



## EARLY LEARNING PLAN 2024-2025

**LEA Name: Lumen Scholar Institute**

**Date of Expected Local Board Approval: 08/15/24**

### **Submission of Early Learning Plan:**

- Submission on or before August 1st: For ELP **approval**, submit the following to [earlylearning@schools.utah.gov](mailto:earlylearning@schools.utah.gov) **by August 1st**.
  - ELP Plan as a WORD document
- Plan approval added to Local Board agenda by August 1 to have approval completed by September 1
- All Revisions submitted **no later than September 1st by 5 p.m.**

## SECTION A: EARLY LITERACY

**List your evidence-informed core curriculum program(s) and evidence-based intervention program(s)/strategies for grades K-3 literacy along with the year published or edition.**

*SB 127: Districts and charters are required to provide instructional materials that are evidence-informed for core instruction and evidence-based for intervention and supplemental instruction.*

**\*Evidence-Informed Curriculum(s)** (defined in SB 127 as: (i) is developed using high-quality research outside of a controlled setting in the given field, and (ii) includes strategies and activities with a strong scientific basis for use)

**\*Evidence-based** is defined in SB 127 as: means that a strategy demonstrates a statistically significant effect, of at least a 0.40 effect size, on improving student outcomes based on: (i) strong evidence from at least one well-designed and well-implemented experimental study or (ii) moderate evidence from at least one well-designed and well-implemented quasi-experimental study.

\*Resources available: [Science of Reading Evidence-Informed Core Criteria Checklist](#)  
[Strong and Moderate Evidence Criteria](#)

Core program(s) with year published/edition	Intervention program(s) with year published/edition or evidence-based strategies
<b>CKLA 2nd Edition</b>	<b>Explicit phonemic awareness and phonics and fluency instruction in small groups or</b>

	individually daily for 20 minutes with the reading interventionists. Progress monitoring will be completed every 2-4 weeks.
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## SECTION B: EARLY MATHEMATICS

1. What evidence-based curriculum is being used in tier 1 instruction and intervention instruction for K-3 mathematics?

Core program(s)	Intervention program(s) and/or strategies
<b>K-2nd Grade will be using Touch Math, a comprehensive curriculum that meets all state standards. <a href="https://touchmath.com/">https://touchmath.com/</a></b> <b>3rd Grade will be using Mathspace, a comprehensive curriculum that meets all state standards. <a href="https://mathspace.co/us">https://mathspace.co/us</a></b>	<b>Students will meet in small groups or individually with the math interventionists for 20-30 minutes daily.</b>

2. Describe how the following mathematical components are incorporated in tier 1 instruction in grades K-3.

Mathematical Components	Evidence-based Strategies
<b>Conceptual Understanding:</b> the comprehension and connection of concepts, operations, and relations.	<b>Teachers will use the digital math curriculum to promote reasoning and problem solving, facilitate meaningful mathematical discourse, comprehensive mathematics instruction and allow for application of concepts.</b>
<b>Procedural Fluency:</b> the meaningful, flexible, accurate, and efficient use of procedures to solve problems.	<b>Teachers will implement evidence-based fluency strategies that are available in the curriculum will be implemented. Use of DreamBox, Mathspace, Touch Math Pro, all adaptive learning technology programs will also be used to help our students develop procedural fluency. Data collected from these programs will be used to differentiate instruction to improve procedural fluency in all mathematical concepts.</b>
<b>Strategic and Adaptive Mathematical Thinking:</b> the ability to formulate, represent, and solve mathematical problems with the capacity to justify the	<b>Teachers will help students develop strategic and adaptive mathematical thinking while participating in the Touch Math and Mathspace curriculums, which are evidence based and require a high level of cognitive demand while following the Utah Core State Standards.</b>

logic used to arrive at the solution.	
<b>Productive Disposition:</b> the attitude of a student who sees mathematics as useful and worthwhile while exercising a steady effort to learn mathematics.	<b>Each student will be able to track their progress and see their growth using the digital software and curriculum. Teachers will use the evidence-based strategies of mindset, goal setting, positive mathematical experiences and positive reinforcement to help students connect their math with useful purpose in their life.</b>

## SECTION C: LOCAL GOALS

Goals must be measurable, address current performance gaps in student math and/or literacy data, and include specific strategies for improving outcomes.

Videos to support goal writing: [Analyzing Data and Identifying Areas of Need](#) and [Writing Goals](#)

### Goal Sentence Frame:

By [date], [who is responsible] will [what will change and by how much--measurable] by [how--which evidence-based strategy(ies) will be used] to [why—for what purpose].

#### 1. Early Mathematics Goal (required)

By June 1, 2025, Lumen Scholar Institute will increase the percentage of 3rd graders scoring at benchmark or above on Acadience Math composite from BOY to EOY by 12%, using the Mathspace curriculum and the DreamBox software to increase students' math computation skills and concept knowledge.

#### 2. Early Literacy or Mathematics Goal (required)

Literacy Goal       Mathematics Goal

By June 1, 2025, Lumen Scholar Institute will increase the percentage of 2nd grade students scoring at or above benchmark on the Acadience Reading composite from Beginning of Year to End of Year by 11% using the Core Knowledge curriculum, and approved research based intervention to improve student's reading fluency, accuracy and comprehension.

### General Assurances: *Check the boxes below.*

- The LEA assures that it is in compliance with State Code [53E-4-307.5](#), [53G-7-218](#), [53E-3-521](#) and Utah Board Rule [R277-406](#) applicable to this program.
- The LEA has adopted high quality instructional materials and intervention programs aligned with the effective research regarding the science of reading and the LEA's reading strategies meet the criteria in Section [53G-11-303](#).
- The Early Learning Plan submitted will be reviewed and approved by your local board in an open, public meeting.

By submitting this form, I certify the information I provided on and in connection to this application is true, accurate and complete. I also understand that any false statements on this application I file with the Utah State Board of Education may be grounds for corrective action.

