth.

**Supporting Teachers in Instruction:** Teachers are one of the greatest predictors of future success (Hattie, 2008). In fact, effective teachers are linked to students entering college and earning a higher salary (Chetty, Friedman and Rockoff, 2014). Highly trained and effective state-certified online teachers are provided diverse and robust professional development (PD) at the beginning of the year and throughout the year to ensure they are prepared and supported. Teachers participate in live PD sessions, can access a library of courses, and participate in Professional Learning Communities to drive student performance. The Teacher Resource Portal provides powerful instructional tools at the fingertips of teachers. The easy-to-use and student-performance-driven tools help teachers personalize instruction for each student. The key contents of the portal are easy to access course enhancements, curriculum maps, and assessments, all aligned to state standards. The portal also has Differentiated Instruction Guides to customize instruction for students, resources for ELL students, and customized short-cycle assessments provide timely feedback to teachers and students and inform instruction.

**User Friendly Learning Ecosystem:** The proposed learning ecosystem is designed as a one-stop-shop, housing courses, numerous instructional resources, prescriptive and growth-based assessments, as well as data warehouse tools that inform instruction and student engagement. The learning management system (LMS) Canvas is customized for K-12<sup>th</sup> graders and prepares students for higher education LMS use. Big Blue Button provides the teacher-student live instruction interface with real-time sharing of audio, video, slides, whiteboard, and breakout rooms for 1:1 and small group instruction. The ecosystem is customizable and curated with new and improved applications. Analytics collected by the LMS provide information about live student progress without interrupting instruction, so adaptations can be made immediately (Bodily, 2017).

### **1e. Describe the academic goals of this school.**

VPA of Utah will support students in 1) choosing a personalized learning path that is best for their future 2) increasing proficiency in reading and math, 3) completing all graduation requirements, and 4) preparing students for postsecondary opportunities.

## 2. Program of Instruction

### 2a. Does the school intend to offer any of the following programs:

- ✓ Career education is a focus of the charter school.
- ✓ Distance and/or online education will be offered.
- ✗ A partnership with a four-year college or university to offer early college options will be formed. *(However, VPA of Utah intends to secure partnerships with universities, colleges, and technical schools to support students with dual enrollment, career-related opportunities, and the attainment of credentials.)*

### 2b. Briefly present the overall vision for how the school will operate.

The VPA of Utah Board will seek a partnership with an Education Service Provider (ESP) to assist with the school's operations and support student learning. The school will provide a rigorous curriculum that fully aligns with the Utah Core Standards. It will provide a single-sign-on learning ecosystem that has the following: a user-friendly and robust Learning Management System (LMS), a Student Information System (SIS) that allows for easy integration from multiple data sources and supports all required state reporting, the best available curriculum and courses, imbedded tools for communication between family, students and school, assessment applications that help inform daily instruction, a tool that enhances live instruction, and tools that maximize the time that teachers spend working directly with students. The VPA of Utah Board will seek an ESP with extensive virtual school operational experience that shares the Board's mission, and goals. The Board will be responsible for evaluating and monitoring the effectiveness of the contract with the ESP along with all other contracts the school might enter into. All school-based staff will be Utah-licensed and reside in the state.

### 2c. Describe the school's overarching educational philosophy.

For Utah to prosper, it must begin with the individual student receiving a solid educational foundation to pursue their goals, dreams, and passions. VPA of Utah believes a robust and personalized education is critical to every student served. As such, VPA of Utah strives to provide a virtual model that weaves together standards-based and highly individualized content with dynamic, interactive, and engaging material. This academic foundation, coupled with the Career Readiness emphasis will provide the students with a positive image of their future, as discussed above.

### 2d. Provide a description of the intended educational program that includes methods of instruction and either sample curriculum choices or a description of how curriculum will be selected/developed.

In order to support student learning, VPA of Utah adopts the following instructional elements, listed with their effect sizes (ES) from Visible Learning by John Hattie (2008):

- Mastery Learning (ES=0.58) VPA of Utah students will receive high levels of teacher feedback that is both frequent and specific. Using data from diagnostic, formative, and short cycle assessments, teachers will supplement course content and determine the pace



of instruction for individual students based on their performance. The teacher also directs feedback during small group and one-on-one sessions to quickly correct misconceptions.

- Personalized System of Instruction (ES=0.53) Students benefit from the flexibility and fluidity of their schedule, which includes live instruction, small group, targeted sessions, and asynchronous coursework. While the school has grading and progress expectations that all students must meet each term, students proceed through course content at their own pace, demonstrating mastery of each component before moving on. This student-centered learning approach allows for more active learning, increased comprehension, and responsibility (Caulfield, 2011) which fosters independence, accountability, and time management – all critical skills for higher education and today's job force.
- Formative evaluation of programs (ES=0.90) VPA of Utah will regularly evaluate the school's programs using several methods, including parent and staff surveys, monitoring curriculum, and data analysis at the student and teacher level. Parent and staff satisfaction surveys will be sent quarterly to gather feedback on instructional practices, course content and curriculum, and supplemental programs. This information and pertinent data points will be used to make program improvements. Additionally, data analysis at the student, course, and teacher levels will be analyzed bi-weekly to identify areas of strength and those needing improvement.
- Teacher-student relationships (ES=0.72) One of the hallmarks of the VPA of Utah program is building relationships with students through whole child support. Teachers will not only focus on students' academic outcomes but also attend to providing engagement support and post-secondary planning. In order to successfully support students in these areas, teachers should know and respect the student's background and what they bring to the virtual classroom.

Curriculum will be curated from a selection of multiple vendors to provide VPA of Utah with the flexibility to assemble the most robust personalized curriculum choices for students. Vendors may include AMP for Education, Accelerate Education, StrongMind, eDynamic Learning, and FlexPoint. The curricular offerings are selected as a curated holistic approach to instruction. Course content aligns with the instructional methodology of the school by embedding the pedagogy of personalized learning and backward design principles in all courses. These methods are research-based and a key component of our rigorous academic program. According to the Aurora Institute (formerly the International Association for Online Learning), personalized education is "critical for raising achievement for all" and "allows students to build a strong foundation for success" (Worthen, Frost, & Gentz, 2016).

All course alignments are reviewed by curriculum team members and placed into mapping documents that support teachers with pace, sequence, standards alignment, and lesson objectives. When the curriculum team identifies standard gaps, courses are enhanced in alignment with state standards with content from supplemental curriculum providers to ensure 100% alignment. These enhancement guides are embedded into each core course and in the LMS Resource Portal. VPA of Utah ensures that course content and resources are current, reviewed, and revised when necessary. Courses are regularly updated to reflect the most recent information.

Within the LMS, teachers, students, and parents/guardians alike benefit from instantaneous access to performance data and progress towards mastery of standards. Using this information,



teachers can make data-informed adjustments in real time to ensure that the curriculum content matches the objectives needed for each student to be successful.

**2e. Provide a description of how Utah Core Standards will be taught and assessed in school.**

VPA of Utah will adopt a curriculum that is fully aligned with the Utah Core Standards. The effectiveness of the curriculum will be monitored regularly to pinpoint areas to strengthen based on student performance and resource usage data. Teachers and administrators will use data points to compare mastery of standards within formative, benchmark, and course-embedded assessments. This triangulation of data will be used to implement curricular enhancements and instructional improvements in real-time.

In addition to strengthening the curriculum, VPA of Utah will employ a balanced assessment system to monitor student progress toward academic achievement. Several testing methods will be implemented, including computer adaptive and nationally normed benchmarks, short-cycle assessments, course assessments, WIDA, and the state of Utah's summative assessments including core High School Core Benchmarks and Utah Aspire Plus. VPA of Utah teachers will have extensive access to assessment data, allowing them to immediately see a need for intervention for all students and provide targeted synchronous instruction.

**2f. Explain how the school will meet the needs of all students, including special education students, advanced students, students with disabilities, educationally disadvantaged students, and the like.**

VPA of Utah will establish a Multi-Tiered Systems of Support Team, in alignment with the UMTSS, comprised of school staff members, including a representative from the special education department. As students are presented to the team, the special education staff member will guide them on specific research-based instructional and behavioral interventions to support the student. Should the student not respond adequately to the established interventions, the team will ensure the student is promptly referred for a special education evaluation, engaging the parent/guardian in the process. The team will verify that the student has received the prescribed intervention with fidelity and confirm that the student's difficulties are not due to Limited English Proficiency. The team will also review data related to academic achievement, behavior concerns, intervention results, and academic progress.

