



LEADERSHIP
LEARNING
ACADEMY

Board Meeting Packet

BOARD MISSION STATEMENT

It is the mission of the Board to make the academic growth and achievement of students the focus of Leadership Learning Academy. This is accomplished through modeling the school Charter of principled and inspired leadership. The Board will govern not manage. It will act in a manner that maintains financial stability. It will speak and act with a unified voice.

October 16, 2023

Leadership Learning Academy Board Meeting Agenda Monday, October 16, 2023



Location: Lagoon, 375 North Lagoon Dr, Farmington, UT 84025

Zoom Link: <https://us02web.zoom.us/j/86988376700?from=addon>

Meeting ID: 869 8837 6700

Mobile: (669) 900-9128

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

MISSION: Our mission is to provide an educational experience that empowers individuals to become leaders who embody integrity, respect, and resilience and value community. Through our Flight Crews, we foster personal growth, challenge individuals to positively impact the world, and cultivate lifelong learning.

VISION: At Leadership Learning Academy, we embrace The Flyer Creed, creating a thriving school community where everyone learns, grows, and serves with compassion and unity.

Agenda

2023-2024 Strategic School Plan

Schoolwide Unity & Collaboration “We Are CREW!”

Teacher & Staff Development

Fiscal Responsibility

Continue Growth & Maintain Literacy Proficiency

5:30 PM – CALL TO ORDER

- Welcome by Terry Capener
- Board Mission
- School Mission
- School Vision

PUBLIC COMMENT (Items Not on the Agenda – Limit 3 Minutes)

REPORTS

- Administration
 - [State of the School](#) – Jared Buckley
 - ✓ [October 1](#)
- Board of Directors
 - [Review Financials](#) – Jimmy Sunlight

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

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

- [Review Board Calendar](#) – Terry Capener
- Academica West
 - [Review Building Maintenance](#) – Kirk Blake

ANNUAL BOARD TRAINING

- [Review Board Constitution & Evaluation/ Board Member Agreement](#)* – Terry Capener
- [Review Board Communication Guidelines](#) – Terry Capener
- [Annual Open & Public Meetings Act Training](#)* – Brandon Fairbanks
- [Annual Policies, Plans & Procedures Training](#) – Brandon Fairbanks

CONSENT ITEMS

- [August 22, 2023 Board Meeting Minutes](#)

VOTING ITEMS

- [Layton Campus Snow Removal Rate Sheet](#) – Jared Buckley
- [LEA-Specific Educator License\(s\)](#)* – Jared Buckley
- [Amend School Lunch Price for Adult Meals](#) – Jared Buckley
- [Amended Attendance Policy](#) (Admin Procedures) – Brandon Fairbanks
- [Amended Student Conduct & Discipline Policy](#) – Brandon Fairbanks

OTHER BUSINESS ITEMS

- Calendaring Items – Terry Capener
 - Reschedule Holiday Social – November 6th
 - Next Pre-Board Meeting – November 20th
 - Next Board Meeting – December 4th @ Ogden Campus
 - NCSC2 Boston, MA – June 30 – July 3

CLOSED SESSION to discuss an individual's character, professional competence, or physical or mental health pursuant to Utah Code 52-4-205(1)(a)

ADJOURN

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Lead Director Report

10/11/2023

School wide unity and collaboration by implementing the CREW program:

★ Community

- ✓ This month in Layton we held our Fall Festival. For the first time since we have held this community building event, we were able to invite small business owners from our local community to attend. The economy has made it difficult to be a successful small business owner and we wanted to offer support where we could. We reached out to local small business owners and invited them to set booths up along the track at our event. Our vendors were largely selling arts and crafts, which were a big hit with our families. Many of them thanked us afterwards for giving them the opportunity to get new business. We were thankful to have them as well, and plan to invite them back for our Evening with Santa in December.
- ✓ Ogden 5th Grade reached out to SwiftFix Bike Mobile Shop to work on the bikes that they are riding to the botanical gardens. He came to the school and repaired 27 bikes.

★ Respect

- ✓ Our Flight Crew meetings, held daily, have a focus on respect every Thursday. On this day the teachers deliver lessons which teach respect under whichever leadership/crew skill we are focused on for the week. So far, we have covered how to be a respectful active listener in school and with peers, how to be respectful when serving others by offering to helping small or big ways, how to respect our classroom materials and supplies by being organized, which helps create a positive learning environment for our classroom community, and how to be a respectful friend. Each of these lessons on respect are delivered through a meaningful activity in our Circle Up time. The teachers are continuing to reinforce the skills learned throughout the school year. We are already seeing the positive impact on our students with this focus on respect as one of our core values.

★ Integrity

- ✓ Integrity lessons are delivered in our Flight Crews on Wednesdays. With a weekly focus on this core value, we have started to see our teachers use integrity as a talking point whenever they have a discussion with a student about behavior. The shift from choosing to do the right thing because the rules say so, to choosing to do the right thing because Flyers have integrity, has been a wonderful thing to see. Although

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still a new concept for most students, we are starting to see students make better choices not just because they want a ticket or hope to avoid a consequence.

★ Resilience

- ✓ We have implemented many new changes this year for our teachers and students. Moving from departmentalized classrooms to one classroom for all subjects has been such a positive change. Major changes, however, do not come without their share of challenges. We have had ours, but our teachers and students have risen to face them with positivity and a growth mindset. I have watched teachers solve problems together, mentor one another in new subjects, and give of their own time to help others plan. Resiliency is evident in our staff as we continue to work on making this a successful school year for all.
- ✓ The teachers have shown immense resilience with the unforeseen challenges. They have been patient, kind, and structured with their sweet new Kinders.

★ CREW

- ✓ Crew has gotten off to a great start. Every morning our students happily gather in their Flight Crews to start the day. Many of our students point to this 20-minute community building time as the best part of their day. Each week Melissa writes five-day Crew lesson plans for all teachers to implement in their Flight Crews. Ogden has started to use this as well. The lesson plans cover the topics listed below, which were chosen based on research for what children need to be successful in both school and the greater world. We cover one topic each week, which is taught through the lens of the Flyer Creed. Students learn how our core values, (community, integrity, respect, and resilience), can help them be successful when applied to the broader skill being introduced. Teachers are thrilled to have a time and a place to explicitly address these important topics, which include both social-emotional skills and student skills. Once they are taught in an engaging and fun way during our Flight Crews, they are then practiced and reinforced throughout the rest of the year. Teachers are already reporting that students are starting to use the language and skills learned during this valuable time. We would also love to invite any board member to visit the school from 8:00 – 9:00 any morning to participate in one of our Flight Crews.

1. Introducing the Flyer Creed
2. Deepening Our Understanding of the Flyer Creed
3. Active Listening
4. Service/Helping Others
5. Organization
6. Friendship
7. Bullying
8. Time management
9. Problem Solving
10. Dealing with Disappointment
11. Asking Questions
12. Conflict Resolution
13. Responsibility
14. How to Say No

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15. Manners/Etiquette
16. Task Monitoring
17. Empathy
18. Communication
19. How to Study
20. Cooperation
21. How to Make Learning Connections
22. Positive Mindset
23. Appreciating Yourself
24. Active Learning
25. Fairness and Equity
26. Limiting Distractions
27. Growth Mindset
28. Making choices
29. Trustworthiness
30. Best Effort
31. Stamina and Rest
32. Inclusion

★ 6th Grade Crews

- ✓ All 6th grade will have CREW responsibilities. Each student will be assigned to a class. They will be responsible of delivering a monthly message of what is happening. Also, teachers will have them helping once a week with different classroom projects. We will eventually have them participating in CREW Circle Ups with the class.
- ✓ Each 6th grade student is assigned to a committee. These committees include safety patrol, recycling crew, Leadership Breakfast, Halloween Parade, Book Fair, Birthday Table, Treat Walk, Veterans Breakfast, and other school activities.
- ✓ We are meeting with parents to discuss our new CREW Adventure for 6th Grade. We are planning multiple crew adventures throughout the year. These adventures aim to promote leadership, teamwork, and our Flyers Creed. We'll cap off these events with a special multi-day crew adventure where students will have the chance to stay overnight, diving deep into leadership activities and reflecting on their growth at LLA. While our trips to Disneyland have been memorable, it was never truly about Disney. Over the years, the focus might have shifted more to the destination rather than the core reason behind the trip, which was always about fostering leadership that aligns with LLA's core values. We are going to present the idea of traveling to Glenwood Springs.

Teacher and Staff Development:

- ★ Every Tuesday from 3:30 – 4:30 our teachers, and co-teachers, participate in a PLC, (Professional Learning Community). Each Tuesday of the month has a designated subject that the PLC is built around. The subjects are Literacy, Math/Science, Interventions, and Student Data.

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Fiscal Responsibility:

- ★ Last report we showed 905, currently we are 897. We are moving our lottery for next year sooner to compete against other schools.

Continue Growth & Maintain Literacy Proficiency:

- ★ Our Acadience Math and DIBELS testing has been completed for the beginning of the year and teachers have had their first PLC on data where we looked at the results for our students and set growth goals. All staff have been informed of our academic goals for the school year and they are excited to meet the challenge.

Message from the Principal

- ★ I would like to begin by thanking Mr. Buckley and the board for providing me with the opportunity to serve as principal at the LLA Layton campus. I cannot think of a better way to continue my decades long career in education than to be able to be a part of the Flyer learning community in a leadership role. Please know I take my job seriously and will do all I can to help our Flyers grow as both students and as productive citizens of the greater world. I am happy to be able to share with you monthly the meaningful and effective learning that takes place at LLA daily, as well as the community building activities that keep our Flyer culture positive, engaging, and fun.

