



EARLY LIGHT
ACADEMY

Board Meeting Materials

BOARD MISSION:

AS THE BOARD OF EARLY LIGHT ACADEMY, IT IS OUR MISSION TO OVERSEE THE SCHOOL'S STRATEGIC DIRECTION AND VISION. IT IS OUR ROLE TO GOVERN AS OPPOSED TO MANAGE. ACTING WITH A UNIFIED VOICE, WE STRIVE TO SUPPORT AND ENSURE A LASTING AND SUSTAINABLE FUTURE FOR ELA. WE SEEK TO INSPIRE AND PROMOTE AN ATMOSPHERE OF INTEGRITY, TRANSPARENCY AND ACCOUNTABILITY. WE SERVE TO EMPOWER THE SCHOOL'S ADMINISTRATIVE LEADERSHIP TO EXECUTE ITS MISSION OF ACADEMIC EXCELLENCE, GROWTH AND ACHIEVEMENT.

September 20, 2023

Early Light Academy Board Meeting Agenda Wednesday, September 20, 2023

Location: 11709 S. Vadania Drive, South Jordan, Utah 84009



EARLY LIGHT
ACADEMY

NOTE: It is possible that the ELA Board of Directors may be utilizing an electronic meeting component with one or more of their members.

SCHOOL MISSION: THE MISSION OF THE EARLY LIGHT ACADEMY IS TO DELIVER A HIGH-QUALITY EDUCATION WITH A DEEP, RICH AND ENGAGING CURRICULUM UTILIZING EFFECTIVE INSTRUCTIONAL TECHNIQUES AND EMPHASIZING HISTORY, TAKING OUR STUDENTS FROM THE STONE AGE TO THE SPACE AGE, THE INFORMATION AGE AND BEYOND.

SCHOOL VISION: EARLY LIGHT ACADEMY WILL EMPOWER STUDENTS TO BECOME LIFELONG LEARNERS AND INSPIRING LEADERS WHO KNOW THEIR ACTIONS TODAY IMPACT OUR TOMORROW.

WE ARE WHAT HISTORY BOOKS ARE MADE OF!

AGENDA

8:30 AM – INTRODUCTORY ITEMS

- Welcome & Roll Call – Jenn Lund
- Board Mission
- School Mission
- School Vision

PUBLIC COMMENT (Comments will be limited to three minutes)

REPORTS

- Administration
 - ✓ [Director Report](#) – Stephanie Schmidt
 - ★ [Locker Administration Procedures](#)
 - ★ [Amended Attendance Administrative Procedures](#)
 - ★ [Amended Student Conduct & Discipline Administrative Procedures](#)
- Board of Directors
 - ✓ [Financial Update](#) – Brett Crockett

CONSENT ITEMS

- [August 30, 2023 Board Meeting Minutes](#)

VOTING ITEMS

- [Amend Pecora Kindergarten Playground Project](#) – Stephanie Schmidt
- [Franklin Covey Education Agreement](#) – Stephanie Schmidt
- [LEA-Specific Educator License\(s\)](#) – Stephanie Schmidt
- [Agreement with Utah Education Law](#) – Stephanie Schmidt

NOTE: Times on this agenda are estimated as a courtesy only. Actual times may vary.

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.

- [Amend Attendance Policy](#) – Stephanie Schmidt

DISCUSSION ITEMS

- Calendaring
 - ✓ Next PreBoard Meeting – October 4th
 - ✓ Next Board Meeting – October 18th
 - ✓ NCSC24 Boston MA – June 30 – July 3

CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(I)(a)

ADJOURN

UPCOMING CALENDAR ITEMS

October

- Sex Ed/Maturation Curriculum
- Amend Emergency Preparedness Plan
- SLT Committee Membership (Due Oct 20th)
- Director Winter Bonus
- Update Parent Handbook

November

- 2024-2025 School Fees (1st Public Viewing)

January

- Audit Review
- 2024-2025 School Fees
- 2024-2025 School Calendar
- Curriculum Purchases (2 Public Comment Periods)

March

- Board Vacancies
- 2024-2025 School LAND Trust Plan
- SLT Training Assurances
- Digital Citizenship
- Present 2022-2023 SLT Final Report
- Landscaping Service Contract

April

- Director Evaluation Prep
- Director Bonus/Salary

May

- Audit Engagement Letter
- Director Evaluation
- 2024-2025 TSSA Plan

June

- 2024-2025 Annual Budget
- 2023-2024 Final Amended Budget
- Summer Purchasing Plan
- 2024-2025 Sex Ed Instruction Committee
- Ratify Board Members & Terms
- Ratify Board Officers
- 2024-2025 Board Meeting Schedule
- Mental Health Screening Determination
- Review Positive Behavior Plan
- Annual Policies Review
- Annual Open Meetings Act Training
- Annual Fraud Risk Assessment/Ethical Behavior

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DIRECTOR'S REPORT

September 20, 2023

The mission of the Early Light Academy is to deliver a high-quality education with a deep, rich and engaging curriculum utilizing effective instructional techniques and emphasizing history, taking our students from the Stone Age, to the Space Age, the Information Age and Beyond.

ELA will empower students to become lifelong learners and inspiring leaders who know their actions today impact our tomorrows.

- Highlights
 - Leadership Week - Buddy Class Activities
 - Respect - practicing introductions and communication
 - Inclusive - longest paper chain ever!
 - Safe - chalk art
 - Engaged - reading together
 - RISE photo on the field!
 - RISE
 - USBE Reading on Grade Level - ELA ROCKS

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Districts and Charters	% of 3rd Graders Reading on Grade Level
John Hancock Charter School	82.6%
North Summit District	78.6%
North Star Academy	76.5%
Bear River Charter School	76.2%
Mountainville Academy	70.8%
Edith Bowen Laboratory School	69.4%
Early Light Academy at Daybreak	68.7%
Wasatch Peak Academy	68.0%
Canyon Rim Academy	67.1%
Channing Hall	67.1%
Legacy Preparatory Academy	66.7%
Rich District	66.7%
George Washington Academy	64.6%
Valley Academy	63.0%
Jefferson Academy	62.7%

Districts	% of 3rd Graders Reading on Grade Level
North Summit District	78.6%
Rich District	66.7%
Wayne District	62.5%
Provo District	60.8%
Cache District	60.7%
Tintic District	60.0%
Morgan District	59.8%
Kane District	57.9%
Park City District	57.8%
South Sanpete District	56.5%
Canyons District	54.9%
Beaver District	54.1%
Box Elder District	53.9%
Murray District	53.0%
Jordan District	52.1%

Charters	% Reading on Grade Level
John Hancock Charter School	82.6%
North Star Academy	76.5%
Bear River Charter School	76.2%
Mountainville Academy	70.8%
Edith Bowen Laboratory School	69.4%
Early Light Academy at Daybreak	68.7%
Wasatch Peak Academy	68.0%
Canyon Rim Academy	67.1%
Channing Hall	67.1%
Legacy Preparatory Academy	66.7%
George Washington Academy	64.6%
Valley Academy	63.0%
Jefferson Academy	62.7%
Canyon Grove Academy	62.5%
Thomas Edison	62.3%

- Reports
 - Safety Assessment and Grant Application
 - Locker procedures
 - Fall Conferences - Wed (9/27): 4-7:30, Thurs (9/28): 1-5
 - Parent mtg re: [ELA Plan for Harassment Free and Discrimination Free Learning](#); [Parent Notice](#)
 - Flu clinic, 9/28 - 1-5 pm (gym)
 - Offsite Drill - Sept 21 at 1:45 pm

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ELA's ANNUAL GOALS 2022-2023
ELARISE

Goal Area	Specific Indicators
#1- Own and Share our Story	<ul style="list-style-type: none"> ● Increase enrollment to 975 (Exceeded at 1010) ● History made visible on our campus ● Complete marketing plan <ul style="list-style-type: none"> ○ Storybrand ○ Mural design ● Increase Social Media/Community Presence ● Conduct Market Analysis
#2- Build Instructional Capacity and Professional Excellence of ELA Educators	<ul style="list-style-type: none"> ● Meeting Key Performance Indicators on Evals ● Accountability (YLP, PGP's) ● Use ELEOT tool to measure student engagement ● Formalize PD Process ● Differentiation - Clear Expectations
#3- Deliver an ELA-branded Education: Academics	<ul style="list-style-type: none"> ● State goal: 60% of 1-3 graders making typical or above typical growth in reading ● State goal: 60% of 1-3 graders making typical or above typical growth in math ● Increase our state assessment achievement by 1% each year ● Co-taught classes established/continue support ● PLC data exploration leading to data driven instruction
#3- Deliver an ELA-branded Education: Culture	<ul style="list-style-type: none"> ● RISE ● PBIS expanded to 3-9 and staff - assess effectiveness of increasing positive behaviors ● Ideal Team Player common language ● Keep stakeholders informed ● Stakeholder Surveys ● School Safety Emphasis
#4- Financial	<ul style="list-style-type: none"> ● Enrollment goal: 1,000 ● Competitive Staff Compensation ● Days COH - end fiscal year at 140 days ● Review and Improve Insurance Benefits

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Locker Administrative Procedures

Student lockers belong to the school and are loaned to students for their use during the school year. Each student in grades 5 through 8 is required to have a locker. The lockers are located in a secure area, which is accessible during school hours on school days. These lockers are provided to students for storing their coats, jackets, hats, books, backpacks, and other school supplies.

1. Lockers are the property of the school. Use of the lockers is considered a privilege. The lockers are provided as a convenience for students. Lockers and their contents may be inspected at any time by ELA staff without the student present and without student permission.
2. ELA will assign lockers. Each student will be responsible for his/her locker and is not authorized to access any other locker. Students will not be allowed to share lockers or combinations. There will be a \$10 charge to change the locker combination, so please keep it private.
3. Your locker should be locked at all times, as the school does not assume responsibility for anything stored in lockers.
4. Students may not write in or on lockers or decorate with anything that is difficult to remove.
5. Students may use masking tape only, not other types of tape, on the inside of the lockers. No decorations, without prior approval, can be placed on the outside of the locker. **DO NOT USE CONTACT PAPER OR STICKERS IN YOUR LOCKER.** You will be assessed a minimum fine of \$50 for removal of these items.
6. Locker decorations may not include items that are suggestive, obscene, or objectionable.
7. Food items (lunches) that are stored in the locker must be in containers that do not leak. No food should be left in lockers overnight.
8. Students must respect the property/lockers of other students.
9. Hitting or kicking lockers with or without intent to damage will not be tolerated.
10. A minimum of \$50 will be charged if a student's assigned locker requires repairs or painting at the end of the year. The student assigned to the locker will assume this responsibility. Extensive damage or repairs may result in the student paying for the replacement of the locker.
11. Students must keep their lockers clean. At the end of the school year all items must be removed and the locker must be left clean. A fee of \$25 will be charged if school personnel must remove items and clean the locker.
12. Violation of locker usage procedures will result in appropriate disciplinary corrective action, including but not limited to, termination of the use of lockers.

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Student Conduct & Discipline Administrative Procedures

These procedures are established pursuant to the Student Conduct and Discipline Policy adopted by the School's Board of Directors.

1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 Purpose

The purpose of Early Light Academy's (the "School") Student Conduct and Discipline Policy is to help all students develop positive relationships with other students and adults, take responsibility for their actions and learning, and develop the self-discipline necessary to create an environment that is characterized by physical and emotional safety in order to enhance learning for everyone.

The School will foster a school and community-wide expectation of good citizenship for students and a sense of responsibility in the school community for rules and standards of behavior.

The School will promote and require:

- student responsibility for learning and behavior in all grades;
- student conduct that produces a proper learning environment and respect for the personal, civil, and property rights of all members of the School community;
- parents and guardians of all students to assume proper responsibility for their students' behavior and to cooperate with School authorities in encouraging student self-discipline and discouraging behavior that is disruptive to the School's educational program.

1.2 Beliefs and Expectations

The School's beliefs and expectations set a positive and inviting culture for dealing with student behavior issues.

Beliefs:

- Punishment alone will not change behavior
- Much aggressive behavior is a relationship problem, not a behavior problem
- Adults must model the behaviors they expect from the students
- We expect conflicts, and we expect conflicts to be resolved and relationships mended

Expectations:

- Students will show respect for other students

- Students will show respect for adults
- Students will show respect for the building
- Adults will show respect for students
- Students will develop self-discipline

1.3 Procedural Philosophy

The School recognizes that establishing a procedural philosophy consistent with the desired positive school environment is as important as following legal and due process procedures. The School's policy and procedures set forth appropriate legal and due process procedures and will be followed within the context of the procedural philosophy outlined below:

Procedures:

When students are involved in conflicts with other students, they will:

- Work together to resolve the conflict
- Work to repair the relationship and build trust
- Be subject to additional consequences if they exhibit unsafe behaviors during the conflict

When students are involved in a conflict with, or feel they have been treated unfairly by, a member of the staff or a volunteer, they will:

- Report their feelings to their parent or to the administrator or counselor, who will work together to set up a conference with the student, the parent, an administrator or counselor, and the adult involved in order to resolve the conflict and mend the relationship

When students flagrantly disregard the safety of others, show blatant disrespect to others, or consistently behave in a disrespectful or unsafe way:

- The student will be subjected to consequences and positive behavior support to ensure that the student will make better choices in the future. Consequences might include:
 - In-School Suspension
 - Out of School Suspension
 - Expulsion
 - Restitution
 - Repayment for damages
- The student will work to earn back the trust of the School community by actions such as:
 - Genuine apology to injured or affected parties
 - Demonstration of appropriate behaviors following the incident
 - Repair or replace any damaged items

Due process to protect the rights of students will include:

- All students will be treated with dignity and respect as they go through correction procedures. The administration will see to it that their rights are protected through the process. If parents feel their student has not been treated fairly, they may request a hearing with the School's Board of Directors (the "**Board**") in accordance with the School's Grievance Policy.

- Parents will be notified when students are involved in situations that are deemed to be serious.
- Parents and students will be notified of the expectations, possible consequences, and the procedures involved at the beginning of each school year.

2. ENVIRONMENT

2.1 Safe School Environment

It is the School’s policy to promote a safe and orderly school environment for all students and employees. Accordingly, the School holds all students, employees, and other adults to the highest standards of behavior in the classroom, on School grounds, in School vehicles, and during School-sponsored activities. Criminal acts or disruptive behavior of any kind will not be tolerated, and any individual who engages in such activity will be subject to disciplinary action, criminal prosecution, or both.

2.2 Discrimination Prohibited

It is the School’s policy to provide equal educational and employment opportunity for all individuals. Therefore, the School prohibits all discrimination on the basis of race, color, religion, sex, age, national origin, disability, citizenship status, or genetic information. Complaints of discrimination or unfair application of the policy or these procedures should be submitted pursuant to the School’s Grievance Policy.

3. DEFINITIONS

3.1 Suspension

For purposes of the policy and these procedures, suspension is a temporary removal of a student from School and School-sponsored activities for a period of up to one (1) year. A student who is suspended may, at the ~~Director~~Executive Director’s discretion, have access to homework, tests, and other schoolwork through a home study program, but will not be allowed to attend classes or participate in any School activities during the period of suspension.