VPA of Utah will provide the legally required continuum of Special Education services and a range of placements to ensure it provides a free appropriate public education (FAPE) in the least restrictive environment (LRE). Students will be educated in the LRE to the maximum extent possible, which will be decided upon by the IEP team. Itinerant, supplementary, or full-time special education support will be provided via the telephone, internet, and live sessions following the student's IEP. The IEP Team will first address the student's needs by providing support and services within the general education classroom in a co-teaching model with the general education teachers and utilize break-out rooms for small group instruction for those needing additional support. The general education teacher and special education teacher will teach together within the general education classroom when support is required. There will be opportunities for small group remediation and additional support within the break-out room where either teacher can help to support student needs.

Special education and general education teachers will collaborate to make necessary adaptations and accommodations. Students may receive more intense instruction in small groups (with or without general education peers) or one-on-one sessions, depending on the student's specific needs and as described in the student's IEP. Special education teachers may also schedule small group and/or 1:1 sessions with students if a student's IEP requires additional instruction. As determined by the IEP Team, additional instruction and support may be provided in a resource room away from their general education peers.

Related services, including but not limited to occupational therapy, physical therapy, speech and language, and counseling will be provided via teletherapy. Face-to-face therapy may be provided for some students depending on the needs of each student and as decided upon by their IEP team.

The English Learner (EL) program at VPA of Utah will utilize a combination of mainstream/inclusion and sheltered instruction for all core subject areas. ELs will be classified according to their levels of English language proficiency, academic achievement, and special needs and will be placed in appropriate instructional services for all levels. English proficiency will be determined by assessing the student utilizing the WIDA ACCESS assessment. Each student identified as EL will continue to receive appropriate instruction at VPA of Utah until the student is reclassified as English proficient and exited from the EL Program.

Gifted and high-ability students will thrive at VPA of Utah. Through the placement process, these learners will be provided with the most appropriate curriculum, pacing and teaching approaches from day one. Teachers will work closely with the parents and the curriculum team to ensure a steady flow of enrichment activities for students working above grade level. High school students have Honors, AP, and concurrent enrollment course options.

VPA of Utah staff will include a dedicated student support team to empower students to overcome academic, social, emotional, mental health or other challenges to ensure they succeed in school and their community. This holistic approach includes early intervention, social development, support services, and linking families to school and community resources.

VPA of Utah will ensure that all students have access to broadband internet to participate in the school program. This may include providing Wi-Fi Hotspots to students that live in rural areas with no broadband providers. All students will receive a computer device (Chromebook) and based upon need qualification, an ISP service reimbursement.

## **2g. If any grades 9-12 will be served, explain the proposed graduation requirements.**

To be eligible for graduation, per Utah Administrative Rule 277-700-6, the VPA of Utah students must successfully earn a minimum of 24 credits. VPA of Utah will adopt the current minimum graduation requirements for Utah public high school students. Course credits will align with the Utah State Board of Education approved courses, including Honors, Advanced Placement, CTE, and credit recovery options.

Please see the following chart for Graduation Requirements.

Subject Area	Minimum Credits	Guidelines
English	4	Successful completion of four English courses
Math	3	Successful completion of Mathematics I, II and III or higher
Science	3	2 credits from the 4 science foundation areas, 1 credit from the foundation courses or applied or advanced science core list
Social Studies	3	1 US History, ½ Geography, ½ Civilization, ½ US Governments & Citizenship, ½ LEA Discretion
Directed Coursework	3.5	1½ Fine Arts, 1 CTE, ½ Digital Studies, ½ General Financial Literacy
Physical Education	2	½ Health, ½ Participation Skills, ½ Fitness for Life, ½ Individualized Lifetime Activities
Required Electives	5.5	

## 2h. If any boxes were checked in 2a, please elaborate.

**1. Career Education** According to a study by Shaun Dougherty published by the Fordham Institute (2016), students that receive access to CTE courses are more likely to graduate, enroll in college, gain employment, and earn a higher income. The Association for Career and Technical Education also reports that 94% of students who concentrate on CTE coursework graduate high school. VPA of Utah begins the integration of CTE with its Career Build Up program to ensure awareness and exploration of career topics for even the youngest of scholars.

**2. Online Learning** Virtual instruction offers several benefits compared to traditional in-person instruction. Here are some of the key advantages:

- *Flexibility* Virtual instruction provides flexibility. Students can access learning materials and participate in classes from anywhere with an internet connection, allowing them to learn at their own pace and fit their studies into their own schedules. This flexibility is particularly beneficial for individuals with work, family, or other commitments.
- *Accessibility* Virtual instruction opens educational opportunities to a wider audience. It removes barriers such as geographical limitations, making education more accessible for students who may not have access to quality educational institutions in their local area. It also benefits individuals with physical disabilities or health issues that may prevent them from attending traditional in-person classes. Virtual learning also increases equity of learning opportunity across the state by providing a robust catalog of courses combined with highly qualified teachers. Because educational opportunity varies by location and population, some students have limited access to learning options. We believe that zip code should not determine a child's educational options.
- *Personalized Learning* Virtual instruction can be tailored to meet individual learning needs. With online platforms, instructors can provide personalized feedback, offer additional resources or materials, and adapt the curriculum to accommodate different learning styles and paces. Students can also revisit, and review course materials as needed, allowing for a personalized learning experience.

- *Increased Engagement* Virtual instruction incorporates interactive and multimedia elements, making the learning experience more engaging. Features such as videos, simulations, quizzes, and discussion forums can enhance student participation and collaboration. Virtual instruction can also incorporate gamification techniques, which can motivate and incentivize students to actively participate in their learning.

### **3. Market Analysis**

#### **3a. State the school's intended location. Be as specific as possible. If the exact location is unknown, describe the characteristics of the areas the school will be seeking and how the governing board will find and acquire the location.**

The board has not yet selected a location for the administrative office space. The board will seek a space sufficient to meet current and future administrative needs and will seek a space that is safe, functional, and economical.

#### **3b. Justify why this school's educational program is needed in the selected location.**

Since VPA of Utah is a virtual school, the location is the entire state. Throughout the United States, including Utah, there is a critical shortage of qualified employees with the skills and training needed to fill available jobs. The recent McKinsey & Company report, *The Future of Work in America*, predicts that employment in the highest-wage jobs is expected to grow by 3.8 percentage points by 2030 (Lund, Manyika, Segel, Dua, Hancock, Rutherford & Macon, 2019). The Utah Office of Workforce Services shows key regions of the state growing between 8,000 and 20,000 jobs per year. Over the next 10-year period, the following industries will add the most jobs: construction, retail trade, professional, scientific, and technical services, healthcare and social assistance, educational services, and accommodation and food services.

These opportunities can only be realized if workers obtain the education and skills needed to fill the positions. Additionally, many jobs held by individuals with a high school degree or less will likely be automatable in the next decade. Therefore, creating more pathways from high school to work is necessary, such as through apprenticeships, internships, and industry credentials.

Technical and professional skills are critical for success in a rapidly changing workforce. The ability to collaborate in teams, work virtually, and learn emerging technologies are critical skills for college and workforce success. Closing this skills gap is the public policy imperative for our future generation. In order to achieve this goal, a new and innovative approach to the K-12 online education model is required. The focus is not just on completing coursework but on a genuine readiness to thrive with greater options for success after high school.

A brief interest campaign was conducted across the state to gauge interest for VPA of Utah. There were 219 families expressing interest from over 100 zip codes across the state during this short time. The results have reinforced with the board that there is a need for the unique option that VPA of Utah can provide students in the state.