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UTREx Report - School Summary

Numbers in BOLD differ by 10% or more from prior year

10/2/2023 1:22:58 PM

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3l Leadership Learning Academy

100 Leadership Learning Academy

October 1 2023 Counts		Prior Year
Grade	Oct 1 Count	Oct 1 Count
Kindergarten	76	74
Grade 1	75	65
Grade 2	81	70
Grade 3	64	77
Grade 4	71	72
Grade 5	70	57
Grade 6	63	59
Regular Total	500	474

October 1, 2023 Counts	Oct 1 Count	Prior Year Oct 1 Count
Part Time		
Home School	0	0
Private School	0	0
Stable	0	0
Resident Status		
Non Utah resident (A)	0	0
Utah Resident but NOT LEA resident (B)	0	0
LEA resident enrolled in another State (C)	0	0
F1 Foreign Exchange - no WPU (F)	0	0
J1 Foreign Exchange - WPU (J)	0	0
Pre-Kindergarten		
Regular	0	0
Special Ed	0	0

Demographics as of Oct 1, 2023							
Categories		Count	Prior Year Count	Categories		Count	Prior Year Count
Overall		500	474	Limited English Proficient	Yes	25	21
Ethnicity / Race	Hispanic/Latino	94	91		Refused Service	0	0
	American Indian	9	6		Fluent	2	4
	Asian	30	21		Total	27	25
	African American/Black	34	33	Selected Flags	Homeless	2	2
	Pacific Islander	26	16		Migrant	0	0
	White	455	439		Native Language Spanish	20	20
Gender	Female	244	216	Tribal Affiliation	Goshute	0	0
	Male	256	258		Navajo	3	3
Free Lunch	Eligible for Free	104	85		Paiute	0	0
	Eligible for Reduced Price	21	33		Northwest Band Shoshone	0	0
	Economic Disadvantaged	1	0		Ute	0	0
	"Disadvantaged" Total	126	118		Other Tribe	6	3
				Youth In Custody	Time 'A'	0	0
Special Education	Time 'A'	49	40		Time 'B'	0	0
	Time 'B'	9	13		Time 'C'	0	0
	Time 'C'	5	1				
Immigrants		16	10				

UTREx Report - School Summary

3I Leadership Learning Academy 100 Leadership Learning Academy

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Charter School Economically Disadvantaged Counts (by District of Residence)		
Charter LEA Of Residence	TOTAL COUNT	ED COUNT
Box Elder District	2	0
Davis District	480	128
Morgan District	1	0
Ogden City District	3	0
Salt Lake District	2	0
Weber District	32	5

KINDERGARTEN TYPES	
FN	50
ON	0
EN	0
YN	0
FY	0
OY	0
EY	0
NN	34
TOTAL	84

For summary information on High School Completion Status, Early Graduate Counts, or Reading On Grade Level please see the Year-end School Summary Cumulative report. For detailed information on graduation rates, please refer to the Federal Four Year Graduation Cohorts report under Year Round Reports.

UTREx Report - School Summary

3I Leadership Learning Academy

Numbers in BOLD differ by 10% or more from prior year

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110 Leadership Learning Academy - Ogden

October 1 2023 Counts		Prior Year
Grade	Oct 1 Count	Oct 1 Count
Kindergarten	52	69
Grade 1	76	66
Grade 2	56	63
Grade 3	57	45
Grade 4	60	56
Grade 5	42	38
Grade 6	55	44
Regular Total	398	381

October 1, 2023 Counts	Oct 1 Count	Prior Year Oct 1 Count
Part Time		
Home School	0	0
Private School	0	0
Stable	0	0
Resident Status		
Non Utah resident (A)	0	0
Utah Resident but NOT LEA resident (B)	0	0
LEA resident enrolled in another State (C)	0	0
F1 Foreign Exchange - no WPU (F)	0	0
J1 Foreign Exchange - WPU (J)	0	0
Pre-Kindergarten		
Regular	0	0
Special Ed	0	0

Demographics as of Oct 1, 2023							
Categories		Count	Prior Year Count	Categories		Count	Prior Year Count
Overall		398	381	Limited English Proficient	Yes	40	22
Ethnicity / Race	Hispanic/Latino	212	191		Refused Service	0	0
	American Indian	18	21		Fluent	1	2
	Asian	11	10		Total	41	24
	African American/Black	34	37	Selected Flags	Homeless	5	4
	Pacific Islander	8	8		Migrant	0	0
	White	353	339		Native Language Spanish	41	32
Gender	Female	195	183	Tribal Affiliation	Goshute	0	0
	Male	203	198		Navajo	0	1
Free Lunch	Eligible for Free	211	236		Paiute	0	0
	Eligible for Reduced Price	20	31		Northwest Band Shoshone	3	1
	Economic Disadvantaged	0	0		Ute	2	0
	"Disadvantaged" Total	231	267		Other Tribe	13	19
Special Education	Time 'A'	26	31	Youth In Custody	Time 'A'	0	0
	Time 'B'	18	14		Time 'B'	0	0
	Time 'C'	7	5		Time 'C'	0	0
Immigrants		7	3				

UTREx Report - School Summary

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3I Leadership Learning Academy 110 Leadership Learning Academy - Ogden

Charter School Economically Disadvantaged Counts (by District of Residence)		
Charter LEA Of Residence	TOTAL COUNT	ED COUNT
Box Elder District	4	2
Canyons District	1	0
Davis District	14	7
Ogden City District	346	202
Weber District	64	30

KINDERGARTEN TYPES	
FN	1
ON	0
EN	0
YN	0
FY	0
OY	0
EY	0
NN	59
TOTAL	60

For summary information on High School Completion Status, Early Graduate Counts, or Reading On Grade Level please see the Year-end School Summary Cumulative report. For detailed information on graduation rates, please refer to the Federal Four Year Graduation Cohorts report under Year Round Reports.

3I Leadership Learning Academy**LEA Totals**

October 1 2023 Counts		Prior Year
Grade	Oct 1 Count	Oct 1 Count
Kindergarten	128	143
Grade 1	151	131
Grade 2	137	133
Grade 3	121	122
Grade 4	131	128
Grade 5	112	95
Grade 6	118	103
Grade 7	0	0
Grade 8	0	0
Grade 9	0	0
Grade 10	0	0
Grade 11	0	0
Grade 12	0	0
Regular Total	898	855

October 1, 2023 Counts	Count	Prior Year Count
Part Time		
Home School	0	0
Private School	0	0
Stable	0	0
Resident Status		
Non Utah resident (A)	0	0
Utah Resident but NOT LEA resident (B)	0	0
LEA resident enrolled in another State (C)	0	0
F1 Foreign Exchange - no WPU (F)	0	0
J1 Foreign Exchange - WPU (J)	0	0
Pre-Kindergarten		
Regular	0	0
Special Ed	0	0

Demographics as of Oct 1, 2023

Categories		Count	Prior Year Count	Categories		Count	Prior Year Count
Overall		898	855	Limited English Proficient	Yes	65	43
Ethnicity / Race	Hispanic/Latino	306	282		Refused Service	0	0
	American Indian	27	27		Fluent	3	6
	Asian	41	31		Total	68	49
	African American/Black	68	70	Selected Flags	Homeless	7	6
	Pacific Islander	34	24		Migrant	0	0
	White	808	778		Native Language Spanish	61	52
	Gender	Female	439	399	Tribal Affiliation	Goshute	0
Male		459	456	Navajo		3	4
Free Lunch	Eligible for Free	315	321	Paiute		0	0
	Eligible for Reduced Price	41	64	Northwest Band Shoshone		3	1
	Economic Disadvantaged	1	0	Ute		2	0
	"Disadvantaged" Total	357	385	Other Tribe		19	22
Special Education	Time 'A'	75	71	Youth In Custody	Time 'A'	0	0
	Time 'B'	27	27		Time 'B'	0	0
	Time 'C'	12	6		Time 'C'	0	0
Immigrants		23	13				

3I Leadership Learning Academy

LEA Totals

Charter School Economically Disadvantaged Counts (by District of Residence)		
Charter LEA Of Residence	TOTAL COUNT	ED COUNT
Box Elder District	6	2
Canyons District	1	0
Davis District	494	135
Morgan District	1	0
Ogden City District	349	202
Salt Lake District	2	0
Weber District	96	35

KINDERGARTEN TYPES	
FN	51
ON	0
EN	0
YN	0
FY	0
OY	0
EY	0
NN	93
TOTAL	144

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Leadership Learning Academy Statement of Activities

Created on October 11, 2023

For Prior Month

Reporting Book:

As of Date:

ACCRUAL

10/11/2023

	Annual June 30, 2024	Year-to-Date September 30, 2023	
	Budget	Actual	% of Budget
Net Income			
Income			
Revenue From Local Sources	248,475	72,231	29.1 %
Revenue From State Sources	8,804,617	2,405,585	27.3 %
Revenue From Federal Sources	1,161,367	30,065	2.6 %
Total Income	10,214,459	2,507,881	24.6 %
Expenses			
Instruction/Salaries	5,004,259	793,677	15.9 %
Employee Benefits	1,511,870	230,395	15.2 %
Purchased Prof & Tech Serv	798,000	197,141	24.7 %
Purchased Property Services	500,500	157,410	31.5 %
Other Purchased Services	192,800	55,158	28.6 %
Supplies & Materials	916,100	293,926	32.1 %
Property	31,075	0	0.0 %
Debt Services & Miscellaneous	1,085,644	8,847	0.8 %
Total Expenses	10,040,248	1,736,554	17.3 %
Total Net Income	174,211	771,327	442.8 %

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**Leadership Learning Academy
Statement of Financial Position
Created on October 11, 2023
For Prior Month**

Reporting Book:
As of Date:

ACCRUAL
10/11/2023

	Period Ending 09/30/2023	Period Ending 09/30/2022
	Actual	Actual
Assets & Other Debits		
Current Assets		
Operating Cash		
Cash		
8111-03i-001 - LLA ZB OP	1,676,459	1,905,044
8112-03i-001 - Zlons Bank - Petty - LLA	5,480	8,690
Total Cash	1,681,939	1,913,734
Investments		
8120-03I-001 - PTIF - LLA Facility	475,939	454,678
8120-03I-002 - PTIF - LLA Surplus	1,433,442	1,369,407
Total Investments	1,909,381	1,824,085
Operating Cash	3,591,320	3,737,819
Accounts Receivables	896,031	88,344
Other Current Assets	18	0
Total Current Assets	4,487,369	3,826,163
Restricted Cash	1,790,898	1,692,221
Net Assets		
Fixed Assets	15,929,210	15,959,230
Depreciation	(2,167,657)	(1,839,616)
Total Net Assets	13,761,553	14,119,614
Other Debits	(676,233)	(716,603)
Total Assets & Other Debits	19,363,587	18,921,395
Liabilities & Fund Equity		
Current Liabilities	25,305	150,750
Long-Term Liabilities	15,640,000	15,926,593
Other Credits	317,415	0
Fund Balance	2,544,736	1,997,722
Net Income	836,131	846,330
Total Liabilities & Fund Equity	19,363,587	18,921,395