3.2 Expulsion

For purposes of the policy and these procedures, expulsion means the formal process of dismissing a student from School. Recognizing that students who commit violent or disruptive acts may pose safety problems, the School will work with parents to provide alternative educational placement and programs for the student where appropriate and feasible. However, the ~~Director~~Executive Director retains the authority to exclude the student from all programs or activities for the period of expulsion.

3.3 Change of Placement for Students with Disabilities under IDEA and Section 504

For purpose of the removal of a student with a disability from the student's current educational placement, a "change of placement" occurs if (a) the removal is for more than ten (10) consecutive school days or (b) the student is subjected to a series of removals that constitute a pattern because they total more than ten (10) school days in a school year or because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another. Any "change of placement" requires compliance with the procedures outlined in Section 10.

3.4 Disruptive Student Behavior

For purposes of the policy and these procedures, "disruptive student behavior" means the behavior identified as grounds for suspension or expulsion described in Section 4.1, below.

3.5 Parent

For purposes of this policy, "parent" means (i) a custodial parent of a school-age ~~minor~~child; (ii) a legally appointed guardian of a school-age ~~minor~~child; or (iii) any other person purporting to exercise any authority over the ~~minor~~child which could be exercised by a person described above.

3.6 Qualifying Minor

For purposes of this policy, "qualifying minor" means a school-age ~~minor~~child who: (i) is at least nine years old; or (ii) turns nine years old at any time during the school year.

3.7 School Year

For purposes of this policy, "school year" means the period of time designated as the school year by the Board in the calendar adopted each year.

3.8 School-age Child

For purposes of this policy, "school-age child" means a minor who: (i) is at least six years old but younger than 18 years old; and (ii) is not emancipated.

4. GROUNDS FOR SUSPENSION, EXPULSION, OR CHANGE OF PLACEMENT

4.1 Suspension

4.1.1 A student may be suspended from School for any of the following reasons:

[a] frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including, but not limited to: fighting; gang activity; noncompliance with School dress code; harassment, including sexual, racial, or religious harassment; the use of foul, profane, vulgar or abusive language; or other unreasonable and substantial disruption of a class, activity, or other function of the School;

[b] willful destruction or defacing of School property;

[c] behavior or threatened behavior that poses an immediate and significant threat to the welfare, safety, or morals of other students or School personnel or to the operation of the School;

[d] possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah law;

[e] possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, electronic cigarettes, or tobacco, as defined by Utah Code Ann. § 76-10-101;

[f] possession, distribution, control, use, sale, or arranging for the sale of contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs and controlled substances, drug paraphernalia, or any other material or item that has caused or will imminently cause substantial disruption to school operations;

[g] inappropriate use or possession of electronic devices in class or in any other way that substantially disrupts the educational environment;

[h] any criminal activity;

[i] any serious violation involving weapons, drugs, or the use of force, including those actions prohibited in Section 4.1.2 below, that threatens harm or causes harm to the School or School property, to a person associated with the School, or property associated with any such person, regardless of where it occurs;

[j] bullying or hazing as defined in Utah Code Ann. § 53G-9-601 and/or the School's Bullying and Hazing Policy;

[k] excessive hugging, kissing, or other public displays of affection determined by the ~~Director~~Executive Director to be inappropriate or disruptive to the learning of others; or

[l] sluffing, as defined in the School's Attendance Procedures.

4.1.2 A student shall be suspended or expelled from School for:

[a] any serious violation affecting another student or a staff member, or any serious violation occurring in a School building, in or on School property, or in conjunction with any School-sponsored activity, including:

(i) the possession, control, or actual or threatened use of a real weapon, explosive, or noxious or flammable material;

(ii) the actual or threatened use of a lookalike weapon with intent to intimidate another person or to disrupt normal School activities; or

(iii) the sale, control, or distribution of a drug or controlled substance as defined in Utah Code Ann. § 58-37-2, an imitation controlled substance defined in Utah Code Ann. § 58-37b-2, or drug paraphernalia as defined in Utah Code Ann. § 58-37a-3; or

[b] the commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor.

4.2 Expulsion

A student may be expelled from School for any violation listed under Section 4.1 of these procedures if the violation is serious or persistent.

4.3 Weapons – Mandatory Expulsion for One Year – Utah Code Ann. § 53G-8-205(2)(b); 20 U.S.C. § 7151

4.3.1 Any student who commits an act for which mandatory suspension or expulsion is provided under Section 4.1.2, above, using a real or lookalike weapon, explosive, or noxious or flammable material shall be expelled from all School programs and activities for a period of not less than one (1) year, subject to the following:

[a] Within forty-five (45) days after the expulsion, the student shall appear before the Case Management Team (“CMT”), which shall be comprised of the ~~Director~~ Executive Director, a Board member, and a teacher selected by them, accompanied by a parent or legal guardian; and

[b] The CMT shall determine:

(i) what conditions must be met by the student and the student's parent for the student to return to School;

(ii) if the student should be placed on probation in a regular school setting consistent with Utah Code Ann. § 53G-8-208, and what conditions must be met by the student in order to ensure the safety of students and faculty at the School; and

(iii) if it would be in the best interest of both the School and the student to modify the expulsion term to less than a year giving highest priority to providing a safe school environment for all students.

[c] For purposes of the policy and these procedures, the term "firearm", "explosive", and "noxious or flammable material" include but are not limited to: guns, starter pistols, cap guns, bombs, bullets and ammunition, gasoline or other flammable liquids, mace, pepper spray, matches, and lighters.

4.3.2 Students with Disabilities under IDEA and Section 504

Whenever a student receiving special education and related services under the Individuals with Disabilities Education Act (“IDEA”) or Section 504 of the Rehabilitation Act is determined to have carried a weapon to School or a School-sponsored activity, the procedures outlined in Section 10 of these procedures must be followed.

4.4 Drugs and Controlled Substances – Mandatory Suspension or Expulsion – Utah Code Ann. § 53G-8-205(2)(a)

4.4.1 A student shall be suspended or expelled from the School for any of the following reasons:

[a] use, control, possession, distribution, sale, or arranging for the sale of an illegal drug or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in a School building, in a School vehicle, on School property, or in conjunction with any School-sponsored activity;

[b] misuse or abuse, distribution, sale or arranging for the sale of prescription medication at School or a School-sponsored activity; or

[c] misuse or abuse of over-the-counter remedies, or sharing, distribution, sale, or arranging for the sale of over-the-counter remedies. A student may possess and use over-the-counter remedies at School only in amounts not to exceed the recommended daily dose including, but not limited to: aspirin, ibuprofen, Tylenol (acetaminophen), cough drops, allergy medication, cough syrup and mouthwash.

4.4.2 Students with Disabilities under Section 504

Any student identified as being disabled under either Section 504 of the Rehabilitation Act or the Americans with Disabilities Act who currently is engaging in the illegal use of drugs or alcohol shall be suspended or expelled to the same extent as non-disabled students for the possession, use, control, distribution, sale, or arrangement of the sale of illegal drugs, alcohol, or controlled substances on School property or in conjunction with any School-sponsored activity.

4.4.3 Drug Testing

[a] Any student who is reasonably suspected of violating Section 4.4 may be subject to a drug test for cause, arranged and paid for by the School.

[b] Any student who has been suspended or expelled for a violation of Section 4.4 may be required to provide a clean drug test and evidence of completion of drug assessment and/or drug counseling programs as a condition of readmission to School. Testing and counseling required as a condition of readmission rather than for the purpose of providing justification for the initial suspension or expulsion shall be arranged and paid for by the student's parent or guardian.

[c] Students who refuse to submit to required drug testing and counseling programs or to cooperate with School officials with respect to the sharing of appropriate information, may be expelled from the School.

[d] Any student who is suspended or expelled for violation of Section 4.4 may be subject to random drug testing, at any time and for any reason, for a period of one year from the date of offense. If the student tests positive, he/she may be expelled from all School programs or activities. Any student who refuses consent for random drug testing under these conditions shall be expelled from all School programs or activities.

4.4.4 Students with Disabilities under IDEA

Whenever a student receiving special education and related services under IDEA knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at School or a School-sponsored activity, the procedures outlined in Section 10 of these procedures must be followed.

4.5 Gangs

For purposes of the policy and these procedures, "gang" means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one its primary activities the commission of criminal acts, which has a unique name or identifiable signs, symbols, or marks, and whose members individually or collectively engage in criminal or violent behavior to persons or property, or who create an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a school.

4.5.1 Gang Activity and Apparel Prohibited

Students who engage in any form of gang activity on or about School property, or at any School-sponsored activity may be suspended or expelled under the terms of the policy and these procedures. For the purposes of the policy and these procedures, "gang activities" include, but are not limited to any of the following:

[a] Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, apparel, emblems, badges, tattoos or manner of grooming, accessories, symbols, signs, or other thing which is evidence of membership in or affiliation with any gang;

[b] Committing any act or omission or using any speech, either verbal or nonverbal, (flashing signs, gestures, hand shakes, etc.) that demonstrates membership in or a affiliation with a gang;

[c] Soliciting others for membership in a gang;

[d] Requesting any person to pay for "protection", claiming "turf", or otherwise intimidating, bullying, retaliating against, threatening, abusing, or harassing any person;

[e] Possessing a weapon, controlled substances, drug paraphernalia, or other contraband;

[f] Committing any illegal act; or

[g] Encouraging or inciting another person to act with physical violence upon any other person or cause damage to property.

4.5.2 Confiscation of Gang Items

Subject to the search and seizure provisions of these procedures, gang paraphernalia, apparel, or weapons may be confiscated by School officials at any time.

4.5.3 Consultation with Law Enforcement Authorities

School officials shall consult with local law enforcement authorities and gang detectives whenever they have questions regarding gang-related clothing, apparel, or other gang activity.

4.6 Bullying, Cyber-Bullying, Harassment, Hazing, and Abusive Conduct

Bullying, cyber-bullying, harassment, hazing, and abusive conduct of students and employees are against federal law, state law, and School policy, and are not tolerated by the School. It is the School's intent to respond to school-related incidents by implementing prevention efforts where victims can be identified and assessed, and perpetrators educated, in order to create a safer school that provide a positive learning environment.

School administration has the authority to discipline students and employees for off-campus speech that causes or threatens a substantial disruption on campus, at School activities, or causes or threatens a significant interference with a student's educational performance or involvement in School activities.

Additional information regarding these issues are contained in the School's Bullying and Hazing Policy, which is available on the School's website.

4.7 Possession or Use of Electronic Cigarette Products

4.7.1 Students are prohibited from possessing or using electronic cigarette products, as defined by Utah Code Ann. § 76-10-101, on School property.

4.7.2 The ~~Director~~Executive Director or their designee shall request the surrender of or confiscate electronic cigarette products as provided in Section 16 of these procedures.

4.7.3 The ~~Director~~Executive Director will ensure that any surrendered or confiscated electronic cigarette product is destroyed or disposed of. However, the ~~Director~~Executive Director may allow the release of any surrendered or confiscated electronic cigarette product to local law enforcement if School personnel have a reasonable suspicion that the electronic cigarette product contains an illegal substance and local law enforcement requests that the School release it to them as part of an investigation or action.

5. AUTHORITY TO SUSPEND OR EXPEL

5.1 Authority to Suspend for Ten (10) School Days or Less for Regular Education Students

The ~~Director~~Executive Director has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the ~~Director~~Executive Director shall consider all relevant factors, including but not limited to, the severity of the offense, the student's age, disability, academic status and disciplinary record, parental capabilities, and community resources.

5.2 Authority to Suspend and Duration of Suspension for Students with Disabilities

The ~~Director~~Executive Director has the authority to suspend a student with disabilities (504 or IDEA) for not more than ten (10) consecutive school days, and additional removals of not more than ten (10) total school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a pattern resulting in a change of placement. The School need not provide services during periods of removal of ten (10) days cumulative or less if services are not provided to a student without disabilities who has been similarly suspended.

5.3 Authority to Suspend for Longer than Ten (10) Days or Expel for Regular Education Students

Subject to the requirements for due process set forth in Section 9, below, the ~~Director~~Executive Director may suspend a regular education student for longer than ten (10) days or expel a regular education student.

Expulsions shall be reviewed by the CMT and the conclusions reported to the Board at least once each year if the parent/guardian of the expelled student has expressed a desire for the student to return to the School.

5.3.1 Parental Responsibility

If a student is suspended for a period longer than ten (10) days or expelled, the student's parent or legal guardian is responsible for undertaking an alternative education plan that will ensure that the student's education continues during the period of expulsion. The parent or guardian shall work with designated School officials to determine how the student's education will continue through private education paid for by the parents, an alternative program offered by the local school district, or other alternatives which will reasonably meet the educational needs of the student. Costs of educational services which are not provided by the School are the responsibility of the student's parent or guardian.

5.3.2 The parent or guardian and designated School officials may enlist the cooperation of the Division of Child and Family Services, the juvenile court, law enforcement, or other appropriate government agencies in determining how to meet the educational needs of the student.

5.3.3 The School shall contact the parent or guardian of each student under age 16 who has been expelled from all School programs and services at least once a month to determine the student's progress if the parent/guardian of the expelled student has expressed a desire for the student to return to the School.

5.4 Authority to Institute Change of Placement for Student with Disabilities

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504, or ADA, procedures outlined in the Utah State Board of Education Special Education Rules shall be followed, including prior written notice to parents or guardians regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.

6. PROCEDURES FOR ADDRESSING DISRUPTIVE STUDENT BEHAVIOR – Utah Code Ann. § 53G-8-210

6.1 Efforts to Resolve Disruptive Student Behavior Problems

6.1.1 Information About Resources. The School will provide to a parent of a student who engages in disruptive student behavior a list of resources available to assist the parent in resolving the student’s disruptive behavior problem.

6.1.2 Procedures for Resolving Problems. The ~~Director~~Executive Director or a teacher or counselor designated by the ~~Director~~Executive Director will work with students who engage in disruptive student behavior according to the procedures identified in Section 7, below, in an attempt to help the student’s behavior to improve and to prevent problems from escalating. Incidents of disruptive student behavior and attempts to resolve behavior issues will be documented.

6.2 Notice of Disruptive Student Behavior

6.2.1 Authorization. The ~~Director~~Executive Director is authorized to issue notices of disruptive student behavior to students who are qualifying minors.

6.2.2 Criteria for Issuing Notice. The ~~Director~~Executive Director will issue a “notice of disruptive student behavior” to a qualifying minor who:

[a] engages in “disruptive student behavior” that does not result in suspension or expulsion three times during the school year; or

[b] engages in disruptive student behavior that results in suspension or expulsion once during the school year.

6.2.3 Contents of Notice. The notice of disruptive student behavior will:

[a] require the qualifying minor and a parent of the qualifying minor to whom the notice is issued to (i) meet with School authorities to discuss the qualifying minor's disruptive student behavior; and (ii) cooperate with the ~~Director~~Executive Director and the Board in correcting the student's disruptive student behavior; and

[b] be mailed by certified mail to, or served in person on, a parent of the qualifying minor.

