

## Board Member Annual Commitment to Ethical Behavior

I understand that as a board member of Lumen Scholar Institute I should always engage in ethical behavior. I have read the school's Ethics Policy [LINK ETHICS POLICY](#) and am committed to abiding by the policy, conducting myself consistent with high standards of ethics, and complying with applicable law.

Signature\_\_\_\_\_

Board Member Name

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Date

Signature\_\_\_\_\_

Board Member Name

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Signature\_\_\_\_\_

Board Member Name

\_\_\_\_\_

Date



# INVOICE

Lumen Scholar Institute

**Invoice Date**

Jun 20, 2024

**Invoice Number**

INV-240620-19166824266

Mathspace

228 Park Ave. S #15992

New York, NY 10003-1502

Phone # 480-630-6425

E-mail:

Accounts@mathspace.co

Description	Quantity	Unit Price	Tax	Amount USD
Mathspace Site License (50-600)	250.00	15.00	Tax Exempt	3,750.00
License Dates: {08/01/2024 - 07/31/2025}				
Teachers				
Kerry Stott 3rd				
Laura Jones 4th				
Rylee Jones 5th				
Tara Kauffman 6th				
Bill Brothers 7th				
Emily Burton 8th				
Rebecca Aland SPED K-3rd				
Irene Barrow SPED 3rd-5th				
Jessica Huber SPED 4th - 6th				
Janine Somers SPED 7th-8th				
Devon Searle SPED 9th-10				
Amber Holloway SPED 10th-12th				
Amy Hart - Admin				
# of Student Licenses				
3rd - 25				
4th - 30				
5th - 40				
6th - 45				
7th - 55				
8th - 55				
Mathspace Site License (50-600)	20.00	(15.00)	Tax Exempt	(300.00)
Credit for 20 STEM licenses				
Subtotal				3,450.00
TOTAL TAX				0.00
TOTAL USD				3,450.00

PLEASE FOLLOW ORDER INSTRUCTIONS

- \*If you prefer to pay by credit card or ACH, please contact [accounts@mathspace.co](mailto:accounts@mathspace.co)

[View and pay online now](#)

## PAYMENT ADVICE

Customer	Lumen Scholar Institute
Invoice Number	INV-240620-19166824266
Amount Due	3,450.00
Due Date	Jul 20, 2024
Amount Enclosed	<div>Enter the amount you are paying above</div>

## Curriculum Proposal for K-5th Language Arts

It is proposed that the school adopt the Core Knowledge Language Arts(CKLA) digital curriculum for Kindergarten through 5th grades. CKLA is a content-rich literacy curriculum that is robust in sequential knowledge building as well as systematic in its foundational skills instruction. It has been approved by the state as a curriculum that aligns to all areas of the Science of Reading instruction. This is a digital curriculum that will allow teachers to see what students are doing in real time, while working in the Zoom classroom together.



# Math Curriculum Proposal for K-8th Grade

## **K-2nd Grades - Touch Math Digital Curriculum**

This curriculum is designed to provide step-by-step development of concepts with a real-world approach. Touch Math uses a multisensory approach to help students associate numerals with real values, and gives students a more concrete understanding of basic number sense and fact knowledge. It gives students a strong foundation from which to build future math skills. This digital curriculum that will allow teachers to see what students are doing in real time, while working in the Zoom classroom together.

## **3rd - 8th Grades - Mathspace Digital Curriculum**

This curriculum is designed to engage and support students at every step. It is a standards aligned curriculum that engages students with collaborative open activities for applying mathematical concepts. It provides built-in assessments of each student and what they need to succeed in math. It is designed to be easily adaptable for differentiated instruction for each individual student. This digital curriculum will allow teachers to see what students are doing in real time, while working in the Zoom classroom together.





## **Policy 0450: Kindergarten Toilet Training**

**Original Adopted Date:** \_\_\_\_\_

### **Purpose**

The purpose of this policy is to establish the toilet training requirements for kindergarten students at Lumen Scholar Institute (the "School").

### **Definitions**

"Toilet trained" means that a student can:

- (a) communicate the need to use the bathroom to an adult;
- (b) sit down on a toilet;
- (c) use the toilet without assistance;
- (d) undress and dress as necessary; and
- (e) tend to personal hygienic needs after toileting.

If an accident occurs, a "toilet trained" child can independently tend to hygienic needs and change clothes.

A student is not "toilet trained" if the student has accidents with sufficient frequency to impact the educational experience of the student or the student's peers, as determined by an LEA.

### **Policy**

#### General Rule

As required by Utah Code § 53G-7-203 and R277-631, the School shall not enroll a student in kindergarten unless the student is toilet trained, with the following exception: the School may enroll a student who is not toilet trained if the student's developmental delay is a result of a condition addressed by an IEP or Section 504 plan.

#### Assurance

The School shall, as part of its kindergarten enrollment process, require the parent of an incoming kindergarten student to complete an assurance as to whether the student is toilet trained.

#### Enrolled Kindergarten Students Who Lack Toilet Training

In the event a kindergarten student is enrolled in the School and lacks toilet training, the School shall:

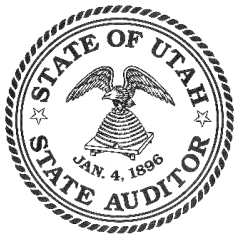
- (a) consider whether the student's delay in toileting capability may be a sign of a disability that could impact the student's education, including initial evaluation consistent with the School's child find obligations, if appropriate; and
- (b) refer the student and the student's parents to a School social worker or School counselor, if any, and to a member of the School's administration to:
  - (i) provide additional family supports and resources; and
  - (ii) create an individualized plan to address the student's needs.

### Individualized Plan for Kindergarten Students Who Lack Toilet Training

The individualized plan referenced above may, as appropriate and at the administration's discretion, require an enrolled kindergarten student to either attend less than the student's regular school day or not attend any of the school day until the student is toilet trained.

If the student is permitted to continue attending school as part of the student's individualized plan, the School may allow the student's parent or the parent's adult designee to toilet train the student during the school day. If the student is not permitted to continue attending school as part of the student's individualized plan, the School shall coordinate with the student's parents to reintegrate the student back into school, as appropriate, once the student has become toilet trained. Prior to reintegrating a student back into school under such circumstances, the School may require the student's parent to complete another assurance that the student is toilet trained.

If a parent of an enrolled kindergarten student who is not toilet trained is unwilling or unable to make or complete an individualized plan within a reasonable amount of time, or if an enrolled student who does not have an IEP or Section 504 plan addressing their developmental delay condition is otherwise unable to become toilet trained within a reasonable amount of time, the School may unenroll the student from the School.



OFFICE OF THE  
STATE AUDITOR

# Questionnaire

Revised December 2020

## Fraud Risk Assessment

### INSTRUCTIONS:

- Reference the *Fraud Risk Assessment Implementation Guide* to determine which of the following recommended measures have been implemented.
- Indicate successful implementation by marking “Yes” on each of the questions in the table. Partial points may not be earned on any individual question.
- Total the points of the questions marked “Yes” and enter the total on the “Total Points Earned” line.
- Based on the points earned, circle/highlight the risk level on the “Risk Level” line.
- Enter on the lines indicated the entity name, fiscal year for which the Fraud Risk Assessment was completed, and date the Fraud Risk Assessment was completed.
- Print CAO and CFO names on the lines indicated, then have the CAO and CFO provide required signatures on the lines indicated.

# Fraud Risk Assessment

Continued

\*Total Points Earned: 375 /395 \*Risk Level: Very Low Low Moderate High Very High  
> 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	200	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	5	5
b. Procurement?	5	5
c. Ethical behavior?	5	5
d. Reporting fraud and abuse?	5	5
e. Travel?	5	5
f. Credit/Purchasing cards (where applicable)?	5	5
g. Personal use of entity assets?	5	5
h. IT and computer security?	5	5
i. Cash receipting and deposits?	5	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	20	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	10	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	20	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training ( <a href="http://training.auditor.utah.gov">training.auditor.utah.gov</a> ) within four years of term appointment/election date?	20	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	20	20
7. Does the entity have or promote a fraud hotline?	20	20
8. Does the entity have a formal internal audit function?	--	20
9. Does the entity have a formal audit committee?	20	20

\*Entity Name: Lumen Scholar Institute

\*Completed for Fiscal Year Ending: June 30, 2024 \*Completion Date: \_\_\_\_\_

\*CAO Name: Kristy Gordon \*CFO Name: Amber Wright

\*CAO Signature: \_\_\_\_\_ \*CFO Signature: \_\_\_\_\_

\*Required

# Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	X			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?	X			
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".				X
4. Are all the people who have access to blank checks different from those who are authorized signers?		X	X	
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?	X			
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	X			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".	X			
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	X			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	X			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	X			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	X			

\* MC = Mitigating Control

# Basic Separation of Duties

## Continued

**Instructions:** Answer questions 1-12 on the Basic Separation of Duties Questionnaire using the definitions provided below.

☺ If all of the questions were answered “Yes” or “No” with mitigating controls (“MC”) in place, or “N/A,” the entity has achieved adequate basic separation of duties. Question 1 of the Fraud Risk Assessment Questionnaire will be answered “Yes.” 200 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.

☹ If any of the questions were answered “No,” and mitigating controls are not in place, the entity has not achieved adequate basic separation of duties. Question 1 of the Fraud Risk Assessment Questionnaire will remain blank. 0 points will be awarded for question 1 of the Fraud Risk Assessment Questionnaire.