## Policy 0125: Electronic Meetings

Original Adopted Date: 11/17/2022 | Last Revised Date: // | Last Reviewed Date: //

### Purpose

The purpose of this policy is to establish the means and procedures by which Lumen Scholar Institute's Board of Trustees (the "Board") may conduct electronic meetings in accordance with the provisions of the Utah Open and Public Meetings Act (the "Act"), including Utah Code § 52-4-207.

### Policy

#### Definitions

The Board adopts for application in this policy the definitions in the Act at Utah Code § 52-4-103.

#### Electronic Meetings

The Board may convene and conduct electronic meetings. For the purpose of this policy, an "electronic meeting" is defined as a Board meeting that some or all Board members attend through an electronic video, audio, or both video and audio connection, as provided in the Act at § 52-4-207.

The Board shall establish one or more anchor locations for an electronic meeting, unless the following two circumstances exist:

- a. All Board members attend the electronic meeting remotely through an electronic video, audio, or both video and audio connection; and
- b. The Board has not received a written request, at least 12 hours before the scheduled meeting time, to provide an anchor location for members of the public to attend in person the open portions of the electronic meeting.

For an electronic meeting where the Board provides an anchor location, the following apply:

- a. The anchor location will be:
  - i. The building where the Board would normally meet if they were not holding an electronic meeting; or
  - ii. Another location that is reasonably as accessible to the public as the building described in subsection (i) above.
- b. The Board shall provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the electronic meeting.
- c. If public comments will be accepted during the electronic meeting, the Board shall provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

Board members who are able to both hear and verbally participate in the meeting electronically are considered present for purposes of determining the presence of a quorum at an electronic meeting.

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The Board shall take all votes by roll call during an electronic meeting, with the exception of a unanimous vote.

**Notice**

Prior to conducting an electronic meeting, the Board shall provide advance notice of the meeting in accordance with the Act.

Notice shall be provided to all Board members, as well as to members of the public in accordance with the provisions of the Act.

Each notice shall describe the means of electronic communication by which members will be connected to the electronic meeting and, if applicable, the anchor location.

## Policy 0510: Instructional Material

Original Adopted Date: 04/11/2017 | Last Revised Date: | Last Reviewed Date: [REDACTED]

### Purpose

The purpose of this policy is to ensure students are presented instructional material which is consistent with the mission, vision, and values of the school. The purpose is also to ensure that such instructional material is selected, approved, and purchased in accordance with school policy and law. An additional purpose of this policy and accompanying regulation is to set forth the school's process for reviewing challenges to instructional material.

### Definitions

1. "Instructional material" is the resources used by educators to deliver curriculum or support student learning. This material may be commercially available or school-created and include such material as textbooks, reading materials, videos, digital materials, websites, online applications, and live presentations. "Instructional material" does not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class, or another class with required instructional material that is not subject to selection by the school.
2. "Sensitive material" means an instructional material that constitutes objective sensitive material or subjective sensitive material. "Sensitive material" does not include the instructional material outlined in Utah Code § 53G-10-103(1)(h)(ii).
3. "Objective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code § 76-10-1235, under the non-discretionary standards described in Utah Code § 76-10-1227(1)(a)(i), or (ii), or (iii).
4. "Subjective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code § 76-10-1235, under the following factor-balancing standards:
  - a. material that is harmful to minors under Utah Code § 76-10-1201;
  - b. material that is pornographic under Utah Code § 76-10-1203; or
  - c. material that includes certain fondling or other erotic touching under Utah Code § 76-10-1227(a)(iv).
5. "School community parent" means a parent who has a student currently attending the school, or will have a student enrolled in the school within one year, where the challenged instructional material is being reviewed in accordance with this policy and Utah Code § 53G-10-103(4).
6. "School setting" means the school's classrooms, library, and property. "School setting" also includes school-sponsored or required activities, including assemblies, guest lectures, live presentations, or other events.
7. "Stakeholder" for purposes of this policy means:
  - a. an employee of the school;
  - b. a student who is enrolled in the school;
  - c. a parent of a child who is enrolled in the school; or
  - d. a member of the School's Board of Trustees.

### Policy

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1. Introduction:
  - a. Significant emphasis should be placed on the use of the school's charter and the state standards when developing, reviewing, and selecting educational materials to be used for instruction of students in grades K-12. The school should also prioritize protecting students from the harmful effects of illicit pornography over other considerations in evaluating instructional material.
2. Utah law:
  - a. The school should comply with the requirements of Utah law and Utah State Board of Education ("USBE") rule regarding the selection, approval, purchase, and review of instructional material, including but not limited to Utah Administrative Code R277-468 and R277-469, Utah Code § 53G-10-103 and, when applicable, Utah Code § 53G-5-404.
3. Selection and Approval of Instructional Material by the Administration:
  - a. The Board of Trustees delegates to the school's administration the authority and responsibility to select and approve instructional material for the school, except under circumstances where the Board is specifically required by law or a different school policy to approve instructional material. The administration should select and approve instructional material that is consistent with the criteria set forth in this policy.
4. Selection and Approval of Instructional Material by the Board of Trustees:
  - a. If the Board is required by law or school policy to approve instructional material for use in classes, the Board should do the following (in order) prior to approving the instructional material:
    - i. post the recommended instructional material online to allow for public review or, for copyrighted material, make the instructional material available at the school's office for public review; and
    - ii. hold at least two Board meetings where the recommended instructional material is on the agenda and allow an opportunity at those Board meetings for school educators and parents of students enrolled in the school to express views and opinions on the recommended instructional material.
  - b. The Board may approve the recommended instructional material in an open and regular Board meeting after the requirements above have been satisfied. The vote to approve the recommended instructional material may occur at the second of the two Board meetings described in subsection (ii) above.
  - c. In accordance with Utah Code § 53G-5-404(14), the requirements in this section apply only if the Board is approving instructional material. The requirements do not apply if the Board is not approving instructional material and instead only the administration is selecting and approving instructional material (which Utah Code § 53G-5-404(13) refers to as "learning material"). In addition, the requirements in this section do not apply to educators' selection of supplemental materials or resources.
  - d. Any instructional material approved by the Board should meet the criteria set forth in this policy.
5. Procedures:
  - a. Procedures should be developed by the administration for the school to use as a guiding document to lead the planning of instructional material development, selection, and review for all of the school's K-12 instruction. Procedures should provide a common language and structure in an effort to increase consistency within and among programs, and across grade-levels and subject areas and include a process for determining curriculum development and selection priorities and distinguishing between immediate, short-term and long-term next steps.