#### **3c. Provide the demographic information for the selected location.**

As a statewide virtual school, VPA of Utah expects to mirror the demographic averages for all

public-school students in Utah. According to the 2021 Utah State Report Card, the student enrollment by race/ethnicity and population group is as follows:

Race/Ethnicity	Percent	Student Group	Percent
Native American	1%	Economically Disadvantaged	33%
Asian or Pacific Islander	1%	Students with Disabilities	13%
Hispanic	17%	English Language Learners	7%
Black/African American	1%	Homeless	1%
Caucasian	74%	Foster Care	<1%
Native Hawaiian or Other Pacific Islander	1%	Military Connected	<1%
Two or more races	2%		

**3d. Explain in detail how the proposed mission, vision, and program of instruction align with the educational needs of the population described in 3c.**

Every child in the state of Utah should have access to an equitable, high-quality K-12 education. A key outcome for every student should be that they are prepared for their next step following graduation. Consistent with the vision of the State Charter School Board, VPA of Utah is designed to provide that to students across the state. By way of example, approximately one third of students in Utah fall into the economically disadvantaged category. These students are typically underserved, as evidenced by the wide gap in standards mastery in ELA (37% lower than state average) and Math (45% lower than state average). Generally, these students cannot afford private education opportunities or certification programs. In order for these students to succeed, they need access to an individualized education that teaches them critical workplace skills such as collaboration, teamwork, and the use of technology as well as provides them with the academic foundation that creates options for them upon graduation. Utilizing a fully public, free, virtual program that brings the classroom to these students, allows them access to best-in-class education to choose their own pathway towards college and/or careers. Within a rigorous, innovative, engaging virtual model, VPA of Utah can meet the individual needs of students and provide them with a positive image of their future and prepare them for that future.

**3e. Provide the characteristics of the proposed charter school that sets it apart from other schools in target location.**

VPA of Utah will include an educational offering unlike any other virtual school in Utah. Characteristics unique to VPA of Utah include:

- A data-driven, uniquely personalized learning experience for each student.
- An integrated and inclusive career readiness virtual K-12 school framework with developed partnerships in business, community, and higher learning.
- Highly qualified teachers trained in the National Standards for Quality Online Teaching.
- A flexible, rigorous, fully aligned curriculum and instructional program.
- Extensive access and use of data to inform personalized instruction, school improvement, parent and student satisfaction, staff retention, and operational efficiencies.
- Customized, one-of-a-kind learning ecosystem with single sign-on access to a wealth of learning tools for teachers, students, and parents.
- Parents serving as partners.

## **Appendix A: Background Information Sheets**

**Name:** Dr. Janet Aikele

**Role:** Chairman

**Statement of Intent:** I have always been interested in the concept of school choice. I have been an employee of a very large school district and also a very small school district. School choice options from my experience have been dramatically different. I believe that a choice for a quality education should not be dictated by a student's zip code. I have raised five children in a small, rural community with limited opportunities for enhanced learning. I spent countless hours supplementing their education to assist their development. I enrolled each of them in piano lessons at the age of 4. By the time the oldest was in high school we had five pianos and began our day at 4:00 a.m. by practicing approximately 4 hours per day. This process paid dividends for our family. They soloed with orchestras and performed in countless recitals and presentations. All of them obtained scholarships. They have each completed a Bachelor's Degree. One of them has acquired a Master's Degree and one is a Medical Doctor. The pandemic we have all recently experienced motivated me to move from a comfortable retirement to being an active promoter of a school choice option that will offer quality curriculum and opportunities for Career Readiness for high school students. I wish to be an active part of laying the foundation for students from kindergarten through 12th grade. As a member of the board for the Virtual Preparatory Academy of Utah (VPA) it is my desire to provide a school choice option that will engage students in the learning process so that they will be equipped for life after high school.

**Not-for-Profit History:** Using as much space as necessary, provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a charter school, nonprofit corporation, governing board experience, and background in group organization.

I have been an elementary principal, a district superintendent, and Head of School in an online charter school. I understand the challenges of managing a Not-for-Profit organization. I have worked with school boards for years and understand the fiduciary responsibility of fiscal accountability. I also understand the delicate balance boards must be able to maintain as they work with teachers, administrators, and staff to govern a quality school while being responsive to the patrons of the school community. I have served as a University Student Teaching Supervisor for students completing their practicum. This was a service and something I relished. Observing the growth of a fledgling teacher was inspiring. I have served as the Chairman of the Mother's March of Dimes. I have served on several boards for the state of Idaho including the Workforce Development Council. I served in the Idaho State House of Representatives and was assigned to the Health and Welfare and Education Committees. I have served in many, many church leadership and teaching callings.



In 2002 I was an early pioneer and advocate for online learning. I was a co-sponsor of a bill to codify the Idaho Digital Learning Academy (IDLA). The Statement of Purpose for this legislation was to "... provide access to a continuum of learners in a virtual learning environment. As a school choice within the public schools, the IDLA will provide learning experiences for any Idaho student needing remediation and credit recovery, gifted talented enhancements, and concurrent enrollment in higher education options."

**Employment History:** Using as much space as necessary, provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management. Also include any for-profit or financial dealings with charter schools.

I began teaching in 1971. My first experience was as an intern, fresh out of Brigham Young University (BYU). I followed that year with employment in the school where I had interned. I left teaching for a number of years to raise a family and returned to education employment in 1992. I served as a district-wide Title I Director, then as a middle school language arts teacher. I was offered the position of elementary principal and finally, the position of district superintendent. After 12 years working in traditional school districts, I became employed as a Head of School for a statewide online charter school. I migrated to the Business Development arm of the Virtual School Provider our charter school had worked with and finished my employment with the company by preparing responses to Request for Proposals (RFP) for 6 years. I worked for a short period of time, approximately one year, writing proposals for a private company.

**Education History:** Using as much space as necessary, provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school.

I graduated with a Bachelor's Degree from BYU in 1972. I received a Master's Degree in 1995 and completed an Education Specialist Degree, Ed.S in 1997. I completed a Doctor of Education, Ed.D in 2002.

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO THE UTAH STATE CHARTER SCHOOL BOARD TO VERIFY ANY INFORMATION PROVIDED. I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



---

Applicant's Signature

Name: Dr. Dwight Israelsen

Role: Vice-President

**Statement of Intent:** For all of my professional life, my goal has been to create the most value possible for my students. In 2020, I retired as Professor of Economics after 50 years teaching at MIT, BYU, Harvard, and USU. I also taught for shorter periods at several universities in Russia and China. During my career, I taught more than 30,000 students. I am well aware of the need to provide the best possible learning options for students with different abilities and preferences, and believe that excellent online charter schools fill an important need in Utah.

**Not-for-Profit History:** Even though I am retired from teaching, I am still actively conducting research. My research interests include demographic economics, incentives in economic organizations, economic systems, and the economic history of the U.S., Russia, and the American West. In recent years, I have turned my attention to the economics of education, and was a co-founder of the Utah System of Higher Education Research Organization (US HERO). My research has resulted in more than 100 publications in professional outlets, including the American Economic Review, Journal of Comparative Economics, Advances in Econometrics and others. I have made more than 150 presentations at professional conferences. My research has been recognized with 10 Best Paper Awards. I was Director of International Academic Initiatives in the Huntsman School of Business, and was responsible for cooperative agreements with universities in Thailand, Ukraine, Russia, and China. As Director of China Cooperative Academic Programs for 10 years, I supervised the delivery of a USU Economics Bachelor's Degree Program to about 10,000 students in China. In addition to teaching and research activities, I served on many Department, College, and University committees, advised a large number of graduate students, and have been active in community, regional, and professional organizations, including as a volunteer reader in elementary schools.

**Employment History:** I was employed as a university teacher/researcher at MIT, BYU, Harvard (visiting professor), and USU. While at USU, I taught more than 40 different courses in the curriculum, and developed 12 new courses. I taught economic principles, economic theory, econometrics, economic history, economic systems, and in other areas. I also taught the first real-time online course at USU in the early 1980s, and taught online courses to education centers in each Utah county and the Utah correction facilities for more than 20 years. I was Teacher of the Year 8 times in the Department of Economics and Finance and 4 times in the Huntsman School of Business, and received USU's Outstanding Teaching Award 4 times. I was named Professor of the Year by the President's Leadership Council and received their Hall of Fame Award. I was actively involved with undergraduate research and have co-authored a significant number of papers with both graduate and undergraduate students.

**Education History:** Utah State University (1963-64, 66-69), B.A. Economics  
Harvard University (1970-73), non degree-seeking, Slavic Languages  
Massachusetts Institute of Technology (1969-73) Ph.D. Economics

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO THE UTAH  
STATE CHARTER SCHOOL BOARD TO VERIFY ANY INFORMATION PROVIDED. I  
AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO  
THE BEST OF MY KNOWLEDGE.

A handwritten signature in dark ink, appearing to read "J. L. Israelson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

---

**Applicant's Signature**

**Name:** Susan Pulsipher

**Role:** Virtual Prep Academy of Utah founding Board Member

**Statement of Intent:** Using as much space as necessary, provide a personal statement regarding your role on the governing board (or as administration), expertise you bring to the board (or administration), and commitment to this application as it has been written.

