

**Utah Virtual Academy  
Governing Board of Directors  
Board Meeting**

**Date:** October 11, 2023

**Time:** 6:30PM

**Location:** 310 E. 4500 S., Suite 620; Murray, UT 84107

**Zoom:** <https://zoom.us/j/376536884>



*Utah Virtual Academy students will attain superior academic achievement through parent involvement, innovative teaching and school accountability within a virtual environment that embraces individual learning styles.*

## **AGENDA**

### **CALL TO ORDER**

### **SPOTLIGHTS**

### **PUBLIC COMMENT** (Comments limited to three minutes)

### **BUSINESS ITEMS** (Discussion and Voting)

- Finance Report
  - Acceptance of State Revenue
  - Bank Reconciliations and Payment and Deposit Registers
  - Zions Gold Sweep Account
  - Invoice Approval for Purchases over \$7,500
  - K12 / Stride Payment
  - Academica West Payment
- Director Report
- Academica West Report
- Board Business
  - September 13, 2023 Board Meeting and Closed Session Minutes
  - Policies to Amend:
    - Student Conduct and Discipline
    - Attendance Policy
  - LEA Specific Licenses
  - HR/Payroll Request for Proposals
  - Board Member Terms & Elected Officers

### **CALENDARING**

- Board Meeting/Retreat November 3, 2023, 6:30pm

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

### **ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing accommodations for this meeting should contact Meghan Merideth at (801) 262-4922. Requests should be made as early as possible to allow time to arrange the accommodation. One or more board members may participate electronically or telephonically pursuant to UCA 52-4-207.

## **UTVA – Board of Directors Meeting Financial Package Updates Wednesday, October 9, 2023**

### **Items of Note:**

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- September 2023 Financials are included. We are already done with Q1 of Fiscal Year 2024 (hard to believe). Expenses are in line with what is expected. There are two areas above the 25% mark and are: 1) anticipated; and 2) small in nature. 0500 – Purchased Services: This includes one-time liability insurance payment. 0800 – Dues and Fees: Includes \$10,764 payment approved in last month's board meeting to UAPCS.
- On the balance sheet side, cash and investments are up more than \$3 million than a year ago. You can also see how much further ahead we are with final year end receivables. A small amount remaining compared to the almost \$1 million outstanding as of September 30, 2022.
- September 2023 state allotment of \$1,703,972.55 to accept this month.
- With the movement of the \$4 million last month from Zions Bank to the PTIF, we earned close to \$35,000 in interest revenue. It should be above \$44,000 in October. We still have a few months' worth of K-12 Stride invoices that should be forthcoming so we have to plan for that
- Zions Bank Sweep Account, which we discussed last month, is included for board approval. Current rate on this account is near 3%, which after the monthly fees, should earn approximately an extra \$8,000 - \$9,000 per month in interest income.
- Invoices for approval (over \$7,500) at this time: U of U Lift, Virtual Technologies Group.
- K12 Management Invoices: None at time of packet.
- Academica West October 2023 invoice included. Total invoice of \$39,062.49. Will be adjusted accordingly in the next month with October 1<sup>st</sup> count finalized.

# Utah Virtual Academy

## Statement of Activities

### As of September 30, 2023

	Annual June 30, 2024 Budget	Year-to-Date Actual	% of Budget
<b>Net Income</b>			
<b>Income</b>			
Revenue From Local Sources	300,300	87,993	29.3 %
Revenue From State Sources	20,856,636	5,377,992	25.8 %
Revenue From Federal Sources	2,092,800	0	0.0 %
<b>Total Income</b>	<b>23,249,736</b>	<b>5,465,985</b>	<b>23.5 %</b>
<b>Expenses</b>			
<b>Instruction/Salaries</b>			
0121 - Salaries - Principals and Assistants	1,080,000	146,430	13.6 %
0131 - Salaries - Teachers	7,342,356	1,325,124	18.0 %
0132 - Salaries - Substitute Teachers	42,000	1,451	3.5 %
0142 - Salaries - Guidance Personnel	390,000	57,219	14.7 %
0152 - Salaries - Secretarial and Clerical Personnel	221,448	51,249	23.1 %
0161 - Salaries - Teacher Aides and Para-Professionals	942,000	74,556	7.9 %
0184 - Salaries - Administrative Technology Personnel	160,200	12,740	8.0 %
<b>Total Instruction/Salaries</b>	<b>10,178,004</b>	<b>1,668,769</b>	<b>16.4 %</b>
<b>Employee Benefits</b>			
0220 - Social Security	1,056,000	176,622	16.7 %
0230 - Local Retirement	189,600	30,554	16.1 %
0240 - Group Insurance	1,380,000	156,991	11.4 %
<b>Total Employee Benefits</b>	<b>2,625,600</b>	<b>364,167</b>	<b>13.9 %</b>
<b>Purchased Prof &amp; Tech Serv</b>			
0320 - Professional - Educational Services	825,000	26,962	3.3 %
0330 - Professional Employee Training and Development	180,000	10,461	5.8 %
0340 - Other Professional Services	180,000	42,084	23.4 %
0345 - Business Services	1,836,912	268,218	14.6 %
0350 - Technical Services	50,400	4,341	8.6 %
<b>Total Purchased Professional &amp; Technical Services</b>	<b>3,072,312</b>	<b>352,066</b>	<b>11.5 %</b>
<b>Purchased Property Services</b>			
0410 - Utility Services	2,400	684	28.5 %
0440 - Rentals	18,000	65	0.4 %
0441 - Rental of Land & Buildings	150,000	36,978	24.7 %
0442 - Rental of Equipment & Vehicles	24,000	3,036	12.7 %
0443 - Rental of Computers & Related Equipment	660,000	31,266	4.7 %
0490 - Other Purchased Property Services	2,400	0	0.0 %
<b>Total Purchased Property Services</b>	<b>856,800</b>	<b>72,029</b>	<b>8.4 %</b>
<b>Other Purchased Services</b>			
0518 - Student Day Trips/Field Trips (includes Admission Charges)	18,000	0	0.0 %
0522 - Liability Insurance	66,000	72,344	109.6 %
0530 - Communication (Telephone & Other)	135,000	33,878	25.1 %
0540 - Advertising	12,000	0	0.0 %
0561 - Student Tuition to other LEAs In State	6,000	1,200	20.0 %
0580 - Travel/Per Diem	120,000	37,338	31.1 %
<b>Total Other Purchased Services</b>	<b>357,000</b>	<b>144,761</b>	<b>40.5 %</b>
<b>Supplies &amp; Materials</b>			
0610 - General Supplies	1,530,000	25,573	1.7 %
0641 - Textbooks	2,400	423	17.6 %
0642 - E-Textbooks / Online Curriculum	4,140,000	73,562	1.8 %
0644 - Library Books	6,000	0	0.0 %

**Utah Virtual Academy  
Statement of Activities  
As of September 30, 2023**

	<b>Annual June 30, 2024</b>	<b>Year-to-Date</b>	
	<b>Budget</b>	<b>Actual</b>	<b>% of Budget</b>
0650 - Supplies - Technology Related	42,000	15,421	36.7 %
0670 - Software	144,000	31,830	22.1 %
<b>Total Supplies &amp; Materials</b>	<b>5,864,400</b>	<b>146,809</b>	<b>2.5 %</b>
<b>Property</b>			
0730 - Equipment	18,000	0	0.0 %
0733 - Capitalized Furniture and Fixtures	42,000	0	0.0 %
<b>Total Property</b>	<b>60,000</b>	<b>0</b>	<b>0.0 %</b>
<b>Debt Services &amp; Miscellaneous</b>			
0810 - Dues and Fees	27,000	11,850	43.9 %
<b>Total Debt Services &amp; Miscellaneous</b>	<b>27,000</b>	<b>11,850</b>	<b>43.9 %</b>
<b>Total Expenses</b>	<b>23,041,116</b>	<b>2,760,451</b>	<b>12.0 %</b>
<b>Total Net Income</b>	<b>208,620</b>	<b>2,705,534</b>	<b>1,296.9 %</b>