## Definitions:

**Board Chair** is the elected or appointed chairperson of an entity’s governing body, e.g. Mayor, Commissioner, Councilmember or Trustee. The official title will vary depending on the entity type and form of government.

**Clerk** is the bookkeeper for the entity, e.g. Controller, Accountant, Auditor or Finance Director. Though the title for this position may vary, they validate payment requests, ensure compliance with policy and budgetary restrictions, prepare checks, and record all financial transactions.

**Chief Administrative Officer (CAO)** is the person who directs the day-to-day operations of the entity. The CAO of most cities and towns is the mayor, except where the city has a city manager. The CAO of most local and special districts is the board chair, except where the district has an appointed director. In school districts, the CAO is the superintendent. In counties, the CAO is the commission or council chair, except where there is an elected or appointed manager or executive.

**General Ledger** is a general term for accounting books. A general ledger contains all financial transactions of an organization and may include sub-ledgers that are more detailed. A general ledger may be electronic or paper based. Financial records such as invoices, purchase orders, or depreciation schedules are not part of the general ledger, but rather support the transaction in the general ledger.

**Mitigating Controls** are systems or procedures that effectively mitigate a risk in lieu of separation of duties.

**Original Bank Statement** means a document that has been received directly from the bank. Direct receipt of the document could mean having the statement 1) mailed to an address or PO Box separate from the entity’s place of business, 2) remain in an unopened envelope at the entity offices, or 3) electronically downloaded from the bank website by the intended recipient. The key risk is that a treasurer or clerk who is intending to conceal an unauthorized transaction may be able to physically or electronically alter the statement before the independent reviewer sees it.

**Treasurer** is the custodian of all cash accounts and is responsible for overseeing the receipt of all payments made to the entity. A treasurer is always an authorized signer of all entity checks and is responsible for ensuring cash balances are adequate to cover all payments issued by the entity.

# Lumen Scholar Institute

Budgets for Approval 6/20/2024

	Year Ending 6/30/2023	Year Ending 6/30/2024	Year To Date 5/31/2024	Year Ending 6/30/2024	Year Ending 6/30/2025
	2023 Actuals	2024 Approved	Actuals	2024 Revised	2025 Preliminary
Net Income					
Income					
Revenue From Local Sources	30,475	25,000	71,212	71,212	40,000
Revenue From State Sources	3,785,111	4,295,184	4,608,840	4,934,577	5,154,674
Revenue From Federal Sources	118,209	136,025	86,527	225,565	77,200
Total Income	3,933,796	4,456,209	4,766,579	5,231,354	5,271,874
Expenses					
Instruction/Salaries	2,421,124	2,679,513	2,215,302	2,785,302	3,238,781
Employee Benefits	360,112	456,841	332,574	405,836	524,977
Purchased Prof & Tech Serv	464,096	479,000	388,187	486,840	411,109
Purchased Property Services	58,420	198,600	171,201	174,193	187,673
Other Purchased Services	119,854	144,670	106,658	195,003	133,651
Supplies & Materials	509,207	471,301	422,304	621,330	624,665
Property	132,235	0	0	0	15,000
Debt Services & Miscellaneous	129,483	4,077	4,836	6,297	6,243
Total Expenses	4,194,532	4,434,003	3,641,063	4,674,801	5,142,099
Total Net Income	(260,736)	22,207	1,125,516	556,553	129,775



**Order Form Number:** Q2717189  
**Valid Until:** 07/01/2024

**Zoom Video Communications Inc. ('Zoom')**  
55 Almaden Blvd, 6th Floor  
San Jose, CA

<b>Billed To</b>  <b>Customer:</b> Lumen Scholar Institute <b>Account Legal Name:</b> LUMEN SCHOLAR INSTITUTE <b>Contact Name:</b> Jonathan Seal 1353 West 760 North Orem, Utah 84057, United States <b>Email Address:</b> jseal@lumenscholar.org <b>Phone:</b> (801) 987-9497	<b>Sold To</b>  <b>Customer:</b> Lumen Scholar Institute <b>Account Legal Name:</b> LUMEN SCHOLAR INSTITUTE <b>Contact Name:</b> Jonathan Seal 1353 West 760 North Orem, Utah 84057, United States <b>Email Address:</b> jseal@lumenscholar.org <b>Phone:</b> (801) 987-9497
<b>Auto Renew:</b> Yes <b>Initial Paid Subscription Term:</b> 12 Month <b>Renewal Subscription Term:</b> 12 Month <b>Paid Period Start Date:</b> 07/01/2024	<b>Billing Method:</b> Email <b>Currency:</b> USD <b>Payment Term:</b> Net 30

This Zoom Order Form and any other Order Forms that reference this Order Form are governed by the Zoom Terms of Service found at <https://explore.zoom.us/en/terms/> (unless Customer and Zoom have entered a written governing Master Subscription Agreement, in which case such written agreement will govern).

SERVICE	BILLING PERIOD	QUANTITY	PRICE	TOTAL
Education Annual	Annual	70	USD 76.00	USD 5,320.00
Zoom Phone US/Canada Unlimited Calling Named User Annual	Annual	70	USD 171.00	USD 11,970.00
Cloud Recording 3 TB - overage fee	Month	NA	USD 0.1000	NA
Cloud Recording One Year Prepay 3 TB Monthly Usage	Annual	1	USD 28,000.00	USD 28,000.00
Zoom Phone Monthly Usage - overage fee	Month	NA	USD 1.0000	NA
Zoom Phone Pay As You Go	Month	1	USD 0.00	USD 0.00
Webinar 500 Annual	Annual	1	USD 499.00	USD 499.00

(Before Taxes)

Annual Payment:

**USD 45,789.00**

#### Payment Schedule Summary (Before Taxes)

First Payment: USD 45,789.00

Annual Recurring Payment: USD 45,789.00 (At the beginning of the Second Year)

#### Other Terms & Notes

Zoom One is rebranding to Zoom Workplace! This new name does not impact your services.



**Named Host** - means any subscribed host who may host an unlimited number of meetings during the Term using the Service. Any meeting will have at least one Named Host. Unless Customer has purchased an extended capacity, the number of participants (participants do not require a subscription) will not exceed 300 per meeting. Named Host subscription may not be shared or used by anyone other than the individual to whom the Named Host subscription is assigned.

**Zoom EDU** subscriptions are intended for student and faculty and pedagogical interaction within a classroom environment, or the administration thereof and may not be used for any commercial purpose. Zoom EDU subscriptions may not be purchased by hospitals, medical centers, clinics, or other affiliated organizations not specifically involving student and faculty and pedagogical interactions within a classroom environment or the administration thereof. Country or region availability for Zoom Phone is listed on Zoom's website and is subject to change (see <https://explore.zoom.us/docs/en-us/zoomphone/global-coverage.html>).

**Fees** - The fees for the Services, if any, are described in the Order Form. The actual fees may also include overage amounts or per use charges for audio and/or cloud recording in addition to the fees in the Order, if such use is higher than the amounts described in the Order, and you agree to pay these amounts or charges if you incur them. Invoicing for Services begins on the first day that the service is available for use by the Customer and monthly thereafter for the duration Term, except for annual pre-pay option which is invoiced once in the first month of the annual term. Amendment orders will co-term with the existing subscription term end date. Invoices are pro-rated from paid period start date to base subscription end date. Purchase order, if any, issued in connection with this order should reference the above order form number. Commitments not utilized by the Customer during the month for which they are committed may not be carried forward into any subsequent month or term.

All prices shown for Zoom and Zoom Phone services are exclusive of taxes. The term 'taxes' referred herein should encompass: US state and local taxes, VAT, GST, HST (or any other consumption taxes), Digital Service Taxes and Withholding Taxes that may apply upon making payments to Zoom. Regulatory telecommunications fees, such as USF or any similar foreign fee, will apply to Zoom Phone services and details of taxes and fees will be included in issued invoices. If you are exempt from any of these taxes, please submit your exemption documentation in the Billing Information tab under "Verify Tax Exemption Status". The document will be reviewed and if approved, will exempt you from all applicable taxes.

*Professional Services, if purchased, will be presented in a separate Order Form.*