I am pleased to be a member of the Virtual Prep Academy of Utah founding Board. I bring to the board a vast understanding of Utah's education policy and governance. I served as a member of the Jordan District's Board of Education for 6 years where I had experience in board governance and school finance oversight. For the last 7 years I have been a member of the Utah Legislature representing South Jordan, Riverton, and Sandy. I have served on the Public Education Appropriations Subcommittee for all 7 years. This year I am the House Chair of the Public Education Appropriations committee. In addition, I have been a member of the Education Standing Committee serving as Vice-Chair for 4 years. This has deepened my understanding of and experience with education policy. I bring this experience to this charter board. I have passed and worked on many important education bills and participated in many working groups planning and preparing bills and policies.

**Not-for-Profit History:** Using as much space as necessary, provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a charter school, nonprofit corporation, governing board experience, and background in group organization.

Golden Gate Movement – Member of the Founding Board and currently serving as the 2<sup>nd</sup> Vice Chair of the Board of Directors –

- This non-profit organization assists schools in teaching positive, pro-social behaviors,
- Provides data driven curriculum and support to schools for children in K-12.

ResilientYOU – Member of the Founding Board and currently serving on the Board of Directors.

- This non-profit assists schools and communities in helping children become resilient through music and other data supported strategies.

Uplift Families- Former member of the Advisory Board

- This organization worked with the First Lady of Utah to provide helps to parents for children of all ages.

Utah School Boards Association – Member of the Board of Directors

- Member of Utah School Board Association Legislative Committee.

Northwest Association of Accredited Schools

Commissioner

Seven-State accreditation association assesses and awards accreditation to qualified schools.

- Assessed progress of schools in meeting qualification for accreditation.
- Chair of Member Services Committee which planned semi-annual meetings and provided services for member schools.
- Served on Nevada and Utah State Accreditation committees.

**Employment History:** Using as much space as necessary, provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management. Also include any for-profit or financial dealings with charter schools.

Jordan School District Board of Education - Board President

6 years

- Seven member Board of Education ensures a quality education for a large district of more than 50,000 children.
- Served as Board President, and Vice-President.
- As Board President she set up Board Advisory Committees which made changes that saved 17% on building costs.

Classroom Teacher Aid – Summit Academy Charter School

2 years

- Assisted the teacher, proctored tests and taught a subset of the class in math and language arts.

Assessment, Analysis and Research Team – BYU

2 years

- Used statistical analysis to review and analyze assessment tools
- in the McKay School of Education.
- Prepared reports for faculty and administration.

**Education History:** Using as much space as necessary, provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school.

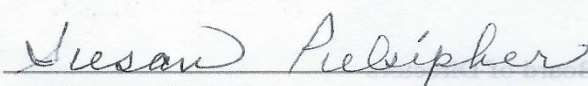
M.Ed. - Educational Leadership and Foundations – Emphasis in Policy

Brigham Young University 2007 - 2009

BS Degree - Elementary Education

Brigham Young University 1972 - 1976

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO THE UTAH STATE CHARTER SCHOOL BOARD TO VERIFY ANY INFORMATION PROVIDED. I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

  
Applicant's Signature

**Name:** Kirk Cullimore

**Role:** Board of Directors Member

**Statement of intent:**

I have a proven track record of service in leadership roles, having previously served on a school community council and an oversight board for the state of Utah. I am an attorney with a strong understanding of legal issues, which I can bring to the board to help ensure that the organization is compliant with all applicable laws and regulations. I am also a state legislator, which gives me a broad policy perspective that I can use to help the organization navigate the political landscape. I believe that my experience, skills, and knowledge would be a valuable asset to your board of directors. I am confident that I can contribute to the organization's success and help it achieve its goals.

**Not-for-Profit History:**

I have extensive experience in the nonprofit sector, having formed several nonprofit entities and served on the boards of directors of several other nonprofits. I have a strong understanding of the legal and regulatory requirements that apply to nonprofits, which I can use to help ensure that the charter school is in compliance. I have a demonstrated commitment to education, having served as the Chair of the Board for a nonprofit music instruction organization for the past 6 years. I have a broad network of contacts in the education and nonprofit sectors, which I can use to help the charter school connect with resources and partners. Non-profit organizations for which I previously or currently have served: Intermountain Suzuki String Institute; Suzuki Association of America, Holy Cross Hospital, Utah Valley University Alumni Association; Utah Apartment Association.

**Employment History:**

I have six years of experience teaching music, which gives me a strong understanding of educational principles and how to create a positive learning environment. I have experience starting and running my own businesses, which gives me the skills and knowledge necessary to manage a nonprofit organization. I have experience representing non-profit entities in legal matters, which gives me a deep understanding of the legal and regulatory requirements that apply to charter schools. I also have a broad network of contacts in the business and education sectors, which I can use to help the charter school connect with resources and partners.

**Education History:**

I earned an Associate's in Arts degree from Utah Valley University in 1997. I earned a Bachelor's degree from Brigham Young University in Music in 2000. I earned a J.D. degree from the University of Oklahoma in 2008.

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO THE UTAH STATE CHARTER SCHOOL BOARD TO VERIFY ANY INFORMATION PROVIDED. I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



**Applicant's Signature**

**Name:** Kennedy D. Nate

**Role:** Board Member

**Statement of Intent:** I will be a member of the governing board and I am committed to providing education options for children. I currently have two children attending Beehive Academy charter school and am a firm believer in charter schools. One of my children has a learning disability and, despite traditional schools attempting to provide accommodations, she was being left behind and continuously felt as if she was not smart because she learns differently than others. We have had the exact opposite experience with Beehive. She is now excelling in her class and loves school. The ability of a charter school to adapt to her needs has been life changing for her and us.

**Not-for-Profit History:** I am an attorney so I am well-versed in Utah law and have significant experience representing various types of clients, including corporations and entities from all different walks of life. I was previously a board member at another charter school and have been affiliated with numerous non-profit organizations throughout my career.

**Employment History:** *See attached resume.*

**Education History:** *See attached resume.*

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO THE UTAH STATE CHARTER SCHOOL BOARD TO VERIFY ANY INFORMATION PROVIDED. I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



---

**Applicant's Signature**



# Kennedy D. Nate

2201 E. Cottonwood Cove Lane, Cottonwood Heights, Utah 84121  
Phone: (801) 831-4868, E-mail: [knate@rqn.com](mailto:knate@rqn.com) or [kennedy.nate1@gmail.com](mailto:kennedy.nate1@gmail.com)

## EDUCATION

---

**University of Utah S.J. Quinney College of Law**, Salt Lake City, Utah

*Juris Doctorate* May 2012; graduated with High Honors

- 3.761 cumulative GPA (top 20%  $\geq$  3.664; top 10%  $\geq$  3.801)
- CALI Award (highest grade) for the Public Policy Practicum, Spring 2012
- College of Law Outstanding Achievement Award (best overall performance) for: Civil Procedure, Fall 2009; Administrative Law, Fall 2011; Securities Regulation, Fall 2011
- William H. Leary Scholar, Fall 2010 and Fall 2011 semesters
- 2011-2012 Footnote and Citation Editor for the *Journal of Law and Family Studies*
- 2011-2012 Quinney Research Fellow to Professor Amos N. Guiora
- Recipient of the Pro Bono Certificate for 50 hours of pro bono service

**University of Utah**, Salt Lake City, Utah

*Bachelor of Arts*, Spanish, December 2008

## EXPERIENCE

---

**Ray Quinney & Nebeker, P.C.**, Salt Lake City, Utah, May 2022 – Present

- Partner with experience in complex commercial litigation, including substantial experience in Lanham Act unfair competition, trademark and trade dress infringement, California C.L.R.A. and false advertising claims
- Of Counsel with experience in complex commercial litigation.

**McNeill Von Maack**, Salt Lake City, Utah, August 2018 – May 2022

- Partner with experience in complex commercial litigation, including substantial experience in Lanham Act unfair competition, trademark and trade dress infringement, California C.L.R.A. and false advertising claims, partnership disputes, government contracting disputes, and appellate work. Representative experience includes: second chair one day bench trial; taking and defending fact and expert witness depositions; arguing motions in state and federal court, including motions to dismiss, discovery motions, motions to exclude expert witnesses, and summary judgment motions; drafting pleadings, motions, discovery, discovery responses, and appellate briefs in state and federal courts and the Utah Court of Appeals.