6.2.4 Contesting Notice. A qualifying minor, or a qualifying minor's parent, may contest a notice of disruptive student behavior by requesting in writing, within ten (10) business days after receipt of the notice, a meeting with the CMT at which the parent and the CMT will discuss the facts related to the student’s behavior, the basis of the parent’s concerns with or objections to the issuance of the notice, and efforts that have been made to address the behavior problems.

6.3 Habitual Disruptive Student Behavior Notice

6.3.1 Criteria for Issuing Notice. The ~~Director~~Executive Director may issue a “habitual disruptive student behavior notice” to a qualifying minor who:

[a] engages in disruptive student behavior that does not result in suspension or expulsion at least six times during the school year;

[b] (i) engages in disruptive student behavior that does not result in suspension or expulsion at least three times during the school year; and (ii) engages in disruptive student behavior that results in suspension or expulsion at least once during the school year; or

[c] engages in disruptive student behavior that results in suspension or expulsion at least twice during the school year.

6.3.2 Notice to Parents. Within five (5) days after the day on which a habitual disruptive student behavior notice is issued, the ~~Director~~Executive Director shall provide documentation to a parent of the qualifying minor who receives the notice of the efforts made by a School representative under Section 7, below.

6.4 Responses to School-Based Behavior

6.4.1 Definitions.

[a] “Mobile crisis outreach team” means a crisis intervention service for minors or families of minors experiencing behavioral health or psychiatric emergencies.

[b] “Restorative justice program” means a school-based program or a program used or adopted by a school that is designed to enhance school safety, reduce school suspensions, and limit referrals to court, and is designed to help minors take responsibility for and repair the harm of behavior that occurs in school.

[c] “Youth court” means the same as that term is defined in § ~~78A-6-1203~~80-6-901, including that it is a diversion program that provides an alternative disposition for cases involving minors who have committed minor offenses~~juvenile offenders~~ in which youth participants, under the supervision of an adult coordinator, may serve in various capacities within the courtroom, acting in the role of jurors, lawyers, bailiffs, clerks, and judges.

6.4.2 Alternative School-Related Interventions. The Board may establish or partner with a certified youth court program or establish or partner with a comparable restorative justice program. The School may refer a student to youth court or a comparable restorative justice program in accordance with § 53G-8-211.

6.4.3 Referrals of Minors. A qualifying minor to whom a habitual disruptive student behavior notice is issued under Section 6.3.1 may not be referred to the juvenile court. The School will follow § 53G-8-211 with respect to referring a minor who is alleged to have committed an offense on school property ~~or that is truancy~~. In accordance with § 53G-8-211:

[a] if the alleged offense is a class C misdemeanor, an infraction, or a status offense on School

property, ~~or truancy~~, the minor ~~may not be referred to law enforcement or court but~~ may be referred to ~~alternative school-related interventions, including:~~

(i) to an evidence-based alternative intervention, including:

(1) a mobile crisis outreach team, ~~as defined in § 80-1-102;~~

(2) ~~—(ii) a youth services receiving center, operated by the Division of Juvenile Justice Services in accordance with~~ as defined in § 80-5-102;

(3) ~~—(iii) a youth court or comparable restorative justice program; ~~or~~~~

(4) ~~an ~~(iv) other~~ evidence-based alternative interventions~~ created and developed by the School or other governmental entities as set forth in § 53G-8-211(3)(a)(v); ~~or~~

(5) a tobacco cessation or education program if the offense is a violation of § 76-10-105;
or

~~[b]~~ (ii) for prevention and early intervention youth services, as described in § 80-5-201, by the Division of Juvenile Justice Services if the minor refuses to participate in an evidence-based alternative intervention described above.

[b] Except as provided in Subsection [c] below, if a minor is alleged to have committed an offense on School property that is a class C misdemeanor, an infraction, or a status offense ~~if the alleged offense is a class B misdemeanor or a nonperson class A misdemeanor~~, the minor may be referred directly to a law enforcement officer or agency or the juvenile court only if:

(i) the minor allegedly committed the same offense on School property on two previous occasions; and

(ii) the minor was referred to an evidence-based alternative intervention, or to prevention or early intervention youth services, as described in Subsection [a] above for both of the two previous offenses.

[c] If a minor is alleged to have committed a traffic offense that is an infraction, the minor may be referred directly to a law enforcement officer or agency, a prosecuting attorney, or a court for the traffic offense.

[d] If a minor is alleged to have committed an offense on School property that is a class B misdemeanor or a class A misdemeanor, the minor may be referred directly to a court or to the evidence-based alternative interventions in Subsection [a] above ~~by the Director or the Director's designee, or the minor may be referred to the alternative interventions described above. However, documentation of an alleged class B misdemeanor or a nonperson class A misdemeanor must be provided prior to referring the minor to the juvenile court.~~

7. ALTERNATIVES TO EXPULSION, OR CHANGE OF PLACEMENT FOR FREQUENT OR FLAGRANT DISRUPTIVE BEHAVIOR – Utah Code Ann. § 53G-8-207

A continuum of intervention strategies shall be available to help students whose behavior in School repeatedly falls short of reasonable expectations. Prior to suspending a student for more than ten (10) days or expelling a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violent that immediate removal is warranted, good faith efforts shall be made to implement a remedial discipline plan to allow the student to remain in the School.

7.1 Before referring the student for long-term suspension, expulsion or change of placement under this Section, School staff should demonstrate that they have attempted some or all of the following interventions:

7.1.1 Talking with the student;

7.1.2 Class schedule adjustment;

7.1.3 Phone contact with the parent or legal guardian;

7.1.4 Informal parent/student conferences;

7.1.5 Behavioral contracts;

7.1.6 After-school make-up time;

7.1.7 Short-term in-school suspension (ISS);

7.1.8 Short-term at-home suspensions;

7.1.9 Appropriate evaluation;

7.1.10 Home study;

7.1.11 Alternative programs; or

7.1.12 Law enforcement assistance as appropriate.

7.2 Parental Attendance with Student – Utah Code Ann. § 53G-8-207(1)-(2).

As part of a remedial discipline plan for a student, the School may require the student's parent or guardian, with the consent of the student's teachers, to attend class with the student for a period of time specified by a designated School official. If the parent or guardian does not agree or fails to attend class with the student, the student shall be suspended in accordance with the provisions of the policy and these procedures.

8. DUE PROCESS FOR SUSPENSIONS OF TEN (10) DAYS OR LESS

The following procedure shall apply to all students facing suspension of ten (10) school days or less:

8.1 The ~~Director~~Executive Director shall notify the student's custodial parent or guardian of the following without delay: that the student has been suspended, the grounds for the suspension, the period of time for which the student is suspended, and the time and place for the parent or guardian to meet with the ~~Director~~Executive Director to review the suspension.

8.2 The ~~Director~~Executive Director shall also notify the non-custodial parent, if requested in writing, of the suspension.

8.2.1 Section 8.2 does not apply to the portion of School records which would disclose any information protected under a court order.

8.2.2 The custodial parent is responsible to provide the School a certified copy of any court order under subsection 8.2.1.

8.3 The ~~Director~~Executive Director shall document the charges, evidence, and action taken.

8.4 The student shall be requested to present his/her version of the incident in writing. Students with disabilities or young students who are unable to write their own statements shall be accommodated through the use of tape recorder, scribe, etc.

8.5 If the student denies the charges, the student shall be provided with an explanation of the evidence and an opportunity to present his/her version of the incident to the ~~Director~~Executive Director.

8.6 In general, the notice and informal conference shall precede the student's removal from the School.

8.7 If, in the judgment of the ~~Director~~Executive Director, notice is not possible because the student poses a danger to a person or property or an ongoing threat of disrupting the academic process, he/she may be removed immediately. However, in such cases, the necessary notice and hearing shall follow as soon as possible.

9. DUE PROCESS FOR SUSPENSIONS OF MORE THAN TEN (10) DAYS AND EXPULSIONS

9.1 If the ~~Director~~Executive Director believes that a student should be suspended for more than ten (10) days or expelled, the ~~Director~~Executive Director may make the initial decision and shall meet with the student's parent or guardian to discuss the charges against the student and the proposed discipline within five (5) school days after the suspension or expulsion began. If requested in writing, the ~~Director~~Executive Director shall also notify the non-custodial parent of the suspension or expulsion as outlined in Section 8.2 of these procedures.

9.2 Notice to Student and Parent/Guardian

During the meeting required in Section 9.1, the ~~Director~~Executive Director shall provide the student's parent or guardian with written notice that includes all of the following elements (or, if the student's parent or guardian refuses to meet, the ~~Director~~Executive Director shall send the notice

by certified mail, return receipt requested, to the student's parent or legal guardian within ten (10) school days after the suspension or expulsion began):

9.2.1 a description of the alleged violation(s) or reason(s) giving rise to disciplinary action;

9.2.2 the penalty being imposed (duration of suspension or expulsion);

9.2.3 a statement that a due process hearing may be requested by providing the ~~Director~~Executive Director with written notice within ten (10) school days of the parent or guardian's receipt of the notice;

9.2.4 a statement that, if a due process hearing is requested, the Board, even though less than a quorum, will conduct the hearing;

9.2.5 a statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a due process hearing is requested in a timely manner and the Board determines otherwise;

9.2.6 the mailing date of the notice; and

9.2.7 a statement that, if a hearing is not requested within ten (10) school days after receipt of the notice, the ~~Director~~Executive Director's decision to suspend or expel the student will be final, and the parent's right to oppose the decision will be waived.

9.3 Hearing Procedures

If a Due Process Hearing is requested in response to the notice sent pursuant to Section 9.2 of these procedures, the following procedures shall apply:

9.3.1 After receipt of the request, the School shall schedule a hearing as soon as possible but not later than ten (10) school days following receipt of the request unless the student's parent or guardian agrees otherwise.

9.3.2 A written Hearing Notice shall be sent to the parent or guardian informing the parent or guardian that the Due Process Hearing will be conducted before the Board and of the following information:

[a] the date, place, and time of the hearing;

[b] the circumstances, evidence, and issues to be discussed at the hearing;

[c] the right of all parties to cross-examine witnesses subject to the Board chairman's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal; and

[d] the right of all parties to examine all relevant records.

9.3.3 The Board shall conduct the Due Process Hearing on the record and shall:

[a] ensure that a written record of the Hearing is made, a copy of which shall be provided to all parties upon request, with the cost borne by the School;

[b] consider all relevant evidence presented at the Hearing;

[c] allow the right to cross-examination of witnesses, unless the Board chairman determines that this right should be limited to protect student witnesses from ostracism, retaliation or reprisal;

[d] allow all parties a fair opportunity to present relevant evidence; and

[e] issue a written decision including findings of fact and conclusions.

9.3.4 Hearing Rules

Formal Rules of Evidence do not apply to the Due Process Hearing, and no discovery is permitted. However, the following rules will apply:

[a] parties may have access to information contained in the School's files to the extent permitted by law;

[b] hearings shall be closed to the press and the public;

[c] documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the Board; and

[d] the Board may excuse witnesses or parties or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the Board.

10. DUE PROCESS FOR CHANGE OF PLACEMENT OF STUDENTS WITH DISABILITIES

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504 or ADA, procedures outlined in the Utah State Board of Education Special Education Rules shall be followed, including prior written notice to parents or guardians regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.

10.1 Required Services

10.1.1 504 and ADA Students

When a determination is made that the conduct of a 504 or ADA student (but not a student who is disabled under IDEA) is not a manifestation of the student's disability pursuant to Section 10.5, the student shall be subject to the same disciplinary consequences as regular education students, up to and including expulsion from School; however, the School must continue to provide education services in accordance with guidelines established by the Utah State Board of Education.

10.1.2 IDEA

A school need not provide services during periods of removal to a student with a disability under IDEA who has been removed from his or her current placement for ten (10) school days or less in that school year if services are not provided to a student without disabilities who has been similarly removed.

If a student with a disability under IDEA has been removed from his or her current placement for more than ten (10) school days in the same school year, for the remainder of the removals the School shall provide services to the extent necessary to enable the student to progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP. School personnel, in consultation with the student's special education teacher, determine the extent to which services are necessary to enable the student to appropriately progress in the general curriculum and advance toward achieving the goals set out in the student's IEP.

10.2 Change of Placement for Weapons, Drugs, or Serious Bodily Injury

A student's IEP team may order a change in placement of a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than forty-five (45) days, if:

10.2.1 The student carries a weapon to or possesses a weapon at School, on School premises, or to or at a School-sponsored activity; or

10.2.2 The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at School, on School premises, or at a School-sponsored activity; or

10.2.3 The student has inflicted serious bodily injury upon another person while at School, on School premises, or at a School-sponsored activity.

10.3 Change of Placement Due to Student's Serious Misconduct

School officials may request an expedited due process hearing in order to change the placement of a student with a disability to an appropriate interim alternative educational setting, recommended by the student's IEP team, for not more than forty-five (45) days. A hearing officer may order such a change, if he/she:

10.3.1 Determines that School officials have demonstrated by substantial evidence that maintaining the current placement of a student is substantially likely to result in injury to the student or others;

10.3.2 Considers the appropriateness of the student's current placement;

10.3.3 Considers whether School officials have made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services; and

10.3.4 Determines that the interim alternative educational setting being recommended by School officials (1) has been selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP: and (2) includes services and modifications designed to address the behavior at issue so that it does not recur.

10.4 Parental Notice

As soon as a decision is made by School officials to remove a student with a disability from his/her current placement for more than ten (10) school days, the student's parents must be notified of that decision and of all procedural safeguards outlined by law and School policy and procedures.

10.5 IEP Meetings for Manifestation Determination

10.5.1 Immediately, if possible, but in no case later than ten (10) school days after the date on which the decision is made to remove the student from the current placement, a review must be conducted of the relationship between the student's disability and the behavior subject to the disciplinary action.

10.5.2 The manifestation review must be conducted by the student's IEP team and other qualified School personnel.

10.5.3 In conducting the manifestation review, the IEP team may determine that the behavior of the student was not a manifestation of student's disability only if the IEP team:

[a] First considers, in terms of behavior subject to disciplinary action, all relevant information, including:

(i) Evaluation and diagnostic results, including the results or other relevant information supplied by the parents of the student;

(ii) Observations of the student; and

(iii) The student's IEP and placement; and

[b] Then determines whether:

(i) The conduct in question was caused by or had a direct and substantial relationship to the child's disability; or

(ii) The conduct in question was the direct result of the School's failure to implement the student's IEP.

10.5.4 If the IEP team determines that either of the standards above was met, the behavior must be considered a manifestation of the student's disability.

10.5.5 Determination that Behavior was not Manifestation of Disability

If the result of the manifestation review is a determination that the behavior of a student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, except that a free appropriate public education must still be made available to the student if the student is suspended or expelled from School.

10.5.6 Determination that Behavior was Manifestation of Disability

If the result of the manifestation review is a determination that the behavior of a student with a disability was a manifestation of the student's disability, the student must remain in or be returned to the prior placement.