**Utah Virtual Academy  
Statement of Financial Position  
As of September 30, 2023**

	Period Ending 09/30/2023 <u>Actual</u>	Period Ending 09/30/2022 <u>Actual</u>
<b>Assets &amp; Other Debits</b>		
<b>Current Assets</b>		
<b>Operating Cash</b>		
Cash	4,690,120	10,841,725
Investments	10,069,130	827,581
<b>Operating Cash</b>	<u>14,759,250</u>	<u>11,669,306</u>
<b>Accounts Receivables</b>		
8133 - State	0	72,431
8134 - Federal	26,220	911,420
8139 - Other Receivables	5,015	842
<b>Total Accounts Receivables</b>	<u>31,235</u>	<u>984,693</u>
<b>Total Current Assets</b>	<u>14,790,485</u>	<u>12,653,999</u>
<b>Total Assets &amp; Other Debits</b>	<u>14,790,485</u>	<u>12,653,999</u>
<b>Liabilities &amp; Fund Equity</b>		
<b>Current Liabilities</b>	772,864	130,389
<b>Fund Balance</b>	<u>11,312,087</u>	<u>9,782,119</u>
<b>Net Income</b>	<u>2,705,534</u>	<u>2,741,491</u>
<b>Total Liabilities &amp; Fund Equity</b>	<u>14,790,485</u>	<u>12,653,999</u>