## Zoom Phone Rates

Zoom Phone Table Format: Country | Landline Rate | Mobile Rate | Enabled Status

Y means Zoom Phone for country is Enabled upon provisioning

N means Zoom Phone for country is Not Enabled upon provisioning

Toll-Free				Callout			
Country   Landline Rate   Mobile Rate   Enabled Status				Country   Landline Rate   Mobile Rate   Enabled Status			
Not Applicable				ANTIGUA AND BARBUDA   1.0218 \$   1.0486 \$   Y			
				ARGENTINA   0.1156 \$   0.5623 \$   Y			
				AUSTRIA   0.0501 \$   0.23 \$   Y			
				BULGARIA   0.1186 \$   0.8406 \$   Y			
				BOLIVIA (PLURINATIONAL STATE OF)   0.5155 \$   0.8003 \$   Y			
				BONAIRE, SINT EUSTATIUS AND SABA   0.7028 \$   0.7028 \$   Y			
				BOTSWANA   0.436 \$   0.9398 \$   Y			
				COCOS (KEELING) ISLANDS   0.4552 \$   0 \$   Y			
				SWITZERLAND   0.3694 \$   0.7011 \$   Y			
				CUBA   3.0799 \$   5.6543 \$   Y			
				CURAÇAO   0.2813 \$   0.7028 \$   Y			
				CHRISTMAS ISLAND   0.4552 \$   0 \$   Y			
				CYPRUS   0.0953 \$   0.2861 \$   Y			
				GERMANY   0.0353 \$   0.1434 \$   Y			
				DOMINICAN REPUBLIC   0.1716 \$   0.3824 \$   Y			
				ALGERIA   0.3773 \$   2.1167 \$   Y			
				ECUADOR   0.5392 \$   0.7572 \$   Y			
				WESTERN SAHARA   0.5182 \$   0 \$   Y			
				SPAIN   0.0381 \$   0.1832 \$   Y			
				FINLAND   0.8584 \$   0.864 \$   Y			
				GRENADA   1.0196 \$   1.2758 \$   Y			
				GREECE   0.0911 \$   0.3357 \$   Y			
				HONG KONG SAR   0.0863 \$   0.1333 \$   Y			
				INDONESIA   0.1486 \$   0.2407 \$   Y			
				ISRAEL   0.0639 \$   0.1161 \$   Y			
				INDIA   0.0915 \$   0.0837 \$   Y			
				IRAN   1.2762 \$   1.3672 \$   Y			
				JORDAN   0.6552 \$   0.8567 \$   Y			
				KENYA   0.9342 \$   0.7235 \$   Y			
				CAYMAN ISLANDS   0.7259 \$   0.4934 \$   Y			
				KAZAKHSTAN   0.3587 \$   0.6853 \$   Y			
				SAINT LUCIA   0.9581 \$   0.5276 \$   Y			
				MALAYSIA   0.1001 \$   0.0918 \$   Y			
				NETHERLANDS   0.0913 \$   0.4453 \$   Y			
				NEW ZEALAND   0.0567 \$   0.2556 \$   Y			
				OMAN   0.5335 \$   1.1352 \$   Y			
				PANAMA   0.0485 \$   0.994 \$   Y			
				PHILIPPINES   0.5808 \$   0.7074 \$   Y			
				POLAND   0.137 \$   0.3728 \$   Y			

PORTUGAL | 0.026 \$ | 0.1545 \$ | Y  
 RÉUNION | 0.3569 \$ | 0.6072 \$ | Y  
 ROMANIA | 0.0812 \$ | 0.2815 \$ | Y  
 RUSSIAN FEDERATION | 0.1054 \$ | 0.8892 \$ | Y  
 SATELLITE - AEROMOBILE | 0 \$ | 44.8179 \$ | Y  
 SUDAN | 1.4455 \$ | 1.4742 \$ | Y  
 SATELLITE - EMSAT | 0 \$ | 21.0161 \$ | Y  
 SINGAPORE | 0.0329 \$ | 0.0335 \$ | Y  
 SLOVENIA | 0.1855 \$ | 1.1228 \$ | Y  
 SATELLITE - INMARSAT-AERO | 0 \$ | 29.5946 \$ | Y  
 SATELLITE - INMARSAT-BGAN-HSD | 0 \$ | 38.1728 \$ | Y  
 SATELLITE - INMARSAT-B-HSD | 0 \$ | 48.2519 \$ | Y  
 SATELLITE - INMARSAT-M4-HSD | 0 \$ | 43.9628 \$ | Y  
 SATELLITE - INMARSAT-MINI M | 0 \$ | 31.7388 \$ | Y  
 SATELLITE - INMARSAT-B | 0 \$ | 37.3146 \$ | Y  
 SATELLITE - INMARSAT-M | 0 \$ | 11.3661 \$ | Y  
 SATELLITE - INMARSAT-BGAN | 0 \$ | 29.5946 \$ | Y  
 SATELLITE - MCP | 0 \$ | 12.2242 \$ | Y  
 SATELLITE - GLOBALSTAR | 0 \$ | 16.0838 \$ | Y  
 SATELLITE - IRIDIUM | 0 \$ | 31.7388 \$ | Y  
 SATELLITE - INMARSAT | 0 \$ | 36.0284 \$ | Y  
 SATELLITE - THURAYA | 0 \$ | 28.7368 \$ | Y  
 UKRAINE | 0.5868 \$ | 1.0755 \$ | Y  
 URUGUAY | 0.2285 \$ | 0.8432 \$ | Y  
 HOLY SEE (VATICAN CITY) | 0.0082 \$ | 0 \$ | Y  
 VENEZUELA (BOLIVARIAN REPUBLIC OF) | 0.0518 \$ | 0.2809 \$ | Y  
 VIRGIN ISLANDS (U.S.) | 0.9646 \$ | 1.5308 \$ | Y  
 ASCENSION ISLAND | 1.8943 \$ | 1.065 \$ | Y  
 ANDORRA | 0.1589 \$ | 0.348 \$ | Y  
 UNITED ARAB EMIRATES | 0.6535 \$ | 0.6535 \$ | Y  
 AFGHANISTAN | 0.3124 \$ | 0.3766 \$ | Y  
 ANGUILLA | 1.0442 \$ | 1.0442 \$ | Y  
 ALBANIA | 0.2534 \$ | 0.7026 \$ | Y  
 ARMENIA | 0.3098 \$ | 0.3455 \$ | Y  
 NETHERLANDS ANTILLES | 0.1956 \$ | 0.15 \$ | Y  
 ANGOLA | 0.6882 \$ | 0.5871 \$ | Y  
 AMERICAN SAMOA | 0.3267 \$ | 0.3267 \$ | Y  
 AUSTRALIA | 0.0443 \$ | 0.182 \$ | Y  
 ARUBA | 0.1557 \$ | 0.3294 \$ | Y  
 AZERBAIJAN | 0.434 \$ | 0.5256 \$ | Y  
 BOSNIA AND HERZEGOVINA | 0.6177 \$ | 1.313 \$ | Y  
 BARBADOS | 0.972 \$ | 1.0238 \$ | Y  
 BANGLADESH | 0.1703 \$ | 0.1697 \$ | Y  
 BELGIUM | 0.308 \$ | 0.5272 \$ | Y  
 BURKINA FASO | 0.5944 \$ | 0.6532 \$ | Y  
 BAHRAIN | 0.4356 \$ | 0.5154 \$ | Y  
 BURUNDI | 0.788 \$ | 0.8907 \$ | Y  
 BENIN | 0.602 \$ | 0.5223 \$ | Y  
 BERMUDA | 0.3216 \$ | 0.3216 \$ | Y  
 BRUNEI DARUSSALAM | 0.1424 \$ | 0.0558 \$ | Y  
 BRAZIL | 0.0524 \$ | 0.2582 \$ | Y  
 BAHAMAS | 0.6278 \$ | 0.6278 \$ | Y  
 BHUTAN | 0.1257 \$ | 0.1025 \$ | Y  
 BELARUS | 0.6629 \$ | 0.6641 \$ | Y  
 BELIZE | 1.533 \$ | 1.533 \$ | Y  
 CANADA | 0.0355 \$ | 0.0355 \$ | Y  
 CONGO, DEMOCRATIC REPUBLIC OF THE | 0.867 \$ | 0.7109 \$ | Y  
 CENTRAL AFRICAN REPUBLIC | 1.0972 \$ | 0.8121 \$ | Y  
 COTE D'IVOIRE | 0.67 \$ | 0.7129 \$ | Y  
 COOK ISLANDS | 1.5994 \$ | 1.3205 \$ | Y  
 CHILE | 0.1132 \$ | 0.5309 \$ | Y  
 CAMEROON | 0.4107 \$ | 0.5179 \$ | Y  
 CHINA | 0.0395 \$ | 0.0395 \$ | Y  
 COLOMBIA | 0.117 \$ | 0.1003 \$ | Y  
 COSTA RICA | 0.1231 \$ | 0.3139 \$ | Y  
 CABO VERDE | 0.5317 \$ | 0.3612 \$ | Y  
 CZECHIA | 0.113 \$ | 0.2348 \$ | Y  
 DIEGO GARCIA | 0.435 \$ | 0.435 \$ | Y  
 DJIBOUTI | 0.7215 \$ | 0.5718 \$ | Y  
 DENMARK | 0.0327 \$ | 0.1404 \$ | Y  
 DOMINICA | 1.0227 \$ | 0.7727 \$ | Y  
 ESTONIA | 2.1381 \$ | 2.0891 \$ | Y  
 EGYPT | 0.4326 \$ | 0.6226 \$ | Y  
 ERITREA | 0.7029 \$ | 0.4078 \$ | Y  
 ETHIOPIA | 0.4027 \$ | 0.3803 \$ | Y  
 FIJI | 1.5038 \$ | 0.7631 \$ | Y  
 FALKLAND ISLANDS (MALVINAS) | 1.9702 \$ | 1.9702 \$ | Y  
 MICRONESIA (FEDERATED STATES OF) | 0.8686 \$ | 0.8308 \$ | Y  
 FAROE ISLANDS | 0.1524 \$ | 0.0288 \$ | Y