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Board of Directors 2023-2024 Calendar

July 2023	August 2023	September 2023
<ul style="list-style-type: none"> • Update Lead Director Evaluation to reflect current goals [Dawn] • Submit New Budget (Plus any additional budget amendments) 	<ul style="list-style-type: none"> • Early Learning Plan • 6th Grade Trip Approval • Review Snow Removal Service Contract • PTIF Balance Report • Restricted Funding Report • 2nd Quarterly Report Due Aug 15* (Financial Statement & Enrollment) 	<ul style="list-style-type: none"> • Create Teacher Survey on Admin
October 2023	November 2023	December 2023
<ul style="list-style-type: none"> • Winter Bonus Discussion • Returning Bonuses for Ogden Campus • Building Evaluation [Kirk] • Send out Teacher Survey • Prior Years Financial & Student Membership Audits 	<ul style="list-style-type: none"> • Winter Social • Annual PTIF Recommendations • Start 2024-2025 School Fee Schedule Development • Mid-Year Evaluation Prep • Report on Teacher Survey • Prep for Investor Call • 3rd Quarterly Report Due Nov 15* (Financial Statement & Enrollment) 	<ul style="list-style-type: none"> • 1st PUBLIC VIEWING: 2024-2025 School Fee Schedule • Audit Review [Eide Bailly] • Winter Retreat Planning • Start 2024-2025 School Calendar Development • Mid-Year Lead Director Evaluation • Annual Investor Call
January 2024	February 2024	March 2024
<ul style="list-style-type: none"> • WINTER RETREAT • 2024-2025 School Calendar • 2024-2025 School Fee Schedule • Re-Approve Fee Waiver Policy • 2nd PUBLIC VIEWING: 2024-2025 School Fee Schedule • REMINDER: Fraud Risk Online Training [Dawn] 	<ul style="list-style-type: none"> • Policy Review • PTIF Balance Report • Restricted Funding Report • Start Curriculum Public Viewing • SLT Training Assurance • 4th Quarterly Report Due Feb 15* (Financial Statement & Enrollment) 	<ul style="list-style-type: none"> • School LAND Trust Plan • Discuss Board Vacancies – if any • Start 2024-2025 School Year Budget Development • Facility/Maintenance Decisions • Review Landscaping Service Contract
April 2024	May 2024	June 2024
<ul style="list-style-type: none"> • 2024-2025 Parent Handbook (if major changes) • Retreat Planning • Start Gathering Director Evaluation Data • AW Evaluation • Create Parent Survey 	<ul style="list-style-type: none"> • RETREAT [Strategic Planning] • Annual Service Banquet • Audit Engagement Letter • TSSA Plan • Strategic School Planning • Review D&O and Building Insurance Policy • Board Self Evaluation • Director EOY Bonuses Discussion • Start on the Director Salary & Benefits Discussion • Lead Director Evaluation • Send out Parent Survey • 1st Quarterly Report Due May 15* (Financial Statement & Enrollment) 	<ul style="list-style-type: none"> • 2024-2025 Annual Budget • 2023-2024 Final Amended Budget • Ratify Board Terms & Officers • Mental Health Screening Determination • Set 2024-2025 Meeting Schedule • Assessment Data Review • Annual Policies Review • Annual Open & Public Meetings Act Training • Review Board Communication Guidelines • Sign Board Member Agreement • Exit Survey Results • Report on Parent Survey

Color Key						
Socials	Action Items	Discussion Items	Trainings	Evaluations	Surveys	Bond Covenants *Signature Required

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LLA Layton	Lifespan (in Years)	Year	Replacement Cost	Quantity	Savings Recommendation Estimated Annual Cost	Completed	Next Approximate date
Building Exterior / Landscape							
Block Seal/Control Joints	7-10	7	\$35,000		\$5,000.00	2013	2020
Playground / Play Areas							
play structure	20-25	20	\$75,000		\$3,750.00	2013	2038
Parking Lot / Sidewalks							
Crack Seal	1	1	\$2,000		\$2,000.00	2023	2024
Striping	3-5 years	3	\$2,000		\$2,000.00	2023	2026
Slurry Seal	3-5 years	5	\$12,000		\$2,400.00	2023	2028
Roof	20	20	\$125,000		\$6,250.00	2013	2033
HVAC	15	15	\$15,000	13	\$13,000.00	2013	2028
Fire & Security	15	15	\$15,000		\$1,000.00	2013	2028
Carbon Monoxide	5	5	\$7,500		\$1,500.00	2019	2024
Building Interior							
Painting rooms	7-10	10	\$75,000		\$7,500.00	2021	
Gym Floor	30	30	\$75,000	1	\$2,500.00	2013	2043
Elevator	25	25	\$55,000	1	\$2,200.00	2013	2038
Carpet	7-15	15	\$150,000		\$10,000.00	2023	2038
Plumbing/Restroom							
Toilets	30	30	\$500	12	\$200.00	2013	2043
Faucets	10	10	\$150	32	\$480.00	2013	2023
Urinals	30	30	\$300	2	\$20.00	2013	2043
Sewer Main	30	30	\$10,000	1	\$333.33	2013	2043
Water Main	30	30	\$5,000	1	\$166.67	2013	2043
Water Heater	7	10	\$3,000		\$300.00	2022	2029
Water Heater	7	10	\$3,000		\$300.00	2013	

\$60,900.00

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LLA Ogden	Lifespan (in Years)	Year	Replacement Cost	Quantity	Savings Recommendation Estimated Annual Cost	Completed	Next Approximate date
Building Exterior / Landscape							
Block Seal/Control Joints	7-10	7	\$35,000		\$5,000.00	2017	2024
Playground / Play Areas							
play structure	20-25	20	\$75,000		\$3,750.00	2017	2037
Parking Lot / Sidewalks							
Crack Seal	1	1	\$2,000		\$2,000.00	2022	2024
Striping	3-5 years	3	\$2,000		\$2,000.00	2023	2026
Slurry Seal	3-5 years	5	\$12,000		\$2,400.00	2020	2025
Roof	20	20	\$125,000		\$6,250.00	2017	2037
HVAC	15	15	\$15,000	13	\$13,000.00	2017	2032
Fire & Security	15	15	\$15,000		\$1,000.00	2017	2032
Carbon Monoxide	5	10	\$7,500		\$1,500.00	2023	2033
Building Interior							
Painting rooms	7-10	10	\$75,000		\$7,500.00	2017	
Gym Floor	30	30	\$75,000	1	\$2,500.00	2017	2047
Elevator	25	25	\$55,000	1	\$2,200.00	2017	2042
Carpet	7-15	15	\$150,000		\$10,000.00	2017	2032
Plumbing/Restroom							
Toilets	30	30	\$500	12	\$200.00	2017	2047
Faucets	10	10	\$150	32	\$480.00	2017	2027
Urinals	30	30	\$300	2	\$20.00	2017	2047
Sewer Main	30	30	\$10,000	1	\$333.33	2017	2047
Water Main	30	30	\$5,000	1	\$166.67	2017	2047
Water Heater	7	10	\$3,000		\$300.00	2017	2027
Water Heater	7	10	\$3,000		\$300.00	2017	2027

\$60,900.00

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Leadership Learning Academy Board Constitution & Evaluation



1. We will **govern**, not manage. We will set the direction and goals for the school and evaluate the progress towards these goals, but we will not micromanage the day-to-day administration of the school.

Self-Reflective Evaluation

- How is our relationship with the Lead Director?
 - Does he/she have a clear understanding of our expectations and long-range goals?
 - What could we do better?
2. We will speak with “**one voice**”. We will recognize that our authority is only valid as a group and not as individuals. We will not use our position on the Board to promote our own personal agendas.

Self-Reflective Evaluation

- Do we use our position on the Board for our own personal gain or for a personal issue?
 - Are we unified, once a decision has been made, even if we disagree?
 - Do we keep all information confidential, specifically anything discussed in a closed meeting?
 - What could we do better?
3. We will make the model a key element for our school.

Self-Reflective Evaluation

- How are we supporting the model as outlined in our charter?
 - What could we do better?
4. We will make decisions that will keep LLA financially stable.

Self-Reflective Evaluation

- How are we doing financially?
 - How well are we managing the budget?
 - What could we do better?
5. We will review our charter before making any dramatic changes to school policy.

Self-Reflective Evaluation

- How well are we following our charter?
- What could we do better?

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Leadership Learning Academy Board Member Agreement



Board Responsibilities and Expectations:

1. Believe in and be an active advocate and ambassador for the values, mission, and vision of Leadership Learning Academy (LLA).
2. Work with fellow board members to fulfill the obligations of board membership.
3. Behave in ways that clearly contribute to the effective operations of the Board of Directors including:
 - Focus on the good of the organization and group, not on a personal agenda.
 - Support board decisions once they are adopted.
 - Participate in an honest appraisal of one's own performance and that of the board.
 - Be self-aware of your role.
 - Govern and not manage.
 - Confidentiality of sensitive issues that require closed meetings is required.
 - Respect and listen to ideas being presented by other board members
4. Regularly attend board and committee meetings with a 90% attendance. Prepare for these meetings by reviewing materials and bringing the materials to meetings. If unable to attend, notify the board or committee chair. All board members are encouraged to attend the yearly board retreat.
5. Be prepared to contribute approximately 6-9 hours per month toward board service which may include:
 - Attending a monthly board meeting (2 hours)
 - Participating on a board committee (2 hours)
 - Reading materials in preparation for meetings (1 hour)
 - Attending events at the school, assisting with fundraising and other ambassador tasks as needed (1-2 hours)
6. Serve as a committee or task force chair or member.
7. Inform the Board of Directors of any potential conflicts of interest, whether real or perceived, and abide by the decision of the board related to the situation.
8. Board member must review the orientation materials.