**Utah State Board of Education**  
**Allotment Memo**  
for Fiscal Year/Period 2024/03

Type: **01CHARTER**  
Recipient: **5F0 UTAH VIRTUAL ACADEMY**

Major Program	Program	District Pgm/Rev	Current_Budget	Current Month	Year-to-Date	Grant to Date	Remaining Balance
84010 SAS-Title I Grants to LEA	22T1FT 22T1FT Title IA Flow-Through FFY2022	7801/4800	626,580.01	0.00	0.00	626,580.01	0.00
	23T1FT 23T1FT Title IA Flow-Through FFY2023	7801/4800	565,952.18	0.00	264,053.16	494,022.08	71,930.10
<b>84010 SAS-Title I Grants to LEA - Summary</b>			<b>1,192,532.19</b>	<b>0.00</b>	<b>264,053.16</b>	<b>1,120,602.09</b>	<b>71,930.10</b>
84027 SPED-IDEA Disabilities Educ Act	22FTFL 22FTFL IDEA Flow-Through Formula FFY2022	7524/4524	456,879.78	0.00	127,054.62	456,879.78	0.00
	23FTFL 23FTFL IDEA Flow-Through Formula FFY2023	7524/4524	331,622.45	0.00	0.00	0.00	331,622.45
	23STAC 23STAC Special Ed State Level Activity FFY2023	7524/4524	18,919.49	0.00	0.00	0.00	18,919.49
<b>84027 SPED-IDEA Disabilities Educ Act - Summary</b>			<b>807,421.72</b>	<b>0.00</b>	<b>127,054.62</b>	<b>456,879.78</b>	<b>350,541.94</b>
84027X SPED-IDEA ARP	22ARPI 22ARPI SPED IDEA ARP FFY2022	7525/4500	127,019.84	127,019.84	127,019.84	127,019.84	0.00
<b>84027X SPED-IDEA ARP - Summary</b>			<b>127,019.84</b>	<b>127,019.84</b>	<b>127,019.84</b>	<b>127,019.84</b>	<b>0.00</b>
84173 SPED-Preschool Special Educ IDEA	22PRE 22PRE Preschool SPED Flow-through FFY2022	7522/4522	7,849.63	0.00	0.00	7,849.63	0.00
	23PRE 23PRE Preschool SPED Flow-through FFY2023	7522/4522	5,184.05	0.00	0.00	0.00	5,184.05
<b>84173 SPED-Preschool Special Educ IDEA - Summary</b>			<b>13,033.68</b>	<b>0.00</b>	<b>0.00</b>	<b>7,849.63</b>	<b>5,184.05</b>
84173X SPED-IDEA ARP Preschool	22ARPP 22ARPP IDEA ARP Preschool FFY2022	7523/4500	9,761.90	0.00	0.00	9,761.90	0.00
<b>84173X SPED-IDEA ARP Preschool - Summary</b>			<b>9,761.90</b>	<b>0.00</b>	<b>0.00</b>	<b>9,761.90</b>	<b>0.00</b>
84365 SAS-English Language Acq-Formula-Title III	22ELFT 22ELFT Flow-through FFY2022	7880/4800	10,843.53	0.00	0.00	0.00	10,843.53
<b>84365 SAS-English Language Acq-Formula-Title III - Summary</b>			<b>10,843.53</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>10,843.53</b>
84367 T&L-Improving Teacher Quality-State	222FT 222FT Title IIA Formula Flow Through FFY2022	7860/4800	52,368.56	0.00	36,052.87	36,052.87	16,315.69
	232FT 232FT Title IIA Formula Flow Through FFY2023	7860/4800	59,327.00	0.00	0.00	0.00	59,327.00
<b>84367 T&amp;L-Improving Teacher Quality-State - Summary</b>			<b>111,695.56</b>	<b>0.00</b>	<b>36,052.87</b>	<b>36,052.87</b>	<b>75,642.69</b>
84424A T&L-Student Support Academic Enrichment Grants	224AFT 224AFT Supporting Effective Instruction Flow-Through	7905/4800	22,210.50	0.00	0.00	22,210.50	0.00
	234AFT 234AFT Supporting Effective Instr Flow-Through SFY23	7905/4800	43,829.93	0.00	22,850.57	31,216.28	12,613.65
<b>84424A T&amp;L-Student Support Academic Enrichment Grants - Summary</b>			<b>66,040.43</b>	<b>0.00</b>	<b>22,850.57</b>	<b>53,426.78</b>	<b>12,613.65</b>
84425C SSS-Governors Emergency Education Relief	21GEER 21GEER GEER II Gov Emergency Education Relief FFY21	7230/4200	52,442.74	0.00	23,316.67	52,442.74	0.00
<b>84425C SSS-Governors Emergency Education Relief - Summary</b>			<b>52,442.74</b>	<b>0.00</b>	<b>23,316.67</b>	<b>52,442.74</b>	<b>0.00</b>
84425D SSS-Elern & Secondary School Emergency Relief	21ESSR 21ESSR ESSER II Funds to LEAs FFY2021	7215/4200	1,210,642.34	0.00	859,424.70	876,772.11	333,870.23
<b>84425D SSS-Elern &amp; Secondary School Emergency Relief - Summary</b>			<b>1,210,642.34</b>	<b>0.00</b>	<b>859,424.70</b>	<b>876,772.11</b>	<b>333,870.23</b>
84425U SSS- American Rescue Plan Act of 2021	21ARPF 21ARPF American Rescue Plan-Flow-through FFY2021	7225/4200	2,720,710.63	0.00	0.00	98,949.39	2,621,761.24
<b>84425U SSS- American Rescue Plan Act of 2021 - Summary</b>			<b>2,720,710.63</b>	<b>0.00</b>	<b>0.00</b>	<b>98,949.39</b>	<b>2,621,761.24</b>
84425W SSS- ARP ESSER Homeless Children & Youth	21ARPH 21ARPH ARP ESSER Homeless Children & Youth FFY2021	7235/4200	9,321.70	0.00	0.00	0.00	9,321.70
<b>84425W SSS- ARP ESSER Homeless Children &amp; Youth - Summary</b>			<b>9,321.70</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>9,321.70</b>
MSPB MSPB-Minimum School Programs Basic	22PPB 22PPB Grades 1-12 SFY2022	VAR/3010	10,298,748.17	0.00	0.00	10,298,748.17	0.00
	23PPA 23PPA Kindergarten SFY2023	VAR/3005	214,057.75	0.00	0.00	214,057.75	0.00
	23PPB 23PPB Grades 1-12 SFY2023	VAR/3010	7,873,717.74	0.00	0.00	7,873,717.74	0.00
	23PPBD 23PPBD Pub Ed Online Dist SFY2023	VAR/3010	870,045.00	0.00	0.00	870,045.00	0.00
	23PPBO 23PPBO Pub Ed Online Offset SFY2023	VAR/3010	-468.00	0.00	0.00	-468.00	0.00
	23PPD 23PPD Professional Staff SFY2023	VAR/3020	654,213.50	0.00	0.00	654,213.50	0.00
	23PPF 23PPF Special Education - Add-on SFY2023	1205/3100	2,166,092.45	0.00	0.00	2,166,092.45	0.00
	23PPH 23PPH Special Education - Self-contained SFY2023	1210/3100	155,821.93	0.00	0.00	155,821.93	0.00
	23PPI 23PPI Special Education - Extended Year SFY2023	1220/3100	2,259.00	0.00	0.00	2,259.00	0.00
	23PPK 23PPK CTE ADM SFY2023	VAR/3100	260,382.00	0.00	0.00	260,382.00	0.00
	23PPKB 23PPKB CTE Comprehensive Counseling & Guide SFY2023	5903/3100	56,999.00	0.00	0.00	56,999.00	0.00
	23PPKE 23PPKE CTE Technical Student Orgs SFY2023	6000/3100	814.00	0.00	0.00	814.00	0.00
	23PPKF 23PPKF CTE Skill Certification Competency SFY2023	6000/3100	9,655.00	0.00	0.00	9,655.00	0.00
	23PPL 23PPL Class Size Reduction SFY2023	5201/3100	429,774.55	0.00	0.00	429,774.55	0.00
	23PPN 23PPN Special Education - Impact Aid SFY2023	1225/3100	34,533.69	0.00	0.00	34,533.69	0.00
	23PPP 23PPP SPED Extended Yr Special Educators	1278/3100	17,980.00	0.00	0.00	17,980.00	0.00
	23PPR 23PPR Students At-Risk Add-on	5344/3100	280,711.67	0.00	0.00	280,711.67	0.00
	24PPA 24PPA Kindergarten SFY2024	VAR/3005	132,166.82	11,013.90	33,041.70	33,041.70	99,125.12
	24PPB 24PPB Grades 1-12 SFY2024	VAR/3010	7,273,388.78	606,115.73	1,818,347.19	1,818,347.19	5,455,041.59
	24PPBD 24PPBD Pub Ed Online Dist SFY2024	VAR/3010	259,993.00	0.00	259,993.00	259,993.00	0.00
	24PPD 24PPD Professional Staff SFY2024	VAR/3020	563,575.37	46,964.62	140,893.84	140,893.84	422,681.53
	24PPF 24PPF Special Education - Add-on SFY2024	1205/3100	2,094,006.36	174,500.53	523,501.59	523,501.59	1,570,504.77
	24PPH 24PPH Special Education - Self-contained SFY2024	1210/3100	158,003.33	13,166.95	39,500.83	39,500.83	118,502.50
	24PPI 24PPI Special Education - Extended Year SFY2024	1220/3100	9,433.72	786.15	2,358.43	2,358.43	7,075.29
	24PPK 24PPK CTE ADM SFY2024	VAR/3100	281,442.00	23,453.50	70,360.50	70,360.50	211,081.50
	24PPKB 24PPKB CTE Comprehensive Counseling & Guide SFY2024	5903/3100	59,850.00	4,987.50	14,962.50	14,962.50	44,887.50
	24PPKE 24PPKE CTE Technical Student Orgs SFY2024	6000/3100	824.00	68.67	206.01	206.01	617.99
	24PPKF 24PPKF CTE Skill Certification Competency SFY2024	6000/3100	10,053.00	837.75	2,513.25	2,513.25	7,539.75
	24PPL 24PPL Class Size Reduction SFY2024	5201/3100	345,184.11	28,765.34	86,296.02	86,296.02	258,888.09
	24PPN 24PPN Special Education - Impact Aid SFY2024	1225/3100	36,019.32	3,001.61	9,004.83	9,004.83	27,014.49
	24PPP 24PPP SPED Extended Yr Special Educators	1278/3100	4,586.00	4,586.00	4,586.00	4,586.00	0.00
	24PPR 24PPR Students At-Risk Add-on	5344/3100	384,857.60	32,071.47	96,214.41	96,214.41	288,643.19
<b>MSPB MSPB-Minimum School Programs Basic - Summary</b>			<b>34,938,720.86</b>	<b>950,319.72</b>	<b>3,101,780.10</b>	<b>26,427,117.55</b>	<b>8,511,603.31</b>
MSPRB MSPRB-Minim School Programs Related to Basic	22QOS 22QOS Teacher Salary Supplement Program SFY2022	5807/3400	148,565.13	0.00	0.00	148,565.13	0.00
	22PUI 22PUI English Lang Learner Software Support SFY2022	5911/3400	25,641.70	0.00	0.00	12,320.00	13,321.70
	23PQI 23PQI Concurrent Enrollment SFY2023	5333/3300	22,189.14	0.00	0.00	22,189.14	0.00
	23PQM 23PQM School Land Trust Program SFY2023	5420/3500	287,082.44	0.00	0.00	287,082.44	0.00
	23PON 23PON Charter School Local Replacement SFY2023	5619/3200	5,291,917.00	0.00	0.00	5,291,917.00	0.00
	23POP 23POP Early Literacy Program SFY2023	5805/3300	113,684.59	0.00	0.00	96,765.60	16,918.99
	23POR 23POR Educator Salary Adjustments SFY2023	5876/3400	644,381.46	0.00	0.00	644,381.46	0.00
	23POS 23POS Teacher Salary Supplement Program SFY2023	5807/3400	100,651.99	0.00	0.00	100,651.99	0.00
	23POT 23POT Library Books & Electronic Resources SFY2023	5810/3500	2,672.93	0.00	0.00	2,672.93	0.00
	23PUA 23PUA Teacher Supplies & Materials SFY2023	5868/3400	19,690.02	0.00	0.00	19,690.02	0.00
	23PUC 23PUC Grants for Professional Learning SFY2023	5666/3500	6,168.40	0.00	0.00	6,323.24	-154.84
	23PUE 23PUE Charter School Funding Base Prog SFY2023	VAR/3200	169,227.42	0.00	0.00	0.00	169,227.42
	23PUU 23PUU Teacher and Student Success Program	5678/3500	580,252.19	0.00	0.00	580,252.19	0.00
	24PQM 24PQM School Land Trust Program SFY2024	5420/3500	259,564.69	0.00	259,564.69	259,564.69	0.00
	24QON 24QON Charter School Local Replacement SFY2024	5619/3200	5,562,187.00	463,515.59	1,390,546.75	1,390,546.75	4,171,640.25
	24POP 24POP Early Literacy Program SFY2024	5805/3300	120,154.28	30,038.57	30,038.57	30,038.57	90,115.71
	24POR 24POR Educator Salary Adjustments SFY2024	5876/3400	1,312,544.50	109,378.71	328,136.13	328,136.13	984,408.37
	24POY 24POY Flexible Allocation-WPU Distribution SFY2024	5310/3200	5,021.60	418.47	1,255.41	1,255.41	3,766.19
	24PUA 24PUA Teacher Supplies & Materials SFY2024	5868/3400	15,762.66	0.00	15,762.66	15,762.66	0.00
	24PUC 24PUC Grants for Professional Learning SFY2024	5666/3500	4,893.24	1,223.31	1,223.31	1,223.31	3,669.93
	24PUE 24PUE Charter School Funding Base Prog SFY2024	VAR/3200	204,700.00	17,058.34	51,175.00	51,175.00	153,525.00
<b>MSPRB MSPRB-Minim School Programs Related to Basic - Summary</b>			<b>14,896,952.38</b>	<b>621,632.99</b>	<b>2,077,702.52</b>	<b>9,290,513.66</b>	<b>5,606,438.72</b>
PEESRA PEESRA-Public Ed Economic Stabilization Rest Acct	23ELOO 23ELOO Early Literacy Outcomes One-time PEESRA	5697/3800	8,612.00	0.00	4,059.00	4,059.00	4,553.00
	23PQD 23PQD Public Ed Capital & Technology PEESRA	5653/3200	248,730.14	0.00	0.00	248,730.14	0.00
	23PUES 23PUES Charter School Funding Base Prog PEESRA	VAR/3200	0.00	0.00	0.00	169,227.42	-169,227.42
	23PUI 23PUI English Language Learner Software SupportPEESRA	5911/3400	12,976.42	0.00	0.00	0.00	12,976.42
	23PUY 23PUY Educator Professional Time PEESRA	5651/3200	209,343.99	0.00	0.00	209,343.99	0.00
	24PUY 24PUY Educator Professional Time PEESRA	5651/3200	167,480.58	0.00	167,480.58	167,480.58	0.00
<b>PEESRA PEESRA-Public Ed Economic Stabilization Rest Acct - Summary</b>			<b>647,143.13</b>	<b>0.00</b>	<b>171,539.58</b>	<b>798,841.13</b>	<b>-151,698.00</b>
SAS SAS-Student Advocacy Services	S18PKU S18PKU School Turnaround & Leadership Dev SFY2018 PSC	5295/3800	3,200.00	0.00	0.00	3,200.00	0.00