10.6 IEP Meetings for Functional Behavioral Assessments

10.6.1 Post-Discipline Functional Behavioral Assessments

If School officials have not conducted a functional behavioral assessment and implemented a behavioral intervention plan for the student before the behavior that results in a removal from School for longer than ten (10) school days or a change of placement to an interim alternative educational setting, School officials shall convene an IEP meeting to develop an assessment plan and appropriate behavioral interventions to address that behavior.

10.6.2 Pre-Discipline Behavioral Intervention Plans

If the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it, as necessary, to address the behavior.

10.7 Placement During Appeals and Stay Put

10.7.1 If a parent requests a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student must remain subject to the disciplinary action pending the decision of the hearing officer or until the expiration of the forty-five (45) day period, whichever occurs first, unless the parent and School officials agree otherwise.

10.7.2 If a student is placed in an interim alternative educational setting and School personnel propose to change the student's placement after expiration of the interim alternative placement, during the pendency of any proceeding to challenge the proposed change in placement the student must remain in the current placement (the student's placement prior to the interim alternative education setting), unless School officials succeed in getting an order through an expedited hearing as described in Section 10.3.

11. ADMINISTRATIVE STUDENT CONDUCT AND DISCIPLINE PLAN

11.1 Elements of Plan

The ~~Director~~Executive Director will develop, with input from administration, instruction and support staff, students, parents, and other community members, a Student Conduct and Discipline Plan. The plan shall be comprehensive, clearly written, consistently enforced, and include the following elements:

11.1.1 written standards for student behavior expectations, including school and classroom management;

11.1.2 effective instructional practices for teaching student expectations, including:

[a] self-discipline;

[b] citizenship;

[c] civic skills; and

[d] social emotional skills;

11.1.3 systematic methods for reinforcement of expected behaviors;

11.1.4 uniform and equitable methods for correction of student behavior;

11.1.5 consistent processes to collect student discipline data and incident or infraction data, including collection of the number of days of student suspensions and data collected from the School's climate survey as described in Rule R277-623;

11.1.56 uniform and equitable methods for at least annual school level data-based evaluations of efficiency and effectiveness;

11.1.67 an ongoing staff development program related to development of:

[a] student behavior expectations;

[b] effective instructional practices for teaching and reinforcing behavior expectations;

[c] effective intervention strategies; and

[d] effective strategies for evaluation of the efficiency and effectiveness of interventions;

11.1.78 procedures for ongoing training of appropriate School personnel in:

[a] crisis management~~intervention training~~;

[b] emergency safety interventions~~professional development~~; and

[c] School policies related to emergency safety interventions consistent with evidence-based practice;

11.1.89 policies and procedures relating to the use and abuse of alcohol, ~~and~~-controlled substances, electronic cigarette products, and other harmful trends by students;

11.1.10 policies and procedures for responding to possession or use of electronic cigarette products by a student on School property as required by § 53G-8-203(3);

11.1.911 policies and procedures, consistent with requirements of Rule R277-613 and the School's Bullying and Hazing Policy, related to:

[a] bullying;

[b] cyber-bullying;

[c] hazing;

[d] retaliation; and

[e] abusive conduct;

11.1.12 policies and procedures for the use of emergency safety interventions for all students consistent with evidence-based practices including prohibition of:

[a] physical restraint, subject to the requirements of Section R277-609-5, except when the physical restraint is allowed as described in § 53G-8-302(2);

[b] prone, or face-down, physical restraint;

[c] supine, or face-up, physical restraint;

[d] physical restraint that obstructs the airway of a student or adversely affects a student's primary mode of communication;

[e] mechanical restraint, except:

(i) protective or stabilizing restraints;

(ii) restraints required by law, including seatbelts or any other safety equipment when used to secure students during transportation; and

(iii) any device used by a law enforcement officer in carrying out law enforcement duties;

[f] chemical restraint, except as:

(i) prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under State law, for the standard treatment of a student's medical or psychiatric condition; and

(ii) administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under state law;

[g] seclusionary time out, subject to the requirements of Section R277-609-5, except when a student presents an immediate danger of serious physical harm to self or others; and

[h] for a student with a disability, emergency safety interventions written into a student's IEP, as a planned intervention, unless:

(i) school personnel, the family, and the IEP team agree less restrictive means have been attempted;

(ii) a FBA has been conducted; and

(iii) a positive behavior intervention, based on data analysis has been written into the plan and implemented;

11.1.1013 direction for dealing with bullying and disruptive students;

11.1.1114 direction ~~regarding~~ to determine the range of behaviors and establish the continuum of administrative procedures that may be used by School personnel to address student behavior, including students who engage in disruptive student behaviors as described in § 53G-8-210;

11.1.15 identification, by position, of an individual designated to issue notices of disruptive and bullying student behavior;

11.1.16 identification of individuals who shall receive notices of disruptive and bullying student behavior;

11.1.17 a requirement to provide for documentation of an alleged class B misdemeanor or a nonperson class A misdemeanor before referral of students with an alleged class B misdemeanor or a nonperson class A misdemeanor to juvenile court;

11.1.1218 strategies to provide for necessary adult supervision;

11.1.19 a requirement that policies be clearly written and consistently enforced;

11.1.1320 notice to employees that violation of Rule R277-609 ~~this rule~~ may result in employee discipline or action;

11.1.1421 gang prevention and intervention provisions in accordance with § 53E-3-509(1); and

11.1.1522 provisions that account for the School's unique needs or circumstances, including:

[a] the role of law enforcement; and

[b] emergency medical services; and

[c] a provision for publication of notice to parents and ~~s~~School employees of policies by reasonable means; and

[d] a plan for referral for a student with a qualifying office to alternative school-related interventions, including:

(i) a mobile crisis outreach team, as defined in Section 80-1-102;

(ii) a receiving center operated by the Division of Juvenile Justice Services in accordance with Section 80-5-102;

(iii) a youth court; or

(iv) a comparable restorative justice program.

11.1.1623 procedures for responding to reports received through the ~~School Safety and SafeUT~~ Crisis Line established under § ~~53E-10-502(3)~~53B-17-1201 et seq.

11.2 Plan Consistent with the Policy and Procedures

The administrative Student Conduct and Discipline Plan shall be consistent with the policy and these procedures, including without limitation the provisions in Section 6 regarding notices of disruptive student behavior and the emergency safety intervention policies and procedures set forth in Section 18. It shall also be consistent with the School's Plan for Harassment and Discrimination Free Learning, which shall be developed by the School in accordance with § 53G-8-802 and R277-609.

12. EXTRACURRICULAR ACTIVITIES

Participation in interscholastic athletics and other extracurricular activities is not a constitutionally protected civil right. Therefore, students who are suspended or expelled may lose the privilege of participation during the period of suspension/expulsion and may not be allowed to invoke due process procedures to challenge the denial of extracurricular participation.

13. RE-ADMISSION OF EXPELLED STUDENTS AND DENIAL OF ADMISSION BASED ON PRIOR EXPULSION – Utah Code Ann. § 53G-8-205(3)

A student who is expelled from the School can only be re-admitted to the School through the School's standard lottery procedures.

A student may be denied admission to the School if he or she was expelled from the School or any other school during the preceding 12 months.

14. INVESTIGATIONS

Whenever the ~~Director~~Executive Director has reason to believe that School rules or policies have been broken, he or she shall proceed with an investigation. However, if the ~~Director~~Executive

Director believes that laws have been broken or child abuse has occurred, he/she shall request appropriate authorities to conduct the investigation.

14.1 General Investigation Guidelines for ~~Director~~Executive Director

The ~~Director~~Executive Director has the authority and duty to conduct investigations and to question students pertaining to infractions of school rules, whether or not the alleged conduct is a violation of criminal law. The ~~Director~~Executive Director shall conduct investigations according to the following general guidelines:

14.1.1 The ~~Director~~Executive Director shall conduct investigations in a way that does not unduly interfere with School activities.

14.1.2 The ~~Director~~Executive Director shall separate witnesses and offenders in an attempt to keep witnesses from collaborating their statements and have all parties provide separate statements concerning the incident under investigation; written statements are preferable, if possible.

14.1.3 The ~~Director~~Executive Director shall advise students suspected of wrongdoing orally or in writing of the nature of the alleged offense.

14.1.4 Students must be provided an opportunity to give their version of the incident under investigation; however, refusals to respond or provide information should be respected.

14.1.5 When questioning students as part of an investigation, School staff should have another adult present whenever possible.

14.1.6 The ~~Director~~Executive Director shall accommodate students with disabilities and young children unable to write their own statements through use of tape recorders, scribes, etc.

14.1.7 All students involved in the investigation shall be instructed that retaliation is prohibited. Any act of reprisal against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing is strictly prohibited and subject to disciplinary action.

14.1.8 When the investigation is completed and if it is determined that disciplinary action may be in order, due process requirements must be met. Specifically, the student must be given proper notice of the charges against him/her and the disciplinary action being recommended, as well as a fair opportunity to present his or her version of the facts.

14.2 Coordination with Law Enforcement

The ~~Director~~Executive Director has the responsibility and the authority to determine when the help of law enforcement officers is necessary, as outlined in the policy, these procedures, and Utah State law.

14.2.1 The School administration may invite law enforcement officials to the School to:

[a] conduct an investigation of alleged criminal conduct on the School premises or during a School-sponsored activity;

[b] maintain a safe and orderly educational environment; or

[c] maintain or restore order when the presence of such officers is necessary to prevent injury to persons or property.

14.2.2 Investigation of Criminal Conduct

During an investigation for violation of School rules, it may become evident that the incident under investigation may also be a violation of criminal law. If the School official has reason to suspect that a criminal act has been committed and, in the opinion of the ~~Director~~Executive Director, law enforcement should be notified, the following procedure should be followed:

[a] The ~~Director~~Executive Director shall request that law enforcement officers conduct an investigation during school hours and question students who are potential witnesses to the alleged criminal behavior.

[b] The School official shall inform the student's parent or legal guardian as soon as possible that the student may have committed a criminal act and that law enforcement authorities will be involved in the investigation.

[c] Unless circumstances dictate otherwise, questioning of the student by School officials shall not begin or continue until the law enforcement officers arrive.

[d] Reasonable attempts shall be made to contact the student's parents or legal guardian who, unless an emergency exists, shall be given the opportunity to meet with the student and to be present with the student during questioning by law enforcement authorities.

[e] The ~~Director~~Executive Director shall document the contact or attempted contact with the student's parents or legal guardian. If the ~~Director~~Executive Director cannot contact the student's parent or guardian, or if the parent or guardian is unable to be present with the student for questioning, the ~~Director~~Executive Director shall be present and document generally what occurs during the interview.

[f] The student shall not be questioned by law enforcement unless or until he/she has received Miranda warnings from the officer.

[g] If the parent or student refuses to consent to questioning by law enforcement authorities, the law enforcement authorities shall determine the course of action to be pursued.

14.2.3 Investigation Initiated by Law Enforcement Authorities

School officials shall cooperate with law enforcement authorities who are carrying out official duties such as investigating crimes, serving subpoenas, etc.

[a] When law enforcement officers can show a need to do so, they shall be permitted to conduct an investigation on School grounds during School hours.

[b] Such a need will ordinarily be shown if delay in police investigation might result in danger to a person, flight from jurisdiction by a person reasonably suspected of a crime, or destruction of evidence. In such cases:

(i) The officers shall be required to get prior approval of the ~~Director~~Executive Director or other designated person before beginning an investigation on School premises.

(ii) The ~~Director~~Executive Director shall document the circumstances warranting the investigation as soon as practical.

(iii) Alleged criminal behavior related to the School environment brought to the ~~Director~~Executive Director's attention by law enforcement officers shall be dealt with under the provisions of Section 14.1.

(iv) Law enforcement officials (investigating School-related or student-related crimes) may not have access to student education records, aside from directory information, unless they have a subpoena or court order or permission from parent or guardian.

(v) Directory information is limited to a student's name, home address, date of birth, phone number, class schedules and parents' address and phone numbers for use in case of emergency.

14.2.4 Release of Student to Law Enforcement Official

[a] Students may not be released to law enforcement authorities voluntarily by School officials unless the student has been placed under arrest or unless the parent or legal guardian and the student agree to the release.

[b] When students are removed from School for any reason by law enforcement authorities, every reasonable effort shall be made to contact the student's parent or legal guardian immediately except in cases of child abuse and neglect. Such effort shall be documented.

[c] The ~~Director~~Executive Director shall immediately notify the Board of the removal of a student from School by law enforcement authorities.

[d] Where it is necessary to take a student into custody on School premises, the law enforcement officer shall contact the ~~Director~~Executive Director and relate the circumstances necessitating such action.

[e] Whenever the need arises to make arrests or take students into custody on School premises, the ~~Director~~Executive Director shall make reasonable efforts to consult and confer with the law enforcement officers as to how an arrest is to be made.

[f] When possible, the ~~Director~~Executive Director shall have the student summoned to the ~~Director~~Executive Director's office before the student is taken into custody.

[g] When a student has been taken into custody or arrested on School premises without prior notification to the ~~Director~~Executive Director, the School staff present shall encourage the law enforcement officers to tell the ~~Director~~Executive Director of the circumstances as quickly as

possible. If the officers decline to tell the ~~Director~~Executive Director, the School staff members present shall immediately notify the ~~Director~~Executive Director.

14.2.5 Quelling Disturbances of School Environment

Law enforcement officers may be requested to assist in controlling disturbances of the School environment that ~~at the Director~~the Executive Director has found to be unmanageable by School personnel and that has the potential of causing harm to students and other persons or to property. Such circumstances include situations where a parent or member of the public exhibits undesirable or illegal conduct on or near School grounds or at a School-sponsored activity and who refuse to abide by a ~~Director~~Executive Director's directive to leave the premises.

15. INVESTIGATION OF CHILD ABUSE AND NEGLECT

Utah law requires that whenever any person, including any School employee, has reason to believe that a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in such, he/she shall immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Child and Family Services.

15.1 The School shall distribute annually to all School employees copies of the School's procedures for reporting suspected child abuse or neglect.

15.2 If there is reason to believe that a child may have been subjected to abuse or neglect, an oral report shall be made immediately by the School employee reporting the abuse/neglect with a written report to follow within twenty-four (24) hours.

15.2.1 When making the oral report, always have the person you notify identify himself/herself. The notified person's name shall be entered on the written report.

15.2.2 A copy of the written report shall be put in a child abuse-neglect file to be maintained by the ~~Director~~Executive Director, for all reported cases of suspected child abuse or neglect.

15.2.3 The child abuse-neglect reporting form shall not be placed in the student's personal file.

15.3 It is not the responsibility of the ~~Director~~Executive Director or other School employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection.

15.3.1 Investigation by staff prior to submitting a report shall not go beyond that necessary to support a reasonable belief that a reportable problem exists.

15.3.2 To determine whether or not there is reason to believe that abuse or neglect has occurred, professional School employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.

15.3.3 Interviews with the child or suspected abuser shall not be conducted by the ~~Director~~Executive Director or School employees.