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b. Teachers and school community parents, should be given the opportunity to participate on instructional material committees as appointed by administration or the Board. These committees will be responsible for input on the selection and development of instructional material, the analysis of data generated from student participation on assessment tests, and the improvement of instruction across grade-levels.

6. Criteria for Instructional Material:

- Utah Core Standards should be used as a baseline for establishing educational standards and instructional material for each grade-level at the school. The administration is encouraged to build upon the state standards to reflect the mission, vision, and values of the school.
- Instructional material should be consistent with the principles of individual freedom as defined in Utah Code § 53G-10-206.
- Instructional material should not constitute sensitive material as defined in Utah Code § 53G-10-103.
- Instructional material should not be prohibited discriminatory practice as described in Utah Code § 53B-1-118.

7. Use of Technology and Digital Resources:

- Being a distance education school, emphasis should be placed on developing and refining instructional material for online learning. Care should be given by administration and staff to review, evaluate, and approve all online resources to be used within a course.

8. Instructional Material and Courses:

- Instructional material and courses should be engaging and inspiring for students, contributing to student comprehension and grade progression in a single subject. Instruction and assessment should meet recognized professional standards. Academic support and assignment flexibility for various learning styles and student interest should be a high priority in addressing the needs of individual students.

9. Material Use Based on Data:

- Instructional material should be reviewed by administration on an ongoing basis, using data to ensure best practices and effective instruction are occurring.

10. Delivery of Instruction:

- School community parents at the school play a vital role assisting the school in the education of its students, making strong communication and collaboration important between the teachers and the designated parent or guardian in each student's home.

11. Purchase of Instructional Material:

- The school should follow the Purchasing Levels section of its General Financial Policy (Policy 0910) in connection with the purchase of any instructional material, regardless of whether the instructional material is selected and approved by the administration or by the Board. The school should identify all costs associated with instructional material prior to purchasing the instructional material, including any implementation and professional development costs.

12. Educator Selection of Additional Supplemental Materials or Resources:

- Despite the foregoing, educators at the school may select and use supplemental materials or resources in their classes to augment instructional material already selected and approved by the administration or the Board so long as each of the following are satisfied:
  - the educator has reviewed the supplemental materials or resources in their entirety prior to using them in class;

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- ii. the supplemental materials or resources meet the criteria set forth in this policy; and
- iii. the supplemental materials or resources have not previously been prohibited by the administration or the Board.

13. Contract Requirements:

- a. If the school contracts with a third party to provide online or digital materials, the school should include in the contract a requirement that the provider give notice to the school any time that the provider makes a material change to the content of the online or digital materials, excluding regular informational updates on current events. The school should also comply with applicable requirements in R277-469 related to School contracts with publishers for instructional materials.

14. Sensitive Material Review Administrative Regulation:

- a. Sensitive materials are prohibited in the school setting. In accordance with Utah law, USBE rule, and the school's administrative regulations, stakeholders may initiate a sensitive material review by the school if they feel an instructional material used by the school constitutes sensitive material.
- b. The school's administration should establish an administrative regulation that sets forth how stakeholders may initiate a sensitive material review by the school and the review process the school will follow. The administrative regulation should comply with applicable Utah law and USBE rule.

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Deleted: Complaints about Instructional Material

Deleted: If a school employee or parent has a complaint about instructional material, they should follow the School's Stakeholder Grievance Policy (Policy 0210). If a complaint about instructional material rises to the level of the Director or the Board, the school should include parents reflective of the school's community (those who have a student who attends the school) in reviewing the complaint. The Director or the Board, as applicable, has discretion as to how to include such parents in this process.

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## **Policy 0510: Instructional Material**

Original Adopted Date: 04/11/2017 | Last Revised Date: 11/13/2017 | Last Reviewed Date: 11/13/2017

## Purpose

The purpose of this policy is to ensure students are presented instructional material which is consistent with the mission, vision, and values of the school. The purpose is also to ensure that such instructional material is selected, approved, and purchased in accordance with school policy and law. An additional purpose of this policy and accompanying regulation is to set forth the school's process for reviewing challenges to instructional material.

## Definitions

1. "Instructional material" is the resources used by educators to deliver curriculum or support student learning. This material may be commercially available or school-created and include such material as textbooks, reading materials, videos, digital materials, websites, online applications, and live presentations. "Instructional material" does not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class, or another class with required instructional material that is not subject to selection by the school.
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6. "School setting" means the school's classrooms, library, and property. "School setting" also includes school-sponsored or required activities, including assemblies, guest lectures, live presentations, or other events.
7. "Stakeholder" for purposes of this policy means:
  - a. an employee of the school;
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  - d. a member of the School's Board of Trustees.

## Policy

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1. Introduction:
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2. Utah law:
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  - d. Any instructional material approved by the Board should meet the criteria set forth in this policy.
5. Procedures:
  - a. Procedures should be developed by the administration for the school to use as a guiding document to lead the planning of instructional material development, selection, and review for all of the school's K-12 instruction. Procedures should provide a common language and structure in an effort to increase consistency within and among programs, and across grade-levels and subject areas and include a process for determining curriculum development and selection priorities and distinguishing between immediate, short-term and long-term next steps.