<b>SAS SAS-Student Advocacy Services - Summary</b>			<b>3,200.00</b>	<b>0.00</b>	<b>0.00</b>	<b>3,200.00</b>	<b>0.00</b>
SSS SSS-Student Support Services	22ECNS 22ECNS Electronic Cigarette Substance & Nicotine Prev	5673/3800	4,000.00	0.00	0.00	4,000.00	0.00
	23ECNS 23ECNS Electronic Cigarette Substance & Nicotine Prev	5673/3800	4,000.00	4,000.00	4,000.00	4,000.00	0.00
	23SUPV 23SUPV Suicide Prevention SFY2023	5674/3800	1,000.00	0.00	0.00	1,000.00	0.00
	24SUPV 24SUPV Suicide Prevention SFY2024	5674/3800	1,000.00	1,000.00	1,000.00	1,000.00	0.00
<b>SSS SSS-Student Support Services - Summary</b>			<b>10,000.00</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>10,000.00</b>	<b>0.00</b>
T&L T&L-Teaching & Learning	20PJB 20PJB STEM Endorsement Incentives SFY2020	5644/3800	700.00	0.00	0.00	700.00	0.00
	22DRED 22DRED Drivers Ed SFY2022	5610/3800	2,550.00	0.00	0.00	2,550.00	0.00
	22SOEF 22SOEF Statewide Online Ed Program SFY2022	5380/3800	288,534.00	0.00	0.00	288,534.00	0.00
	23DRED 23DRED Drivers Ed SFY2023	5610/3800	3,630.00	0.00	1,920.00	3,630.00	0.00
	23SOEF 23SOEF Statewide Online Ed Program SFY2023	5380/3800	85,821.00	0.00	24,109.00	85,821.00	0.00
	24PKB 24PKB Software Licenses for K-3 Reading SFY2024	5618/3800	18,006.15	0.00	0.00	0.00	18,006.15
<b>T&amp;L T&amp;L-Teaching &amp; Learning - Summary</b>			<b>399,241.15</b>	<b>0.00</b>	<b>26,029.00</b>	<b>381,235.00</b>	<b>18,006.15</b>
<b>5F0 UTAH VIRTUAL ACADEMY - Summary</b>			<b>57,226,723.78</b>	<b>1,703,972.55</b>	<b>6,841,823.63</b>	<b>39,750,664.47</b>	<b>17,476,059.31</b>

Sep 29, 2023

- 92 -

10:19:37 AM

# Utah Virtual Academy Reconciliation report

As of 09/30/2023  
Account: UTVA Zions Bank Operating

Statement ending balance	4,709,015.14
Deposits in transit	0.00
Outstanding checks and charges	(18,895.01)
Adjusted bank balance	<u>4,690,120.13</u>
Book balance	4,690,120.13
Adjustments*	0.00
Adjusted book balance	<u>4,690,120.13</u>

Total Checks and charges Cleared	5,704,762.33	Total Deposits Cleared	1,709,124.05
----------------------------------	--------------	------------------------	--------------

## Deposits

Name	Memo	Date	Doc no.	Cleared	In transit
General Ledger entry	SALES TAX REFUND PERIOD ENDING 6/30/23	09/11/2023		5,151.50	
General Ledger entry	ALLOTMENT- UTAH VIRTUAL	09/30/2023		1,703,972.55	
<b>Total Deposits</b>				<u>1,709,124.05</u>	<u>0.00</u>

## Checks and charges

Name	Memo	Date	Check no.	Cleared	Outstanding
General Ledger entry	PAYROLL #513	09/01/2023		1,203.65	
General Ledger entry	PAYROLL #512	09/07/2023		544,444.11	
ALPINE JUNK PROS LLC		09/14/2023	29713	460.00	
Boulder Consulting		09/14/2023	29714	6,498.15	
BRAININGCAMP		09/14/2023	29715	650.00	
CENTURYLINK		09/14/2023	29716	379.88	
Certified Languages International		09/14/2023	29717	36.00	
CHARTER SCHOOL THERAPY		09/14/2023	29718	4,419.83	
DIGITAL EASY LLC		09/14/2023	29719	1,199.97	
DOTCOM THERAPY, LLC		09/14/2023	29720	2,536.91	
ELUMA LLC		09/14/2023	29721	180.25	
FedEx	4865-4182-2	09/14/2023	29722	282.03	
JBD COUNSELING AND CONSULTING		09/14/2023	29723	1,100.00	
JOSTENS, INC		09/14/2023	29724	312.89	
LuAnn Charles		09/14/2023	29725	4,565.69	
NASSP		09/14/2023	29726	385.00	
Shelley Jo Dula		09/14/2023	29727	2,828.78	
SURF AND SKI SPEECH THERAPY		09/14/2023	29728	1,541.74	
T-Mobile		09/14/2023	29729	3,290.00	
TechSmith		09/14/2023	29730	618.00	
ACADEMICA WEST, LLC		09/14/2023	29731	1,964.40	
ACADEMICA WEST, LLC		09/14/2023	29732	39,062.49	
Boulder Consulting		09/14/2023	29734	1,567.98	
Zions Bank - Hymas CC 0759		09/15/2023		3,725.00	
Zions Bank CC-Shelly Strahan		09/15/2023		5,603.05	
Zions Bank CC-Meghan Merideth		09/15/2023		2,196.79	
Zions Bank CC-Meghan Merideth		09/15/2023		1,429.08	
Zions Bank - Allen CC 0569		09/15/2023		5,535.05	



# Utah Virtual Academy Reconciliation report

As of 09/30/2023

Account: UTVA Zions Bank Operating

From bank account ' UTVA Zions Bank' to bank account ' UTVA PTIF'	09/15/2023		4,000,000.00	
ARTHUR J. GAL- LAGHER & CO. INSUR- ANCE BROKERS OF CA., INC.	09/18/2023	29733	72,344.48	
Larry H. Miller Theatres	09/18/2023	29735	11,091.89	
N2Y.com	09/18/2023	29736	9,214.79	
PARR BROWN GEE & LOVELESS	09/18/2023	29737	17,502.00	
PULSE TECHNOLO- GIES, INC.	09/18/2023	29738	7,468.60	
Teachtown	09/18/2023	29739	10,875.00	
UTAH ASSN OF PUB- LIC CHARTER SCHOOLS UAPCS	09/18/2023	29740	10,764.00	
K12 Management Inc.	09/18/2023	29741	182,412.79	
95 PERCENT GROUP INC.	09/21/2023	29742		6,200.00
CERULEAN STUDIOS, LLC	09/21/2023	29750		5,920.20
Virtual Technologies Group, Inc.	09/21/2023	29785		6,774.81
General Ledger entry CASH	09/22/2023		745,072.06	
<b>Total Checks and charges</b>			<b>5,704,762.33</b>	<b>18,895.01</b>