FRANCE | 0.0329 \$ | 0.126 \$ | Y  
 GABON | 0.6246 \$ | 0.6921 \$ | Y  
 UNITED KINGDOM | 0.0233 \$ | 0.0682 \$ | Y  
 GEORGIA | 0.8426 \$ | 1.1833 \$ | Y  
 FRENCH GUIANA | 0.2043 \$ | 0.1204 \$ | Y  
 GUERNSEY | 0.0233 \$ | 0.0682 \$ | Y  
 GHANA | 1.1366 \$ | 1.1366 \$ | Y  
 GIBRALTAR | 0.2334 \$ | 0.9396 \$ | Y  
 GREENLAND | 1.125 \$ | 0.3228 \$ | Y  
 GAMBIA | 0.6642 \$ | 0.801 \$ | Y  
 GUINEA | 1.1618 \$ | 0.9137 \$ | Y  
 GUADELOUPE, SAINT-MARTIN (FRENCH) AND SAINT  
 BARTHÉLEMY | 0.0265 \$ | 0.1017 \$ | Y  
 EQUATORIAL GUINEA | 2.7398 \$ | 2.7398 \$ | Y  
 GUATEMALA | 0.625 \$ | 0.7812 \$ | Y  
 GUAM | 0.0409 \$ | 0.0409 \$ | Y  
 GUINEA-BISSAU | 0.8951 \$ | 0.9941 \$ | Y  
 GUYANA | 0.333 \$ | 0.3282 \$ | Y  
 HONDURAS | 0.1846 \$ | 0.2305 \$ | Y  
 CROATIA | 0.458 \$ | 1.251 \$ | Y  
 HAITI | 0.3532 \$ | 0.4437 \$ | Y  
 HUNGARY | 0.1209 \$ | 0.2156 \$ | Y  
 IRELAND | 0.0256 \$ | 0.1784 \$ | Y  
 ISLE OF MAN | 0.0233 \$ | 0.0682 \$ | Y  
 IRAQ | 0.2409 \$ | 0.2955 \$ | Y  
 ICELAND | 0.2305 \$ | 0.1054 \$ | Y  
 ITALY | 0.0338 \$ | 0.2172 \$ | Y  
 JERSEY | 0.0233 \$ | 0.0682 \$ | Y  
 JAMAICA | 1.0442 \$ | 1.0442 \$ | Y  
 JAPAN | 0.0601 \$ | 0.137 \$ | Y  
 KYRGYZSTAN | 0.2141 \$ | 0.3367 \$ | Y  
 CAMBODIA | 0.3497 \$ | 0.3497 \$ | Y  
 KIRIBATI | 1.9284 \$ | 2.1749 \$ | Y  
 COMOROS | 0.6617 \$ | 0.7148 \$ | Y  
 SAINT KITTS AND NEVIS | 0.9292 \$ | 0.9292 \$ | Y  
 KOREA, REPUBLIC OF | 0.1029 \$ | 0.1029 \$ | Y  
 KUWAIT | 0.3625 \$ | 0.3625 \$ | Y  
 LAO PEOPLE'S DEMOCRATIC REPUBLIC | 0.2884 \$ |  
 0.1503 \$ | Y  
 LEBANON | 0.1964 \$ | 0.2401 \$ | Y  
 LIECHTENSTEIN | 0.4236 \$ | 0.213 \$ | Y  
 SRI LANKA | 0.6953 \$ | 0.6953 \$ | Y  
 LIBERIA | 0.7744 \$ | 0.7668 \$ | Y  
 LESOTHO | 0.7845 \$ | 1.153 \$ | Y  
 LITHUANIA | 1.8394 \$ | 1.479 \$ | Y  
 LUXEMBOURG | 0.3562 \$ | 0.3832 \$ | Y  
 LATVIA | 2.1202 \$ | 2.4842 \$ | Y  
 LIBYA | 0.6169 \$ | 0.4497 \$ | Y  
 MOROCCO | 0.5183 \$ | 2.132 \$ | Y  
 MONACO | 0.8023 \$ | 2.1247 \$ | Y  
 MOLDOVA, REPUBLIC OF | 0.4672 \$ | 0.4992 \$ | Y  
 MONTENEGRO | 0.3536 \$ | 0.8558 \$ | Y  
 MADAGASCAR | 1.0043 \$ | 1.0901 \$ | Y  
 MARSHALL ISLANDS | 0.4046 \$ | 0.4046 \$ | Y  
 NORTH MACEDONIA | 0.6601 \$ | 1.5052 \$ | Y  
 MALI | 0.5561 \$ | 0.6258 \$ | Y  
 MYANMAR | 0.2574 \$ | 0.355 \$ | Y  
 MONGOLIA | 0.0699 \$ | 0.05 \$ | Y  
 MACAU SAR | 0.4726 \$ | 0.4726 \$ | Y  
 NORTHERN MARIANA ISLANDS | 0.0343 \$ | 0.0343 \$ | Y  
 MARTINIQUE | 0.0465 \$ | 0.1033 \$ | Y  
 MAURITANIA | 0.8688 \$ | 1.0065 \$ | Y  
 MONTSERRAT | 1.2006 \$ | 1.2006 \$ | Y  
 MALTA | 0.3331 \$ | 0.6612 \$ | Y  
 MAURITIUS | 0.717 \$ | 0.6363 \$ | Y  
 MALDIVES | 5.702 \$ | 5.702 \$ | Y  
 MALAWI | 0.7964 \$ | 0.677 \$ | Y  
 MEXICO | 0.0501 \$ | 0.1711 \$ | Y  
 MOZAMBIQUE | 0.2722 \$ | 0.4588 \$ | Y  
 NAMIBIA | 0.2139 \$ | 0.1839 \$ | Y  
 NEW CALEDONIA | 0.975 \$ | 0.4491 \$ | Y  
 NIGER | 0.7102 \$ | 0.5895 \$ | Y  
 NORFOLK ISLAND | 2.1209 \$ | 1.065 \$ | Y  
 NIGERIA | 0.6428 \$ | 0.6428 \$ | Y  
 NICARAGUA | 0.1902 \$ | 0.3507 \$ | Y  
 NORWAY | 0.0338 \$ | 0.1522 \$ | Y  
 NEPAL | 0.5329 \$ | 0.5329 \$ | Y  
 NAURU | 1.8562 \$ | 2.026 \$ | Y  
 NIUE | 1.7966 \$ | 1.3181 \$ | Y  
 PERU | 0.0487 \$ | 0.1476 \$ | Y  
 FRENCH POLYNESIA | 0.411 \$ | 0.5337 \$ | Y  
 PAPUA NEW GUINEA | 0.9428 \$ | 1.3329 \$ | Y

PAKISTAN | 0.5737 \$ | 0.5737 \$ | Y  
 SAINT PIERRE AND MIQUELON | 0.5816 \$ | 0.5816 \$ | Y  
 PUERTO RICO | 0.0242 \$ | 0.0242 \$ | Y  
 PALESTINE, STATE OF | 0.2667 \$ | 0.3118 \$ | Y  
 PALAU | 0.4532 \$ | 0.4417 \$ | Y  
 PARAGUAY | 0.1531 \$ | 0.2971 \$ | Y  
 QATAR | 0.8432 \$ | 0.8784 \$ | Y  
 SERBIA | 0.2929 \$ | 0.4437 \$ | Y  
 RWANDA | 1.103 \$ | 1.2498 \$ | Y  
 SAUDI ARABIA | 0.3749 \$ | 0.5608 \$ | Y  
 SOLOMON ISLANDS | 0.975 \$ | 1.9255 \$ | Y  
 SEYCHELLES | 1.1088 \$ | 1.0784 \$ | Y  
 SWEDEN | 0.0234 \$ | 0.0956 \$ | Y  
 SAINT HELENA, ASCENSION AND TRISTAN DA CUNHA |  
 2.4267 \$ | 2.3385 \$ | Y  
 SLOVAKIA | 0.0701 \$ | 0.4768 \$ | Y  
 SIERRA LEONE | 0.8439 \$ | 0.7772 \$ | Y  
 SAN MARINO | 0.8929 \$ | 0.3148 \$ | Y  
 SENEGAL | 0.7273 \$ | 0.8951 \$ | Y  
 SOMALIA | 0.7888 \$ | 0.7763 \$ | Y  
 SURINAME | 0.1996 \$ | 0.4533 \$ | Y  
 SOUTH SUDAN | 0.6542 \$ | 0.7173 \$ | Y  
 SAO TOME AND PRINCIPE | 1.5976 \$ | 1.574 \$ | Y  
 EL SALVADOR | 0.8294 \$ | 0.6228 \$ | Y  
 SINT MAARTEN (DUTCH PART) | 0.4137 \$ | 0.4678 \$ | Y  
 ESWATINI | 0.2293 \$ | 0.2666 \$ | Y  
 TURKS AND CAICOS ISLANDS | 1.411 \$ | 1.6546 \$ | Y  
 CHAD | 0.83 \$ | 0.8565 \$ | Y  
 FRENCH SOUTHERN TERRITORIES | 0.023 \$ | 0.1601 \$ | Y  
 TOGO | 0.5079 \$ | 0.4711 \$ | Y  
 THAILAND | 0.1271 \$ | 0.1271 \$ | Y  
 TAJIKISTAN | 0.2603 \$ | 0.2817 \$ | Y  
 TOKELAU | 0.975 \$ | 2.4545 \$ | Y  
 TIMOR-LESTE | 0.975 \$ | 0.9269 \$ | Y  
 TURKMENISTAN | 0.435 \$ | 0.435 \$ | Y  
 TUNISIA | 1.2254 \$ | 1.2586 \$ | Y  
 TONGA | 1.4663 \$ | 1.513 \$ | Y  
 TURKEY | 0.2271 \$ | 0.5803 \$ | Y  
 TRINIDAD AND TOBAGO | 0.5075 \$ | 0.6433 \$ | Y  
 TAIWAN, CHINA | 0.0741 \$ | 0.4129 \$ | Y  
 TANZANIA, UNITED REPUBLIC OF | 1.6103 \$ | 1.6103 \$ | Y  
 UGANDA | 1.6086 \$ | 1.6086 \$ | Y  
 UNITED STATES MINOR OUTLYING ISLANDS | 0.0343 \$ |  
 0.0343 \$ | Y  
 UNITED STATES OF AMERICA | 0.0318 \$ | 0.0318 \$ | Y  
 UZBEKISTAN | 0.3047 \$ | 0.3047 \$ | Y  
 SAINT VINCENT AND THE GRENADINES | 0.9717 \$ |  
 0.5279 \$ | Y  
 VIRGIN ISLANDS (BRITISH) | 0.4557 \$ | 0.4557 \$ | Y  
 VIET NAM | 0.3142 \$ | 0.3142 \$ | Y  
 VANUATU | 1.326 \$ | 1.4891 \$ | Y  
 WALLIS AND FUTUNA | 0.975 \$ | 0.975 \$ | Y  
 SAMOA | 0.3329 \$ | 0.9589 \$ | Y  
 YEMEN | 0.2885 \$ | 0.2296 \$ | Y  
 MAYOTTE | 0.2471 \$ | 0.4199 \$ | Y  
 SOUTH AFRICA | 0.3844 \$ | 0.6876 \$ | Y  
 ZAMBIA | 0.747 \$ | 0.7075 \$ | Y  
 ZIMBABWE | 0.3413 \$ | 0.6389 \$ | Y