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6. Criteria for Instructional Material:

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7. Use of Technology and Digital Resources:

- Being a distance education school, emphasis should be placed on developing and refining instructional material for online learning. Care should be given by administration and staff to review, evaluate, and approve all online resources to be used within a course.

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- School community parents at the school play a vital role assisting the school in the education of its students, making strong communication and collaboration important between the teachers and the designated parent or guardian in each student's home.

11. Purchase of Instructional Material:

- The school should follow the Purchasing Levels section of its General Financial Policy (Policy 0910) in connection with the purchase of any instructional material, regardless of whether the instructional material is selected and approved by the administration or by the Board. The school should identify all costs associated with instructional material prior to purchasing the instructional material, including any implementation and professional development costs.

12. Educator Selection of Additional Supplemental Materials or Resources:

- Despite the foregoing, educators at the school may select and use supplemental materials or resources in their classes to augment instructional material already selected and approved by the administration or the Board so long as each of the following are satisfied:
  - the educator has reviewed the supplemental materials or resources in their entirety prior to using them in class;

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- ii. the supplemental materials or resources meet the criteria set forth in this policy; and
- iii. the supplemental materials or resources have not previously been prohibited by the administration or the Board.

13. Contract Requirements:

- a. If the school contracts with a third party to provide online or digital materials, the school should include in the contract a requirement that the provider give notice to the school any time that the provider makes a material change to the content of the online or digital materials, excluding regular informational updates on current events. The school should also comply with applicable requirements in R277-469 related to School contracts with publishers for instructional materials.

14. Sensitive Material Review Administrative Regulation:

- a. Sensitive materials are prohibited in the school setting. In accordance with Utah law, USBE rule, and the school's administrative regulations, stakeholders may initiate a sensitive material review by the school if they feel an instructional material used by the school constitutes sensitive material.
- b. The school's administration should establish an administrative regulation that sets forth how stakeholders may initiate a sensitive material review by the school and the review process the school will follow. The administrative regulation should comply with applicable Utah law and USBE rule.

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Deleted: If a school employee or parent has a complaint about instructional material, they should follow the School's Stakeholder Grievance Policy (Policy 0210). If a complaint about instructional material rises to the level of the Director or the Board, the school should include parents reflective of the school's community (those who have a student who attends the school) in reviewing the complaint. The Director or the Board, as applicable, has discretion as to how to include such parents in this process.

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## Policy 1100: Criminal Background Checks and Arrest Reporting

Original Adopted Date: 02/08/2015 | Last Revised Date: // | Last Reviewed Date: //

### Purpose

The purpose of this policy is to protect the safety, health, and security, of the ~~School's~~ students, employees, and property. This policy is intended to ensure that all students are instructed and served by teachers, employees, board members, and volunteers who have not performed acts or violated laws that could or would result in endangering students.

### Definitions

1. "Potential Employee" means all persons identified by the ~~School~~ for possible employment with the ~~School~~.
2. "Licensed Educator" means ~~the same as that term is defined in Utah Administrative Code (UAC) R277-316~~ and are considered employees of the ~~School~~.
3. "Contract Employee" means an employee of a staffing service ~~or other entity~~ who works at the ~~School~~ under a contract. ~~(Utah Code Annotated (UCA) § 53G-11-401)~~.
4. "BCI" means ~~the~~ Bureau of Criminal Identification ~~within the Department of Public Safety~~, a state agency.
5. "Board Member" means a person who serves on the Board of Trustees for the ~~School~~.
6. "~~Offenses Against the Person~~" means ~~those offenses listed in UCA, Title 76, Chapter 5, including but not limited to assault and related offenses, criminal homicide, kidnapping, trafficking, smuggling, sexual offenses, and genital mutilation~~.
7. "Criminal History Report" means a report, record, ~~or other criminal history information~~ generated by ~~the FBI and/or BCI~~ after a search of State of Utah criminal history files and/or other state and federal databases ~~in accordance with the law~~.
8. "Director" means the person authorized by the Board of Trustees to direct any of the affairs of the ~~School~~ that fall outside of the ~~Board's~~ responsibility.
9. "Driving Record Report" means traffic-related offenses contained in the Utah Division of Motor Vehicle databases.
10. "Background Check" or "Background Investigation" means, as allowed by law, a ~~nationwide~~ review of criminal or other public records to obtain information on an ~~employee or volunteer~~ applicant that may include, but is not limited to, criminal history reports and driving records reports.
11. "School" means Lumen Scholar Institute.
12. "Non-licensed employee" means an employee of the ~~School~~ that does not hold a current Utah educator license issued by the ~~Utah~~ State Board of Education. ~~(UCA § 53G-11-401)~~
13. "Volunteer" means a person who ~~may be~~ given significant unsupervised access to a student ~~of the School~~ in connection with the volunteer's assignment. ~~(UAC R277-316)~~.

### Policy

1. Individuals Subject to Background Checks ~~and Ongoing Monitoring~~:

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- a. Employees (licensed educators, contract employees, and non-licensed employees, including substitutes) must submit to a criminal background investigation as a condition of employment;
- b. Board members must submit to a criminal background investigation as a condition of appointment; and
- c. Volunteers with significant unsupervised access to a student in connection with the volunteer's assignment must submit to a criminal background check as a condition of service. Until the background check is complete, the volunteer must remain under the supervised observation of a School employee.

2. Information obtained from a background check may be used as a basis to refuse employment, appointment, or access of an employee, volunteer, or Board member at or to the School, or to a student, at the sole discretion of the School. Failure to comply with this provision shall be a basis for termination of the arrangement or agreement with the individual.
3. A background check and ongoing monitoring shall be required for the renewal of any Utah educator license in accordance with UAC R277-301 and -302.