**ZIONS BANK®**

PO Box 26547, Salt Lake City, UT 84126-0547

**Statement of Accounts**

This Statement: September 29, 2023

Last Statement: August 31, 2023

Primary Account [REDACTED]

0058154

1593-06-0000-ZFN-PG0021-00000

UTAH VIRTUAL ACADEMY  
 TIFFANY ALLEN  
 310 E 4500 S STE 620  
 SALT LAKE CITY UT 84107-4266

For 24-hour account  
 information, please contact:

1-800-789-BANK (2265)

**zionsbank.com****WE HAVEN'T FORGOTTEN WHO KEEPS US IN BUSINESS. ®****SUMMARY OF ACCOUNT BALANCE**

<i>Account Type</i>	<i>Account Number</i>	<i>Checking/Savings Ending Balance</i>	<i>Outstanding Balances Owed</i>
Commercial Analyzed Checking	[REDACTED]	\$4,709,015.14	

**COMMERCIAL ANALYZED CHECKING**

128 0

<i>Previous Balance</i>	<i>Deposits/Credits</i>	<i>Charges/Debits</i>	<i>Checks Processed</i>	<i>Ending Balance</i>
8,704,653.42	1,709,124.05	5,481,322.65	223,439.68	4,709,015.14

**2 DEPOSITS/CREDITS**

<i>Date</i>	<i>Amount</i>	<i>Description</i>
09/11	5,151.50	DEPOSIT 7676077946
09/29	1,703,972.55	State of Utah UTAHEFT 202309280002569REF # 023272003674442 1100296871

**31 CHARGES/DEBITS**

<i>Date</i>	<i>Amount</i>	<i>Description</i>
09/06	544,444.11	Stratus HR EDI PYMNTS 1733653 REF # 023248001920041 1125000093
09/08	1,203.65	Stratus HR EDI PYMNTS 1740403 REF # 023250006019707 1123600305
09/12	18,488.97	CREDIT CARD ECS PAYMENT REF # 023255008630984 1122100564
09/18	36.00	AVIDPAY SERVICE AVIDPAY CK29717 REF # 023261003100291 1123900734
09/18	180.25	AVIDPAY SERVICE AVIDPAY CK29721 REF # 023261003099915 1123900730
09/18	282.03	AVIDPAY SERVICE AVIDPAY CK29722 REF # 023261003100288 1123900733
09/18	312.89	AVIDPAY SERVICE AVIDPAY CK29724 REF # 023261003099192 1123900724
09/18	379.88	AVIDPAY SERVICE AVIDPAY CK29716 REF # 023261003099160 1123900721
09/18	385.00	AVIDPAY SERVICE AVIDPAY CK29726 REF # 023261003100285 1123900732
09/18	460.00	AVIDPAY SERVICE AVIDPAY CK29713 REF # 023261003099912 1123900729
09/18	618.00	AVIDPAY SERVICE AVIDPAY CK29730 REF # 023261003099909 1123900728
09/18	650.00	AVIDPAY SERVICE AVIDPAY CK29715 REF # 023261003099146 1123900718
09/18	1,100.00	AVIDPAY SERVICE AVIDPAY CK29723 REF # 023261003100321 1123900735
09/18	1,199.97	AVIDPAY SERVICE AVIDPAY CK29719 REF # 023261003099149 1123900719
09/18	1,541.74	AVIDPAY SERVICE AVIDPAY CK29728 REF # 023261003099906 1123900727
09/18	2,536.91	AVIDPAY SERVICE AVIDPAY CK29720 REF # 023261003099918 1123900731
09/18	2,828.78	AVIDPAY SERVICE AVIDPAY CK29727 REF # 023261003099177 1123900722
09/18	3,290.00	AVIDPAY SERVICE AVIDPAY CK29729 REF # 023261003099152 1123900720
09/18	4,419.83	AVIDPAY SERVICE AVIDPAY CK29718 REF # 023261003099472 1123900726
09/18	4,565.69	AVIDPAY SERVICE AVIDPAY CK29725 REF # 023261003099180 1123900723
09/18	6,498.15	AVIDPAY SERVICE AVIDPAY CK29714 REF # 023261003099232 1123900725
09/18	4,000,000.00	Utah State Treas MIXED 8333 REF # 023261003123982 1123900736
09/20	1,567.98	AVIDPAY SERVICE AVIDPAY CK29734 REF # 023263005313880 1122901081
09/20	7,468.60	AVIDPAY SERVICE AVIDPAY CK29738 REF # 023263005313883 1122901082
09/20	9,214.79	AVIDPAY SERVICE AVIDPAY CK29736 REF # 023263005313253 1122901075
09/20	10,764.00	AVIDPAY SERVICE AVIDPAY CK29740 REF # 023263005313268 1122901077



## An Easy Approach To Balancing Your Account

**To reconcile your checkbook balance to your statement balance:** Mark off each entry in your check register that has been charged to your account during the statement period. List the checks you have written, but are not yet charged to your account in the "Checks Outstanding" column below. Then, follow the instructions in lines 1 through 10.

CHECKS OUTSTANDING		CHECKBOOK BALANCE	
Check Number	Check Amount	1. LIST your checkbook balance.	
		2. ADD any deposits or other credits listed on the front of this statement which you have not recorded in your checkbook (such as payroll credits or other direct electronic deposits).	
		3. SUBTOTAL:	
		4. SUBTRACT any charges listed on the front of this statement which you have not recorded (such as service charges, automatic transfers, electronic transactions, etc).	
		5. ADJUSTED CHECKBOOK BALANCE:	
		<i>This balance should agree with line 10, below.</i>	
		STATEMENT BALANCE	
		6. LIST your current statement balance as shown on the front of this statement.	
		7. ADD deposits made, but not shown on this statement.	
		8. SUBTOTAL:	
		9. SUBTRACT total from "Checks Outstanding."	
		10. ADJUSTED STATEMENT BALANCE:	
TOTAL:		<i>This balance should agree with line 5, above.</i>	

*Transfer to Line 9.*

### PROMPTLY EXAMINE YOUR STATEMENT AND REPORT ANY PROBLEM

You must promptly examine your account statements and report any discoverable errors, unauthorized signatures, alterations, missing endorsements, or unauthorized transfers. Failure to do so may result in your loss of certain rights or remedies. For example, you must identify the discoverable alteration or forgery of a check within 30 days of us sending you, or making available to you, the statement reflecting that check, and you must also immediately report to us what you find. Businesses should check their account transactions daily, for which various online services are available. For additional information, please see your deposit account agreement and application service agreement(s) for details. See also the consumer disclosures below.

### CONSUMER ACCOUNTS: IN CASE OF ERRORS OR QUESTIONS ABOUT YOUR ELECTRONIC TRANSFERS OR CHECK RESERVE TRANSACTIONS

As soon as you can, please notify us if you think an electronic transfer or Check Reserve transaction is wrong or if you need more information about a transaction listed on the statement. We must hear from you no later than 60 days after we sent or made available the FIRST statement on which the problem or error appeared. The provisions in this paragraph do not apply to business or other non-personal accounts. The owners of those accounts must settle all unauthorized transactions or errors within 24 hours of receipt of the item posting in order to be returned.

1. Tell us your name and account number.
2. Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe it is an error or why you need more information.
3. Tell us the dollar amount of the suspected error.

**For CHECK RESERVE accounts:** You do not have to pay any amount in question while we are investigating, but you are still obligated to pay the parts

of your bill that are not in question. The charge in question may remain on your statement, and we may continue to charge you interest on that amount.