15.3.4 Notes of voluntary or spontaneous statements by the child shall be made and given to the investigating agency.

15.3.5 The ~~Director~~Executive Director, School employees, Division of Child and Family Services and law enforcement personnel are required to preserve the anonymity of those making the initial report and any others involved in the subsequent investigation.

15.3.6 Investigations are the responsibility of the Division of Child and Family Services.

[a] The ~~Director~~Executive Director or other School employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

[b] School officials shall cooperate with social service and law enforcement agency employees authorized to investigate reports of alleged child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective diagnostic, assessment, treatment, and coordination services.

15.3.7 Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune, in accordance with state law, from any civil or criminal liability that otherwise might arise from those actions.

16. SEARCHES OF PERSON OR PROPERTY

Given the School's custodial and tutelary responsibility for children, and the Board's intent to preserve a safe environment for all students and staff, the Board recognizes that School officials must have the authority to conduct reasonable searches of students and student property. School officials engaging in searches of students and property shall abide by the following guidelines:

16.1 General Guidelines for Searches of Person or Property

16.1.1 Student Lockers

Students have no right or expectation of privacy in school lockers. While lockers are under the joint control of students and the School, lockers are solely School property and may be searched at any time by School officials with or without cause. Once a locker is opened for search, any search of student belongings contained within the locker must comply with the guidelines for searches of personal belongings in Section 16.2 of these procedures.

16.1.2 Searches of Students and Student Property

Searches of a student's person, personal property (coats, hats, backpacks, bookbags, purses, wallets, notebooks, gym bags, etc.) may be conducted whenever the student's conduct creates a reasonable suspicion that a particular School rule or law has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age and sex of the

student and nature of the infraction. Circumstances warranting a search include those in which School officials have a reasonable suspicion that the student or student property is concealing items including but not limited to weapons, drugs, controlled substances, electronic cigarette products, alcohol, tobacco, unsafe contraband, pornography, pagers or lost/stolen/misplaced items.

16.2 Searches of Personal Belongings

16.2.1 Personal belongings may be searched by School officials whenever School officials have a reasonable suspicion to believe a student is concealing evidence of a policy violation or criminal activity and the items being searched are capable of concealing such evidence. The student may be asked to open personal belongings and to turn over personal property for search by a School official. All searches of student property by School officials shall be witnessed by an objective third party (such as another teacher, or police officer) to observe that the search is not excessively intrusive.

16.2.2 All contraband discovered in a search by School officials shall be immediately confiscated and turned over to law enforcement officers if School officials have reason to believe the contraband is related to the commission of a criminal act.

16.3 Searches of Person

16.3.1 School officials shall make sure the search meets the following guidelines:

[a] The search shall be conducted in a private area of the School by a School official of the same sex as the student being searched;

[b] The search shall be observed by an objective third party of the same sex as the student being searched (i.e., ~~Director~~Executive Director, teacher, police officer);

[c] School officials may ask the student to remove his/her hat, coat, shoes and socks, turn pockets inside out, and roll up sleeves to see if the student is hiding contraband;

[d] Under no circumstances may School officials require students to remove any other items of clothing or touch students in any way during the search.

[e] If this limited search does not turn up suspected contraband and School officials have reasonable suspicion that the student is concealing contraband in his/her inner clothing (i.e., hiding drugs, weapons or other contraband underneath shirts, pants or underwear), law enforcement officers shall be summoned immediately to conduct further search and investigation.

[f] In general, all questioning and searching of students conducted by law enforcement officers shall proceed according to the investigation guidelines in Section 14 of these procedures.

16.4 Documentation of Searches

School officials shall thoroughly document the details of any search conducted of a student's property or person. Documentation shall be made at the time of the search, or as soon as possible thereafter, and shall include the following:

16.4.1 The time, place and date of the search;

16.4.2 The reasonable suspicion giving rise to the search (what did School officials suspect to find during the search);

16.4.3 The name and title of individuals conducting and observing the search;

16.4.4 A statement about evidence that was found or not found as a result of the search;

16.4.5 A statement about who took possession of contraband (i.e., police, school, etc.);

16.4.6 Information regarding the attempts of School officials to notify parents about the search.

17. RECORDS—INTERAGENCY COLLABORATION – 20 U.S.C. § 1232g(h)(i)-(2); Utah Code Ann. § 53G-8-402 to -405

17.1 Board and ~~Director~~Executive Director Notification by Juvenile Court and Law Enforcement Agencies.

17.1.1 Within three (3) days of being notified by the juvenile court that a juvenile has been adjudicated or of being notified by a law enforcement agency that a juvenile has been taken into custody or detention for a violent felony, defined in Utah Code Ann. § 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5 Weapons, the President of the Board shall notify the ~~Director~~Executive Director.

17.1.2 Upon receipt of the information, the ~~Director~~Executive Director shall make a notation in a secure file other than the student's permanent file; and, if the student is still enrolled in the School, the ~~Director~~Executive Director shall notify staff members who should know of the adjudication, arrest or detention.

17.1.3 Staff members receiving information about a juvenile's adjudication, arrest or detention may only disclose the information to other persons having both a right and a current need to know.

17.2 Multidisciplinary Team and Reintegration Plan

17.2.1 In addition to complying with the requirements above, the School shall, within five (5) days after receiving a notification described in Section 17.1.1 about a student, develop a reintegration plan for the student with a multidisciplinary team, the student, and the student's parent or guardian. The multidisciplinary team should include the School, the juvenile court, the Division of Juvenile Justice Services, the School's Resource Officer (if any), and any other relevant party that should be involved in a reintegration plan.

17.2.2 The reintegration plan shall address:

[a] a behavioral intervention for the student;

[b] a short-term mental health or counseling service for the student; and

[c] an academic intervention for the student.

17.2.3 The School may deny admission to the student until the School completes the reintegration plan.

17.3.2 Student Discipline Records/Education Records

School officials may include appropriate information in the education record of any student concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.

17.3.2.1 Disclosure of Discipline Records to Other Educators

School officials may disclose student discipline information described above to teachers and other School officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

17.3.2.2 Disclosure of Discipline Records to Other Agencies

School officials shall not release personally identifiable student discipline records to other government agencies, including law enforcement agencies, unless the agency produces a subpoena or court order (need for standing court order from juvenile court), or unless the student's parent or guardian has authorized disclosure.

18. EMERGENCY SAFETY INTERVENTIONS

A School employee may not subject a student to physical restraint or seclusionary time out unless utilized as a necessary emergency safety intervention (“ESI”) in compliance with this Section.

18.1 Definitions

18.1.1 An “ESI” is the use of seclusionary time out or physical restraint when a student presents an immediate/imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm. An ESI is not for disciplinary purposes.

18.1.2 “Physical restraint” means a personal restriction that immobilizes or significantly reduces the ability of a student to move his or her arms, legs, body, or head freely.

18.1.3 “Physical escort” means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of guiding a student to another location.

18.1.4 “Seclusionary time out” means that a student is placed in a safe enclosed area, isolated from adults and peers, and the student is, or reasonably believes, he or she will be prevented from

leaving the area. The safe enclosed area must meet the fire and public safety requirements described in R392-200 and R710-4.

18.2 General Procedures

18.2.1 Teachers and other personnel who may work directly with students shall be trained on the use of effective alternatives to ESI as well as the safe use of ESI and a release criteria.

18.2.2 An ESI shall:

[a] be applied for the minimum time necessary to ensure safety;

[b] implement an appropriate release criteria;

[c] be discontinued as soon as imminent danger of physical harm to self or others has dissipated;

[d] be discontinued if the student is in severe distress;

[e] never be used as punishment or discipline;

[f] be applied consistent with the School's administrative Student Conduct and Discipline Plan; and

[g] in no instance be imposed for more than 30 minutes.

18.3 Students with Disabilities Receiving Special Education Services

18.3.1 Use of ESI for a student with a disability receiving specialized educational services under IDEA or Section 504 shall be subject to all applicable state and federal laws, including Least Restrictive Behavioral Interventions (LRBI) policies and procedures for special education/504 programs.

18.3.2 Additionally, ESIs written into a student's IEP as a planned intervention are prohibited unless school personnel, the family, and the IEP team agree less restrictive means have been attempted; a Functional Behavioral Assessment has been conducted; and a positive behavior intervention plan based on data analysis has been written into the plan and implemented.

18.4 Physical Restraint

18.4.1 A School employee may, in accordance with Section 18.2.2 and when acting within the scope of employment, use and apply physical restraint as an ESI in self-defense or as may be reasonable and necessary under the following circumstances:

[a] to protect the student or another person from physical injury;

[b] to remove from a situation a student who is violent;

[c] to take possession of a weapon or other dangerous object in the possession or

under the control of a student; or

[d] to protect property from being damaged, when physical safety is at risk.

18.4.2 When an employee exercises physical restraint as an ESI on a student, the following types of physical restraint are prohibited:

[a] prone, or face-down;

[b] supine, or face-up;

[c] physical restraint which obstructs the airway or adversely affects the student's primary mode of communication;

[d] mechanical restraint, except for seatbelts or safety equipment used to secure students during transportation, other appropriate protective or stabilizing restraints, and devices used by a law enforcement officer in carrying out law enforcement duties; or

[e] chemical restraint, except as prescribed by a licensed physician and implemented in compliance with a student's Health Care Plan.

18.4.3 Nothing in this Section prohibits a School employee from using less intrusive means, including a physical escort, to address circumstances described in Section 18.4.1.

18.5 Seclusionary Time Out

A School employee may, in accordance with Section 18.2.2 and when acting within the scope of employment, place a student in seclusionary time out as an ESI under the following circumstances:

18.5.1 the student presents an immediate danger of serious physical harm to self or others;

18.5.2 any door remains unlocked consistent with applicable fire and public safety requirements; and

18.5.3 the student is within line sight of the employee at all times.

18.6 Notification

18.6.1 If an ESI is used, the School or employee shall immediately notify the student's parent/guardian and School administration before the student leaves the School.

18.6.2 In addition to providing the notice described in Section 18.6.1, if the ESI is applied for longer than fifteen minutes, the School shall immediately notify the student's parent/guardian and School administration.

18.6.3 Parent notifications made under this Section shall be documented in the student

information system as required by R277-609-10(3)(d)).

18.6.4 Within 24 hours of using ESI, the School shall notify the parent/guardian that they may request a copy of any notes or additional documentation taken during the crisis situation.

18.6.5 Upon request of a parent/guardian, the School shall provide a copy of any notes or additional documentation taken during a crisis situation.

18.6.6 A parent/guardian may request a time to meet with School staff and administration to discuss the crisis situation.

18.7 Emergency Safety Intervention (ESI) Committee

18.7.1 The School shall establish an ESI committee that includes:

[a] at least two administrators (if there are at least two administrators employed by the School);

[b] at least one parent of a student enrolled in the School, appointed by the School's ~~Director~~Executive Director; and

[c] at least two certified educational professionals with behavior training and knowledge in both state rules and the School's conduct and discipline policies.

18.7.2 The ESI committee shall:

[a] meet often enough to monitor the use of ESI within the School;

[b] determine and recommend professional development needs;

[c] develop policies for dispute resolution processes to address concerns regarding disciplinary actions; and

[d] ~~create and communicate methods for evaluation of the efficiency and effectiveness of the Schools' rules and standards~~ensure that each emergency incident where a School employee uses an ESI is documented in the School's student information system and reported to the State Superintendent of Schools through UTREx.

18.7.3 The School shall collect, maintain, and periodically review the documentation or records regarding the use of ESI in the School.

18.7.4 The School shall annually provide documentation of any School use of ESI to the State Superintendent of Schools.

18.7.5 The School shall submit all required UTREx discipline incident data elements to the State Superintendent of Schools no later than June 30, 2018. Beginning in the 2018-19 school year, the School shall submit all required UTREx discipline incident data elements as part of the LEA's daily UTREx submission.

18.8 Corporal Punishment

School employees may not inflict or cause the infliction of corporal punishment upon a student. School personnel who inflict corporal punishment on a student will be subject to discipline up to and including termination.

19. TRAINING

19.1 All new employees shall receive information about the policy, these procedures, and the administrative Student Conduct and Discipline Plan at new employee orientation. All other employees shall be provided information on a regular basis regarding the policy, these procedures, the Student Conduct and Discipline Plan, and the School's commitment to a safe and orderly school environment.

19.2 Employees who have specific responsibilities for investigating, addressing, and resolving issues addressed in the policy or these procedures shall receive annual training on the policy, these procedures, and related legal developments.

19.3 The ~~Director~~Executive Director shall be responsible for informing students, parents, and staff of the terms of the policy, these procedures, and the Student Conduct and Discipline Plan, including the procedures outlined for investigation and resolution of violations.

20. POLICY AND PLAN DISSEMINATION AND REVIEW

20.1 The School shall compile an annual report of all out-of-school suspensions and expulsions and submit it to the Board. For each suspension or expulsion, the report shall indicate the student's race, gender, disability status, and age/grade, as well as the reason for the discipline, the length of the discipline, and a statement as to whether the student was referred to the Board.

20.2 A summary of the policy, these procedures, and the Student Conduct and Discipline Plan shall be posted in the School, and the policy, procedures, and plan will be posted on the School's website. The policy and procedures or a summary of the policy and procedures and the plan or summary of the plan shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the Board.

20.3 The policy, procedures, and the plan shall be reviewed as necessary with appropriate revisions recommended to the Board.

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**Early Light Academy
Statement of Financial Position
As of August 31, 2023**

	<u>Period Ending</u> <u>08/31/2023</u>	<u>Period Ending</u> <u>08/31/2022</u>
	Actual	Actual
Assets & Other Debits		
Current Assets		
Operating Cash		
Cash		
8111-06F-001 - ELA ZB OP	1,317,741	2,097,948
8112-06F-001 - ELA ZB Petty	97,199	171,762
Total Cash	<u>1,414,940</u>	<u>2,269,710</u>
Investments		
8120-06F-001 - PTIF - ELA	1,702,380	1,630,269
Total Investments	<u>1,702,380</u>	<u>1,630,269</u>
Operating Cash	<u>3,117,320</u>	<u>3,899,979</u>
Accounts Receivables		
8133 - State	0	0
8134 - Federal	148,657	18,327
8139 - Other Receivables	8,897	7,625
Total Accounts Receivables	<u>157,555</u>	<u>25,952</u>
Total Current Assets	<u>3,274,875</u>	<u>3,925,931</u>
Restricted Cash		
8119-06F-012 - US Bank Reserve 2017	1,044,750	1,044,750
8119-06F-014 - US Bank - Series 2014 & 2017 T & I Fund	84,873	69,758
8119-06F-015 - US Bank - Series 2014 & 2017 R & R Fund	328,000	328,000
8119-06F-016 - US Bank - Series 2014 & 2017 Expense Fund	99,251	31,256
8119-06F-017 - US Bank - Series 2017 Principal Fund	58,266	55,200
8119-06F-018 - US Bank - Series 2017 Interest Fund	123,007	120,183
8119-06F-220 - 22 Principal Fund	5,070	5,020
8119-06F-221 - 22 Reserve Fund	340,000	340,000
8119-06F-222 - 22 Project Fund	137,834	1,158,406
8119-06F-224 - 22 COI Fund	1	0
8119-06F-225 - 22 Interest Fund	57,888	57,778
Restricted Cash	<u>2,278,940</u>	<u>3,210,351</u>
Total Assets & Other Debits	<u>5,553,815</u>	<u>7,136,282</u>
Liabilities & Fund Equity		
Current Liabilities	<u>23,921</u>	<u>37,038</u>
Fund Balance	<u>5,497,515</u>	<u>6,866,547</u>
Net Income	<u>32,379</u>	<u>232,697</u>
Total Liabilities & Fund Equity	<u>5,553,815</u>	<u>7,136,282</u>

NOTE: Times on this agenda are estimated as a courtesy only. Actual times may vary.