Accepted and agreed as of the date specified below by the authorized representative of Customer

**Signature:**

**Print Name:**

**Date:**

<b>Zoom Service Effective Date: 07/01/2024</b>
<b>PO # (If Applicable):</b>

**The Services will be activated within 48 hours of order signature or Zoom Service Effective Date, whichever is later.**

**Zoom reserves the right at its sole discretion to accept Order Forms received after the Valid Until date.**

*If a PO# is required for processing the invoice related to this order, please provide a PO with this order. If issuance of PO is delayed, please provide a PO within 5 days of the service effective date via email to [purchase-orders@zoom.us](mailto:purchase-orders@zoom.us). Notwithstanding the foregoing, the period for payment shall commence as of the applicable invoice date. Such payment period shall not restart based on any delays in issuing a Purchase Order or any procurement process.*

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## **Policy 115: Student Conduct and Discipline**

**Original Adopted Date:** 10/13/2015 | **Last Revised Date:** 06/20/2024 | **Last Reviewed Date:** 06/20/2024

### **Purpose**

The purpose of Lumen Scholar Institute'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.

### **Definitions**

1. Suspension means a temporary removal of a student from School-related and School-sponsored activities for a period of up to one (1) year. A student who is suspended may, at the administration's discretion, have access to homework, tests, and other schoolwork but will not be allowed to attend or participate in any classes or other School activities during the period of suspension.
2. 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 administration retains the authority to exclude the student from all programs or activities for the period of expulsion.
3. 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. Change of Placement (for Students with Disabilities under IDEA and Section 504) means the removal of a student with a disability from the student's current educational placement. A "change of placement" occurs if the removal is for more than ten (10) consecutive school days or 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 I of this policy.
5. Disruptive Student Behavior means the behavior identified as grounds for suspension or expulsion described in Section C, below.
6. Parent means a custodial parent of a school-age child, a legally appointed guardian of a school-age child, or any other person purporting to exercise any authority over the child which could be exercised by a person described above.
7. Qualifying Minor means a school-age child who is at least nine years old, or turns nine years old at any time during the school year.

8. School Year means the period of time designated as the school year by the Board in the calendar adopted each year.
9. 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.

## **Policy**

### **A. Beliefs, Expectations, and Philosophy**

1. 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:
  - a. Student responsibility for learning and behavior;
  - b. Student conduct that produces a proper learning environment and respect for the personal, civil, and property rights of all members of the School community; and
  - c. 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.
2. The School's beliefs and expectations set a positive and inviting culture for dealing with student behavior issues:
  - a. Beliefs:
    - i. Punishment alone will not change behavior;
    - ii. Much aggressive behavior is a relationship problem, not a behavior problem;
    - iii. Adults must model the behaviors they expect from the students; and
    - iv. We expect conflicts, but we expect conflicts to be resolved and relationships mended.
  - b. Expectations:
    - i. Students will show respect for other students;
    - ii. Students will show respect for adults;
    - iii. Adults will show respect for students; and
    - iv. Students will develop self-discipline.
3. 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:
  - a. When students are involved in conflicts with other students, they will:
    - i. Work together to resolve the conflict;
    - ii. Work to repair the relationship and build trust; and
    - iii. Be subject to additional consequences if they exhibit unsafe behaviors during the conflict.
  - b. 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:

- i. 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.
- c. When students flagrantly disregard the safety of others, show blatant disrespect to others, or consistently behave in a disrespectful or unsafe way:
  - i. 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:
    - 1. Suspension;
    - 2. Expulsion;
    - 3. Restitution; and
    - 4. Repayment for damages.
- d. The student will work to earn back the trust of the school community by actions such as:
  - i. Genuine apology to injured or affected parties;
  - ii. Demonstration of appropriate behaviors following the incident; and
  - iii. Repair or replace any damaged items.
- e. Due process to protect the rights of students will include:
  - i. 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 follow the School's Stakeholder Grievance Policy, including, where appropriate, requesting a hearing with the Board of Trustees (the "Board") in accordance with the School's Stakeholder Grievance Policy;
  - ii. Parents will be notified when students are involved in situations that are deemed to be serious; and
  - iii. 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.

## **B. Environment**

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 connection with the use of the School's electronic resources and while participating in School-related or 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; and
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 Stakeholder Grievance Policy.



### C. Grounds for Suspension, Expulsion, or Change of Placement

1. A student **may** be suspended from School for the following reasons:
  - a. Frequent, flagrant, or willful disobedience, defiance of proper authority, or disruptive behavior, including, but not limited to: fighting; gang activity; 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 Code Ann. § 32B-1-102;
  - 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 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, during a School-sponsored activity, at home, 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 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, Cyberbullying, Harassment, Hazing, Retaliation, and Abusive Conduct Prohibition and Prevention Policy.
2. A student **shall** be suspended or expelled from School for the following reasons:
  - a. A serious violation affecting another student or a staff member, or a serious violation occurring in connection with the School's electronic resources or any School-related or School-sponsored activity, including:
    - i. The possession, control, or actual or threatened use of a weapon, explosive, or noxious or flammable material;
    - ii. the actual use of violence or sexual misconduct, including but not limited to such violence or sexual misconduct related to hazing;
    - iii. The actual or threatened use of a lookalike weapon with intent to intimidate another person or to disrupt normal School activities;

- iv. 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;
  - 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; or
  - c. Making a false report of an emergency at the School or another school under Utah Code Ann. § 76-9-202(2)(d).
3. A student **may** be expelled from School for any violation listed under Section C of this policy if the violation is serious or persistent.
4. Weapons – Mandatory Expulsion for One Year – Utah Code Ann. § 53G-8-205(2)(b); 20 U.S.C. § 7151:
- a. Any student who commits an act for which mandatory suspension or expulsion is provided under Section C-2 above, involving a weapon, explosive, or noxious or flammable material shall be expelled from School and all School programs and activities for a period of not less than one (1) year, subject to the following:
    - i. Within forty-five (45) days after the expulsion, the student shall appear before the Case Management Team (CMT), which shall be comprised of the Director and/or Chief Administrative Officer, 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, conditioned on approval by the Board and 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.
  - d. Students with disabilities under IDEA and Section 504:
    - i. 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 I of this policy must be followed.

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

- a. A student **shall** be suspended or expelled from the School for any of the following reasons:
  - i. 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 conjunction with any School-related or School-sponsored activity;
  - ii. Misuse or abuse, distribution, sale or arranging for the sale of prescription medication at School or a School-sponsored activity; or
  - iii. 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.
- b. Students with Disabilities under Section 504:
  - i. 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 in conjunction with any School-related or School-sponsored activity.
- c. Drug testing:
  - i. Any student who is reasonably suspected of violating Section C-5 may be subject to a drug test for cause, arranged and paid for by the School;
  - ii. Any student who has been suspended or expelled for a violation of Section C-5 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;
  - iii. 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; and
  - iv. Any student who is suspended or expelled for violation of Section C-5 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.

- d. Students with Disabilities under IDEA:
    - i. 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 I of this policy must be followed.
6. Gangs:
- a. Gang activity and apparel prohibited:
    - i. Students who engage in any form of gang activity 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:
      - 1. 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;
      - 2. Committing any act or omission or using any speech, either verbal or nonverbal, (flashing signs, gestures, handshakes, etc.) that demonstrates membership in or affiliation with a gang;
      - 3. Soliciting others for membership in a gang;
      - 4. Requesting any person to pay for "protection", claiming "turf", or otherwise intimidating, bullying, retaliating against, threatening, or harassing any person;
      - 5. Possessing a weapon, controlled substances, drug paraphernalia, or other contraband;
      - 6. Committing any illegal act; and
      - 7. Encouraging or inciting another person to act with physical violence upon any other person or cause damage to property.
  - b. Confiscation of Gang Items:
    - i. Subject to the search and seizure provisions of this policy, gang paraphernalia, apparel, or weapons may be confiscated by School officials at any time.
  - c. Consultation with Law Enforcement Authorities:
    - i. 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.
7. Possession or Use of Electronic Cigarette Products:
- a. Students are prohibited from possessing or using electronic cigarette products, as defined by Utah Code Ann. § 76-10-101, on School property or during School-sponsored events or activities.
  - b. The administration or their designee shall request the surrender of or confiscate electronic cigarette products as provided in Section O of this policy.