But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount. While we investigate your question, we cannot report you as delinquent or take any action to collect the amount you question. You must notify us in writing. You can telephone us, but doing so will not preserve your rights. Contact us at Zions Bank, PO Box 25787, Salt Lake City, UT 84125-0787.

**For electronic transfers:** We will investigate your complaint and will correct any error promptly. If we take more than 10 business days to do this, we will credit your account for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation. Contact us at Zions Bank, EFT Dept. PO Box 25837, Salt Lake City, UT 84125-0837 or 1-800-662-4346.

**Balance Subject to Interest Rate:** We use the method called "average daily balance", (including current transactions) to calculate the daily balance. If you have any further questions about the method and how resulting interest charges are determined, please feel free to contact us at 1-800-974-8800.

**We may report information about your Check Reserve account to credit bureaus.** Late payments, missed payments, or other defaults on your account may be reflected in your credit report.

**Please notify us if we report any inaccurate information about your account(s) to a credit bureau.** Your written notice describing the specific inaccuracy should be sent to us at the following address: Zions Bank, PO Box 25787, Salt Lake City, UT 84125-0787.

*Thank you for banking with Zions Bank.*

**Visit us online at [www.zionsbank.com](http://www.zionsbank.com)**

Review account balances • Review posted transactions • Pay bills • Transfer funds

**Call 1-800-840-4999 to enroll today**

**ZIONS BANK®**

PO Box 26547, Salt Lake City, UT 84126-0547

September 29, 2023  
UTAH VIRTUAL ACADEMY

Continued ...

Date	Amount	Description
09/20	10,875.00	AVIDPAY SERVICE AVIDPAY CK29739 REF # 023263005313256 1122901076
09/20	11,091.89	AVIDPAY SERVICE AVIDPAY CK29735 REF # 023263005313351 1122901080
09/20	17,502.00	AVIDPAY SERVICE AVIDPAY CK29737 REF # 023263005313337 1122901079
09/20	72,344.48	AVIDPAY SERVICE AVIDPAY CK29733 REF # 023263005313279 1122901078
09/21	745,072.06	Stratus HR EDI PYMNTS 1752003 REF # 023263005445230 1123100062

**3 CHECKS PROCESSED**

Number.....	Date.....	Amount	Number.....	Date.....	Amount	Number.....	Date.....	Amount
29731	09/14	1,964.40	29732	09/14	39,062.49	29741*	09/26	182,412.79

\* Not in check sequence

**AGGREGATE OVERDRAFT AND RETURNED ITEM FEES**

	Total for This Period	Total Year-to-Date
Total Overdraft Fees	\$0.00	\$0.00
Total Returned Item Fees	\$0.00	\$0.00

To learn more about our other products and services that may lower the cost of managing account overdrafts or to discuss removing overdraft coverage from your account, please contact Customer Service or visit your local branch.

**DAILY BALANCES**

Date.....	Balance	Date.....	Balance	Date.....	Balance
09/06	8,160,209.31	09/14	8,104,641.30	09/21	3,187,455.38
09/08	8,159,005.66	09/18	4,073,356.18	09/26	3,005,042.59
09/11	8,164,157.16	09/20	3,932,527.44	09/29	4,709,015.14
09/12	8,145,668.19				



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# Utah Virtual Academy Reconciliation report

As of 09/30/2023  
Account: PTIF - UTVA

Statement ending balance	10,067,391.94
Deposits in transit	0.00
Outstanding checks and charges	0.00
Adjusted bank balance	10,067,391.94
Book balance	10,067,391.94
Adjustments*	0.00
Adjusted book balance	10,067,391.94

Total Checks and charges Cleared	0.00	Total Deposits Cleared	4,034,665.00
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## Deposits

Name	Memo	Date	Doc no.	Cleared	In transit
	From bank account ' UTVA Zions Bank' to bank account ' UTVA PTIF'	09/15/2023		4,000,000.00	
	REINVESTMENT	09/30/2023		34,665.00	
Total Deposits				4,034,665.00	0.00

## Checks and charges

Name	Memo	Date	Check no.	Cleared	Outstanding
Total Checks and charges				0.00	0.00

## STATEMENT OF ACCOUNT

## PTIF

## UTAH PUBLIC TREASURERS' INVESTMENT FUND

Marlo M. Oaks, Utah State Treasurer, Fund Manager

PO Box 142315

350 N State Street, Suite 180

Salt Lake City, Utah 84114-2315

Local Call (801) 538-1042 Toll Free (800) 395-7665

www.treasurer.utah.gov

UTAH VIRTUAL ACADEMY  
 STACY LINRUD  
 310 EAST 4500 SOUTH #620  
 MURRAY UTAH 84107

## Account

## Account Period

September 01, 2023 through September 30, 2023

## Summary

Beginning Balance	\$ 6,032,726.94	Average Daily Balance	\$ 7,766,060.27
Deposits	\$ 4,034,665.00	Interest Earned	\$ 34,665.00
Withdrawals	\$ 0.00	360 Day Rate	5.3564
Ending Balance	\$ 10,067,391.94	365 Day Rate	5.4308

Date	Activity	Deposits	Withdrawals	Balance
09/01/2023	FORWARD BALANCE	\$ 0.00	\$ 0.00	\$ 6,032,726.94
09/18/2023	Approved	\$ 4,000,000.00	\$ 0.00	\$ 10,032,726.94
09/30/2023	REINVESTMENT	\$ 34,665.00	\$ 0.00	\$ 10,067,391.94
09/30/2023	ENDING BALANCE	\$ 0.00	\$ 0.00	\$ 10,067,391.94



Bill To:
Utah Virtual Academy Attn: Jenn . 310 East 4500 South Suite 620 ATTN: Tammy Keyser Murray, UT 84107

Date	Invoice
09/29/2023	204170
Account	
Utah Virtual Academy 0003005	

Terms	Due Date	PO Number	Reference
Net 30 days	10/29/2023	Per Chuck Trapp	Order #37883
PLEASE REMIT PAYMENT TO:			
Virtual Technologies Group, LLC P.O. Box 715847 Cincinnati, OH 45271-5847			

Products & Other Charges	Quantity	Price	Amount
<b>Billable Products &amp; Other Charges</b>			
Stride Utilities Including following modules:	155.00	\$77.00	\$11,935.00
1. Virtual System Administrator "Instant Help" Annual Device Agent			
2. AntiVirus Software (requires VTG IH Solution)			
3. Inventory Management Module			
4. Fleet Management			
5. Advanced Ticketing ConnectWise			
6. ThirdWall (Lockdown Policies, Ransomware Protect, Logon Reporting, etc...)			
7. Customized Reporting Utilities will expire June 30, 2024.			
Renewable July 1, 2024. Agent will auto renew on designated renewal date unless VTG is notified in writing by emailing cancel@vtgus.com 30 days prior to renewal date.			
**Quantities reflective of March/April '23, Invoicing to be adjusted to current counts as of July 1, 2023.			
<b>Total Products &amp; Other Charges:</b>			<b>\$11,935.00</b>
<b>TERMS &amp; CONDITIONS:</b> To view our terms and conditions, visit <a href="http://vtgus.com/terms">vtgus.com/terms</a>  Methods of payment accepted include check, credit card, and ACH. Credit card payments are subject to a 3% processing fee.	<b>Invoice Subtotal:</b>	\$11,935.00	
	<b>Sales Tax:</b>	\$0.00	
	<b>Invoice Total:</b>	<b>\$11,935.00</b>	
	<b>Payments:</b>	\$0.00	
	<b>Credits:</b>	\$0.00	
	<b>Balance Due:</b>	<b>\$11,935.00</b>	





# INVOICE

## FIXED PRICE SERVICES

**DATE:** SEPTEMBER 19, 2023

**INVOICE #** 0919-23-1

**PAYMENT TERMS:** 30 DAYS

Meghan Merideth  
Executive Director  
310 East 4500 South, Suite 620  
Murray, UT 84107  
[mmerideth@utahvirtual.org](mailto:mmerideth@utahvirtual.org)  
801-358-3706

PROJECT
The Utah Education Policy Center (UEPC) is offering Leadership and Inquiry for Transformation (LIFT) for Utah Virtual Academy for the 2023-24 school year.