4. Conducting the Background Check:
  - a. Potential employees, Board members, and volunteers shall complete applicable forms (consent, waiver, etc.) as a condition of employment/appointment. The forms may require self-disclosure of criminal misconduct or violations of the law. The information obtained from the background check and related forms may be compared for accuracy. Any misstatement, omission, or misinformation on the forms is grounds to not hire or for dismissal;
  - b. Employees (potential, licensed educator, contract, non-licensed, or substitute), Board members, or volunteers who decline to submit to a background check as allowed by law or who have criminal histories that put students or members of the School community at risk, as evidenced in the results of the background check, or fail to report a citation, arrest, charge, or conviction as outlined in this policy cannot be employed by the School. Such individuals are subject to termination of employment, revocation of volunteering or Board member privileges, and/or will not be offered employment or appointment;
  - c. A criminal conviction does not necessarily preclude employment, volunteering, or Board member activities with the School. To the extent permitted by law, the School has the sole and absolute discretion to determine whether the outcome of a criminal background check will result in administrative action to include the decision to terminate employment, the decision to not hire, or the decision not to authorize volunteering activities by an individual. Likewise, the dismissal of a criminal offense or arrest does not necessarily preclude the School from taking administrative action against an employee, Board member or volunteer. The commission of certain crimes and offenses, including those in UCA § 53E-6-603, prohibit an individual from being employed by or volunteering in the School; and
  - d. The School will immediately suspend an employee, Board member, or volunteer from student supervision responsibilities pending the outcome of any investigation upon receipt of information concerning alleged sex offenses or other alleged offenses which may endanger students or interfere with the orderly operation of the School. Suspensions are generally without pay. Employees and volunteers will also be immediately suspended from

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transporting students for alleged offenses involving alcohol or drugs during the period of investigation.

5. Review and Investigation:

- a. The School may consider both criminal and/or administrative findings. The safety and security of students will be the foremost consideration. The School shall consider each circumstance on a case-by-case basis and use the following factors to determine an employee (potential, contract or non-licensed), a licensed educator, or a volunteer's suitability to work or serve in the School:
  - i. Type of conviction;
  - ii. Relevance of any conviction to the individual's position;
  - iii. A history of multiple convictions that suggests a pattern of criminal behavior or bad judgment;
  - iv. Amount of time that has passed since a conviction and/or the completion of a sentence;
  - v. Frequency and severity of the crime(s);
  - vi. Age of the individual at the time the crime was committed; and
  - vii. Evidence of rehabilitation.
- b. Any statement of an employee (potential, contract, licensed, non-licensed, or substitute), Board member, or volunteer on applications, personnel records, forms, or documents submitted to the School that is later deemed to be a misstatement, omission, or misinformation when verified with the results of a background check, is grounds to not hire, for dismissal, or for revocation of volunteering privileges;
- c. If a person is denied employment or appointment to the Board or is dismissed from employment or appointment to the Board because of information obtained through a criminal background check, the person will receive written notice of the reasons for denial or dismissal and have an opportunity to review and respond to any criminal history information and request a review of the denial or dismissal within 5 working days. Volunteers who are denied volunteering privileges or who have volunteering privileges revoked because of information obtained through a criminal background check will receive verbal notice and a written notice as described above upon request; and
- d. Information obtained from a background check is confidential within the guidelines of the Government Records and Access and Management Act (GRAMA).

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7. Privacy Risk Mitigation Strategy:

- a. The School will employ reasonable privacy risk mitigation strategies to ensure that the School only receives background check notifications for individuals with whom the School maintains an authorizing relationship. Specifically, the School shall terminate ongoing monitoring for employees upon the termination their employment with the School and for Board members upon their resignation from the Board or upon the expiration of their Board

member term without renewal, unless good cause exists to maintain ongoing monitoring for such individuals (such as if they request and are approved to continue on at the School in the capacity of a volunteer).

b. With respect to non-Board Member volunteers, the School shall maintain a list of volunteers who are registered for ongoing monitoring, periodically consult with relevant School personnel to determine whether such individuals are still volunteering for the School, and ensure that ongoing monitoring for such individuals is terminated when appropriate. In addition, the School shall:

- i. Upon receiving notification of criminal activity, review the current status of the individual in relation the School; and
- ii. Decline to accept and review the detail of the notification if the individual named is no longer employed or authorized to volunteer by the School.

8. Required Reporting of Arrests and Other Offenses:

a. Licensed educators (reportable as defined in [UAC R277-217-4](#)), any and all other employees (contract, non-licensed, and substitutes), volunteers, and Board members of the School (reportable as defined in [UAC R277-316-4](#)) who are cited, charged, and/or arrested with the following alleged offenses shall report the incident(s) as soon as possible, or within 48 hours, using the [Educator Notification of Arrest Form](#), to the School Principal or Director:

- i. Any matters involving an alleged felony, or relevant misdemeanor offenses;
- ii. Any matters involving minors;
- iii. Any matters involving alleged sex offenses;
- iv. Any matters involving alleged drug-related offenses;
- v. Any matters involving alleged alcohol-related offenses;
- vi. Any matters for which the subject is currently under court ordered probation;
- vii. Any matters involving alleged offenses against the person under [UCA](#), Title 76, Chapter 5, Offenses Against the Person;
- viii. Any matters involving an alleged felony offense under UCA, Title 76, Chapter 6, Offenses Against Property;
- ix. Any matters involving an alleged crime of domestic violence under UCA, Title 77, Chapter 36, Cohabitation Abuse Procedures Act; and
- x. Any matters involving an alleged crime under federal law or the laws of another state comparable to the violations listed above.

b. Employees (licensed educator, contract, non-licensed, substitute), Board member or volunteer shall report to the Director any conviction, plea in abeyance, or diversion agreement for a felony or misdemeanor offense within 48 hours, or as soon as possible, upon receipt of notice of conviction, plea in abeyance, or diversion agreement using the [Educator Notification of Arrest Form](#);

c. The Director shall report arrest, conviction, or offense information to the Board of Trustees, as legally allowed by law, on all employees, Board members, and volunteers;

d. The Director shall report arrest, conviction, or offense information received from Licensed Educators to the Educator Licensing Department of the Utah State Board of Education (USBE, State Board, or UPPAC) within 48 hours through forms found on the USBE website (UPPAC page of the Educator Licensing Department);