- c. The administration will ensure that any surrendered or confiscated electronic cigarette product is destroyed or disposed of. However, the administration 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.

**D. Authority to Suspend or Expel**

- 1. Authority to Suspend for Ten (10) Days or Fewer for Regular Education Students:
  - a. The Director has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the Director 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; and
  - b. The Director may not suspend for longer than ten (10) school days or otherwise change student placement. Whenever the Director proposes suspending a student for more than ten (10) school days, the Director shall refer the matter to the Chief Administrative Officer. The Chief Administrative Officer may choose to refer the matter to the Board or to a Board member designated by the Board to address such issues.
- 2. Authority to Suspend and Duration of Suspension for Students with Disabilities:
  - a. The Director has the authority to suspend a student with disabilities (504 or IDEA) for not more than ten (10) consecutive school days, and additional removals of not more than ten (10) total school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a pattern resulting in a change of placement; and
  - b. 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.
- 3. Authority to Suspend for Longer than Ten (10) Days or Expel for Regular Education Students:
  - a. Either the Chief Administrative Officer, the Board, or a Board member designated by the Board may suspend 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;
  - b. Parental Responsibility:
    - i. 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;

- ii. 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; and
- iii. 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.

4. Authority to Institute Change of Placement for Student with Disabilities:

- a. 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.

**E. Procedures for Addressing Disruptive Student Behavior – Utah Code Ann. § 53G-8-210**

1. Efforts to Resolve Disruptive Student Behavior Problems:

- a. 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; and
- b. Procedures for Resolving Problems: The Director or a teacher or counselor designated by the Director will work with students who engage in disruptive student behavior according to the procedures identified in Section F in an attempt to help the student's behavior to improve and to prevent problems from escalating.

2. Notice of Disruptive Student Behavior:

- a. Authorization: The Chief Administrative Officer or Director is authorized to issue notices of disruptive student behavior to students who are qualifying minors;
- b. Criteria for Issuing Notice: The Chief Administrative Officer or Director may issue a "notice of disruptive student behavior" to a qualifying minor who:
  - i. Engages in "disruptive student behavior" that does not result in suspension or expulsion three (3) times during the school year; or
  - ii. Engages in disruptive student behavior that results in suspension or expulsion once during the school year.
- c. Contents of Notice: The notice of disruptive student behavior will:
  - i. Require the qualifying minor and a parent of the qualifying minor to whom the notice is issued to meet with School authorities to discuss the qualifying minor's disruptive student behavior and cooperate with the

Chief Administrative Officer or the Director and the Board in correcting the student's disruptive student behavior;

- ii. Contain a statement indicating:
    - 1. The number of additional times that, if the qualifying minor engages in disruptive student behavior that does not result in suspension or expulsion, will result in the qualifying minor receiving a habitual disruptive student behavior citation;
    - 2. That the qualifying minor will receive a habitual disruptive student behavior citation if the qualifying minor engages in disruptive student behavior that results in suspension or expulsion; and
  - iii. Be mailed by certified mail to, or served in person on, a parent of the qualifying minor.
  - d. 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.
3. Habitual Disruptive Student Behavior Citation:
- a. Criteria for Issuing Notice: The Chief Administrative Officer or Director may issue a "habitual disruptive student behavior citation" to a qualifying minor who:
    - i. Engages in disruptive student behavior that does not result in suspension or expulsion at least six (6) times during the school year;
    - ii. Engages in disruptive student behavior that does not result in suspension or expulsion at least three (3) times during the school year;
    - iii. Engages in disruptive student behavior that results in suspension or expulsion at least once during the school year; or
    - iv. Engages in disruptive student behavior that results in suspension or expulsion at least twice during the school year.
  - b. Notice to Parents: Within five (5) days after the day on which a habitual disruptive student behavior citation is issued, the Chief Administrative Officer or Director shall provide documentation to a parent of the qualifying minor who receives the notice of the efforts made by a School representative under Section F, below.
4. Response to School-Based Behavior:
- a. 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.
  - b. Referrals of Minors: A qualifying minor to whom a habitual disruptive student behavior notice is issued 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 be a

habitual truant or is alleged to have committed an offense on School property when School is in session or during a School-sponsored activity. In accordance with § 53G-8-211:

- i. If the alleged offense on School property is a class C misdemeanor, an infraction, or a status offense, or a minor is alleged to be a habitual truant, the minor shall be referred:
  1. to an evidence-based alternative intervention, including:
    - a. a mobile crisis outreach team;
    - b. a youth services center, as defined in § 80-5-102;
    - c. a certified youth court, as defined in § 80-6-901, or comparable restorative justice program;
    - d. an evidence-based alternative intervention created and developed by the School or other governmental entities as set forth in § 53G-8-211(3)(a)(v);
    - e. a tobacco cessation or education program if the offense is a violation of § 76-10-105; or
    - f. truancy mediation; or
  2. 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.
- ii. Except as provided in subsection (iii) below, if a minor is alleged to have committed an offense on School property that is a class C misdemeanor, an infraction, or a status offense, the minor may be referred directly to a law enforcement officer or agency or a court only if:
  1. the minor allegedly committed an offense on School property on a previous occasion; and
  2. the minor was referred to an evidence-based alternative intervention, or to prevention or early intervention youth services, as described in subsection (i) above for the previous offense.
- iii. 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.
- iv. 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 (i) above.
- v. If a minor is alleged to be a habitual truant, the minor may be referred to a law enforcement officer or agency or a court if:
  1. the minor was previously alleged of being a habitual truant at least twice during the same school year; and



2. the minor was referred to an evidence-based alternative intervention, or for prevention and early intervention youth services, as described in subsection (i) above for at least two of the previous habitual truanancies.

vi. If a minor commits an offense on School grounds when School is in session or at a School-sponsored activity and that information is reported to, or known by, a School employee, the School employee shall notify the Director. After receiving such a notification, the Director shall notify a law enforcement officer or agency if the Director may refer the offense to a law enforcement officer or agency as explained above in this section. The Director shall also notify other School personnel if the Director determines that other School personnel should be informed.

- c. Referral of Students for Firearm Offense. If a student brings a firearm or weapon to School, the student shall be referred directly to a law enforcement officer or agency, a prosecuting attorney, or a court.

**F. Alternatives to Expulsion or Change of Placement for Frequent or Flagrant Disruptive Behavior – Utah Code Ann. § 53G-8-207**

1. 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;
2. 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:
  - a. Talking with the student,
  - b. Class schedule adjustment,
  - c. Phone contact with the parent or legal guardian,
  - d. Informal parent/student conferences,
  - e. Behavioral contracts,
  - f. After-school make-up time,
  - g. Short-term suspension,
  - h. Appropriate evaluation,
  - i. Home study,
  - j. Alternative programs, or
  - k. Law enforcement assistance as appropriate.
3. 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.

**G. Due Process for Suspensions of Ten (10) Days or Less**

1. The following procedure shall apply to all students facing suspension of ten (10) school days or less:
  - a. The Director shall notify the student's custodial parent or guardian of the following without delay: that the student has been suspended, the grounds for the suspension, the period of time for which the student is suspended, and the time and place for the parent or guardian to meet with the Director to review the suspension:
    - i. The Director shall also notify any non-custodial parent, if requested in writing, of the suspension. This does not apply to the portion of School records which would disclose any information protected under a court order; and
    - ii. The custodial parent is responsible to provide the School a certified copy of any court order under Section G-1-a-i.
  - b. The Director shall document the charges, evidence, and action taken;
  - c. 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.;
  - d. If the student denies the charges, the student shall be provided with an explanation of the evidence and an opportunity to present his/her version of the incident to the Director;
  - e. In general, the notice and informal conference shall precede the student's removal from the School; and
  - f. If, in the judgment of the Director, notice is not possible because the student poses a danger to a person or property or an ongoing threat of disrupting the academic process, he/she may be removed immediately. However, in such cases, the necessary notice and informal conference shall follow as soon as possible.

#### **H. Due Process for Suspensions of More Than Ten (10) Days and Expulsions**

1. If the Director believes that a student should be suspended for more than ten (10) days or expelled, the Director shall refer the matter to the Chief Administrative Officer. The Chief Administrative Officer may choose to refer the matter to the Board or to the Board member designated by the Board to handle such matters;
2. Prior to sending the referral, but in no instance longer than five (5) days after the suspension began, the Director shall meet with the parent or guardian to discuss the charges against the student and the proposed discipline;
3. The Director shall also notify any non-custodial parent, if requested in writing, of the possible suspension or expulsion as outlined in Section G-1-a-i of this policy;
4. The referral to the Chief Administrative Officer, Board, or designated Board member shall include all relevant documentation of the student's violation(s), including written student statements, written witness statements, evidence of an informal school hearing, evidence of a Director meeting with parent or guardian and written parental input:

- a. Notice to Student and Parent/Guardian: If the Chief Administrative Officer, Board, or the Board member designated by the Board to handle such matters determines, after considering the totality of the circumstances and consulting with the CMT, that a student should be suspended for longer than ten (10) school days or expelled, the Director shall send written notice by certified mail, return receipt requested, to the student's parent or legal guardian, which includes all of the following elements:
  - i. A description of the alleged violation(s) or reason(s) giving rise to disciplinary action;
  - ii. The penalty being imposed (duration of suspension or expulsion);
  - iii. A statement that a due process hearing may be requested in writing within ten (10) working days of receipt of the notice;
  - iv. A statement that, if a hearing is requested, the Board has the authority to appoint an impartial Hearing Officer(s), who may be an employee or volunteer of the School;
  - v. A statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a hearing is requested in a timely manner and the Hearing Officer(s) determines otherwise;
  - vi. The mailing date of the notice; and
  - vii. A statement that, if a hearing is not requested within ten (10) working days after receipt of the notice, the School's decision to suspend or expel the student will be final, and the parent's right to oppose the School's decision will be waived.
- 5. Hearing Procedures: If a hearing is requested in response to the notice of expulsion, the following procedures shall apply:
  - a. 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;
  - b. A written Hearing Notice shall be sent to the parent or guardian informing the parent or guardian of:
    - i. The name of the Hearing Officer(s);
    - ii. The date, place, and time of the hearing;
    - iii. The circumstances, evidence, and issues to be discussed at the hearing;
    - iv. The right of all parties to cross-examine witnesses subject to the Hearing Officer's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal;
    - v. The right of all parties to appeal to the President of the Board within ten (10) working days following the decision if the parties disagree with the Hearing Officer's decision; and
    - vi. The right of all parties to examine all relevant records to the extent permitted by law.
  - c. The Hearing Officer(s) shall conduct the hearing on the record and shall:

- i. 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;
  - ii. Consider all relevant evidence presented at the hearing;
  - iii. Allow the right to cross-examination of witnesses, unless the Hearing Officer(s) determines that this right should be limited to protect student witnesses from ostracism, retaliation or reprisal;
  - iv. Allow all parties a fair opportunity to present relevant evidence; and
  - v. Issue a written decision including findings of fact and conclusions.
- d. Hearing Rules: Formal Rules of Evidence do not apply to the Hearing, and no discovery is permitted. However, the following rules will apply:
  - i. Parties may have access to information contained in the School's files to the extent permitted by law;
  - ii. Hearings shall be closed to the press and the public;
  - iii. Documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the Hearing Officer(s); and
  - iv. The Hearing Officer(s) 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 Hearing Officer(s).

6. Appeals:

- a. Within ten (10) working days following receipt of the Hearing Officer's written decision, either party may appeal the decision, in writing, to the President of the Board; and
- b. Within ten (10) working days following receipt of the appeal, the Board President shall rule on the appeal.

**I. Due Process for Change of Placement of Students with Disabilities**

- 1. 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.
  - a. Required Services for 504 and ADA Students:
    - i. 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 I, the student shall be subject to the same disciplinary consequences as regular education students, up to and including expulsion from School without educational services.(OSEP memorandum of April 26, 1995.)
  - b. Required services for IDEA students:
    - i. 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; and

- ii. 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.
- c. Change of Placement for Weapons or Drugs:
  - i. 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:
    - 1. The student carries a weapon to, or possesses at weapon at, School or a School-sponsored activity; or
    - 2. The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at School or a School-sponsored activity.
- d. Change of Placement Due to Student's Serious Misconduct:
  - i. 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:
    - 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;
    - 2. Considers the appropriateness of the student's current placement;
    - 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
    - 4. Determines that the interim alternative educational setting being recommended by School officials:
      - a. 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;

- b. Includes services and modifications designed to address the behavior at issue so that it does not recur.

e. Parental Notice:

- i. 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.

f. Meetings for Manifestation Determination:

- i. 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;
- ii. The manifestation review must be conducted by the student's IEP team and other qualified School personnel; and
- iii. 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:
  - 1. First considers, in terms of behavior subject to disciplinary action, all relevant information, including:
    - a. Evaluation and diagnostic results, including the results or other relevant information supplied by the parents of the student;
    - b. Observations of the student; and
    - c. The student's IEP and placement.
  - 2. Then determines whether:
    - a. The conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
    - b. The conduct in question was the direct result of the School's failure to implement the student's IEP.
  - 3. 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.
- iv. Determination that Behavior was not Manifestation of Disability:
  - 1. 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.

- v. Determination that Behavior was Manifestation of Disability:
  - 1. 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.
- g. Meetings for Functional Behavioral Assessments:
  - i. Post-Discipline Functional Behavioral Assessments:
    - 1. 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.
  - ii. Pre-Discipline Behavioral Intervention Plans:
    - 1. 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.
- h. Placement During Appeals and Stay Put:
  - i. 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. 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:
    - 1. 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 I.

#### **J. Site-Based Safe Schools Measures**

- 1. Physical Restraint:
  - a. A School employee may, when acting within the scope of employment, use and apply physical restraint in self-defense or as may be reasonable and necessary under the following circumstances:
    - i. To protect any person from physical injury;

- ii. To take possession of a weapon or other dangerous object in the possession or under the control of a student;
    - iii. To restrain or remove a student from a situation when that student is violent or is a danger to him/herself or others; or
    - iv. To protect property from serious damage when physical safety is at risk.
  - b. When an employee exercises physical restraint on a student, the following types of physical restraint are prohibited:
    - i. prone, or face-down;
    - ii. supine, or face-up;
    - iii. physical restraint which obstructs the airway or adversely affects the student's primary mode of communication;
    - iv. 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
    - v. chemical restraint, except as prescribed by a licensed physician and implemented in compliance with a student's Health Care Plan.
- 2. Seclusionary Timeout:
  - a. A School employee may, when acting within the scope of employment, place a student in seclusionary time out under the following circumstances:
    - i. the student presents an immediate danger of serious physical harm to self or others;
    - ii. any door remains unlocked consistent with applicable fire and public safety requirements; and
    - iii. the student is within line sight of the employee at all times.
- 3. Notification:
  - a. When an employee exercises physical restraint on a student or places a student in seclusionary timeout, the School or employee shall immediately notify the student's parent/guardian and the Director. In addition, if physical restraint or seclusionary timeout is applied for longer than fifteen minutes, the School shall immediately notify the student's parent/guardian and the Director again.
  - b. Parent/guardian notifications made under this section shall be documented with respect to the student in the School's information system as required by R277-609-10.
  - c. Within 24 hours of using physical restraint or seclusionary timeout, the School shall notify the parent/guardian that they may request a copy of any notes or additional documentation taken during the crisis situation.
  - d. Upon request of a parent/guardian, the School shall provide a copy of any notes or additional documentation taken during a crisis situation.
  - e. A parent/guardian may request a time to meet with School staff and administration to discuss the crisis situation.
- 4. The School shall establish an Emergency Safety Intervention ("ESI") Committee and follow the rules with respect to the ESI Committee in R277-609-7, and -10.
- 5. Corporal Punishment:



- a. 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. School employees who have been disciplined in connection with corporal punishment upon a student may pursue an appeal to the discipline decision in accordance with the School's Stakeholder Grievance Policy.

**K. Extracurricular Activities**

1. Participation in 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. In addition, Educational Units will be denied during this period of suspension/expulsion.

**L. Readmission of Expelled Students and Denial of Admissions Based on Prior Expulsion – Utah Code Ann. §53G-8-205(3)**

1. A student who is expelled from the School can only be readmitted to the School through the School's standard lottery procedures; and
2. 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 twelve (12) months.

**M. Investigations**

1. Whenever the Chief Administrative Officer or Director has reason to believe that School rules or policies have been broken, he or she shall proceed with an investigation. However, if the Chief Administrative Officer or Director believes that laws have been broken or child abuse has occurred, he/she shall request appropriate authorities to conduct the investigation;
2. General Investigation Guidelines for Chief Administrative Officer or Director:
  - a. The Chief Administrative Officer or Director has the authority and duty to conduct investigations and to question students pertaining to infractions of School rules, whether or not the alleged conduct is a violation of criminal law. The Chief Administrative Officer or Director shall conduct investigations according to the following general guidelines:
    - i. The Chief Administrative Officer or Director shall conduct investigations in a way that does not unduly interfere with School activities;
    - ii. The Chief Administrative Officer or Director shall separate witnesses and offenders in an attempt to keep witnesses from collaborating their statements and have all parties provide separate statements concerning the incident under investigation; written statements are preferable, if possible;
    - iii. The Chief Administrative Officer or Director shall advise students suspected of wrongdoing orally or in writing of the nature of the alleged offense;
    - iv. 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;

- v. When questioning students as part of an investigation, School staff should have another adult present whenever possible;
- vi. The Chief Administrative Officer or Director shall accommodate students with disabilities and young children unable to write their own statements through use of tape recorders, scribes, etc.;
- vii. 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; and
- viii. 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.