DESCRIPTION	TOTAL
First invoice, per executed agreement	\$22,837.50
<b>Total Due This Invoice</b>	<b>\$22,837.50</b>

Payment is accepted by check only, payable to the **Utah Education Policy Center**

**Our mailing address:**  
Utah Education Policy Center  
1721 Campus Center Drive #1262  
Salt Lake City, UT 84112

Thank you!

Payment questions: [natalee.wilding@utah.edu](mailto:natalee.wilding@utah.edu)

*Due to the large volume of mail coming to the University of Utah, we recommend that you mail payments via Certified Mail.*

University of Utah  
Utah Education Policy Center  
1721 Campus Center Drive ~ Room 1262 • Salt Lake City, UT 84112  
(801) 585-5594



# INVOICE

Invoice #: INV2205  
Invoice Date: 10/01/2023  
Due Date: 10/25/2023

## Academica West

290 N Flint St  
Kaysville, UT 84037  
Ph: (801) 444-9378  
Fax: (801) 497-0461

### Bill To:

**Utah Virtual Academy**  
310 E 4500 S Suite 620  
Murray, UT 84107  
United States

### Ship To:

**Utah Virtual Academy**  
310 E 4500 S Suite 620  
Murray, UT 84107  
United States

Reference #:

Terms: Due on Receipt

Item	Description	Unit	Quantity	Unit Price	Amount
Management Fees	Management Fees - 1,000 Students @ \$375 per student (Estimated until Oct 1 Count)	Each	83.3333	\$375.00	\$31,249.99
Management Fees	Management Fees - 750 Students @ \$125 per student (Estimated Until Oct 1 Count)	Each	62.5	\$125.00	\$7,812.50
Subtotal					\$39,062.49
Total					\$39,062.49

## Utah Virtual Academy Governing Board of Directors Board Meeting

**Date:** September 13, 2023

**Location:** 310 E. 4500 S., Suite 620; Murray, UT 84107

**In Attendance:** Brian Maxwell, Doug DeVore, Amberly Keeler, Marty Carpenter, Kellie Openshaw

**Others In Attendance:** Meghan Merideth, Regina Krotzer, Matt Thue, Tiffany Allen, LuAnn Charles, Jillian Burns, Joette Hayden, Brad Taylor, Krystal Taylor, Chantel Wixon, Stacey Phillips, Shelly Strahan

**Excused:** Dallin Drescher, Kristen Davidson

## MINUTES

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### CALL TO ORDER

Brian Maxwell called the board meeting to order at 6:33PM.

### STUDENT & STAFF SPOTLIGHT

The staff spotlight for this month was Diana Lowder. Diana Lowder is an amazing leader at UTVA! She is highly collaborative, an absolute team player, innovative in finding ways to engage her second graders, and not afraid to try new things! Diana has been passionate about adding writing instruction into her literacy block. Diana is not afraid to ask the hard questions or ask for help. She always puts her students and their learning first. Thank you, Diana, for being so positive, hardworking, and your go getter attitude.

The student spotlight was Emerald Limon.

Meet the remarkable 7-year-old, Emerald, whose educational journey with UTVA highlights the incredible benefits of online public schooling. With a deep passion for math and an insatiable love for reading, Emerald has found an educational haven that caters to her unique needs and preferences. Emerald thrives in UTVA's flexible environment, where she can stand up and move freely without disrupting her classmates, allowing her to stay focused and engaged. She cherishes the opportunity to interact with her dedicated teacher and beloved friends, all without causing any interruptions during class. UTVA's personalized approach to education is a perfect fit for Emerald, enabling her to explore math concepts at her own pace and dive into her favorite books whenever she desires. Beyond academics, UTVA allows Emerald to enjoy quality family time without the need to leave the comfort of her home. Wearing pajamas and a cozy robe while studying, she embodies the essence of a relaxed and nurturing learning environment. Emerald is a testament to the possibilities of online public schooling through UTVA, demonstrating how it empowers young minds to thrive, pursue their passions, and cherish their family moments, all while receiving a quality education tailored to their needs.

### PUBLIC COMMENT

There was no public comment.

## **BUSINESS ITEMS** (Discussion and Voting)

- Finance Report  
Brad Taylor summarized ongoing financial elements. A financial packet was reviewed in depth. Brad Taylor answered board questions on budget elements. It was the recommendation that the board accept state revenue, approve bank reconciliations, approve invoices and other payments. Brad Taylor discussed movement of funds to the PTIF account.
- Acceptance of State Revenue  
*Doug DeVore made a motion to Accept State Revenue as presented. Brian Maxwell seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
- Bank Reconciliations and Payment and Deposit Registers  
*Brian Maxwell made a motion to Accept Bank Reconciliations and Payment and Deposit Registers and to move funds as described to the PTIF. Kellie Openshaw seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
- Invoice Approval for Purchases over \$7,500  
*Brian Maxwell made a motion to approve the purchases as presented. Doug DeVore seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
  - K12 / Stride Payment  
The K12/Stride Payment was reviewed as part of the financial report.  
*Doug DeVore made a motion to approve the K12/Stride Payment. Brian Maxwell seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
  - Academica West Payment  
The Academica West Payment was reviewed as part of the financial report.  
*Brian Maxwell made a motion to approve the Academica West Payment. Doug DeVore seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
- Director Report  
Meghan Merideth provided an update on the current state of enrollment. Information on student proficiency and Early Literacy outcomes were also shared.
- Academica West Report  
Brad Taylor introduced Chantel Wixon and Stacey Phillips to the board. Both individuals are employees at Academica West who will be working with UTVA.
- Board Business

- HR Request for Proposals  
HR Request for Proposals was discussed with the board.  
*Brian Maxwell made a motion to approve the process to execute the HR Request for Proposals as discussed. Doug DeVore seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*

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

*At 7:29PM Brian Maxwell Made a motion to move into closed session, located at the UTVA offices. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye. Motion passed unanimously.*

*At 7:57PM Brian Maxwell made a motion to move out of closed session. Doug DeVore seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*

- Board Business
  - August 9, 2023 Board Meeting Minutes  
*Brian Maxwell made a motion to approve the August 9, 2023 Board Meeting Minutes; Doug DeVore seconded the motion. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
  - Related Services Contract  
The Related Services Contract was discussed by the board.  
*Brian Maxwell made a motion to approve the Related Services Contract as presented. Kellie Openshaw seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
  - SpEd Consulting Services Contract  
Meghan Meredith provided context to the Special Education Consulting Services Contract. This agreement will be executed to meet further needs for support in the SpEd area.  
*Brian Maxwell made a motion to approve the SpEd Consulting Services agreement as outlined. Doug DeVore seconded the motion. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*
  - Utah Education Policy Center Contract  
The board discussed the need to approve the Utah Education Policy Center Contract,  
*Brian Maxwell made a motion to approve the Utah Education Policy*

*Center Contract as outlined. Amberly Keeler seconded the motion. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*

## **CALENDARING**

- Next Board Meeting October 11, 2023, 6:30pm

## **ADJOURN**

*At 8:04PM Brian Maxwell made a motion to adjourn. Doug DeVore seconded. Motion passed unanimously. Votes were as follows: Brian Maxwell, Aye; Marty Carpenter, Aye; Doug DeVore, Aye; Amberly Keeler, Aye; Kellie Openshaw, Aye.*

## **Utah Virtual Academy**

### **Board of Directors Closed Session**

**Date:** September 13, 2023

**Location:** 310 E. 4500 S., Suite 620; Murray, UT 84107



### **CLOSED SESSION SWORN STATEMENT:**

At a duly noticed public meeting held on the date listed above, the board of directors for Utah Virtual Academy entered into a closed session for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual in accordance with Utah Code Ann. 52-4-2(1)(a).