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.

**Early Light Academy
Statement of Activities
7/1/23 - 8/31/23
With Construction Costs**

	Annual June 30, 2024	Year-to-Date Aug 31, 2023	
	Budget	Actual	% of Budget
Net Income			
Income			
Revenue From Local Sources	464,000	78,541	16.9 %
Revenue From State Sources	10,839,016	1,785,547	16.5 %
Revenue From Federal Sources	387,672	0	0.0 %
Total Income	11,690,688	1,864,088	15.9 %
Expenses			
Instruction/Salaries			
0121 - Salaries - Principals and Assistants	410,000	61,641	15.0 %
0131 - Salaries - Teachers	3,881,865	184,417	4.8 %
0142 - Salaries - Guidance Personnel	135,000	21,808	16.2 %
0152 - Salaries - Secretarial and Clerical Personnel	233,720	27,233	11.7 %
0161 - Salaries - Teacher Aides and Para-Professionals	788,922	12,545	1.6 %
0162 - Salaries - Media Personnel – Non-Licensed	45,000	7,469	16.6 %
Total Instruction/Salaries	5,474,507	315,113	5.8 %
Employee Benefits			
0220 - Social Security	662,577	33,910	5.1 %
0230 - Local Retirement	147,295	9,581	6.5 %
0240 - Group Insurance	70,720	3,326	4.7 %
0290 - Other Employee Benefits	739,200	42,313	5.7 %
Total Employee Benefits	1,619,792	89,130	5.5 %
Purchased Prof & Tech Serv			
0320 - Professional - Educational Services	374,240	0	0.0 %
0330 - Professional Employee Training and Development	41,800	571	1.4 %
0340 - Other Professional Services	90,332	2,762	3.1 %
0345 - Business Services	380,000	71,250	18.7 %
0350 - Technical Services	55,700	23,396	42.0 %
Total Purchased Professional & Technical Services	942,072	97,979	10.4 %
Purchased Property Services			
0410 - Utility Services	175,000	10,523	6.0 %
0430 - Repairs & Maintenance Services	75,700	11,950	15.8 %
0432 - Technology Related Repairs & Maint.	0	118	0.0 %
0433 - Custodial Services	150,000	13,400	8.9 %
0441 - Rental of Land & Buildings	3,500	0	0.0 %
0442 - Rental of Equipment & Vehicles	36,000	3,434	9.5 %
0450 - Construction Services	320,000	137,194	42.9 %
0490 - Other Purchased Property Services	235,700	3,061	1.3 %
Total Purchased Property Services	995,900	179,679	18.0 %

NOTE: Times on this agenda are estimated as a courtesy only. Actual times may vary.

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.

	Annual June 30, 2024	Year-to-Date Aug 31, 2023	
	Budget	Actual	% of Budget
Other Purchased Services			
0513 - Student Transportation Services - Commercial	13,000	0	0.0 %
0518 - Student Day Trips/Field Trips (includes Admission Charges)	10,300	(829)	(8.0) %
0521 - Property Insurance	65,000	67,648	104.1 %
0522 - Liability Insurance	1,500	0	0.0 %
0530 - Communication (Telephone & Other)	20,000	1,373	6.9 %
0540 - Advertising	10,500	2,562	24.4 %
0570 - Food Service Management	330,350	0	0.0 %
0580 - Travel/Per Diem	7,500	1,746	23.3 %
Total Other Purchased Services	458,150	72,500	15.8 %
Supplies & Materials			
0610 - General Supplies	201,500	31,635	15.7 %
0610-001 - Furniture and Fixtures (not capitalized)	0	14	0.0 %
0641 - Textbooks	128,100	57,092	44.6 %
0642 - E-Textbooks / Online Curriculum	261,553	72,713	27.8 %
0644 - Library Books	20,000	5,979	29.9 %
0650 - Supplies - Technology Related	236,000	0	0.0 %
0670 - Software	50,000	4,366	8.7 %
0680 - Maintenance Supplies and Materials	49,645	1,803	3.6 %
0689 - Miscellaneous - Maintenance	18,000	0	0.0 %
Total Supplies & Materials	964,798	173,601	18.0 %
Property			
0710 - Land and Site Improvements	35,000	0	0.0 %
0730 - Equipment	75,000	17,549	23.4 %
0734 - Technology Related Hardware	15,000	0	0.0 %
Total Property	125,000	17,549	14.0 %
Debt Services & Miscellaneous			
0810 - Dues and Fees	50,020	3,895	7.8 %
0830 - Interest	1,056,513	522,262	49.4 %
0840 - Redemption of Principal	360,000	360,000	100.0 %
0890 - Miscellaneous Expenditures	7,500	0	0.0 %
Total Debt Services & Miscellaneous	1,474,033	886,157	60.1 %
Total Expenses	12,054,252	1,831,709	15.2 %
Total Net Income	(363,564)	32,379	(8.9) %

NOTE: Times on this agenda are estimated as a courtesy only. Actual times may vary.

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.

**Early Light Academy
Statement of Activities
7/1/23 - 8/31/23
Without Construction Costs**

	Annual	Year-to-Date	
	June 30, 2024	Aug 31, 2023	
	Budget	Actual	% of Budget
Net Income			
Income			
Revenue From Local Sources	464,000	78,541	16.9 %
Revenue From State Sources	10,839,016	1,785,547	16.5 %
Revenue From Federal Sources	387,672	0	0.0 %
Total Income	11,690,688	1,864,088	15.9 %
Expenses			
Instruction/Salaries			
0121 - Salaries - Principals and Assistants	410,000	61,641	15.0 %
0131 - Salaries - Teachers	3,881,865	184,417	4.8 %
0142 - Salaries - Guidance Personnel	135,000	21,808	16.2 %
0152 - Salaries - Secretarial and Clerical Personnel	233,720	27,233	11.7 %
0161 - Salaries - Teacher Aides and Para-Professionals	768,922	12,545	1.6 %
0162 - Salaries - Media Personnel – Non-Licensed	45,000	7,469	16.6 %
Total Instruction/Salaries	5,474,507	315,113	5.8 %
Employee Benefits			
0220 - Social Security	662,577	33,910	5.1 %
0230 - Local Retirement	147,295	9,581	6.5 %
0240 - Group Insurance	70,720	3,326	4.7 %
0290 - Other Employee Benefits	739,200	42,313	5.7 %
Total Employee Benefits	1,619,792	89,130	5.5 %
Purchased Prof & Tech Serv			
0320 - Professional - Educational Services	374,240	0	0.0 %
0330 - Professional Employee Training and Development	41,800	571	1.4 %
0340 - Other Professional Services	90,332	2,762	3.1 %
0345 - Business Services	380,000	71,250	18.7 %
0350 - Technical Services	55,700	23,396	42.0 %
Total Purchased Professional & Technical Services	942,072	97,979	10.4 %
Purchased Property Services			
0410 - Utility Services	175,000	10,523	6.0 %
0430 - Repairs & Maintenance Services	75,700	11,950	15.8 %
0432 - Technology Related Repairs & Maint.	0	118	0.0 %
0433 - Custodial Services	150,000	13,400	8.9 %
0441 - Rental of Land & Buildings	3,500	0	0.0 %
0442 - Rental of Equipment & Vehicles	36,000	3,434	9.5 %
0450 - Construction Services	0	0	0.0 %
0490 - Other Purchased Property Services	235,700	3,061	1.3 %
Total Purchased Property Services	675,900	42,486	6.3 %

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	Annual	Year-to-Date	
	June 30, 2024	Aug 31, 2023	
	Budget	Actual	% of Budget
Other Purchased Services			
0513 - Student Transportation Services - Commercial	13,000	0	0.0 %
0518 - Student Day Trips/Field Trips (includes Admission Charges)	10,300	(829)	(8.0) %
0521 - Property Insurance	65,000	67,648	104.1 %
0522 - Liability Insurance	1,500	0	0.0 %
0530 - Communication (Telephone & Other)	20,000	1,373	6.9 %
0540 - Advertising	10,500	2,562	24.4 %
0570 - Food Service Management	330,350	0	0.0 %
0580 - Travel/Per Diem	7,500	1,748	23.3 %
Total Other Purchased Services	458,150	72,500	15.8 %
Supplies & Materials			
0610 - General Supplies	201,500	31,635	15.7 %
0610-001 - Furniture and Fixtures (not capitalized)	0	14	0.0 %
0641 - Textbooks	128,100	57,092	44.6 %
0642 - E-Textbooks / Online Curriculum	261,553	72,713	27.8 %
0644 - Library Books	20,000	5,979	29.9 %
0650 - Supplies - Technology Related	236,000	0	0.0 %
0670 - Software	50,000	4,366	8.7 %
0680 - Maintenance Supplies and Materials	49,645	1,803	3.6 %
0689 - Miscellaneous - Maintenance	18,000	0	0.0 %
Total Supplies & Materials	964,798	173,601	18.0 %
Property			
0710 - Land and Site Improvements	35,000	0	0.0 %
0730 - Equipment	75,000	17,549	23.4 %
0734 - Technology Related Hardware	15,000	0	0.0 %
Total Property	125,000	17,549	14.0 %
Debt Services & Miscellaneous			
0810 - Dues and Fees	50,020	3,895	7.8 %
0830 - Interest	1,056,513	522,262	49.4 %
0840 - Redemption of Principal	360,000	360,000	100.0 %
0890 - Miscellaneous Expenditures	7,500	0	0.0 %
Total Debt Services & Miscellaneous	1,474,033	886,157	60.1 %
Total Expenses	11,734,252	1,694,515	14.4 %
Total Net Income	(43,564)	169,573	

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Early Light Academy Board Meeting Minutes

Wednesday, August 30, 2023

Location: 11709 S. Vadiana Drive, South Jordan, Utah 84009



In Attendance: Jenn Lund, Andrea Johnson, Candice Mitchell, Brett Crockett, Brian Christensen

Others in Attendance: Stephanie Schmidt, Erin Winterton, Dawn Kawaguchi

SCHOOL MISSION: THE MISSION OF THE EARLY LIGHT ACADEMY IS TO DELIVER A HIGH-QUALITY EDUCATION WITH A DEEP, RICH AND ENGAGING CURRICULUM UTILIZING EFFECTIVE INSTRUCTIONAL TECHNIQUES AND EMPHASIZING HISTORY, TAKING OUR STUDENTS FROM THE STONE AGE TO THE SPACE AGE, THE INFORMATION AGE AND BEYOND.

SCHOOL VISION: EARLY LIGHT ACADEMY WILL EMPOWER STUDENTS TO BECOME LIFELONG LEARNERS AND INSPIRING LEADERS WHO KNOW THEIR ACTIONS TODAY IMPACT OUR TOMORROW.

WE ARE WHAT HISTORY BOOKS ARE MADE OF!

MINUTES

8:37 AM – INTRODUCTORY ITEMS

- Welcome & Roll Call – Jenn Lund called the meeting to order at 8:37 a.m.
- Board Mission – Brett
- School Mission – Candice
- School Vision – Brian

There was no PUBLIC COMMENT.

REPORTS

- **Administration**
 - ✓ *Director Report* – Stephanie Schmidt informed the board that they have adopted a new framework for behavior and academic expectations including a new logo (Big Thanks to Candice). Director Schmidt went through the recent events with the staff including the Summer Adventures of ELA “Edugators”, the RISE framework, Back to School Trainings, Staff Welcome Back events (balloon launching in the gym on expectations), and we have received our Accreditation certificate. We are legit!!! Director Schmidt reported on recent items including a student’s passing, updated Long Term Leave of Absence Administrative Procedures, updated carpool map (Thank you, Brett), and current enrollment numbers. We are at 1,010. YAY! Director Schmidt also reviewed the updated annual goals taken from the strategic plan. They are the key performance indicators that they are working on this year.
- **Board of Directors**

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- ✓ Financial Update – Brett Crockett asked Erin Winterton to report on the financials. Erin stated that this is a very consolidated statement of activities since we are only one month into the year. The FY23 audit is underway so there will be changes to the July financials due to some June purchases coming through in July. The interest rate for the PTIF account is about 5.1%. The expenses are about what we would expect to see this time of year. The total operating account at the end of July was a little over \$3 million. Erin has discussed with Brett to keep 30 days cash on hand in the operating account and moving the balance to the PTIF account. There was a discussion on the difference between the operating, petty cash and PTIF accounts and how much amount to keep in the petty cash. The board has decided to move \$200k from the operating account to the PTIF account and keep \$5k in the petty cash account.

CONSENT ITEMS

- August 8, 2023 Electronic Board Meeting Minutes – There was no further discussion. **Jenn Lund made a motion to approve the consent items. Candice Mitchell seconded the motion. The roll call votes were as follows:**
 - Jenn Lund – Aye**
 - Andrea Johnson – Aye**
 - Brett Crockett – Aye**
 - Candice Mitchell – Aye**
 - Brian Christensen – Aye****Motion passed unanimously.**

VOTING ITEMS

- Appoint Open Board Officer Position(s) – Jenn Lund stated that she spoke with Andrea and she would like to be the Vice Chair. Dawn stated that now there is an open Secretary that needs to be filled. Brian Christensen volunteered to fill this position.
- Amended Special Education Policies & Procedures Manual – Stephanie Schmidt stated that there were some new state rules that needed to be updated at the state level. It didn't change any process. This makes up compliant with the state rules.
- Weapons on School Property Policy – Stephanie Schmidt reviewed the Weapons on School Property Policy including the limited circumstances that you can bring a weapon on school property and what those circumstances are. They clarified that this is only for adults and that the weapon must be on their person at all times.
- Amended Bullying & Hazing Policy – Stephanie Schmidt reviewed the amended Bullying and Hazing Policy which states that the school must notify a student's parent or guardian if the student threatens to commit suicide or is involved in an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation. She also stated that there is another parent/guardian notification required to be sent out informing them about these policies and materials and that there will be more information on Parent Teacher Night. The suicide prevention material comes from USBE.
- Amended Fee Waiver Policy – Stephanie Schmidt reviewed the amended Fee Waiver Policy including the minor changes to definitions, removal of the provision allowing fees to be charged for supplemental kindergarten, changes to how the policy, fee schedule and

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fee waiver documents will be distributed by the school, added SNAP funding to the list of fee waiver eligibility criteria and changes to what the fee/fee waiver documentation and. Information the school must gathered on an annual basis.