**Nutraceutical Corporation**, Park City, Utah, October 2017 – August 2018

- Assistant Vice President of Legal Affairs
- Responsibilities included: managing litigation nationwide, including outside counsel and legal budget; advised corporate officers regarding legal strategies to strengthen the company's market share, avoid lawsuits, and manage risk in the marketplace; managed intellectual property portfolio, including by protecting against infringers, conducting trademark clearance, and filing applications to register new trademarks; drafted and managed corporate contracts relating to distribution channels and market research; advised Human Resources department on personnel issues and led investigations regarding allegations of wrongful termination or improper workplace conduct.

**Magleby Cataxinos & Greenwood**, Salt Lake City, Utah, July 2012 – September 2017

- Partner working in the areas of complex commercial litigation, trademark litigation, patent litigation, copyright litigation, trade secret litigation, appellate practice, and government relations.
- Representative experience includes: second chair on a three-day jury trial resulting in a six-figure award for the client; second chair on a three-day bench trial; taking and defending fact and expert witness depositions; arguing motions in state and federal court, including motions to dismiss, discovery motions, and summary judgment motions; drafting pleadings, motions, discovery, discovery responses, and appellate briefs in the Utah Supreme Court, Utah Court of Appeals, and the Seventh Circuit United States

Court of Appeals; and lobbying at the Utah Legislature.

**United States District Court for the District of Utah**, Salt Lake City, Utah, January 2012 – April 2012

- Extern to the Honorable Clark Waddoups.

**Eisenberg, Gilchrist & Cutt**, Salt Lake City, Utah, October 2011 – February 2012

- Worked as a litigation law clerk in the areas of catastrophic personal injury and medical malpractice.

**Morgan, Minnock, Rice & James**, Salt Lake City, Utah May 2011 – October 2011

- Worked as a litigation law clerk in the areas of insurance defense and appellate practice.

**Utah Supreme Court**, Salt Lake City, Utah, January 2011 – April 2011

- Extern to the Honorable Jill N. Parrish.

**Union Pacific Railroad Law Department**, Salt Lake City, Utah, May 2010 – April 2011

- Worked as a law clerk in the areas of contracts, employment, personal injury, and railroad/carrier law.

**KSL Broadcasting**, Salt Lake City, Utah, May 2010 – August 2010

- Worked as a law clerk to the General Counsel in the areas of contracts and media law.

## **BAR ADMISSIONS, PROFESSIONAL REGISTRATIONS, AWARDS AND RECOGNITIONS**

- *Member*, State Bar of Utah, 2012 – Present.
- Licensed in Utah state and federal court, the United States District Courts for the Districts of Colorado, Eastern District of Wisconsin, New Mexico, and the Seventh Circuit Court of Appeals.
- Member of the David K. Watkiss – Sutherland II American Inn of Court.
- *Super Lawyers Magazine*, 2016, 2017, and 2019-21 *Mountain States Rising Star*.
- *Utah Business Magazine*, 2021 Utah Legal Elite.

## **COMMUNITY**

**AYSO Region 126**, Cottonwood Heights, Utah, June 2014 – May 2016

- Board Member and volunteer coach.

**Endeavor Hall Charter School**, West Valley City, Utah, March 2013 – January 2014

- Board Member.

**Legislative Clinic**, Salt Lake City, Utah, January 2012 – March 2012

- Volunteer lobbyist in association with the Pro Bono Initiative with a particular focus on legislation affecting voting rights, education, and criminal penalties.

**UNP Hartland Center**, Salt Lake City, Utah, October 2010 – December 2010

- Volunteer Civics Teacher in association with the Pro Bono Initiative.

**Immigration Clinic**, Salt Lake City, Utah, February 2010

- Volunteer advising potential clients regarding cases in association with the Pro Bono Initiative.

**Utah 3rd District Juvenile Court**, Salt Lake City, Utah, September 2008 – May 2009

- Volunteer mentor with the Village Project working with at-risk, middle school aged youth.

## **LANGUAGES**

- Read, write, and speak Spanish fluently.

## **INTERESTS**

- Fly fishing, snowshoeing, and hiking.

## **Appendix B: Articles of Incorporation**

**Non-Profit Corporation Articles**  
**ARTICLES OF INCORPORATION**  
**OF**  
**[CORPORATION]**

We, the undersigned natural persons all being of the age of eighteen years or more, acting as incorporators under the Utah Nonprofit Corporation and Cooperative Association Act, adopt the following Articles of Incorporation for such Corporation:

**Article I**  
**NAME**

The name of the corporation is Virtual Charter School of Utah, Inc. (the “**Corporation**”).

**Article II**  
**DURATION**

The period of duration of this Corporation is perpetual.

**Article III**  
**PURPOSE**

- (a) To act and operate exclusively as a nonprofit corporation pursuant to the laws of the State of Utah.
- (b) To engage in any and all activities and pursuits as may be reasonably related to the foregoing and following purposes.
- (c) To engage in any and all other lawful purposes, activities and pursuits, which are substantially similar to the foregoing and which are or may hereafter be authorized by Section 501(c)(3) of the Internal Revenue Code and are consistent with those powers described in the Utah Nonprofit Corporation and Cooperation Association Act, as amended and supplemented.

**Article IV**  
**MEMBERS/STOCK**

The nonprofit Corporation shall not have any class of members or stock.

**Article V**  
**BYLAWS**

Provisions for the regulation of the internal affairs of the Corporation shall be set forth in the Bylaws. (U.C.A. Section 16-6a-206).

**Article VI**  
**DIRECTORS**

The number of directors of this Corporation shall be no less than three (3), as fixed from time to time by the Bylaws of the Corporation. The number of directors constituting the present Board of Directors of the Corporation is three (3), and the names and addresses of the persons who are to serve as directors until their successors are elected and shall qualify are:

Janet Aikele  
679 East 1250 South  
Providence, Utah 84332

Dwight Israelsen  
1775 E 2950 N  
Logan, UT 84341

Susan Pulsipher  
1179 Chapel Ridge Rd  
South Jordan, UT 84095-7802

## **Article VII INCORPORATORS**

The names and addresses of the incorporators are:

Janet Aikele  
679 East 1250 South  
Providence, Utah 84332

Dwight Israelsen  
1775 E 2950 N  
Logan, UT 84341

Susan Pulsipher  
1179 Chapel Ridge Rd  
South Jordan, UT 84095-7802

## **Article VIII REGISTERED OFFICE AND AGENT**

The address of the Corporation's initial registered office shall be: 679 E. 1250 S. Providence, Utah 84332.

Such office may be changed at any time by the Board of Trustees without amendment of these Articles of Incorporation.

The Corporation's initial registered agent at such address shall be Janet Aikele, who hereby acknowledges and accepts appointment as the corporate registered agent.

## **Article IX PRINCIPAL PLACE OF BUSINESS**

The initial principal place of business of this Corporation shall be 679 E. 1250 S. Providence, Utah 84332.

## **Article X LIMITATION OF LIABILITY**

Neither the Incorporator nor the State of Utah, including any of its agencies, will be held accountable for the financial obligations, debts, or liabilities that may be incurred by the Corporation or any charter schools operated by the Corporation. This limitation of liability is in accordance with Utah state law and applies to the Incorporator, the State of Utah, its agencies, and all affiliated entities. This provision remains effective regardless of any changes in the Corporation's structure, management, or operations and continues to be in effect for the duration of the Corporation's or its charter schools' operation.

## **[Article XI DISTRIBUTIONS**

No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to its trustees, officers, or other private persons, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the Corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, as amended or supplemented, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, as amended or supplemented.

## **Article XII DISSOLUTION**

Upon the dissolution of the Corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended or supplemented, or shall be distributed to the federal government or to a state or local government for a public purpose. Any such assets not so disposed of shall be disposed of by the District Court of the county in which the principal office of the Corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.]

(Remainder of Page Intentionally Left Blank)

IN WITNESS WHEREOF, we, Janet Aikele, Dwight Israelsen and Susan Pulsipher have executed these Articles of Incorporation in duplicate this 23rd day of June, 2023, and say that the undersigned are incorporators herein; that the undersigned have read the above and foregoing Articles of Incorporation; know the contents thereof and that the same is true to the best of the undersigned's knowledge and belief, excepting as to matters herein alleged upon information and belief and as to those matters they believe to be true.