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e. The employee shall report for work following an arrest and notice to the Principal or Director unless directed not to report for work by administration. Volunteers may report for volunteering activities following an arrest and notice to the Director unless directed not to report for volunteering activities by administration; and

f. The School may take employment or disciplinary action (up to and including dismissal), refuse to consider an applicant for employment, or refuse to hire a selected applicant for any offense relevant to the subject's assignment, refuse appointment to Board of Trustees (up to and including dismissal), or grant volunteering privileges to volunteers. Offenses relevant to all School assignments include but are not limited to the following:

- i. Any matters involving an alleged felony, or relevant misdemeanor offenses;
- ii. Any matters involving minors;
- iii. Any matters involving alleged sex offenses;
- iv. Any matters involving alleged drug-related offenses;
- v. Any matters involving alleged alcohol-related offenses;
- vi. Any matters for which the subject is currently under court ordered probation;
- vii. Any matters involving alleged offenses against the person under UCA, Title 76, Chapter 5, Offenses Against the Person;
- viii. Any matters involving an alleged felony offense under UCA, Title 76, Chapter 6, Offenses Against Property;
- ix. Any matters involving an alleged crime of domestic violence under UCA, Title 77, Chapter 36, Cohabitant Abuse Procedures Act; and
- x. Any matters involving an alleged crime under federal law or the laws of another state comparable to the violations listed above.

9. Additional References:

- a. UCA § 53-10-108 – Limited Use of Records for Employment Purposes.
- b. UCA § 53G-11-401 et seq. – Background Checks.
- c. UCA § 53E-6-603 – Ineligibility for Educator License.
- d. UAC R277-301 – Educator Licensing.
- e. UAC 277-302 – Educator Licensing Renewal.
- f. UAC R277-217 – Educator Standards and LEA Reporting.
- g. UAC R277-316 – Professional Standards and Training for Non-licensed Employees and Volunteers.

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## Regulation 0416-R(1): Student Attendance

Original Adopted Date: 10/01/2021 | Revised Date: 01/21/2022 | Last Reviewed Date: 01/21/2022

### ADMINISTRATIVE REGULATION

Attendance at Lumen Scholar Institute is integral to the success of the student. A student is considered in violation of the school's attendance policy and regulations for any of the following reasons:

**1. Student Total Days Attended** - The school uses continuing enrollment measures to track student attendance for synchronous classes. Students must have less than 10 absences each semester in order to be advanced to the next grade level or course.

Synchronous Instruction Time per Course

Grades K-6 = 2 hours per week

Grades 7-9 = 2 hours per week

High School = 1.5 hours per week

**2. Assignment Completion Rates** - The school subscribes to a minimum assignment completion rate of 80% for all courses. Students must complete and pass all assignments during the specified time allotted for each assignment. Teachers have the autonomy to extend assignment due dates for extenuating circumstances for up to two weeks beyond the established due date. The principal will consult with the teacher if a longer extension is requested. Teachers will monitor student completion and will determine weekly if all work is completed as assigned. If the assigned work for the week has not been completed by Friday, the student will be marked in Skyward as not completing the learner validated portion of the week.

Assignments are used to determine whether a student has completed the Learner Validated portion of a course. All of the assigned work due during the week is reported in the student information system on Fridays as completed or not completed.

The administrative team will send weekly letters to parents notifying them of their student's attendance policy and regulation violations. The school administrative team has the authority to review students' attendance and make final determinations on eligibility for grade or course level advancement.

**3. Language and Definitions** - The applicable language and definitions in Utah Code § 53G-9-804(1)(a) and Utah Code §§ 53G-6-201 through 53G-6-211 apply with respect to the enforcement of the school's attendance policy and regulations.

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**4. Notices of Compulsory Education Violation** - The school may issue a notice of compulsory education violation to a parent of a school-age child who is in grades 1 through 6 if the student is truant at least 5 times during the school year. Any such notices shall be issued in accordance with Utah Code § 53G-6-202.

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**5. Notices of Truancy** - The school may issue a notice of truancy to a school-age child who is in grade 7 or above, at least 12 years old, and is truant at least 5 times during the school year. Any such notice shall be issued in accordance with Utah Code § 53G-6-203.

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**6. Habitual Truancy Referrals** - In accordance with Utah Code § 53G-8-211, the school shall refer a student who is a habitual truant to an evidence-based alternative intervention described in Utah Code § 53G-8-211(3). If the student who is a habitual truant refuses to participate in an evidence-based alternative intervention, the school shall refer the student for prevention and early intervention youth services, as described in Section 80-5-201, by the Division of Juvenile Justice and Youth Services. The school may only refer a student who is a habitual truant to a law enforcement officer or agency or a court if:

- a. The student was previously alleged of being a habitual truant at least twice during the same school year; and
- b. The student was referred to an evidence-based alternative intervention, or for prevention and early intervention youth services, as described above for at least two of the previous habitual truancies.

**7. Chronic Absenteeism Prevention and Intervention Measures** – The school will establish chronic absenteeism prevention and intervention measures to encourage good attendance, improve academic outcomes, and reduce negative behaviors. Through these measures, the school hopes to create a trusting relationship between teachers, students, and parents.

a. The school's efforts to prevent chronic absenteeism include but are not limited to:

- i. [insert prevention measure/effort]
- ii.
- iii.

b. The school will seek to help students struggling with absenteeism (including chronically absent students) through implementing research or evidence-based absenteeism and dropout prevention interventions. These interventions include but are not limited to:

- i. [insert intervention]
- ii.
- iii.

**8. Appeals Process** – Parents who believe that all or part of their student's unexcused absences or tardies should be considered excused, or if they want to contest a notice of truancy, notice of compulsory education violation, or any disciplinary action taken against their student pursuant to the school's attendance policy or regulations, shall follow the school's Stakeholder Grievance Policy.