- Amended Wellness Policy – Stephanie Schmidt reviewed the amended Wellness Policy which is required to be reviewed and amended or re-approved every three years. Changes on the policy were just housekeeping and updating the policy to what we are actually doing and updating the word Director to Executive Director. There was a discussion on how things are going now that the lunches are not free and are all kids eating.
- Update Check Signers on Zions Operating and Petty Cash Accounts – Stephanie Schmidt stated that we are updating the check signers on the Zions operating and petty cash accounts. We want to approve positions so if there is a change, we can just get signatures of the new people in those positions. The recommendation for the operating account is the board chair, financial coordinator, executive director, Jed Stevenson and Sheldon Killpack. Jenn and Brett’s signatures will be put on the checks that are generated from IntAcct which is the accounting program that AW uses. For the petty cash account, the recommendation is the Board Chair, Executive Director and Jed. Steph would be signing the petty cash checks unless she is unavailable then Jenn could sign the checks. There was a discussion on reviewing and possibly amending the Purchasing and Disbursement Policy.

Jenn Lund made a motion to approve the following items:

- ✓ **Appoint Andrea Johnson as the Vice Chair and Brian Christensen as the Secretary;**
- ✓ **Approve the Amended Special Education Policies & Procedures Manual;**
- ✓ **Approve the Weapons on School Property Policy;**
- ✓ **Approve the Amended Bullying & Hazing Policy;**
- ✓ **Approve the Amended Fee Waiver Policy;**
- ✓ **Approve the Amended Wellness Policy; and**
- ✓ **Approve the Board Chair, Board Financial Coordinator, Executive Director, Jed Stevenson and Sheldon Killpack as check signers for the Zions operating account and the Board Chair, Executive Director, and Jed Stevenson as check signers for the Zions petty cash account.**

Candice Mitchell seconded the motion. The roll call votes were as follows:

**Jenn Lund – Aye
Andrea Johnson – Aye
Brett Crockett – Aye
Candice Mitchell – Aye
Brian Christensen – Aye**

Motion passed unanimously.

DISCUSSION ITEMS

- Calendaring
 - ✓ Schedule Gratitude Dinner for Eric – September 11th @ 7 p.m. There was a discussion on a thoughtful gift for Eric.
 - ✓ Next PreBoard Meeting – September 6th
 - ✓ Next Board Meeting – September 20th

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- ✓ NCSC24 Boston MA – June 30 – July 3 – More info to come in December/January timeframe.

9:45 AM – Jenn Lund made a motion to enter a CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(I)(a) in the conference room. Brian Christensen seconded the motion. The roll call votes were as follows:

**Jenn Lund – Aye
Andrea Johnson – Aye
Candice Mitchell – Aye
Brett Crockett – Aye
Brian Christensen – Aye**

Motion passed unanimously.

10:13 AM – Jenn Lund made a motion to exit the CLOSED SESSION and ADJOURN. Brian Christensen seconded the motion. The roll call votes were as follows:

**Jenn Lund – Aye
Andrea Johnson – Aye
Candice Mitchell – Aye
Brett Crockett – Aye
Brian Christensen – Aye**

Motion passed unanimously.

NOTE: Times on this agenda are estimated as a courtesy only. Actual times may vary.

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.

**Early Light Academy
Board of Directors
Closed Session Statement
Wednesday, August 30, 2023**

Location: 11709 S. Vadiana Drive, South Jordan, Utah 84009



CLOSED SESSION SWORN STATEMENT:

*At a duly noticed public meeting held on the date listed above, the board of directors for **EARLY LIGHT ACADEMY** entered into a closed session for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual **and/or** to discuss purchase, exchange, or lease of real property pursuant to Utah Code 52-4-205(1)(a) and (d) respectively).*

I declare under criminal penalty under the law of Utah that the foregoing is true and correct.

Signed on the 30 day of, August 2023, at **South Jordan, Utah.**



Jenn Lund
Board Chair

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In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.



ELA Board of Directors Meeting Wednesday, September 20, 2023

Action Item: *Amended Pecora Playground Project*

Issue

In accordance with the school's purchasing policy, all invoices that exceed \$25,000 must be approved by the Early Light Academy Board of Directors. This includes all purchases from a single vendor in a 30-day period.

Background

The Board approved the Pecora playground project not to exceed \$55,000 at the May 17, 2023, board meeting. However, there were some additional items that have been requested – shown on estimate. Also, we may need to add additional concrete on the north side of the playground for kinder exit for carpool which is not included on this bid.

The new timeline for the playground should arrive the second week of October. It is anticipated that 2-3 weeks prior to arrival that the demolition will commence and prep work will take place. Then the playground can be installed. Once that is completed, the artificial turf (with padding underneath) can be installed.

The last part of the playground project will be to install the fence around the playground. We have received bids and it is under \$25k so it will not require board approval.

Recommendation

It is recommended that the board approve the amended Pecora playground project from not to exceed \$55,000 to not to exceed \$75,000.

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Project Information	
Project #	2308
Title	ELA Kinder Playground Turf
Address	
City, State, Zip	South Jordan , UT
Country	

Estimate Information	
Estimate #	002
Description	ELA Playground - REVISED Demo and Turf Estimate
Proposal Date	
Valid Thru Date	

From	
Contact	Dan Flint
Company	Pecora Construction
Address	1445 S 2900 W
City, State, Zip	Ogden, UT 84401
Country	United States
Phone	(801) 979-0457
Fax	

To	
Contact	
Company	Academica West
Address	290 N. Flint Street, Suite A
City, State, Zip	Kaysville, UT 84037
Country	
Phone	(801) 444-9378
Fax	

We are pleased to quote the following labor, equipment, and materials in accordance with the plans and specifications listed above. This proposal is subject to exclusions that may be listed below.

Scope of work for the project to be constructed as depicted in the plans and details as described herein:

0: Overall Scope

Inclusions:

Early Light Playground

- Mobilization
 - Includes mobilization of equipment and crew
 - Includes temp toilet
- Demolition
 - Demo and remove existing concrete where new playground is to expand
 - Demo and remove sod and other landscaping in new playground area
 - Re-route existing irrigation lines as needed
 - Remove chain link fence
 - Remove playground and footings
- New playground prep
 - Grade and install aggregate drainage layers on (1) layer geo-fabric to provide adequate water drainage
 - Prep for new curb wall with 4" roadbase
 - Prep for new 4" flatwork (this is figured in the (2) "quarter circle" areas where existing turf and landscaping is being removed)
- Turf
 - Install ET65V turf or equal with Pro Pad 55 pad (rated for up to 10 ft fall height)

**** Revised based off Pre Construction Meeting****

Exclusions:

- New playground equipment and footings by others
- Concrete curb wall and flatwork by others
- Permits and fees
- Survey
- SWPPP permit



Estimate Proposal

<u>Cost Code</u>	<u>Description</u>	<u>Quantit y</u>	<u>Uni t</u>	<u>Unit Sell</u>	<u>Total Sell</u>
100	General Conditions / Mobilization	1	LS	\$ 1,560.00	\$ 1,560.00
120	Demolition: Remove Concrete, Landscaping, and Irrigation	1	LS	\$ 6,958.61	\$ 6,958.61
124	Demolition: Remove Playground and Fence	1	LS	\$ 2,276.67	\$ 2,276.67
230	Import Base and Fines over Mirafi 140N	2700	SF	\$ 2.65	\$ 7,146.00
330	Install Playground Turf with 55 Pad (Rated for up to 10' Fall)	2700	SF	\$ 9.12	\$ 24,619.56
500	Install Nailer on Concrete Perimeter: PT Wood	210	LF	\$ 5.26	\$ 1,104.02
300	Prep and Pour New Concrete: 6"x6" Curb wall and 4" flatwork	1	LS	\$ 9,135.14	\$ 9,135.14
	Original Bid Subtotal:				\$ 52,800.00
600	Add: Additional SF of Turf / Demo	600	SF	\$ 16.81	\$ 10,084.30
605	Add: Additional Curb Wall	10	LF	\$ 29.38	\$ 293.83
610	Add: 4" Sidewalk near Gate (Pink Area on Plan)	90	SF	\$ 15.41	\$ 1,387.04
620	Deduct: Flatwork Allowance for Half Circle on Original Bid	181	SF	\$ (7.61)	\$ (1,377.17)
	Total Added Scope:				\$ 10,388.00
700	Additional Scope Allowance	1	LS	\$ 7,000.00	\$7,000.00
Totals (REVISED)					\$ 70,188.00

Estimate Total: \$70,188.00

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, flood, earthquake, and other necessary insurance. We are fully covered by Workmen's Compensation Insurance.

Authorized Signature: _____

Acceptance of Proposal:

The above prices, specifications and conditions are satisfactory and hereby accepted. You are authorized to do the work as specified.

Signature: _____

Date of Acceptance: _____

Print Name: _____



ELA Board of Director's Meeting Wednesday, September 20, 2023

Action Item: *LEA-Specific Educator License(s)*

Issue:

The School's administration is requesting that the following be candidates for an LEA-specific educator license:

1. Brooks Doran, Secondary License with a Biology 2 endorsement
2. Raeann Hansen, Mathematics – Special Ed. endorsement
3. Marisol Pizzaro, Elementary License
4. Abigail Plaga, Elementary License
5. Matthew Sherwood, Computer Science Level I endorsement
6. Marissa Tebbs, Spanish endorsement
7. Halle Tucker, Elementary License
8. Kevin Worthley, Secondary License with a Social Studies Composite endorsement

Candidates not licensed and will need to be approved by the school board within 60 days of their start date for an LEA specific license. They will need to complete the background check and ethics review before the LEA specific license will be approved by USBE.

Background:

Under the School's LEA-Specific Educator License Policy, the School's administration proposes to the Board of Directors individuals the administration feels are good candidates for an LEA-specific educator license. An LEA-specific educator license is a temporary license that teachers may teach under while they are in the process of completing the requirements for an associate or professional license. An LEA-specific educator license can be valid for one, two, or three years.

The School's administration has followed the processes and considered the criteria outlined in the Policy with respect to proposing the candidate named above to the Board candidates, including vetting and interviewing the candidate. The School's administration has also provided

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the Board with an explanation and rationale for requesting an LEA-specific educator license for the candidate.

The Board believes that it is appropriate under the policy to approve the administration's request for an LEA-specific educator license for the candidate(s) named above.

Recommendation:

It is recommended that the Board approve the request for an LEA-specific license for the individuals below, all for three years.

- Brooks Doran, Secondary License with a Biology 2 endorsement
- Raeann Hansen, Mathematics – Special Ed. endorsement
- Marisol Pizzaro, Elementary License
- Abigail Plaga, Elementary License
- Matthew Sherwood, Computer Science Level I endorsement
- Marissa Tebbs, Spanish endorsement
- Halle Tucker, Elementary License
- Kevin Worthley, Secondary License with a Social Studies Composite endorsement

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SY23-24 LEA-S(pacific) Requests

Effective 8/2021, the following are NOT allowed for LEA-S: Audiologist, Deaf Education, Preschool Special Ed., School Psychologist, School Social Worker, Special Ed (K-12), Speech Language Pathologist, Speech Language Therapist

LEA (District or Charter) Name	Date LEA's Board Met	CACTUS ID	Last Name	First Name	Years Approved (1, 2, 3)	Is this a RENEWAL Request from SY23-24? (Y/N)	License Area 1	Endorsement 1	Rational/Motions	Is Educator's Assignment in CACTUS? (Y/N)	Has LEA Specific tab in CACTUS been completed? (Y/N)	Does Educator Have a current BACKGROUND check? (Y/N)	Does Educator Have a current ETHICS check? (Y/N)
<i>Granite SD</i>	<i>1/5/21</i>	<i>999999</i>	<i>Example</i>	<i>Educator</i>	<i>3</i>	<i>N</i>	<i>Secondary</i>	<i>Math Level 3</i>	<i>Educator is enrolling in EPP Fall 2021</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>	<i>Y</i>
Early Light Academy	9/20/23	734989	Brooks	Doran	3	N	Secondary	Biology 2	Educator is currently waiting for their Professional license to post in CACTUS.	Y	N	Y	Y
Early Light Academy	9/20/23	26906	Hansen	Raeann	3	N	N/A	Mathematics- Special Ed	Educator is working towards becoming qualified.	Y	N	Y	Y
Early Light Academy	9/20/23	773295	Pizzaro	Marisol	3	N	Elementary		Educator is working towards becoming qualified.	Y	N	Y	N
Early Light Academy	9/20/23	764899	Plaga	Abigail	3	N	Elementary		Currently enrolled in college and set to graduate in December.	Y	N	Y	Y
Early Light Academy	9/20/23	710785	Sherwood	Matthew	3	N	N/A	Computer Science Level I	Educator is working towards becoming qualified.	Y	N	Y	Y
Early Light Academy	9/20/23	513161	Tebbs	Marissa	3	Y	N/A	Spanish	Educator is working towards becoming qualified.	Y	N	Y	Y
Early Light Academy	9/20/23	795091	Tucker	Halle	3	N	Elementary		Educator is working towards becoming qualified.	Y	N	N	Y
Early Light Academy	9/20/23	544991	Worthley	Kevin	3	N	Secondary	Social Studies Composite	Educator is working towards becoming qualified.	Y	N	Y	Y

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ELA Board of Director's Meeting Wednesday, September 20, 2023

Action Item: *Agreement with Utah Education Law*

Issue:

School administration would like the Board to ratify the school's legal services agreement with Utah Education Law.

Background:

Back in December 2022, the school engaged attorney Erin Preston of Utah Education Law to provide legal services to the school. The school's Executive Director signed the legal services agreement with Utah Education Law on behalf of the school, because at the time it was expected that the legal fees to be incurred under the agreement would not reach the Board purchasing level threshold. Now it is anticipated that the legal fees will reach that level, and as a result, the Executive Director would like the Board to ratify the legal services agreement. The legal services agreement with Utah Education Law is included with this cover letter.

Recommendation:

It is recommended that the Board ratify the school's legal services agreement with Utah Education Law.

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In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.



12/7/2022

Early Light Academy
Stephanie Schmidt
Via E-mail Delivery: sschmidt@earlylightacademy.org
Re: General Legal Services for Early Light Academy

Dear Stephanie Schmidt,

I am pleased to offer Early Light Academy with legal services. Under the Rules of Professional Conduct for Utah attorneys, I am writing this letter to provide you with a written explanation of our relationship and agreement.

Our services will be provided according to the following terms:

1. Professional Fees

Our billing rate is \$250 per hour; however, project-based work may be completed on a flat rate agreement.

2. Billing

You will be billed for services monthly, or upon completion of the project as outlined, whichever comes first. All bills will include a description of the services performed and the time expended. Statements which are not paid within thirty days of mailing will bear interest at our standard late rate of 1.5% per month, and I may recover any reasonable attorneys' fees and costs incurred in attempting to collect on a delinquent statement.