By signing this agreement, I affirm that I will strive to fulfill the Board responsibilities and expectations as stated above and will voluntarily resign my position if unable to fulfill these expectations.

LLA Board Member Signature

Date

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Board Guidelines on Communication, Meeting Conduct, Agenda Setting and Addressing Feedback

Communication

- Communication Between Board Members (*within legal parameters*)
 - Board members should copy the entire board on all e-mail correspondence between board members except where there is an existing committee on board issues.
- Communication Between Board Members and the Principal (*within legal parameters*)
 - Board members should copy the entire board on all e-mail correspondence between a board member and the Principal on school issues.
 - In all communication between a board member and the Principal, board members should remember that the board's authority resides in the board collectively and that individual board members have no authority individually to instruct the Principal.
 - ✓ Individual board members should therefore refrain from giving individual instructions to the Principal.
 - In order to maintain clear lines of authority, when a board member is discussing an issue with the Principal that is not specifically related to the board's governance responsibilities, the board member should clarify to the Principal the role in which the individual is speaking with the Principal, whether it is as a parent, volunteer, or otherwise.
 - ✓ If it is unclear what role in which a board member is speaking with the Principal, the Principal may ask for clarification.

Board Meeting Conduct

- To maintain order in board meetings and ensure that meetings stay to a reasonable length, board members should not request feedback from parents during meetings. Board members may instead let parents know that they would be happy to discuss the issue after the meeting or at another time.
- If board members determine that the board's consideration of a board issue would benefit from parent feedback, they should decide on a procedure for obtaining such feedback outside the board meeting and reporting that information to the board.

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Agenda Setting

- If a board member or the Principal wants an item placed on the agenda, they should inform the AW board liaison and/or board president via e-mail of the proposed agenda item and provide a brief explanation of why the item should be considered by the board at that meeting.
- The board president has the final decision whether to include items on the agenda and will notify the entire board and the AW board liaison of the items to be placed on the agenda.
 - The decision of whether to include an item on the agenda—whether for discussion or decision purposes—should be made in light of the board’s responsibility for governance matters.
 - Reports regarding non-governance matters at board meetings should be kept to a minimum.

Addressing Feedback

- General Feedback
 - Board members who receive feedback about non-governance issues should inform the entire board about that feedback and should also let the individual giving the feedback know that the proper approach is for the individual to address the issue with the Principal.
 - Board members may wish to inform the Principal about such issues so that he/she is aware and may let the individual know that they have informed the Principal but board members should then leave the matter in the Principal’s hands.
- Feedback, Concerns and Grievances about Specific Individuals
 - If the feedback pertains to a school employee, including the Principal, the Principal should be informed.
 - Board members should be aware of the school’s grievance policies and should advise individuals to follow the applicable grievance policy (parent or staff) if they have a concern about a specific individual.
 - If an individual presents the board with a concern about a specific individual pursuant to a grievance policy, the board should require documentation that the individual has complied with the grievance policy by addressing the matter with the specific individual and the Principal before considering the concern.
 - The individual board member’s standard reply when addressing feedback should be: *“Although I understand your concern, as an individual Board member I do not have the authority to get involved. Our Board's policy is that all complaints will be addressed to the Principal before the Board considers any other action. And, if that's the case, you must bring the matter to the whole Board.”*

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Utah Open & Public Meetings Act Annual Training Materials

DEFINITIONS

Public Policy: it is the intent of the Open and Public Meetings Act (the “Act”) that public bodies take their actions *and* conduct their deliberations openly.

A “**Meeting**” is defined as (i) the “convening” of a public body (ii) with a “quorum” present. This includes a workshop or an executive session, whether in person or by means of electronic communications.

Electronic Message Transmissions. The Act does not restrict a board member from transmitting an electronic message to other board members at a time when the board is not convened in an open meeting. (Remember, electronic messages are subject to the Government Records Access Management Act and the Act’s definition of a “meeting.”)

“**Convening**” means the calling together of the board by a person authorized to do so for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the board has jurisdiction or advisory power.

A “**Quorum**” is defined by the organization’s bylaws.

NOTICE REQUIREMENTS

Notice of public meetings must be: (i) posted at the principal office, or if that does not exist, at the building where the meeting is to be held; (ii) posted on the Utah Public Notice Website (www.utah.gov/pmn/); and (iii) provided to newspaper/media (accomplished by posting on the Utah Public Notice website).

- 1) Notice must be provided no less than 24 hours prior to the meeting.
- 2) Notice must include the meeting agenda, date, time, and place.
- 3) Annual Notice. If regular meetings are scheduled in advance over the course of a year, the board must give notice at least once each year of its annual schedule (date, time, place).
- 4) Agendas. The agenda must provide reasonable specificity of each topic that will be considered at the board meeting.

Public Comment. At the discretion of the board chair, a topic raised by the public can be discussed during the meeting even if it was not included on the agenda. However, the board cannot take final action on a topic unless it was included on a properly noticed agenda.

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- 5) Emergency Meetings. If the board holds an “emergency meeting,” as defined by §52-4-202(5), the notice requirements above do not apply. Emergency meetings are limited to unforeseen circumstances that require immediate consideration, and the best practicable notice is still required.

ELECTRONIC MEETINGS - A board can hold an electronic meeting if it has adopted a resolution/rule/ordinance governing the use of electronic meetings (satisfied by adopting Electronic Meetings Policy).

- 1) Electronic Meeting Notice Requirements. In addition to the public notice requirements for a regular meeting, notice for an electronic meeting must also include: (i) written notice at the anchor location (unless no anchor location exists in accordance with the exception below); and (ii) 24 hr. minimum notice to board members with a description of how they will be connected to the meeting.
- 2) Anchor Location Requirements. When holding an electronic meeting, the board must identify an “anchor location” and provide space where members of the public can attend the open portions of the meeting. The anchor location must be in the building/location where the board would normally meet if they were not holding an electronic meeting.

Exception to Anchor Location Requirement: No anchor location is required if the board chair determines: (i) that having an anchor location presents a substantial risk to the health or safety of those present at the anchor location; or (ii) the location where the board would normally meet has been ordered closed for public health/safety reasons. If no anchor location will be made available under this exception, the public notice for the meeting must include a statement of the chair’s risk determination, a summary of the facts supporting the determination, and information on how the public can attend electronically. The determination is valid for 30 days.

REQUIRED OPEN MEETING RECORDS - Written minutes and a recording shall be kept for all open meetings.

- 1) Written Minutes. Minutes must include the following:
 - a) the date, time and place of the meeting;
 - b) the names of members present and absent;
 - c) the substance of all matters proposed, discussed or decided (or audio link);
 - d) a record, by individual member, of each vote taken;
 - e) the name of any person who provides comments to the board, as well as a brief summary (or audio link) of their comment; and

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- f) any information that a board member asks to be entered in the minutes.

Note: Pending minutes must indicate they are not approved.

- 2) Audio Recording. The board must maintain a complete and unedited recording of all open portions of each meeting.

Note: members of the public can record the meeting so long as it does not interfere with the meeting.

- 3) Public Availability of Records:

- a) *Pending Minutes*: must be made available within a reasonable time after the meeting.
- b) *Approved Minutes & Meeting Materials*: within three (3) business days after approving written minutes, the board must: (i) post the approved minutes *and* meeting materials distributed at the meeting to the Public Notice Website; and (ii) make both available at the primary office.

Note: If an individual presents or provides electronic information related to an agenda item, the board shall require a copy to be included in the public record.

- c) *Recording*: within three (3) business days, make the audio recording available to the public.

CLOSED SESSION REQUIREMENTS - A meeting is open to the public unless closed under §52-4-204, -205, -206.

- 1) A meeting may be closed to the public by a 2/3 majority vote to close.
- 2) Closed Session Voting. No vote can be taken in a closed meeting, except for a vote to end the closed meeting and return to an open meeting (requires a majority vote).
- 3) Permissible Reasons for Closed Session. Discussions regarding: an individual's character, competence, mental health; collective bargaining; pending or imminent litigation; sale/purchase of real property; security personnel, devices or system discussions; investigative proceedings for criminal misconduct; or when acting as the evaluation committee, protest officer, or appeals committee under the procurement code.
- 4) Public Record of Closed Session. The public minutes and recording must include: (i) the reason(s) for holding the closed session; (ii) the location; and (iii) the vote, by name, of all members for or against closing the meeting.
- 5) Closed Session Records:

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- a) *Recording Requirement.* Closed meetings must be recorded in their entirety *unless* the meeting was closed to discuss: (i) the character, professional competence or physical/mental health of an individual; or (ii) to discuss security personnel, devices or systems.

The closed session recording must include: (i) the date, time and place of the closed meeting; (ii) the names of members present and absent; and (iii) the names of all others present in the closed session unless disclosure infringes on the confidentiality purposes of the closed meeting.

Note: if the meeting was not recorded under the exceptions noted above, the board chair/president must sign a sworn statement affirming that the sole purpose for closing the closed meeting was to discuss one of the exempt purposes.

- b) Closed session minutes are optional.
- c) Closed session recordings and minutes are “protected records” under Utah’s Government Records Access Management Act.