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

Signed on the 13<sup>th</sup> Day of September, 2023, at 310 E. 4500 S., Suite 620; Murray, UT 84107.

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Brian Maxwell, Board Chair

## UTVA Policy Amendment Summaries

### Attendance Policy

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. The amendments to the policy include reducing the frequency by which the Board must review the policy (reducing the review requirement from annually to regularly) and removing the requirement for the Board to annually review the school's attendance data. The school's procedures should be amended to include defining what constitutes "chronic absenteeism;" adding what the school does to prevent chronic absenteeism; including a 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 any 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.

### Student Conduct and Discipline Policy

This past summer the USBE amended R277-609, which is a rule governing LEA discipline and safety. In addition, during the past legislative session the legislature passed HB 304, which is a bill covering juvenile justice revisions. The changes to R277-609 and the passage of HB 304 necessitate amending the school's Student Conduct and Discipline Policy and/or procedures. These amendments include modifying the requirements related to referring students to evidence based-alternative interventions when they are alleged to have committed certain offenses on school property; adding a new section requiring the school to use a multidisciplinary team and to develop a reintegration plan after receiving a notification from the juvenile court or law enforcement that one of its students is alleged to have committed a violent felony or weapons offense; and updating the requirements related to the school's administrative student conduct and discipline plan, which includes clarifying that this plan must be consistent with the school's required plan for harassment and discrimination free learning (the school's administration has already created the school's plan for harassment and discrimination free learning). Other minor revisions have also been made to the policy to make it more consistent with law and rule.

## **Student Conduct and Discipline Policy**

Revised: 08.09.2023

### **1. PURPOSE, BELIEFS, AND PHILOSOPHY**

#### **1.1 Purpose**

***The purpose of Utah Virtual 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, but 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 sets 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 applicable School 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 in this policy 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, or veteran status. Complaints of discrimination or unfair application of this policy should be submitted pursuant to the School's Grievance Policy.

## **3. DEFINITIONS**

### **3.1 Suspension**

For purposes of this policy, 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 Principal'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 this policy, 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 Principal 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 of this policy.

### 3.4 Disruptive Student Behavior

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

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### 3.6 Qualifying Minor

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

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### 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

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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; or

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

**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 this policy 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 Executive Director, Principal, 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 this policy, 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 this policy 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 this policy must be followed.

### **4.5 Gangs**

For purposes of this policy, "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 this policy. For the purposes of this policy, "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 this policy, 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 Principal or their designee shall request the surrender of or confiscate electronic cigarette products as provided in Section 16 of this policy.

**4.7.3** The Principal will ensure that any surrendered or confiscated electronic cigarette product is destroyed or disposed of. However, the Principal 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 Principal has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the Principal 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 Principal 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 Principal 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 State of Utah 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 Principal or a teacher or counselor designated by the Principal 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 Principal is authorized to issue notices of disruptive student behavior to students who are qualifying minors.

**6.2.2 Criteria for Issuing Notice.** The Principal 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 Principal, 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 Principal 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 Principal 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 § 80-6-901, including that it is a diversion program that provides an alternative disposition for cases involving minors who have committed minor offenses 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. 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, the minor may be referred:

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

(1) a mobile crisis outreach team;

(2) a youth services center, as defined in § 80-5-102;

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

(4) an evidence-based alternative intervention 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

(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, 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.

## **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 this policy.

**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 Principal 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 Principal to review the suspension.

**8.2** The Principal 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 Principal 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 Principal.

**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 Principal, 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 Principal believes that a student should be suspended for more than ten (10) days or expelled, the Principal 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 Principal shall also notify the non-custodial parent of the suspension or expulsion as outlined in Section 8.2 of this policy.

### **9.2 Notice to Student and Parent/Guardian**

During the meeting required in Section 9.1, the Principal 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 Principal 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 Principal 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 Principal'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 this policy, 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 Office 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.

#### **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 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;

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

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**11.1.7** an ongoing staff development program related to development of:

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[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;

**11.1.8** procedures for ongoing training of appropriate School personnel in:

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[a] crisis management;

Deleted: intervention training

[b] emergency safety interventions; and

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

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

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**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);

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

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[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:

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[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);

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[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;

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[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

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

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[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

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(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;

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[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

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attempted;

(ii) a FBA has been conducted; and

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

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11.1.13 direction for dealing with bullying and disruptive students;

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11.1.14 direction 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;

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

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

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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;

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11.1.18 strategies to provide for necessary adult supervision;

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

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11.1.20 notice to employees that violation of Rule R277-609 may result in employee discipline or action;

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

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

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[a] the role of law enforcement; and

[b] emergency medical services; and

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

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[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;

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

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(iii) a youth court; or

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(iv) a comparable restorative justice program; and

11.1.23 procedures for responding to reports received through the SafeUT Crisis Line established under § 53B-17-1201 *et seq.*

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## 11.2 Plan Consistent with this Policy

The administrative Student Conduct and Discipline Plan shall be consistent with this policy, 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.

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

The Principal 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 Principal shall conduct investigations according to the following general guidelines:

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



**14.1.2** The Principal 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 Principal 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 Principal 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 Principal has the responsibility and the authority to determine when the help of law enforcement officers is necessary, as outlined in this policy 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 Principal, law enforcement should be notified, the following procedure should be followed:

[a] The Principal 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 Principal shall document the contact or attempted contact with the student's parents or legal guardian. If the Principal 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 Principal 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 Principal or other designated person before beginning an investigation on School premises.
- (ii) The Principal shall document the circumstances warranting the investigation as soon as practical.
- (iii) Alleged criminal behavior related to the School environment brought to the Principal'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 Principal shall immediately notify the Executive Director 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 Principal and relate the circumstances necessitating such action.
- [e] Whenever the need arises to make arrests or take students into custody on School premises, the Principal 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 Principal shall have the student summoned to the Principal'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 Principal, the School staff present shall encourage the law enforcement officers to tell the Principal of the circumstances as quickly as possible.

If the officers decline to tell the Principal, the School staff members present shall immediately notify the Principal and 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 a Principal 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 Principal'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 Principal, 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 Principal 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 Principal 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 Principal, 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 Principal 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 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., Principal, 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 this policy.

#### **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, Executive Director, and Principal 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 Principal and Executive Director.

**17.1.2** Upon receipt of the information, the Principal 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 Principal 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 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.

#### **17.3.1 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 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 which meet the circumstances described in R277-608-5 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 Principal; 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] 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.

**Deleted:** create and communicate methods for evaluation of the efficiency and effectiveness of the Schools' rules and standards

**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 this policy and the administrative Student Conduct and Discipline Plan at new employee orientation. All other employees shall be provided information on a regular basis regarding this policy, 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 shall receive annual training on this policy and related legal developments.

**19.3** The Principal shall be responsible for informing students, parents, and staff of the terms of this policy 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 this policy and the Student Conduct and Discipline Plan shall be posted in the School, and the policy and plan will be posted on the School's website. The policy or a summary of the policy 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** This policy and the plan shall be reviewed as necessary with appropriate revisions recommended to the Board.

## Attendance Policy

Adopted: June 12, 2008

Revised: May 25, 2011, July 12, 2013, August 1, 2014, July 31, 2015, May 1, 2019

Reviewed: June 10, 2020, July 14, 2021, June 8, 2022, June 14, 2023

### Policy

Utah Virtual 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 result in a loss of continuity of instruction. Also, frequent absences 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, as well as Utah Administrative Code Rule R277-607-4.

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

### Review

The School’s Board of Directors (the “Board”) shall review this policy regularly.

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Deleted: The Board shall also annually review attendance data and consider revisions to this policy and the related procedures to encourage student attendance.