3. Termination

You have the right to terminate this engagement by written notice at any time. I have the same right to terminate this engagement, subject to an obligation to provide reasonable notice so that you may obtain alternative representation, and subject to applicable ethical and court rules. In such event, I will provide reasonable assistance in transferring responsibilities to the new firm.

4. Disputes

If at any time you have questions or are not satisfied with some aspect of our relationship, please give me a call. Clear communication will help both of us to be satisfied with our ongoing relationship.

5. Governing Law.

The laws of the state of Utah shall govern the interpretation of this agreement.

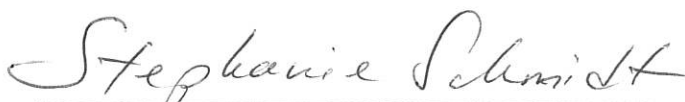
If you have any questions concerning the agreement, do not hesitate to contact me or seek professional advice. If this agreement is acceptable, please sign below and return a copy to me. I look forward to working with you.

Sincerely,


Erin Preston, Esq.

ACKNOWLEDGMENT BY CLIENT

The undersigned acknowledges and agrees to the foregoing.



Name of Representative – Early Light Academy



Title of Authorized Representative



Signature of Authorizing Early Light Academy Representative



Date of Signature



ELA Board of Director's Meeting Wednesday, September 20, 2023

Action Item: *Amended Attendance Policy*

Issue:

The school needs to amend its Attendance Policy and procedures.

Background:

As a result of the USBE recently amending R277-607 on attendance, truancy, and absenteeism, and as a result of the passage of HB 400 from this past legislative session, the school needs to amend its Attendance Policy and procedures. These amendments include, among others, reducing the frequency by which the Board must review the policy (reducing the review requirement from annually to regularly); removing the requirement for the Board to annually review the school's attendance data; defining what constitutes "chronic absenteeism;" adding what the school does to prevent chronic absenteeism; including a more specific appeals process when parents want to challenge a notice of truancy, notice of compulsory education, or disciplinary measures taken against their student because of attendance issues; removing the habitual truant referral requirements; and addressing the interplay between student absences for mental or behavioral health reasons and the school's responsibility to provide FAPE.

Recommendation:

It is recommended that the Board approve the amended Attendance Policy.

NOTE: Times on this agenda are estimated as a courtesy only. Actual times may vary.

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.

Early Light Academy Attendance Policy



EARLY LIGHT
ACADEMY

POLICY

Early Light Academy (the “School”) is committed to providing a quality education for every student. The School firmly believes that consistent attendance teaches students responsibility. Students learn the value of being punctual and prepared. Frequent absences and tardiness result in a loss of continuity of instruction. Also, frequent absences and tardiness prove disruptive for students, teachers, and staff. Excessive unexcused absences may lead to a student’s permanent dismissal from the School.

Parents are expected to take a proactive role in ensuring their children attend school. We recommend families plan their vacation schedule around the existing School calendar. When possible, medical and dental appointments should take place outside of school hours and parents should notify the School in advance of any absence. Parents and students are responsible for obtaining homework or assignments for the time period which the student is absent.

The School intends for this policy to be consistent with the provisions of Utah’s compulsory education laws, Utah Code §§ 53G-6-201 through 53G-6-211~~08~~, as well as Utah Administrative Code Rule R277-607.

The Executive Director will establish attendance procedures consistent with this policy and applicable law and will ensure that the policy and procedures are distributed to parents.

Review

The School’s Board of Directors shall review this policy regularly annually. ~~The Board shall also annually review attendance data and consider revisions to this policy to encourage student attendance.~~

NOTE: Times on this agenda are estimated as a courtesy only. Actual times may vary.

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should call (801) 444-9378 to make appropriate arrangements.



Attendance Administrative Procedures

These procedures are established in accordance with the Attendance Policy adopted by the School's Board of Directors.

Definitions

"Absence" or **"absent"** means the failure of a school-age child assigned to a class or class period to attend a class or class period. "Absence" or "absent" does not mean multiple tardies used to calculate an absence for the sake of a truancy.

"Chronic absenteeism" or "chronically absent" means a student misses 10% or more of days enrolled, for any reason, and makes a school aware that a beginning of tiered supports may be needed.

"Valid excuse" or **"excused absence"** means an absence resulting from:

- a) an illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
- b) mental or behavior health of the school-aged child;
- c) a death of a family member or close friend;
- d) scheduled family event or a scheduled proactive visit to a health care provider in accordance with Section 53G-6-803(5);
- e) a family emergency;
- f) an approved School activity;
- g) a preapproved extended absence for a family activity or travel, consistent with School policy; or
- h) an absence permitted by an individualized education program or Section 504 accommodation plan.

The Executive Director or Principal has the discretion to consider other absences as "valid excuses".

"Valid excuse" or "excused absence" does not mean a parent acknowledgement of an absence for a reason other than those described above.

"Habitual truant" means a school-age child who:

- (1) is in grade 7 or above and at least 12 years old;
- (2) is subject to the requirements of Section 53G-6-202; and
- (3)(a) is truant at least ten times during one school year; or (b) fails to cooperate with efforts on the part of School authorities to resolve the school-age child's attendance problem as required under Section 53G-6-206.

"School-age child" means a minor who is at least six years old but younger than 18 years old and who is not emancipated.

"School day" means the portion of a day that school is in session in which a school-age child is required to be in school for purposes of receiving instruction.

“**Sluffing**” means a student is (a) somewhere other than their assigned classroom, assembly, or activity during the school day without permission; or (b) more than ten (10) minutes late to class without permission.

“**Tuant**” means a condition by which a school-age child, without a valid excuse, is absent for at least half of the school day. A school-age child may not be considered truant under this policy more than one time during one day.

Attendance Requirements: Students are ~~allowed a maximum of~~ expected to have no more than five (5) unexcused absences per year.

Excused Absences: An oral or written communication documenting a valid excuse must be received from the student's parents/guardian within one (1) business day of the absence in order for the absence to be excused. In the event of multiple consecutive absences, written communication must be received within one (1) business day of the student's return to school.

In the event of an unforeseeable illness or emergency, the School should be notified as soon as reasonably possible.

Pre-Approved Extended Absence: A parent/guardian may request approval from the Executive Director or Principal prior to a student's extended absence of up to ten (10) days per school year. The Executive Director or Principal will approve the absence if the Executive Director or Principal determines that the extended absence will not adversely impact the student's education.

Medical Documentation: The School may not require documentation from a medical professional to substantiate a valid excuse that is a mental or physical illness.

Make-up Work: Make-up work is permitted for students who have excused absences. The teacher will provide the student or the parent/guardian with any make-up work upon request. Make-up work must be completed within a reasonable timeframe as determined by the teacher.

Elementary Tardies: A student is tardy if he or she is not in the assigned classroom when the late bell rings. All tardies tracked and after five (5) tardies the School will notify parents. After ten (10) tardies, a second tardy letter will be sent and the student may be referred to administration.

Junior High Tardies: Each student is allowed up to three (3) cumulative tardies each quarter before action will be taken. Once they reach six (6) or more cumulative tardies, an email will be sent notifying parents. Once a student has nine (9) tardies, lunch detention email will be sent and citizenship will drop one level to an N.

Absences: In the event a student is absent, parents/guardians will be notified by the office on the day of the absence. Parents and students are responsible for tracking the total number of absences. Parents will be notified when their student reaches the 5th unexcused or 10th excused absence of the year

~~**Grounds for an Appeal:** Students who believe that all or part of their absences and/or tardies should be considered excused may provide a written request to the administrator to review their case.~~

Sluffing: Students are expected to attend class, assemblies, and other School activities during the school day at all assigned times. Students who are sluffing will be referred to School administration for disciplinary action which may include: Lunch Detention, In-School Suspension, and/or Out-of-School Suspension.

Closed Campus: The School operates as a “closed campus.” Students are to remain on campus throughout the school day unless they have been properly checked out of school pursuant to the School’s established procedures. This includes lunch time. Students who leave campus without being properly checked out will be referred to School administration for disciplinary action which may include: Lunch Detention, In-School Suspension, and/or Out-of-School Suspension.

Notice of Compulsory Education Violation

The School may issue a "notice of compulsory education violation" to a parent/guardian of a school-age child who is in grades 1 through 6 if the student is truant at least five (5) times during the school year.

This notice shall:

1. Direct the parent/guardian to meet with School authorities to discuss the student's attendance problem and cooperate with administration to secure regular attendance by the student;
2. Designate the School authorities with whom the parent is required to meet;
3. State that it is a class B misdemeanor for the student's parent or guardian to intentionally or without good cause fail to meet with the designated School authorities to discuss the student's attendance problems, or fail to prevent the student from being truant an additional five (5) or more times during the remainder of the school year; and
4. Be served on the parent/guardian by personal service or certified mail.

If School personnel have reason to believe that, after a notice of compulsory education violation is issued, the parent or guardian has failed to make a good faith effort to ensure that the school-age child receives an appropriate education, the issuer of the compulsory education violation shall ~~submit report~~ to the Division of Child and Family Services the ~~report information~~ required by Utah Code § 53G-6-202(8) (also in accordance with the School’s Child Abuse and Neglect Reporting Policy).

Chronic Absenteeism ~~Truancy~~ Prevention and Intervention Program

The School’s Chronic Absenteeism ~~Truancy~~ Prevention and Intervention Program is established to encourage good attendance, improve academic outcomes, and reduce negative behaviors. Through this program, the School hopes to create a trusting relationship between teachers, students, and parents.

The School’s efforts to prevent chronic absenteeism include, but are not limited to:

- Serving students breakfast and lunch at the School each school day;
- Providing classroom and/or schoolwide rewards and/or incentives to students for good attendance.
- Notifying parents/guardians by phone each time a student is absent, and making such notification on the day of the absence.
- Contacting parents/guardians of students who reach four (4) and/or five (5) unexcused absences to try to resolve the students' attendance problems.
- Providing parents/guardians with notices of compulsory education violations or notices of truancy, as appropriate and as outlined herein.
- Providing parents/guardians with the School's attendance policies and procedures each year at the time of registration.

~~and to facilitate the processing of~~The School will seek to help ~~chronically truant~~students struggling with absenteeism (including chronically absent students) ~~students~~ through implementing research or evidence-based ~~alternative~~absenteeism and dropout prevention interventions ~~or the juvenile court~~. Those efforts will include documented earnest and persistent efforts to resolve a student's attendance problems through the following interventions as follows:

- ~~Annual notification of the School's attendance policies will be provided to the parents of all students at the time of registration.~~
- When a student's attendance is negatively affecting the student's learning, the classroom teacher will notify the student and/or the student's parent/guardian(s) of the concern. The teacher may set up a conference with the student and/or the student's parent/guardian(s) to identify and resolve any problems that prevent the student from attending school. The student's progress will be monitored.
- If meeting with the student and parent/guardian(s) does not adequately address the problems and the student's learning continues to suffer, then the School counselor or a member of administration may work with the teacher and parent/guardian(s) in finding a solution to the problems that are preventing the student from attending to his/her learning. Efforts to resolve the problems may include, but are not limited to, the following: making adjustments to the curriculum or the schedule; mentoring the student; providing the student with increased academic support; teaching the student executive function skills such as planning, goal setting, understanding and following multi-step directions, and self-regulation; counseling of the student by School authorities; considering alternatives proposed by the parent/guardian; or providing the parent/guardian with a list of community resources to help the family.
- School authorities may consult with a parent/guardian to determine if mitigating circumstances such as medical or psychological problems indicate the use of intervention methods for resolving the attendance problems.
- In the event that the preceding interventions fail, School authorities ~~a certified letter will be sent to~~contact the parent/guardian(s) ~~and requesting~~ a formal meeting ~~with the administrator~~ to discuss and resolve the attendance problems. A copy of the communication (the letter, email, etc.) ~~and mailing certificates~~ will be kept by the School.
- School authorities will notify the student and a parent/guardian of the actions the School may take should the student be truant in the future.

Notice of Truancy

Consistent with Section 53G-6-203, the School may issue a notice of truancy to a school-age child who is in grade 7 or above, at least 12 years old, and is truant at least five (5) times during the school year.

A notice of truancy will only be issued after the School has made earnest and persistent efforts to resolve student attendance problems, which efforts may include those set forth above. A notice of truancy will:

1. Direct the school-age child who receives the notice of truancy, and the parent/guardian of the school-age child, to meet with School authorities to discuss the student's attendance problem and cooperate with administration to secure regular attendance by the student;
2. Designate the School authorities with whom the school-age child and parent/guardian are required to meet.

A notice of truancy will be served on the parent/guardian by personal service or regular mail. The parent/guardian will have the right to appeal a notice of truancy in writing to administration within ten (10) days of being issued.

Referrals for Habitual Truancy

~~In accordance with Utah Code § 53G-8-211(4), the School shall refer a school-age child for prevention and early intervention youth services, as described in Section 62A-7-104, by the Division of Juvenile Justice Services for being a habitual truant if the school-age child refuses to participate in an evidence based alternative intervention described in Utah Code § 53G-8-211(3)(b), including:~~

- ~~• a mobile crisis outreach team;~~
- ~~• a youth services center operated by the Division of Juvenile Justice Services;~~
- ~~• a youth court or comparable restorative justice program; or~~
- ~~• other evidence-based interventions created and developed by the School or other governmental entities as set forth in Subsection 53G-8-211(3)(b)(v).~~

~~The School may refer a school-age child who is a habitual truant to juvenile court or a law enforcement officer or agency if the student refuses to participate in an evidence based alternative intervention described in Subsection 53G-8-211(3)(b) and fails to participate in prevention and early intervention youth services provided by the Division of Juvenile Justice Services as provided above.~~

~~A referral to juvenile court or a law enforcement officer or agency will include:~~

- ~~1. Attendance records for the student;~~
- ~~2. A report of evidence based alternative interventions used by the School before the referral, including outcomes.~~
- ~~3. The name and contact information of the School representative assigned to actively participate in the court process with the student and the student's family;~~

- ~~4. A report from the Division of Juvenile Justice Services that demonstrates the minor's failure to complete or participate in prevention and early intervention youth services as set forth in Utah Code § 53G-8-211(4); and~~
- ~~5. Any other information that the School considers relevant.~~

Appeals Process

Parents/guardians who believe that all or part of their student's absences and/or tardies should be considered excused, or if they want to contest a notice of truancy, notice of compulsory education, or any disciplinary action taken against their student pursuant to the School's Attendance Policy or these procedures, shall follow the School's Parent Grievance Policy.

Students with Qualified Disabilities

If students with disabilities under the Individuals with Disabilities Education Act, or students protected under either Section 504 of the Rehabilitation Act or the Americans with Disabilities Act, have excessive absences, including but not limited to absences for mental or behavioral health reasons, and fall within the criteria of these procedures, the School will ensure that these procedures are applied in a manner consistent with all applicable state and federal laws and regulations. Excused absences for known mental or behavioral health reasons do not absolve the School of FAPE responsibilities.

Annual Report

The School shall annually report the following data separately to the State Board of Education:

1. absences with a valid excuse; and
2. absences without a valid excuse.