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AFFIRMATION OF TRAINING

In accordance with the requirements of UCA §52-4-104. et. seq., Utah's Open and Public Meetings Act, I _____ and pursuant to the provisions of UCA §78B-5-705, make this written declaration upon oath, subscribed and dated under penalty as provided by said section and affirm as follows:

I have completed the required annual training for a member of the **LEADERSHIP LEARNING ACADEMY Board of Directors** by way of the follow:

- ☐ Online video
- ☐ Review of PDF presentation I received via e-mail (the state legislature version) or other source
- ☐ Review of PowerPoint presentation that received via e-mail or other source
- ☐ Other: _____

Executed and dated this _____ day of _____, 20_____

Board Member Signature

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Policies, Procedures, Plans (“PPP”) Required To Be Reviewed and/or A

PPP Required by Law to be Reviewed	Frequency	Date Last Reviewed
Attendance/Ttruancy	Regularly	06/13/22
Bullying and Hazing	Regularly	08/22/23
Cash Handling	Annually	
Donation and/or Fundraising	Annually	06/13/22
Electronic Resources or Devices	Once every three years	
Emergency Response/Preparedness Plan	Once every three years	
Fee Waiver	Annually	08/22/23
Financial Reporting	Annually	
Language Access	Annually	
Parent and Family Engagement, Compact, Plan	Annually	
Procurement	Annually	
Purchasing and Disbursement	Annually	
Sex Education Instruction	Every two years	06/13/22
Wellness	At least 4 times per year	

PPP Required by PPP only to be Reviewed	Frequency	Date Last Reviewed
Information Technology Security Policy & Plan	Periodically	
Meal Charge/Alternate Meal Policy/Proc4	Annually	
Student Conduct & Discipline Policy and Plan	As Necessary	06/13/22
FY23 Out of School Suspensions & Expulsions Data	Annually	06/13/22

PPP Required by Law to be Re-Approved	Frequency	Date Last Reviewed
Electronic Resources or Devices	Once every three years	06/13/22
Fee Waiver	Annually	08/22/23

Parent and Family Engagement	Every two years	10/10/22
Wellness	Once every three years	06/28/23

Other Required Trainings	Frequency	Date Last Reviewed
<u>Arrest Reporting Policy</u>	Annually	06/13/22
School LAND Trust Board Training	Annually	March 2023
Open and Public Meetings Act	Annually	06/13/22
Fraud Risk Assessment/Ethical Behavior	Annually	06/08/23
Fraud Risk Online Training	Every (4) Years	2020

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SEX	GRADE	REASON	RACE	SPED	ACTION	# OF DAYS PER INCIDENT	REFERRED TO THE BOARD
Sex: M	Grade: 3	Incident: 2023-149 Fighting with Student	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-85 Fighting with Student	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 3	Incident: 2023-66 Disrespecting Adult	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 3	Incident: 2023-73 Fighting with Student	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 5	Incident: 2023-156 Cutting	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 0	Incident: 2023-154 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 0	Incident: 2023-155 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-93 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 4	Incident: 2023-103 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 4	Incident: 2023-103 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 4	Incident: 2023-137 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 4	
Sex: M	Grade: 3	Incident: 2023-127 Disrespecting Adult	MU	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 3	Incident: 2023-50 Disruptive Behavior	MU	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 3	Incident: 2023-67 Fighting with Student	MU	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 3	Incident: 2023-157 Fighting with Student	MU	N	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 4	Incident: 2023-41 Threat/Intimidation	MU	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 6	Incident: 2023-160 Bullying	BL	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 4	Incident: 2023-79 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 4	
Sex: M	Grade: 4	Incident: 2023-103 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 4	Incident: 2023-108 Bullying	WH	N	Action: Out of School Suspension	Number of Days: 5	
Sex: M	Grade: 4	Incident: 2023-116 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 3	
Sex: M	Grade: 2	Incident: 2023-113 Bodily Fluids	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 2	Incident: 2023-124 Fighting with Adult	WH	N	Action: Out of School Suspension	Number of Days: 3	
Sex: M	Grade: 2	Incident: 2023-136 Disruptive Behavior	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-46 Disrespecting Faculty	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-140 Disrespecting Faculty	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-141 Disrespecting Faculty	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-153 Inappropriate Language	WH	N	Action: Out of School Suspension	Number of Days: 1	

Sex: M	Grade: 4	Incident: 2023-144 Sexual Assault	WH	N	Action: Out of School Suspension	Number of Days: 5	
Sex: F	Grade: 5	Incident: 2023-161 Drug Paraphernalia	PI	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-49 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 4	Incident: 2023-121 Bullying	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 3	Incident: 2023-88 Disrespecting Faculty	WH	N	Action: Out of School Suspension	Number of Days: 3	
Sex: M	Grade: 6	Incident: 2023-122 Threat/Intimidation	MU	Y	Action: Out of School Suspension	Number of Days: 6	
Sex: M	Grade: 5	Incident: 2023-47 Bullying	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 4	Incident: 2023-68 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 4	Incident: 2023-72 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 6	
Sex: M	Grade: 4	Incident: 2023-89 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 7	
Sex: M	Grade: 4	Incident: 2023-142 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 1	Incident: 2023-159 Disrespecting Faculty	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-158 Disrespecting Faculty	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 6	Incident: 2023-160 Bullying	WH	Y	Action: Out of School Suspension	Number of Days: 2	
Sex: F	Grade: 6	Incident: 2023-161 Drug Paraphernalia	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-49 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-82 Drug Paraphernalia	WH	N	Action: Out of School Suspension	Number of Days: 3	
Sex: M	Grade: 6	Incident: 2023-160 Bullying	MU	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 2	Incident: 2023-15 Disruptive Behavior	MU	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: F	Grade: 6	Incident: 2023-37 Bullying	WH	N	Action: Out of School Suspension	Number of Days: 3	
Sex: M	Grade: 5	Incident: 2023-49 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 4	Incident: 2023-2 Disrespecting Faculty	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 4	Incident: 2023-69 Bullying	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-33 Threat/Intimidation	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-49 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-49 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-70 Disrespecting Student	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-125 Sexual Harassment	WH	N	Action: Out of School Suspension	Number of Days: 3	
Sex: M	Grade: 5	Incident: 2023-145 Disrespecting Adult	WH	N	Action: Out of School Suspension	Number of Days: 1	

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Sex: M	Grade: 5	Incident: 2023-147 Vandalism	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 5	Incident: 2023-103 Sexual Inappropriateness	WH	N	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-5 Disrespecting Student	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-16 Disruptive Behavior	BL	Y	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-58 Disruptive Behavior	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-54 Disruptive Behavior	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-95 Disrespecting Adult	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-105 Disrespecting Faculty	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-152 Fighting with Student	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-18 Disrespecting Adult	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-53 Disruptive Behavior	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-57 Disrespecting Adult	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 1	Incident: 2023-17 Disruptive Behavior	BL	Y	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 1	Incident: 2023-59 Disruptive Behavior	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 1	Incident: 2023-102 Disrespecting Student	BL	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-30 Disruptive Behavior	WH	N	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 0	Incident: 2023-128 Fighting with Student	WH	Y	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-45 Disrespecting Faculty	WH	Y	Action: Out of School Suspension	Number of Days: 2	
Sex: M	Grade: 0	Incident: 2023-56 Disrespecting Adult	WH	Y	Action: Out of School Suspension	Number of Days: 1	
Sex: M	Grade: 1	Incident: 2023-36 Disruptive Behavior	WH	Y	Action: Out of School Suspension	Number of Days: 1	

Total OSS Days: 136

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

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

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Leadership Learning Academy Arrest Reporting Policy



POLICY

The Board of Directors of the School recognizes the importance of receiving information regarding arrests of employees that are not licensed by the Utah State Office of Education in order to assist the School in adequately safeguarding the safety of students.

The Lead Director of the School will therefore establish administrative procedures that comply with the requirements of Utah Administrative Code R277-516-4.

The Board acknowledges the requirement that Board Members report arrests and convictions as set forth in R277-516-5.C.

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Arrest Reporting Administrative Procedures

These procedures are established in order to comply with the Arrest Reporting Policy adopted by the School's Board of Directors.

Required Reports

(a) Non-USOE-licensed employees of the School, (b) volunteers, (c) Board Members, and (d) any School employees who drive a motor vehicle as part of their employment responsibilities must report to the Lead Director information regarding the following matters:

- Convictions, including pleas in abeyance and diversion agreements;
- Any matters involving arrests for alleged sex offenses;
- Any matters involving arrests for alleged drug-related offenses;
- Any matters involving arrests for alleged alcohol-related offenses; and
- Any matters involving arrests for alleged offenses against the person under Title 76, Chapter 5 (i.e., assault, battery, etc.)

Timeline for Reports

Current employees of the School must provide the required reports to the Lead Director and Campus Principal within seven (7) days of receiving notification of this policy from the Lead Director and Campus Principal. Thereafter, employees of the School must submit required reports to the Lead Director and Campus Principal within seven (7) days of the event necessitating the report. New employees of the School must report this information prior to commencing work for the School.

Procedure for Review of Reports

The Lead Director and Campus Principal will review and investigate all reports received pursuant to the policy and determine whether any employment action is necessary to protect the safety of students.

The Lead Director and Campus Principal will maintain the confidentiality of the information submitted and only share such information with individuals who have a legitimate need to know. Information regarding the reports, the results of any investigation, the Principal's determination and any action taken will be maintained in a separate, confidential employment file. These records

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will only be kept as long as the Lead Director determines it is necessary to protect the safety of students.

Required Action

Any individual who reports a matter involving alleged sex offenses or other alleged offenses which may endanger students shall be immediately suspended from all student supervision responsibilities during the period of investigation.

Any individual who reports a matter involving alcohol or drugs shall be immediately suspended from transporting students, operating motor vehicles on school business, or operating or maintaining school vehicles during the period of investigation.

Training

The Lead Director will ensure that individuals subject to this policy receive appropriate training regarding their arrest reporting obligations.

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

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Leadership Learning Academy Board Meeting Minutes

Tuesday, August 22, 2023

Location: Academica West, 290 N. Flint Street, Kaysville, UT 84037



In Attendance: Chuma Uzoh (via Zoom), Deb Hansen, David Gray, Jimmy Sunlight (via Zoom)

Excused: Terry Capener

Others in Attendance: Janey Stoddard, Jared Buckley, Dawn Kawaguchi, Dawn Benke (via Zoom)

MISSION: The mission of **Leadership Learning Academy** is to provide a unique, innovative teaching model to help students achieve a high degree of academic success while developing problem solving skills, independent learners, and future leaders in all our students.

VISION: **Leadership Learning Academy** uses an innovative and unique model to challenge our students to be confident and independent learners. Our students will learn to inspire others, achieve high academic success, and become personally accountable for themselves and their education; thus helping to lead our future.

Minutes

2023-2024 Strategic School Plan

Schoolwide Unity & Collaboration “We Are CREW!”