---

Janet Aikele

---

Dwight Israelsen

---

Susan Pulsipher



## **Appendix C: Governing Board Bylaws**

# **BYLAWS OF CORPORATION**

## **ARTICLE I NAME; LEGAL STATUS**

**1.1. Name, Location and Address.** The name of the Corporation is Virtual Charter School of Utah, Inc. (hereafter referred to as the “**Corporation**”). As set forth below, the Corporation is formed to manage, operate, guide, direct and promote the mission and vision of a Utah Public Charter school in the State of Utah, to be known as Virtual Preparatory Academy of Utah (hereafter referred to as the “**School**”). The initial principal office of the Corporation shall be as stated in the Articles of Incorporation. The Corporation may at any time and from time to time change the location of its principal office, though the Corporation expects to maintain its principal address at the School. The School is currently located at 679 E. 1250 S. Providence, Utah 84332.

**1.2. Legal Status.** The Corporation is a nonprofit, non-stock corporation under Utah law. It exists in order to create, promote, and govern the operations of the School. The School is a Utah Public Charter school in the State of Utah and is organized under the Utah Nonprofit Corporation Act for public purposes.

## **ARTICLE II PURPOSE**

**2.1. Purpose.** The purpose of the Corporation is stated in its Articles of Incorporation. Without limiting the foregoing, the Corporation is formed to manage, operate, guide, direct and promote the mission and vision of the School.

**2.2. Nonprofit Status.** The Corporation is organized as a Utah nonprofit, non-stock, public benefit Corporation exclusively for charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

## **ARTICLE III MEMBERS**

**3.1. No Members.** The Corporation shall have no members. All rights shall vest in the Board of Directors of the Corporation. Any action which would otherwise by law require approval by members may be taken by the Board of Directors, acting as the duly-elected members, if necessary.

## ARTICLE IV DIRECTORS; OFFICERS

**4.1. Definition.** The Corporation shall be governed by its Directors; as a body the Directors constitute the Board of Directors (hereafter referred to as the “**Board**”).

**4.2. Powers and Duties.** The business, affairs, and property of the Corporation shall be managed by the Board. The Board may employ an administrator who shall serve at the pleasure of the Board and be accountable to the Board as a collective for the day-to-day operations of the School (hereafter referred to as a “**School Director**”). The Board shall have final authority for decisions concerning any of the following:

- a. To perform any and all duties imposed on the Board collectively or individually by law or by these Bylaws;
- b. To make and change policies, rules, and regulations not inconsistent with law, or with these Bylaws, for the management and control of the School and its affairs, and of its employees and agents; to lease, purchase, or otherwise acquire, in any lawful manner, for and in the name of the School, any and all real and personal property, rights, or privileges deemed necessary or convenient for the conduct of the School’s purpose or mission;
- c. To enter into agreements and contracts with individuals, groups of individuals, organizations, entities, or governments for any lawful purpose;
- d. To hire, supervise, and direct one or more School Directors (and other necessary employees) who will be responsible for the day-to-day operations of the School;
- e. To approve the annual budget and financial plan which shall be monitored and adjusted as necessary throughout the year;
- f. To submit a final budget to the state or other applicable governmental or regulatory body pursuant to statute, regulation, or contract;
- g. To cause to be kept a complete record of all the minutes, acts, and proceedings of the Board;
- h. To cause an annual inspection or audit of the accounts of the School, as well as any other audits required by law, to be made by an accountant to be selected by the Board, showing in reasonable detail all of the assets, liabilities, revenues, and expenses of the School and its financial condition;
- i. To ensure ongoing evaluation of the School and provide public accountability;

j. To uphold and enforce all laws related to charter school operations as set by the Utah State Charter School Board;

k. To ensure adequate funding for operation of the School;

l. To solicit and receive grants and other funding consistent with the purpose of the School with the objective of raising operating and capital funds; and

m. To delegate the management of the activities of the School to others, so long as the affairs of the School are managed, and its powers are exercised, under the Board's ultimate oversight and jurisdiction.

**4.3. Number, Election, Tenure, Qualifications, and Requirements of Directors.** The number of Directors shall be no fewer than five but not more than nine persons. The Board shall fix the exact number of Directors, within these limits, by Board resolution or by amendment of these Bylaws.

a. The Directors shall, upon election, immediately enter upon the performance of their duties. Each Director shall be elected to a term of three years (or fewer years as designated by the Board). The Director shall serve until such Director's successor shall have been duly elected and qualified (however, a Director's service shall end at the time of such Director's death, incapacity, resignation, or removal). Successors for Directors whose terms are expiring shall be elected at the next scheduled meeting of the Board. All Directors must be elected by a majority vote of the Directors then in office. Directors may be re-elected to serve more than one term in office.

b. Terms shall be staggered so that no more than half of the Board shall be up for election in any one year, unless a vacancy needs to be filled. When the term of a Director has expired or when a Director resigns, the remaining Directors shall elect a new Director to fill the vacancy by a majority vote of the Directors then in office.

c. A vacancy or vacancies in the Board occurring for any reason, including an increase in the authorized number of Directors, may be filled by a vote of the majority of the Directors then serving at a regular or special meeting of the Board, even though less than a quorum. Each Director so elected shall hold office for the unexpired portion of the term such Director was elected to fill or until such Director's successor is elected and qualified, or until such Director's death, incapacity, resignation, or removal.

d. Each Director must be a natural person who is twenty-five years of age or older. Qualifications for Directorship shall include but not be limited to: (a) enthusiasm for the School and conviction in its purpose; (b) support the mission of the School; (c) willingness to submit to a extended criminal record background check; (d) agreement to abide by the Board's code of conduct; (e) commitment to professional development and the completion of any state requirements for training or development; (f) special skills to address specific management and needs of the School; (g) willingness to accept and support decisions democratically made; and (h) ability to represent the School to the community.

e. Each Director shall attend at least ten (10) regular monthly meetings of the Board per year. Failure to attend the minimum number of regular meetings may constitute cause for removal.

f. The School Director shall not serve on the Board.

**4.4. Compensation.** Directors shall not receive any compensation for their services as Directors or Officers. All Directors are required to obtain the approval of the Board in advance of engaging in travel or encumbering other expenses on behalf of the Corporation or the School. Any such reasonable and approved expenses that are not reimbursed by the Corporation or the School shall be construed as a gift to the Corporation.

**4.5. Removal or Resignation.** Any Director may be removed for cause by the affirmative vote of two-thirds (2/3rds) of the Directors then in office, excluding the Director at issue, whenever in the Board's judgment such removal would serve the best interests of the School. A Director may resign at any time by giving written notice to the Board, the President, or the Secretary. Unless otherwise specified in the notice of resignation, the resignation shall take effect upon the receipt thereof by the Board or Officer, and the acceptance of the resignation shall not be necessary to make it effective.

**4.6. Confidentiality.** Directors are prohibited from publicly discussing matters covered in a properly noticed and duly convened closed meeting of the Board and from disclosing confidential matters unless required by law or regulation.