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

**10. State Reporting** - The school shall annually report the following data separately to the Utah State Board of Education:

- a. Absences with a valid excuse; and
- b. Absences without a valid excuse.

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## **Regulation 0510-R(1): Instructional Material**

### **Original Adopted Date:**

#### **ADMINISTRATIVE REGULATION**

This administrative regulation is established in accordance with the Instructional Materials Policy adopted by the School's Board of Trustees.

### **Sensitive Material Review Process**

Stakeholders may initiate a sensitive material review by the School if they feel an instructional material used by the School constitutes sensitive material.

However, notwithstanding the foregoing, if a stakeholder makes three unsuccessful challenges during a given academic year, that individual may not trigger a sensitive material review during the remainder of the given school year. An “unsuccessful challenge” means an allegation that a given instructional material constitutes sensitive material that the School concludes to be erroneous, either on direct review or on appeal to the Board, resulting in the retention of the given instructional material.

Stakeholders may allege that an instructional material used by the School constitutes sensitive material by submitting the Sensitive Material Review Request Form accompanying this regulation. Upon receipt of the completed form by a stakeholder, the School shall:

#### **Step One – Initial Review**

- (a)(i) Make an initial determination as to whether the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material, including whether the allegation includes excerpts and other evidence to support the allegation. The Chief Administrative Officer or Director shall designate two or more School employees to make this initial determination for the School (the Chief Administrative Officer or Director can be one of the two employees if he/she desires); and
- (ii) If the School's initial determination is that the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material as described above, the School shall immediately remove the challenged material until the School completes the School's full review of the challenged material as set forth below;

#### **Step Two – Objective Sensitive Material Standards Review (if necessary)**

- (b)(i) If the School's initial determination is that the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material, engage in a review of the allegations and the challenged instructional material using the objective sensitive material standards. The Chief Administrative Officer or Director shall designate three or more individuals to conduct this review, one of which must be a School community parent (the School employees who conducted the initial review may also be designated to conduct this review); and
- (ii) If the School determines that the challenged instructional material constitutes objective sensitive material, the School shall ensure that the material remains inaccessible to students in any School setting;

#### **Step Three - Subjective Sensitive Material Standards Review (if necessary)**

- (c) If, and only if, the School determines that the challenged instructional material does not constitute objective sensitive material, the School shall:
  - (i) Review the allegations and the challenged instructional material under the subjective material standards to determine if an instructional material is subjective sensitive material. The Chief Administrative Officer or Director shall designate three or more individuals to conduct this review, but at least two of the individuals must be School community parents (the individuals who conducted the objective sensitive material standards review may also be designated to conduct this review, but at least two of the individuals must be School community parents);
  - (ii) Allow student access to the challenged instructional material during the School's subjective sensitive material review if the student's parent gives consent regarding the specific challenged instructional material; and
  - (iii) If the School determines that the challenged instructional material constitutes subjective sensitive material, ensure that the material is inaccessible to students in any School setting, including the termination of the parent consent option described above.

#### Miscellaneous Review Rules

Neither the individuals responsible for procurement of the challenged instructional materials nor the stakeholder who is challenging the instructional materials may serve on any of the review committees described in the steps above.

If the School requires a School employee to participate on a sensitive materials review committee requiring engagement outside of contract hours, the School shall compensate the employee for the employee's time participating on the committee.

#### Communication

Soon after the completion of a sensitive material review, the School shall communicate its final determination (regardless of in which step the final determination comes) in writing to the stakeholder who requested the review.

The School shall also communicate to the USBE each stakeholder sensitive material review request, the final determination by the School on each request, and the School's rationale for its final determination on each request. The Chief Administrative Officer or Director shall communicate this information to the USBE on behalf of the School using the form provided by the USBE:

- (a) within 30 school days of the final determination; or
- (b) if an appeal is in process, at the conclusion of the appeal.

#### Appeal

A stakeholder may appeal the School's decision to the Board regarding a sensitive material review by submitting to the Board President the Sensitive Material Appeal Request Form within fourteen days of receiving the School's decision. A stakeholder may file such an appeal regardless of whether the School removed or retained the challenged instructional material. The Board shall vote in a public board meeting to decide the outcome of a sensitive material review appeal. In the board meeting, the Board shall clearly identify:

- (a) the Board's rational for its decision; and
- (b) the Board's determination on each component of the statutory and any additional policy standards used by the Board to reach the Board's conclusion.

### **Removing Instructional Material that Constitutes Sensitive Material**

#### Removing Instructional Material if State Threshold is Met

In accordance with Utah Code § 53G-10-103(7), the School shall remove instructional material from student access upon being notified by the USBE that the following number of LEAs in the state have determined that the instructional material constitutes objective sensitive material:

- (a) at least three school districts; or
- (b) at least two school districts and five charter schools.

However, removal from student access under these circumstances is subject to the USBE voting to overturn the application of the statewide removal requirement with respect to the instructional material. If the USBE votes to overturn the application of the statewide removal requirement with respect to the instructional material, the statewide removal requirement no longer applies and the School may choose to return access to the instructional material to its students.

#### Removing Instructional Material After Sensitive Material Review

The School shall follow the applicable removal requirements described in Steps One through Three of the School's sensitive material review process. In addition, if at the completion of the sensitive material review process the School makes a final determination that an instructional material constitutes sensitive material, the School shall permanently remove the instructional material.

#### Disposal of Instructional Material

When permanently removing instructional material because it constitutes sensitive material, the School shall:

- (a) physically remove the sensitive material from the School;
- (b) remove all access by students to the sensitive material;
- (c) communicate with the relevant vendors and publishers regarding the School's decision;
- (d) legally dispose of the sensitive material; and
- (e) not sell or distribute the sensitive material.