Teacher & Staff Development

Fiscal Responsibility

Continue Growth & Maintain Literacy Proficiency

5:32 PM – CALL TO ORDER

- Welcome by Chuma Uzoh
- Board Mission – Chuma
- School Mission – David
- School Vision – Deb

There was no PUBLIC COMMENT. This was the first public comment period for the Lexia License Renewal.

REPORTS

➤ **Administration**

- *State of the School* – Jared Buckley reported to the board on the first day of school, schoolwide unity and collaboration by implementing the CREW program at each campus including rolling out flight crew, individual learning communities, food

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drive, backpacks from Legion Auxiliary Unit in Farmington and AFCU, bike program, and an upcoming 6th graders trip to Powder Mountain. He also went over the teacher and staff development, current enrollment at each campus, and the continued growth and maintaining literacy proficiency. There was a discussion on all-day kindergarten numbers & space and marketing efforts. Jared asked the board if they had any questions on his evaluation and goals. There was a discussion on the decrease in students in the Ogden area.

➤ **Board of Directors**

- *Review Financials* – Dawn Benke stated that Jimmy Sunlight asked her to present the financials since his is traveling and might be unable to speak. Dawn B. stated that in the past, there hasn't been much reported for July because it's kind of a weird month. Things are still being wrapped up for FY23 and sometimes purchases will come in during July, but they were purchased in the prior year. Dawn B. works with the auditors to get those fixed so the financials included in this packet are subject to change. Dawn B. reviewed some of the items that had a higher percentage than 8%. First the revenue, State Sources is up due to budgeting conservative yet having more students than anticipated which will true up in October. Federal Sources is up due to accruing for last year's salaries through the summer. Under Expenses, salaries look low because most employees don't start getting paid until the middle of August. Other purchased services are high due to payment of property and liability insurance which is due at the first of the fiscal year. They were also higher than anticipated. The balance sheet will definitely change. Dawn B. did make a change from the financials that the board received earlier in the month. She expanded the "current assets" section to see how much is in each of the accounts including the PTIF accounts. This will now be included in the board's monthly reports. By the August statement, you should see the final FY23 changes. Chuma thanked Dawn B. for adding that extra transparency to the financials.
- *Review Board Calendar* – Chuma Uzoh reviewed the board calendar. Items were discussed and there were no discrepancies.

ANNUAL BOARD TRAINING

- *Review Board Constitution & Evaluation/ Board Member Agreement** – Chuma Uzoh tabled the board training to the next board meeting.
- *Review Board Communication Guidelines* – There was no further discussion.
- *Annual Open & Public Meetings Act Training** – There was no further discussion.
- *Annual Policies, Plans & Procedures Training* – There was no further discussion.

CONSENT ITEMS

- *June 8, 2023 Annual Board Meeting Minutes* – There was no further discussion.
- *June 26, 2023 Electronic Board Meeting Minutes* – There was no further discussion.

Deb Hansen made a motion to approve the consent items. David Gray seconded the motion. The votes were as follows:

Chuma Uzoh – Aya

Jimmy Sunlight – Aye

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

Deb Hansen – Aye
David Gray – Aye
Motion passed unanimously.

VOTING ITEMS

- 2023-2024 Early Learning Plan – Jared Buckley reviewed the Early Learning Plan. This plan was preapproved by the state. There are no changes from last year. There was a discussion on how this plan is being delivered to the state. **David Gray made a motion to approve the 2023-2024 Early Learning Plan. Deb Hansen seconded the motion.**

The votes were as follows:

Chuma Uzoh – Aye
Jimmy Sunlight – Aye
Deb Hansen – Aye
David Gray – Aye

Motion passed unanimously.

- Amended SpEd Policies & Procedures Manual – Jared Buckley informed the Board that the state requires changes to the SpEd P&P manual frequently. It is required that the manual be approved by USBE first before coming to the Board. Janey added that the manual itself is really big, but the changes were minimal. **David Gray made a motion to approve the Amended Special Education Policies & Procedures Manual. Deb Hansen seconded the motion. The votes were as follows:**

Chuma Uzoh – Aye
Jimmy Sunlight – Aye
Deb Hansen – Aye
David Gray – Aye

Motion passed unanimously.

- Lexia License Renewal – Jared Buckley stated that this is a renewal for all grades. This is a reimbursable item by the State and should be fully reimbursed. **Deb Hansen made a motion to approve the Lexia Learning purchase in the amount of \$27,600. David Gray seconded the motion. The votes were as follows:**

Chuma Uzoh – Aye
Jimmy Sunlight – Aye
Deb Hansen – Aye
David Gray – Aye

Motion passed unanimously.

- Amended Policies

- Fee Waiver Policy – Chuma Uzoh reviewed the changes for the Bullying & Hazing Policy which includes changes regarding HB 481 from the 2023 legislative session. **David Gray made a motion to approve the Amended Bullying & Hazing Policy and the Amended Fee Waiver Policy. Deb Hansen seconded the motion. The votes were as follows:**

Chuma Uzoh – Aye
Jimmy Sunlight – Aye
Deb Hansen – Aye
David Gray – Aye

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

Motion passed unanimously.

- Fee Waiver Policy – Chuma Uzoh reviewed the changes for Fee Waiver Policy including minor definition changes, changes on how the various fee documents are distributed, how fee documents will be posted to the school's website, changes in the fee waiver eligibility criteria, and the annual documentation and information gathered by school for USBE. **Deb Hansen made a motion to approve the Amended Fee Waiver Policy. David Gray seconded the motion. The votes were as follows:**

Terry Capener – Aye

Chuma Uzoh – Aya

Jimmy Sunlight – Aye

Deb Hansen – Aye

David Gray – Aye

Motion passed unanimously.

OTHER BUSINESS ITEMS

➤ Calendaring Items – Chuma Uzoh

- Next Pre-Board Meeting – October 2nd – Reach out Terry to see if he wants to reschedule or join online.
- Next Board Meeting – October 16th @ Lagoon
- Holiday Social – November 6th
- NCSC2 Boston, MA – June 30 – July 3

6:14 PM – David Gray made a motion to ADJOURN. Deb Hansen seconded the motion.

The votes were as follows:

Chuma Uzoh – Aya

Jimmy Sunlight – Aye

Deb Hansen – Aye

David Gray – Aye

Motion passed unanimously.

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

LLA Board of Director's Meeting Monday, October 16, 2023

Action Item: *Layton Campus Snow Removal*

Issue:

It has been recommended by Academica West's legal team that the School go through the procurement process annually for the snow removal for both campuses if they do not enter into a contract with the snow removal company.

Background:

The School has been using **Extreme Green** for the past few years for their snow removal professional services. The Extreme Green also charges a fuel surcharge. See table for pricing.

Layton Campus: **\$300.00**/per push

All prices include:

- Snowplow
- Sidewalks (includes all city sidewalks)
- Salting parking lot included
- Ice Melt for sidewalks
- **A monthly minimum will be charged on months where no snow removal takes place (November-March). If you plow once the minimum is satisfied.
- Also note, Extreme Green charges per push at 2" increments. If there is a 4" storm, the school will be billed at two 2" pushes.

The School has followed the procurement procedures by obtaining at least two competitive quotes which includes **Extreme Green** and **Above All Landscaping**.

Recommendation:

It is recommended that the board approve Extreme Green's snow removal rates of \$300 per push at the Layton campus and approve the accompanied fuel surcharge rate sheet.

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extreme green
 2085 West 150 South
 Ogden, UT 84404 US
 +1 8015647852
 scottmill33@yahoo.com

Estimate

ADDRESS
Leadership Learning Academy 352 N. Flint St. Suite A Kaysville, UT 84037

SHIP TO
Leadership Learning Academy 352 N. Flint St. Suite A Kaysville, UT 84037

ESTIMATE #	DATE	
1017	09/06/2023	

SERVICE	DESCRIPTION	QTY	RATE	AMOUNT
snow plow leadership learning	snowplow entire parking lot, snowplow all sidewalks. salt parking lot and de-ice Side all sidewalks.	1	300.00	300.00
snow plow leadership learning	1 snow push per month will be charged in the event that is does not snow that month to help with equipment and employee costs starting November and ending in March.	1	0.00	0.00

SUBTOTAL	300.00
TAX	0.00
TOTAL	\$300.00

Accepted By

Accepted Date

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Fuel Charge Hourly Rate

From	To	% Surcharge	Hourly Rate	Hourly Surcharge
\$3.40	\$3.44	0.50%	400	2.00
\$3.45	\$3.49	1.00%	400	4.00
\$3.50	\$3.54	1.50%	400	6.00
\$3.55	\$3.59	2.00%	400	8.00
\$3.60	\$3.64	2.50%	400	10.00
\$3.65	\$3.69	3.00%	400	12.00
\$3.70	\$3.74	3.50%	400	14.00
\$3.75	\$3.79	4.00%	400	16.00
\$3.80	\$3.84	4.50%	400	18.00
\$3.85	\$3.89	5.00%	400	20.00
\$3.90	\$3.94	5.50%	400	22.00
\$3.95	\$3.99	6.00%	400	24.00
\$4.00	\$4.04	6.50%	400	26.00
\$4.05	\$4.09	7.00%	400	28.00
\$4.10	\$4.14	7.50%	400	30.00
\$4.15	\$4.19	8.00%	400	32.00
\$4.20	\$4.24	8.50%	400	34.00
\$4.25	\$4.29	9.00%	400	36.00
\$4.30	\$4.34	9.50%	400	38.00
\$4.35	\$4.39	10.00%	400	40.00
\$4.40	\$4.44	10.50%	400	42.00
\$4.45	\$4.49	11.00%	400	44.00
\$4.50	\$4.54	11.50%	400	46.00
Above	Below	% Surcharge	400	
\$4.55	\$4.59	12.00%	400	48.00
\$4.60	\$4.64	12.50%	400	50.00
\$4.65	\$4.69	13.00%	400	52.00
\$4.70	\$4.74	13.50%	400	54.00
\$4.75	\$4.79	14.00%	400	56.00
\$4.80	\$4.84	14.50%	400	58.00
\$4.85	\$4.89	15.00%	400	60.00
\$4.90	\$4.94	15.50%	400	62.00
\$4.95	\$4.99	16.00%	400	64.00
\$5.00	\$5.04	16.50%	400	66.00
\$5.05	\$5.09	17.00%	400	68.00
\$5.10	\$5.14	17.50%	400	70.00