3. Coordination with Law Enforcement:

- a. The Chief Administrative Officer or Director 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:
  - i. The School administration may invite law enforcement officials to:
    - 1. Conduct an investigation of alleged criminal conduct in connection with School electronic resources of a School-related or School-sponsored activity;
    - 2. Maintain a safe and orderly educational environment; or
    - 3. Maintain or restore order when the presence of such officers is necessary to prevent injury to persons or property.
  - ii. 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 Chief Administrative Officer or Director, law enforcement should be notified, the following procedure should be followed:
    - 1. The Chief Administrative Officer or Director shall request that law enforcement officers conduct an investigation and question students who are potential witnesses to the alleged criminal behavior;
    - 2. 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;

3. Unless circumstances dictate otherwise, questioning of the student by School officials shall not begin or continue until the law enforcement officers arrive;
  4. 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;
  5. The Chief Administrative Officer or Director shall document the contact or attempted contact with the student's parents or legal guardian. If the Chief Administrative Officer or Director cannot contact the student's parent or guardian, or if the parent or guardian is unable to be present with the student for questioning, the Chief Administrative Officer or Director shall be present and document generally what occurs during the interview;
  6. The student shall not be questioned by law enforcement unless or until he/she has received Miranda warnings from the officer; and
  7. 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.
- iii. 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.:
1. When law enforcement officers can show a need to do so, they shall be permitted to conduct an investigation;
  2. 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:
    - a. The officers shall be required to get prior approval of the Chief Administrative Officer or Director or other designated person before beginning an investigation of School property;
    - b. The Chief Administrative Officer or Director shall document the circumstances warranting the investigation as soon as practical;
    - c. Alleged criminal behavior related to the School environment brought to the Chief Administrative Officer's or Director's attention by law enforcement officers shall be dealt with under the provisions of Section B-1;

- d. 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; and
- e. 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.

iv. Release of Student to Law Enforcement Official:

- 1. 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;
- 2. When students are removed 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;
- 3. The Chief Administrative Officer or Director shall immediately notify the Board of the removal of a student from School by law enforcement authorities;
- 4. Where it is necessary to take a student into custody during a School-sponsored activity, the law enforcement officer shall contact the Chief Administrative Officer or Director and relate the circumstances necessitating such action;
- 5. Whenever the need arises to make arrests or take students into custody during a School-sponsored activity, the Chief Administrative Officer or Director shall make reasonable efforts to consult and confer with the law enforcement officers as to how an arrest is to be made; and
- 6. When a student has been taken into custody or arrested during a School-sponsored activity without prior notification to the Chief Administrative Officer or Director, the School staff present shall encourage the law enforcement officers to tell the Chief Administrative Officer or Director of the circumstances as quickly as possible. If the officers decline to tell the Chief Administrative Officer or Director, the School staff members present shall immediately notify the Chief Administrative Officer or Director.

v. Quelling Disturbances of School Environment:

- 1. Law enforcement officers may be requested to assist in controlling disturbances of the School environment that the Chief Administrative Officer or Director has found to be

unmanageable by School personnel and that has the potential of causing harm to students and other persons or to property. Such circumstances include situations where a parent or member of the public exhibits undesirable or illegal conduct at a School-sponsored activity and who refuse to abide by the Chief Administrative Officer's or Director's directive to leave the premises.

**N. Investigation of Child Abuse and Neglect**

1. 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:
  - a. The School shall distribute annually to all School employees copies of the School's procedures for reporting suspected child abuse or neglect;
  - b. 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:
    - i. 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;
    - ii. A copy of the written report shall be put in a child abuse-neglect file to be maintained by the Director, for all reported cases of suspected child abuse or neglect;
    - iii. The child abuse-neglect reporting form shall not be placed in the student's personal file;
    - iv. It is not the responsibility of the Director or other School employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection; and
    - v. Investigation by staff prior to submitting a report shall not go beyond that necessary to support a reasonable belief that a reportable problem exists.
  - c. 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:
    - i. Interviews with the child or suspected abuser shall not be conducted by the Director or any other School employees;
    - ii. Notes of voluntary or spontaneous statements by the child shall be made and given to the investigating agency;
    - iii. The Director, School employees, Division of Child and Family Services and law enforcement personnel are required to preserve the anonymity

of those making the initial report and any others involved in the subsequent investigation;

- iv. Investigations are the responsibility of the Division of Child and Family Services:
  - 1. The Director or other School employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect; and
  - 2. 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.
- v. 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.

#### **O. Searches of Person or Property**

- 1. 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:
  - a. General Guidelines for Searches of Person or Property:
    - i. Searches of a student's person, personal property (coats, hats, backpacks, book bags, 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; and
    - ii. 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.
  - b. Searches of Personal Belongings:
    - i. 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;

- ii. 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; and
  - iii. 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.
- c. Searches of Person:
  - i. School officials shall make sure the search meets the following guidelines:
    1. 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;
    2. The search shall be observed by an objective third party of the same sex as the student being searched (i.e., Chief Administrative Officer, Director, teacher, police officer);
    3. 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;
    4. Under no circumstances may School officials require students to remove any other items of clothing or touch students in any way during the search;
    5. 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; and
    6. In general, all questioning and searching of students conducted by law enforcement officers shall proceed according to the investigation guidelines in Section M of this policy.
- d. Documentation of Searches:
  - i. 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:
    1. The time, place and date of the search;
    2. The reasonable suspicion giving rise to the search (what did School officials suspect to find during the search);
    3. The name and title of individuals conducting and observing the search;
    4. A statement about evidence that was found or not found as a result of the search;

5. A statement about who took possession of contraband (i.e., police, school, etc.); and
6. Information regarding the attempts of School officials to notify parents about the search.

**P. Records-Interagency Collaboration – 20 U.S.C. § 1232g(h)(i)-(2); Utah Code Ann. § 53G-8-402 to -405**

**1. Requirements After Receiving Notification from Juvenile Court and/or Law Enforcement Agencies of a Student’s Serious Offense or Sexual Crime:**

- a. If the President of the Board or Chief Administrative Officer is notified by the juvenile court that a current or former student of the School has been adjudicated for a serious offense or sexual crime or is notified by a law enforcement agency that a current or former student of the School has been taken into custody or detention for a serious offense or sexual crime, the President of the Board or Chief Administrative Officer shall notify the Director within three (3) days of receiving the notification.
  - i. “Serious offense” is defined in Utah Code Ann. § 80-6-103 and means the following: a violent felony as defined in § 76-3-203.5; an offense that is a violation of Title 76, Chapter 6, Part 4, Theft, and the property stolen is a firearm; or an offense in violation of Title 76, Chapter 10, Part 5 Weapons; and
  - ii. “Sexual crime” or “sexual misconduct” means any conduct described in Title 76, Chapter 5, Part 4, Sexual Offenses; Title 76 Chapter 5b, Sexual Exploitation Act; § 76-7-102, incest; § 76-9-702, lewdness; and § 76-9-702.1, sexual battery.
- b. Upon receipt of the information about a student’s serious offense (whether from the President of the Board, the Chief Administrative Officer, or directly from the juvenile court or law enforcement agency), the Director shall make a notation in a secure file other than the student's permanent file. Beginning no later than July 1, 2025, the School shall digitally maintain the secure file or, if available, the student’s related reintegration plan described below, for one year from the day the notice is received and ensure the secure file follows the student if the student transfers to a different school.
- c. Upon receipt of the information about a student’s serious offense or sexual crime (whether from the President of the Board, the Chief Administrative Officer, or directly from the juvenile court or law enforcement agency), the Director shall, if the student is still enrolled in the School, notify staff members who, in the Director’s opinion, should know of the adjudication, arrest, or detention. Staff members receiving information about a juvenile student's adjudication, arrest or detention may only disclose the information to other persons having both a right and a current need to know.

**2. Multidisciplinary Team and Reintegration Plan**

- a. In addition to complying with the requirements above, the School shall, within five (5) days after receiving a notification described above about a student committing a serious offense or sexual crime, or within a reasonable time after



otherwise being notified of a student committing a serious offense or sexual crime, 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 and Youth Services, the School's Safety and Security Specialist, the School's Safety and Security Director, the School's Resource Officer (if any), and any other relevant party that should be involved in a reintegration plan.

- b. The reintegration plan shall address:
    - i. a behavioral intervention for the student;
    - ii. a short-term mental health or counseling service for the student;
    - iii. an academic intervention for the student; and
    - iv. if the serious offense or sexual crime was directed at a School employee or another student within the School, notification of the reintegration plan to that School employee or student and the student's parent.
  - c. The School may deny admission to the student until the School completes the reintegration plan.
  - d. The School's Resource Officer (if any) shall provide input for the School to consider regarding the safety risks a student may pose upon integration. The School shall also notify its Resource Officer (if any) of any student who is on probation.
  - e. The School shall not reintegrate a student when:
    - i. a student or staff member of the School has a protective order against the student being reintegrated; or
    - ii. a student or staff member of the School is a victim of the serious offense or sexual crime committed by the student being reintegrated.
  - f. A reintegration plan under this section is classified as a protected record under Utah Code Ann. § 63G-2-305. All other records of disclosures under this section are governed by the Government Records Access and Management Act and the Family Educational Rights and Privacy Act ("FERPA").
3. Students Committing a Serious Offense or Sexual Crime are Subject to Suspension or Expulsion
- a. Students who commit a serious offense or sexual crime, whether on or off School property, are subject to the suspension and expulsion provisions of this policy.
4. Student Discipline Records/Education Records:
- a. 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:
    - i. Disclosure of Discipline Records to Other Educators:
      - 1. 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.

- ii. Disclosure of Discipline Records to Other Agencies:
  - 1. 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), the student's parent or guardian has authorized disclosure, or a FERPA exception applies.

**Q. Training**

- 1. All new employees shall receive information about this policy at new employee orientation. All other employees shall be provided information on a regular basis regarding this policy and the School's commitment to a safe and orderly school environment;
- 2. Employees who have specific responsibilities for investigating, addressing, and resolving issues addressed in this policy shall receive yearly training on this policy and related legal developments; and
- 3. The Chief Administrative Officer or Director shall be responsible for informing students, parents, and staff of the terms of this policy including the procedures outlined for investigation and resolution of violations.

**R. Policy Dissemination and Review**

- 1. The School shall compile an annual report of all 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;
- 2. A summary of this policy shall be posted in the School, and the policy will be posted on the School's website. The policy or a summary of the policy shall also be published in student registration materials, student and employee handbooks, and other appropriate School publications as directed by the Board; and
- 3. This policy shall be reviewed as necessary with appropriate revisions recommended to the Board.