**4.7. Number, Election, Tenure, and Description of Officers.** The Officers of the Corporation shall include a President, Vice President, Secretary, Treasurer, and such other Officers or assistant Officers (each an “**Officer**” and together the “**Officers**”) as the Board shall deem necessary to elect. The Officers shall be elected from among the Directors.

a. The Board shall annually elect all Officers of the Corporation at a meeting of the Board, and each Officer shall be installed in office at such annual meeting to serve until their successors have been duly elected and qualified, or until such Officer's death, incapacity, resignation, or removal. If more than one nominee exists for any vacancy, the nominee receiving the greatest number of votes shall be declared elected and shall be installed in office at the annual meeting.

b. Any Officer of the Corporation may be removed for cause by a two-thirds (2/3rds) majority vote of the Directors then in office at any regular or special meeting of the Board.

c. Any Officer may resign on any date by giving written notice to the Board or the Secretary. Such resignation shall take effect on the date specified in the notice or, if no date is specified, then on the date of receipt of the resignation by the Secretary or the Board as the case may be, and, unless otherwise specified in the notice, acceptance of such resignation shall not be necessary to make it effective.

d. A vacancy in any office because of death, resignation, removal, or otherwise, may be filled by the Board for the unexpired portion of the term.

e. The President shall, if present, preside at all meetings of the Board. Subject to Board policy and Board direction, the President shall lead the Board in its oversight of School management. The President shall not have the authority to give directives to the School Director, as that authority is possessed only by the Board as a whole. The President shall exercise and perform such other powers and duties as may be prescribed by the Board from time to time. The President is not the chief executive of the Corporation, nor does he have any greater authority regarding operations of the School than any other Director (except as may be specifically delegated by the Board).

f. In the absence of the President or in the event of the President's disability, inability or refusal to act, the Vice President shall perform all of the duties of the President and in so acting, shall have all the powers of the President. The Vice President shall have such other powers and perform such other duties as may be prescribed from time to time by the Board.

g. The Secretary shall keep or cause to be kept a book of minutes at the principal office, or at such other place as the Board may order, of all meetings of the Board with the time and place of the meeting, whether regular or special, and if special, how authorized, the notice given thereof, the name or names of those present at the Board meetings, and the proceedings thereof. The Secretary shall give or cause to be given notice of all the meetings of the Board required by law or these Bylaws. The Secretary shall be responsible for posting meeting agendas, minutes and supporting documents to the Utah Public Meeting Notice website. The Secretary shall exercise and perform such other powers and duties as may be prescribed by the Board from time to time.

h. Subject to Board policy and Board direction, the Treasurer shall assist the Board in the oversight of the School's financial performance, reporting, and safeguarding. The Treasurer shall chair the Audit and Financial Oversight Committee, whose purposes shall be as described in Section 7.3. The Treasurer shall not have the authority to give directives to the School Director or any other employee of the School, nor shall the Treasurer be given the authority to sign checks on behalf of the Corporation or School, except as otherwise provided herein or as specifically delegated by the Board. The Treasurer shall have such other powers and perform such other duties as may be prescribed by the Board from time to time.

i. A vacancy in any office because of death, resignation, removal, or otherwise may be filled by the Board by a two-thirds (2/3rds) majority vote of then-current Directors for the unexpired portion of the term.

## **ARTICLE V MEETINGS**

### **5.1. Annual, Regular, and Special Meetings.**

a. A regular annual meeting of the Board shall be held each year on such date, time, and location as may be designated by the President, or by any Vice President if the President is unable to act, for the election of Officers and the transaction of such other business as may properly come before the meeting. The President shall provide notice to the Directors of such meeting. In the event of failure, through oversight or otherwise, to hold the annual meeting of the Board in any year, the meeting, upon waiver of notice or upon due notice, may be held on a later date, and any election had or business transacted at such meeting shall be as valid and effectual as if had or transacted at the annual meeting in said year.

b. In addition to the annual meeting, the Board shall establish a regular schedule for regular meetings that shall occur monthly, no fewer than ten (10) months per year. The Board shall comply with the Utah Open and Public Meetings Act.

c. Special meetings may be called by or at the request of the President or any two Directors.

d. Minutes of each Board meeting shall be taken and approved by the Board.

**5.2. Notice.** Notice of any special meeting of the Board shall be given at least three (3) days in advance of the meeting by telephone, electronic methods, by mail, or in person. Any Director may waive notice of any meeting. The attendance of a Director at any meeting will constitute a waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of any business because the meeting is not lawfully called or convened. Neither the business to be transacted at, nor the purpose of, any regular meeting of the Board need be specified in the notice, unless specifically required by law or by these Bylaws.

**5.3. Quorum and Voting.** A quorum at all meetings of the Board shall consist of a majority of the number of Directors then in office. The act of a majority of the Directors of the Board present at any meeting at which a quorum is present shall be the act of the Board, unless the act of a greater number is required by law or by these Bylaws. Proxy voting is not permitted.

**5.4. Participation by Telephone.** To the extent permitted by law, any Director or Committee member thereof may participate in a meeting of such Board or Committee by means of a conference telephone network or similar communications method by which all persons participating in the meeting can hear each other. For regular meetings, however, at least three Directors must be physically present at the meeting location in order to form a quorum.

**5.5. Action Without Meeting.** Any action required or permitted to be taken at a meeting of the Board may be taken without a meeting if a consent in writing setting forth the action is



signed by all of the Directors then in office. Such action by written consent shall have the same force and effect as the unanimous vote of the Directors taken at a meeting. “Written consent” includes a communication transmitted or received by electronic means; “sign” includes executing an electronic signature, such as a Director’s insertion of his or her name in an electronically transmitted writing.

## **ARTICLE VI CONFLICTS OF INTEREST**

**6.1. Annual Disclosure.** All Directors will annually disclose in writing to the Board the existence of any relationship or interest which could give rise to a conflict.

**6.2. Conflict of Interest.** Any Director or Committee member having an interest in a contract, other transaction, or program presented to or discussed by the Board or Committee for authorization, approval, or ratification shall make a prompt, full, and frank disclosure of his or her interest to the Board or Committee prior to its acting on such contract or transaction. Such disclosure shall include all relevant and material facts known to such person about the contract or transaction which might reasonably be construed to be adverse to the School’s interest. The body to which such disclosure is made shall thereupon determine, by majority vote, whether the disclosure shows that a conflict is deemed to exist, such person shall not vote on, nor use his or her personal influence on, nor be present during, in the discussion or deliberations with respect to, such contract or transaction (other than to present factual information or to respond to questions prior to the discussion). The minutes of the meeting shall reflect the disclosure made, the vote thereon and, where applicable, the abstention from voting and participation. In cases where the interest in question will require frequent or on-going disclosures and/or the recusal of a Director from voting—such as, but not limited to, lease agreements or on-going management services—the Director in question must resign within 60 days of an executed contract.

The Board shall comply with Utah Code § 53G-5-409 and all other statutory and legal requirements related to Conflicts of Interest. If a Director or School employee has a financial or personal interest in any matter coming before the Board, the Board member or employee shall comply with Utah Administrative Code R33-24-106 by (a) making a written disclosure to their supervisor and (b), as determined by the supervisor, withdrawing from discussion or voting on the matter. Decisions of the Board shall be made by a majority of the disinterested and non-conflicted Directors.

## **ARTICLE VII COMMITTEES**

**7.1. Purpose of Committees.** Before forming any Committee, the board will first ascertain that the Committee’s purpose is to help the Board manage and operate the School; the Board shall not create a Committee for the purpose of exercising the power and authority of the Board over the supervision and management of the School.

**7.2. Committees.** By one or more resolutions adopted by the vote of a majority of the Directors present in person at a meeting at which a quorum is present, the Board may designate

one or more Committees, each of which, to the extent provided in the resolution establishing such Committee, shall have and may exercise specific delegated authority of the Board; however, the Board shall not delegate its authority related to managing the School to any Committee. If the Board, by resolution or by the terms of these Bylaws, has delegated its authority to a Committee, the Committee shall consist of three or more Directors elected by the Board. The Board may elect one or more Directors as alternate members of any such Committee, who may take the place of any absent Committee member or members at any meeting of such Committee. The delegation of authority to any Committee shall not operate to relieve the Board or any Director from any responsibility or standard of conduct imposed by law or these Bylaws. Rules governing procedures for meetings of any Committee shall be the same as those set forth by law or these Bylaws for the Board unless the Board itself determines otherwise.

**7.3. Standing Committees.** The Board will constitute and appoint Directors to several permanent standing Committees, including a Governance Committee, an Audit and Financial Oversight Committee, and a Risk Management Oversight Committee.

a. The Governance Committee exists to assist the Board in developing optimum Board performance with the goal of sustaining it upon Director turnover. The Governance Committee's duties include identifying (and recruiting) potential candidates for Board service and coordinating election and orientation of new Directors. It is also responsible for coordinating ongoing Board self-assessment and professional development that is both meaningful and practical. The Governance Committee will ensure, on behalf of the Board, that any required criminal history checks of candidates, Officers, and Directors are initiated in a timely manner and the results are reported to the Board. The Governance Committee shall also be vigilant, as needed, in reminding the Board, Officers, Directors, and Committees of the importance of complying with these Bylaws, applicable codes of conduct, the conflict of interest policy and disclosure requirements, and any related Board policies.

b. The Audit and Financial Oversight Committee exists to assist the Board in ensuring that the School's money and assets are being properly managed and accounted for, as well as safeguarding the School against fraud, waste, and abuse. The Audit and Financial Oversight Committee's duties include soliciting proposals from independent auditors as needed, regularly reviewing financial reports and source documents for irregularities, and confirming the timely and accurate submission of various compliance reports, such as corporate tax documents and authorizer-mandated financial reports. With the guidance of the Corporation's attorney, the Audit and Financial Oversight Committee shall also investigate allegations of financial wrong-doing by School or Corporation management and shall receive reports from School and Corporation management regarding any investigations of financial wrong-doing it is conducting of subordinate personnel. The Audit and Financial Oversight Committee must be comprised of only "independent" Directors. For purposes of this section, an "independent" Director is a Director who is not an "interested person" as defined in Section 4.9.

c. The Risk Management Oversight Committee exists to assist the Board in ensuring that sound risk management is occurring in the School, including oversight of

adequate insurance coverages (including policy renewal), confirmation of timely completion by management of background checks of staff and volunteers, campus safety plans, emergency action plans, and related policies.