## Sensitive Material Review Request Form

### Information about Instructional Material Requested to be Reviewed:

- 1) Title:
- 2) Author:
- 3) Publisher:
- 4) Do you believe this instructional material constitutes sensitive material as that term is defined in Utah Code § 53G-10-103?      Yes      No

### Information about Requestor:

- 1) Name:
- 2) Phone:
- 3) Address:
- 4) Email:
- 5) Are you a student of Lumen Scholar Institute?      Yes      No
- 6) Are you a parent of a student of Lumen Scholar Institute?      Yes      No
- 7) Are you an employee of Lumen Scholar Institute?      Yes      No
- 8) Are you a board member of Lumen Scholar Institute?      Yes      No

### Information about Review Request:

- 1) Was this instructional material recommended, assigned, used, or made available through the School? If so, please explain.
- 2) In your opinion, how does this instructional material constitute sensitive material? Please provide examples, page numbers, links, or other information to help in locating or identifying the content you believe qualifies as sensitive material. Please attach any images or other corroborating evidence. You may attach additional pages as needed.

Requestor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

*After you submit this Form, you will receive an acknowledgment of receipt and an estimated timeline for when a decision will be made by the School. The School generally completes its review and makes its final decision between thirty to sixty (30-60) days after its receipt of a request for review.*

## Sensitive Material Appeal Request Form

### Instructions:

A requestor must submit this Form along with a copy of the School's written decision on the sensitive material review request within fourteen (14) days of receiving the School's written decision.

### Information about Requestor:

- 1) Name:
- 2) Phone:
- 3) Address:
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- 6) Are you a student of Lumen Scholar Institute? Yes No
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### Information about Challenged Instructional Material:

- 1) Title:
- 2) Author:
- 3) Publisher:
- 4) Please provide a written statement setting forth your rationale for appealing the School's decision regarding the challenged instructional material (attach additional pages as needed).

Requestor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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## **Regulation 0510-R(1): Instructional Material**

### **Original Adopted Date:**

#### **ADMINISTRATIVE REGULATION**

This administrative regulation is established in accordance with the Instructional Materials Policy adopted by the School's Board of Trustees.

### **Sensitive Material Review Process**

Stakeholders may initiate a sensitive material review by the School if they feel an instructional material used by the School constitutes sensitive material.

However, notwithstanding the foregoing, if a stakeholder makes three unsuccessful challenges during a given academic year, that individual may not trigger a sensitive material review during the remainder of the given school year. An “unsuccessful challenge” means an allegation that a given instructional material constitutes sensitive material that the School concludes to be erroneous, either on direct review or on appeal to the Board, resulting in the retention of the given instructional material.

Stakeholders may allege that an instructional material used by the School constitutes sensitive material by submitting the Sensitive Material Review Request Form accompanying this regulation. Upon receipt of the completed form by a stakeholder, the School shall:

#### **Step One – Initial Review**

- (a)(i) Make an initial determination as to whether the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material, including whether the allegation includes excerpts and other evidence to support the allegation. The Chief Administrative Officer or Director shall designate two or more School employees to make this initial determination for the School (the Chief Administrative Officer or Director can be one of the two employees if he/she desires); and
- (ii) If the School's initial determination is that the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material as described above, the School shall immediately remove the challenged material until the School completes the School's full review of the challenged material as set forth below;

#### **Step Two – Objective Sensitive Material Standards Review (if necessary)**

- (b)(i) If the School's initial determination is that the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material, engage in a review of the allegations and the challenged instructional material using the objective sensitive material standards. The Chief Administrative Officer or Director shall designate three or more individuals to conduct this review, one of which must be a School community parent (the School employees who conducted the initial review may also be designated to conduct this review); and
- (ii) If the School determines that the challenged instructional material constitutes objective sensitive material, the School shall ensure that the material remains inaccessible to students in any School setting;

#### **Step Three - Subjective Sensitive Material Standards Review (if necessary)**

- (c) If, and only if, the School determines that the challenged instructional material does not constitute objective sensitive material, the School shall:
  - (i) Review the allegations and the challenged instructional material under the subjective material standards to determine if an instructional material is subjective sensitive material. The Chief Administrative Officer or Director shall designate three or more individuals to conduct this review, but at least two of the individuals must be School community parents (the individuals who conducted the objective sensitive material standards review may also be designated to conduct this review, but at least two of the individuals must be School community parents);
  - (ii) Allow student access to the challenged instructional material during the School's subjective sensitive material review if the student's parent gives consent regarding the specific challenged instructional material; and
  - (iii) If the School determines that the challenged instructional material constitutes subjective sensitive material, ensure that the material is inaccessible to students in any School setting, including the termination of the parent consent option described above.

#### Miscellaneous Review Rules

Neither the individuals responsible for procurement of the challenged instructional materials nor the stakeholder who is challenging the instructional materials may serve on any of the review committees described in the steps above.

If the School requires a School employee to participate on a sensitive materials review committee requiring engagement outside of contract hours, the School shall compensate the employee for the employee's time participating on the committee.

#### Communication

Soon after the completion of a sensitive material review, the School shall communicate its final determination (regardless of in which step the final determination comes) in writing to the stakeholder who requested the review.

The School shall also communicate to the USBE each stakeholder sensitive material review request, the final determination by the School on each request, and the School's rationale for its final determination on each request. The Chief Administrative Officer or Director shall communicate this information to the USBE on behalf of the School using the form provided by the USBE:

- (a) within 30 school days of the final determination; or
- (b) if an appeal is in process, at the conclusion of the appeal.

#### Appeal

A stakeholder may appeal the School's decision to the Board regarding a sensitive material review by submitting to the Board President the Sensitive Material Appeal Request Form within fourteen days of receiving the School's decision. A stakeholder may file such an appeal regardless of whether the School removed or retained the challenged instructional material. The Board shall vote in a public board meeting to decide the outcome of a sensitive material review appeal. In the board meeting, the Board shall clearly identify:

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