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\$5.15	\$5.19	18.00%	400	72.00
\$5.20	\$5.24	18.50%	400	74.00
\$5.25	\$5.29	19.00%	400	76.00
\$5.30	\$5.34	19.50%	400	78.00
\$5.35	\$5.39	20.00%	400	80.00
\$5.40	\$5.44	20.50%	400	82.00
\$5.45	\$5.49	21.00%	400	84.00
\$5.50	\$5.54	21.50%	400	86.00
\$5.55	\$5.59	22.00%	400	88.00
\$5.60	\$5.64	22.50%	400	90.00
\$5.65	\$5.69	23.00%	400	92.00
\$5.70	\$5.74	23.50%	400	94.00
\$5.75	\$5.79	24.00%	400	96.00
\$5.80	\$5.84	24.50%	400	98.00
\$5.85	\$5.89	25.00%	400	100.00
\$5.90	\$5.94	25.50%	400	102.00
\$5.95	\$5.99	26.00%	400	104.00
\$6.00	\$6.04	26.50%	400	106.00
\$6.05	\$6.09	27.00%	400	108.00
\$6.10	\$6.14	27.50%	400	110.00
\$6.15	\$6.19	28.00%	400	112.00

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Leadership Learning Academy - Layton
Date of Proposal
Monday, September 18, 2023
Enter Number of Contract Months Below:
3
Estimator
Jeremy Bailey



Snow Removal	Description	Hours	Per Push Cost	Annual Total
2-4"	Sidewalks	4.15	\$ 435.72	\$ 4,357.15
	Roads	2.07	\$ 269.25	\$ 2,692.47
	Driveway (Parking stalls)	0.00	\$ -	\$ -
Total 2-4" Per Push Price			\$ 704.96	\$ 7,049.62
4.1-6"	Sidewalks	6.29	\$ 660.17	\$ 1,320.35
	Roads	3.14	\$ 407.95	\$ 815.90
	Driveway (Parking stalls)	0.00	\$ -	\$ -
Total 4.1-6" Per Push Price			\$ 1,068.12	\$ 2,136.25
6.1-8"	Sidewalks	9.53	\$ 1,000.26	\$ 2,000.53
	Roads	4.75	\$ 618.11	\$ 1,236.21
	Driveway (Parking stalls)	0.00	\$ -	\$ -
Total 6.1-8" Per Push Price			\$ 1,618.37	\$ 3,236.74
8.1-10"	Sidewalks	14.43	\$ 1,515.55	\$ 1,515.55
	Roads	7.20	\$ 936.53	\$ 936.53
	Driveway (Parking stalls)	0.00	\$ -	\$ -
Total 8.1-10" Per Push Price			\$ 2,452.08	\$ 2,452.08
10.1-12"	Sidewalks	21.87	\$ 2,296.29	\$ 2,296.29
	Roads	10.92	\$ 1,418.98	\$ 1,418.98
	Driveway (Parking stalls)	0.00	\$ -	\$ -
Total 10.1-12" Per Push Price			\$ 3,715.27	\$ 3,715.27
				\$ 18,589.96
OTHER SERVICES	DESCRIPTION	UNIT	COST PER UNIT	
De-Icing	Ice Melt (billed as needed)	Bag	\$ 30.00	
	Salt (billed as needed)	Ton	\$ 300.00	

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

LLA Board of Director's Meeting Monday, October 16, 2023

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

Issue:

The School's administration is requesting the following be a candidate for an LEA-specific license:

- Ayesa Farani – Elementary License (Ogden)
- Ashley Chavez – Elementary License (Ogden)
- Ashlee Combe (Post) – Elementary License (Ogden)
- Baleigh Parker – Elementary License (Ogden)
- Bailee Fluckiger – Elementary License (Layton)
- Nikisha Johnsen – Elementary License (Layton)
- Toni Nelson – Elementary License (Layton)
- Rebecca Reimann – Elementary License (Layton)

Background:

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

The School's administration has followed the processes and considered the criteria outlined in the Policy with respect to proposing the candidate named above to the Board candidates, including vetting and interviewing the candidate. The School's administration has also provided the Board with an explanation and rationale for requesting an LEA-specific educator license for the candidate. The administration's explanation and rationale for requesting an LEA-specific educator license for the candidate includes: the individual has been trained in LLA's teaching model, has experience in classrooms, and will continue to receive training and mentoring while enrolling in a program to receive their professional and/or associate license.

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

Recommendation:

It is recommended that the Board approve the request for an LEA-specific educator license for Ayesa Farani, Ashley Chavez, Ashlee Combe (Post), Baleigh Parker, Bailee Fluckiger, Nikisha Johnsen, Toni Nelson, Rebecca Reimann, all for an elementary license for a period of three years.

LEA (District or Charter) Name	Date LEA's Board Met	CACTUS ID	Last Name	First Name	Years Approved (1, 2, 3)	Is this a RENEWAL Request from SY22-23? (Y/N)	License Area 1	Rationale/Motions
Granite SD	1/5/21	999999	Example	Educator	3	N	Secondary	Educator is enrolling in EPP Fall 202
Leadership Learning Academy - Ogden (ELEM)		715564	Farani	Ayesa	3	Y	Elementary	In college courses to become licenser
Leadership Learning Academy - Ogden (ELEM)		746041	Chavez	Ashley	3	Y	Elementary	In college courses to become licenser
Leadership Learning Academy - Ogden (ELEM)		762193	Combe (Post)	Ashlee	3	Y	Elementary	In college courses to become licenser
Leadership Learning Academy - Ogden (ELEM)		793493	Parker	Baleigh	3	N	Elementary	Participating in APPEL
Leadership Learning Academy (ELEM)		794689	Fluckiger	Bailee	3	N	Elementary	In college courses to become licenser
Leadership Learning Academy (ELEM)		686248	Johnsen	Nikisha	3	Y	Elementary	Participating in APPEL
Leadership Learning Academy (ELEM)		718397	Nelson	Toni	3	Y	Elementary	Participating in APPEL
Leadership Learning Academy (ELEM)		791855	Reimann	Rebecca	3	N	Elementary	In college courses to become licenser

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LLA Board of Director's Meeting Monday, October 16, 2023

Consent Item: *Amend Adult Lunch Price*

Issue

The Board approves prices we charge for lunches for students and employees.

Background

It has been recommended by our food service provider to increase the cost for the adult meal for both breakfast and lunch as suggested below:

Level	Current	NEW
Adult Breakfast Meal	\$2.00	\$2.50
Adult Lunch Meal	\$3.50	\$4.50

Recommendation

It is recommended that the board approve the adult meal prices to \$2.50 for breakfast and to \$4.50 for lunch.

LLA Board of Director's Meeting Monday, October 16, 2023

Action Item: *Amended Attendance Policy*

Issue:

The school needs to amend its Attendance Policy and procedures.

Background:

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

Recommendation:

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

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

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

Leadership Learning Academy Attendance Policy



POLICY

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

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

The School intends for this policy to be consistent with the provisions of Utah’s compulsory education laws, Utah Code Ann. §§ 53G-6-201 through 53G-6-208~~11~~, as well as Utah Administrative Code Rule R277-607.

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

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

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



Attendance Administrative Procedures

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

Definitions

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

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

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

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

The Campus Principal has the discretion to consider other absences as "valid excuses."

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

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

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

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

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

“Truant” means a condition by which a school-age child, without a valid excuse, is absent for ~~(a)~~ at least half of the school day; ~~or (b) if the school-age child is enrolled in a learner verified program, as that term is defined by the State Board of Education, the relevant amount of time under the School’s Learner Validated Program Policy.~~ A school-age child may not be considered truant under this policy more than one time during one day.

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

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

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

Excused absences may become unexcused if the Campus Principal determines that absences have reached an excessive level and are adversely impacting the student’s education.

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

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

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

Tardiness: A student is tardy if he or she is not in the assigned classroom when the late bell rings. In general, tardiness will be handled on an individual basis with the teacher. If a student is chronically tardy, then the student may be referred to the administration. ~~Elementary students are allowed five (5) tardies per quarter.~~

Notification of Absences and Tardies: Parents and students are responsible for tracking the total number of absences and tardies. If a student reaches five (5) or more ~~the maximum limit for~~ unexcused absences or is excessively ~~iness is reached,~~ tardy, the Campus Principal may attempt to

schedule a meeting with the parents to review the situation and will outline the appropriate corrective action.

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

Notice of Compulsory Education Violation

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

This notice shall:

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

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

Chronic Absenteeism~~Truancy~~ Prevention and Intervention Program

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

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

- ☐ Serving students breakfast and lunch at the School each school day;
- ☐ Providing classroom and/or schoolwide rewards and/or incentives to students for good attendance.
- ☐ Notifying parents/guardians each time a student is absent.
- ☐ Contacting parents/guardians of students who reach five (5) unexcused absences to try to resolve the students' attendance problems.

- ☐ Providing parents/guardians with notices of compulsory education violations, as appropriate and as outlined herein.
- ☐ Providing parents/guardians with this policy each year at the time of registration.

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

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

Notice of Truancy

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

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

~~A notice of truancy will:~~

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

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

Appeals Process

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

Students with Qualified Disabilities

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

Annual Report

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

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

Referrals for Habitual Truancy

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

- ~~☐ a mobile crisis outreach team;~~

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

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

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

- ~~1. Attendance records for the student;~~
- ~~2. A report of evidence-based alternative interventions used by the School before the referral, including outcomes.~~
- ~~3. The name and contact information of the School representative assigned to actively participate in the court process with the student and the student's family;~~
- ~~4. a report from the Division of Juvenile Justice Services that demonstrates the minor's failure to complete or participate in prevention and early intervention youth services as set forth in Utah Code § 53G-8-211(4); and~~
- ~~5. Any other information that the School considers relevant.~~

LLA Board of Director's Meeting Monday, October 16, 2023

Action Item: *Amended Student Conduct and Discipline Policy*

Issue:

MWMA needs to amend its Student Conduct and Discipline Policy.