**7.4. Advisory Committees.** The Board may establish advisory Committees, as well as rules to govern the conduct of such advisory Committees. An advisory Committee shall not exercise the powers of the Board and may be made up of such individuals (both Directors and non-Directors) as the Board may determine.

## **ARTICLE VIII AMENDMENTS**

**8.1. Bylaws.** Subject to approval by the School's authorizer, these Bylaws may be amended, altered, or repealed and new Bylaws may be adopted by the Board by an affirmative vote of two-thirds (2/3rds) of all the Directors then in office at any meeting of the Board, provided that the full text of the proposed amendment, alteration, or repeal has been submitted in writing at the previous regular meeting.

**8.2. Articles of Incorporation.** Subject to approval by the School's authorizer, the Articles of Incorporation of the Corporation may be amended in any manner at any regular or special meeting of the Board by an affirmative vote of two-thirds (2/3rds) of all the Directors then in office, provided that specific written notice of the proposed amendments of the Articles setting forth the proposed amendment or a summary of the changes to be effected thereby has been submitted in writing at the previous regular meeting.

## **ARTICLE IX BOOKS AND RECORDS**

**9.1. Books and Records.** The Board shall keep complete books and records of account and minutes of the proceedings of the Board and Committees having any authority of the Board. All minutes from the Board shall be posted consistent with the Utah Open Meetings Act.

**9.2. Annual Reports.** The Board shall file with the applicable state authority, if necessary, an annual report on such forms and containing such information as required.

## **ARTICLE X CONTRACTS, LOANS AND DEPOSITS**

**10.1. Contracts.** The Board may authorize any Officer or Officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authorization may be general or confined to specific instances. Except as so authorized, or as in these Bylaws otherwise expressly provided, no Officer, agent, or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for any purpose in any amount.

**10.2. Loans.** No loans shall be contracted for or on behalf of the Corporation and no evidence of indebtedness shall be issued in the name of the Corporation unless authorized by a resolution of the Board. Such authority shall be confined to specific instances. No loan shall be made to any Officer or Director, directly or indirectly, except that reasonable advances of reimbursable expenses may be made as determined by the Board.

**10.3. Checks, Drafts and Notes.** All checks, drafts, or other orders for payment of money, notes, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such Officer or Officers, the School Director, or other agents and employees of the Corporation and in such manner as shall be determined by the Board. The President, and, if the President is unavailable, the Vice President and the Treasurer, is required to sign all checks over the amount of \_\_\_\_\_.

**10.4. Deposits.** The Board may from time to time, authorize the opening and maintaining of general and/or special bank accounts with such banks, trust companies, or other depositaries as may be selected by the Board or by any Officer or Officers, agent or agents of the Corporation to whom such power may be delegated from time to time by the Board. The Board may make such rules and regulations with respect to said bank accounts, not inconsistent with the provisions of these Bylaws as the Board may deem expedient. All funds of the Corporation not otherwise employed shall only be deposited to the credit of the Corporation in such banks, trust companies, or other depositaries. The Board will verify the existence of such accounts on an annual basis.

## **ARTICLE XI CONSTRUCTION**

**11.1. Construction and Definitions.** Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in the Utah Nonprofit Corporation and Cooperative Association Act, shall govern the construction of these Bylaws. The captions and headings in these Bylaws are for convenience of reference only and are not intended to limit or define the scope or effect of any provisions.

## **ARTICLE XII INDEMNIFICATION**

**12.1. General.** To the full extent permitted by law, the Corporation shall pay or cause to be paid by insurance or otherwise, indemnification of any Director, Officer, employee, or agent, or former Director, Officer, employee, or agent of the Corporation, against expenses actually and necessarily incurred by such person in connection with the defense of any action, suit, or proceeding in which that person is made a party by reason of being or having been a Director, Officer, employee, or agent of the Corporation, except in relation to matters as to which that person shall have been adjudged in such action, suit, or proceeding to be liable for negligence or misconduct in the performance of a duty. The foregoing indemnification shall not be deemed exclusive of any other rights to which an indemnitee may be entitled under any bylaw, agreement, resolution of the Board, or otherwise.

**12.2. Expenses.** Expenses (including reasonable attorneys' fees) incurred in defending a civil or criminal action, suit, or proceeding may be paid by the Corporation in advance of the final disposition of such action, suit, or proceeding, if authorized by the Board, upon receipt of an undertaking by or on behalf of the indemnitee to repay such amount if it shall ultimately be determined that such indemnitee is not entitled to be indemnified hereunder.

**12.3. Insurance.** The Corporation may purchase and maintain insurance on behalf of any person who is or was a Director, Officer, employee, or agent against any liability asserted against such person and incurred by such person in any such capacity or arising out of such person's status as such, whether or not the Corporation would have the power or obligation to indemnify such person against such liability under this Article.

### **ARTICLE XIII MISCELLANEOUS**

**13.1. Fiscal Year.** The fiscal year of the Corporation shall end on the date established by the Board.

**13.2. Non-Discrimination.** The services and activities of this Corporation and the Board shall at all times be conducted on a non-discriminatory basis without regard to color, national origin, sex, religious preference or creed, age, or physical impairment or handicap.

**13.3. Solicitation and Receipt of Gifts.** The Corporation shall seek gifts, contributions, donations, and bequests for its purposes. While the Corporation specifically encourages unrestricted gifts whose principal and/or income therefrom may be used for the Corporation's purposes in the discretion of the Board, the Board will accept gifts for a restricted or otherwise designated purpose if such restriction is determined by the Board to be acceptable or otherwise conforms with these Bylaws and any other guidelines established by the Board for such restricted gifts.

We, the undersigned, are all of the initial Directors or incorporators of [Name of School or Corporation], and we consent to, and hereby do, adopt the foregoing Bylaws, consisting of the preceding pages, as the Bylaws of this Corporation.

ADOPTED AND APPROVED by the Board of Directors on this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**Appendix D: Minutes from Governing Board**

## **VPA of UT Board Meeting Minutes**

**June 23, 2023**

**10a**

**Virtual Meeting**

**Via Zoom**

<https://us06web.zoom.us/j/81240330186?pwd=aTVXK1Rpb29RZWZWF5WTRxYzNjdFI0QT09>

### **I. Welcome and Greetings**

#### **a. Board introductions**

- i. Board members in E-attendance Dwight Israelsen, Representative Susan Pulsipher, Janet Aikele  
Not on zoom call Senator Kirk Cullimore.
- ii. Also in attendance, Brian Allen and Scott Andersen

### **II. ACTION ITEM – Approval of the VPA of UT Bylaws**

Chair Aikele asked if any questions or discussion. There was none.

Approval of Bylaws - Dwight Israelsen moved, Rep. Pulsipher second  
Approved 3-0

Note: Member Kirk Cullimore emailed his vote in support.

### **III. ACTION ITEM - Approval of the VPA of UT Articles of Incorporation**

Chair Aikele asked if any questions or discussion. There was none.

Approval of Articles, Dwight Israelsen moved, Rep. Pulsipher second  
Approved 3-0

Note: Member Kirk Cullimore emailed his vote in support.

### **IV. Discussion of charter process and timeline**

- a. Proposal submission June 30<sup>th</sup>
- b. Meeting with state charter to present proposal (5 min video)
- c. They vote on whether to invite us to submit a complete charter application
- d. It is due Nov 1
- e. Jan 24 approval of charter

### **V. Adjournment**

Dwight Israelsen moved and Susan Pulsipher seconded  
Meeting adjourned