Background:

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. 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.

Recommendation:

It is recommended that the Board approve the amended Student Conduct and Discipline Policy.

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

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

Leadership Learning Academy

Student Conduct & Discipline Policy



1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 Purpose

The purpose of Leadership Learning 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 School's Grievance Policy.
- ☐ Parents will be notified when students are involved in situations that are deemed to be serious.
- ☐ Parents and students will be notified of the expectations, possible consequences, and the procedures involved 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 Campus 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 Campus 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 ~~minor~~child; (ii) a legally appointed guardian of a school-age ~~minor~~child; or (iii) any other person purporting to exercise any authority over the ~~minor~~child which could be exercised by a person described above.

3.6 Qualifying Minor

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

3.7 School Year

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

3.8 School-age Child

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

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

4.1 Suspension

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

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

[b] willful destruction or defacing of School property;

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

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

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

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

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

[h] any criminal activity;

[i] any serious violation involving weapons, drugs, or the use of force, including those actions prohibited in Section 4.1.2 below, that threatens harm or causes harm to the School or School property, to a person associated with the School, or property associated with any such person, regardless of where it occurs; 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 Lead Director, Campus 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 an 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 Campus 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 Campus Principal will ensure that any surrendered or confiscated electronic cigarette product is destroyed or disposed of. However, the Campus 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 Campus 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 Campus 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 Campus 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 Lead Director may suspend a regular education student for longer than ten (10) days or expel a regular education student.

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

5.3.1 Parental Responsibility

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

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

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

5.4 Authority to Institute Change of Placement for Student with Disabilities

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504, or ADA, procedures outlined in the 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 Campus Principal or a teacher or counselor designated by the Campus 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 Campus Principal is authorized to issue notices of disruptive student behavior to students who are qualifying minors.

6.2.2 Criteria for Issuing Notice. The Campus 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 Campus Principal 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 Campus 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 Campus 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 § ~~78A-6-1203~~80-6-901, including that it is a diversion program that provides an alternative disposition for cases involving minors who have committed minor offenses~~juvenile offenders~~ in which youth participants, under the supervision of an adult coordinator, may serve in various capacities within the courtroom, acting in the role of jurors, lawyers, bailiffs, clerks, and judges.

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

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

[a] if the alleged offense is a class C misdemeanor, an infraction, or a status offense on School property, ~~or truancy~~, the minor ~~may not be referred to law enforcement or court but~~ may be referred ~~to alternative school-related interventions, including:~~

- (i) to an evidence-based alternative intervention, including:
 - (1) a mobile crisis outreach team,~~as defined in § 80-1-102;~~

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

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

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

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

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

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

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

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

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

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

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

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

faith efforts shall be made to implement a remedial discipline plan to allow the student to remain in the School.

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

7.1.1 Talking with the student;

7.1.2 Class schedule adjustment;

7.1.3 Phone contact with the parent or legal guardian;

7.1.4 Informal parent/student conferences;

7.1.5 Behavioral contracts;

7.1.6 After-school make-up time;

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

7.1.8 Short-term at-home suspensions;

7.1.9 Appropriate evaluation;

7.1.10 Home study;

7.1.11 Alternative programs; or

7.1.12 Law enforcement assistance as appropriate.

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

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

8.2 The Campus 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 Campus 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 Campus 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 Campus 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 Campus Principal believes that a student should be suspended for more than ten (10) days or expelled, the Campus Principal may make the recommendation to the Lead Director, who will make the decision whether to impose such discipline. In the event the Lead Director decides that a student should be suspended for more than ten (10) days or expelled, the Lead Director and Campus Principal 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 Lead Director 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 Lead Director and Campus 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 Lead Director shall send the notice by certified

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

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

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

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

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

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

9.2.6 the mailing date of the notice; and

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

9.3 Hearing Procedures

If a Due Process Hearing is requested in response to the notice sent pursuant to Section 9.2 of 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 Lead Director will develop, with input from administration, instruction and support staff, students, parents, and other community members, a Student Conduct and Discipline Plan. The plan shall be comprehensive, clearly written, consistently enforced, and include the following elements:

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

11.1.2 effective instructional practices for teaching student expectations, including:

[a] self-discipline;

[b] citizenship;

[c] civic skills; and

[d] social emotional skills;

11.1.3 systematic methods for reinforcement of expected behaviors;

11.1.4 uniform and equitable methods for correction of student behavior;

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

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

11.1.67 an ongoing staff development program related to development of:

[a] student behavior expectations;

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

[c] effective intervention strategies; and

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

11.1.78 procedures for ongoing training of appropriate School personnel in:

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

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

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

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

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

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

[a] bullying;

[b] cyber-bullying;

[c] hazing;

[d] retaliation; and

[e] abusive conduct;

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

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

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

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

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

[e] mechanical restraint, except:

(i) protective or stabilizing restraints;

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

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

[f] chemical restraint, except as:

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

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

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

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

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

(ii) a FBA has been conducted; and

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

11.1.13 direction for dealing with bullying and disruptive students;

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

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

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

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

11.1.18 strategies to provide for necessary adult supervision;

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

11.1.20 notice to employees that violation of Rule R277-609 ~~this rule~~ may result in employee

discipline or action;

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

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

[a] the role of law enforcement; and

[b] emergency medical services; and

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

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

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

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

(iii) a youth court; or

(iv) a comparable restorative justice program; and

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

11.2 Plan Consistent with 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.

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

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

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

14.1.2 The Campus 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 Campus 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 Campus 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 Campus 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 Campus Principal, law enforcement should be notified, the following procedure should be followed:

[a] The Campus 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 Campus Principal shall document the contact or attempted contact with the student's parents or legal guardian. If the Campus 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 Campus 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 Campus Principal or other designated person before beginning an investigation on School premises.

(ii) The Campus Principal shall document the circumstances warranting the investigation as soon as practical.

(iii) Alleged criminal behavior related to the School environment brought to the Campus 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 Lead Director shall immediately notify the Board of the removal of a student from School by law enforcement authorities.

[d] Where it is necessary to take a student into custody on School premises, the law enforcement officer shall contact the Campus 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 Campus 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 Campus Principal shall have the student summoned to the Campus 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 Campus Principal, the School staff present shall encourage the law enforcement officers to tell the Campus Principal of the circumstances as quickly as possible. If the officers decline to tell the Campus Principal, the School staff members present shall immediately notify the Campus Principal.

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 Campus 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 Campus 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 Campus 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 Campus 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 Campus 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 Campus 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 Campus 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 Student Lockers

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

16.1.2 Searches of Students and Student Property

Searches of a student's person, personal property (coats, hats, backpacks, bookbags, purses, wallets, notebooks, gym bags, etc.) may be conducted whenever the student's conduct creates a reasonable suspicion that a particular School rule or law has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age and sex of the student and nature of the infraction. Circumstances warranting a search include those in which School officials have a reasonable suspicion that the student or student property is concealing items including but not limited to weapons, drugs, controlled substances, electronic cigarette products, alcohol, tobacco, unsafe contraband, pornography, pagers or lost/stolen/misplaced items.

16.2 Searches of Personal Belongings

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

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

16.3 Searches of Person

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

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

[b] The search shall be observed by an objective third party of the same sex as the student being searched (i.e. Campus 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 and Campus 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 Lead Director.

17.1.2 Upon receipt of the information, the Campus 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 Campus 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.

17.23 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.

17.23.1 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.

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

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

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

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

18.8 Corporal Punishment

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

19. TRAINING

19.1 All new employees shall receive information about 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 Campus 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.

REFERENCES

Gun Free Schools Act (20 U.S.C. § 7151)

Requires schools that receive federal financial assistance to have a policy requiring the expulsion from school for a period of not less than one year of any student who brings a weapon firearm, explosive or flammable material to school.

Individuals with Disabilities Education Act (20 U.S.C. § 1415(K); 34 C.F.R. § 300.520-529)

A student with a disability who carries a weapon to school or to a school function, or who knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function may be placed by school officials in an interim alternative educational setting, in accordance with State law, for not more than 45 days. A hearing officer may order a change in placement for a student with a disability to an appropriate interim alternative educational setting for not more than 45 days if the hearing officer determines that there is substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.

Family Educational and Privacy Rights Act (20 U.S.C. § 1232g (h)(1)-(2), 34 C.F.R. § 99.36)

Allows schools to include appropriate information in the education record of any student concerning disciplinary action taken against such 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. Also allows schools to disclose such information to teachers and school officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

Individuals with Disabilities Education Act (IDEA) (20 U.S.C. §§ 1400-1485)

Assures all children with eligible disabilities a free appropriate public education and related services designed to meet their unique needs.

Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794)

Prohibits discrimination on the basis of disability.

Rehabilitation Act of 1973 (29 U.S.C. § 705 (2)(C)(iv))

Stipulates that schools may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any student who is an individual with a disability and who currently is engaging in the illegal use of drugs or in the use of alcohol to the same extent that such disciplinary action is taken against students who are not disabled.

Americans with Disabilities Act (ADA), Title II (42 U.S.C. § 12132)

Prohibits public entities from discriminating on the basis of disability.

U. S. Department of Education, Office of Special Education Programs (OSEP) Memorandum (April 26, 1995). Questions and answers on disciplining students with disabilities.

U. S. Department of Education, Office for Civil Rights (OCR) Memorandum (January 28, 1991) ADA Amendments to Section 504 - Discipline of Students Using Drugs or Alcohol.

Utah Code Ann. § 53E-6-701 – Mandatory reporting of physical or sexual abuse of students

Utah Code Ann. § 53G-8-302 – Use of reasonable and necessary physical restraint or force.

Utah Code Ann. §§ 53G-8-202 to 53G-8-208 – School Discipline and Conduct Plans

Utah Code Ann. §§ 53G-8-402 to 53G-8-405 – Notification of juvenile court and law enforcement agencies

Utah Code Ann. § 80-2-610~~62A-4a-410~~ – Immunity from liability