



EARLY LIGHT
ACADEMY

Board Meeting Materials

BOARD MISSION:

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

August 21, 2024

Early Light Academy Board Meeting Agenda Wednesday, August 21, 2024

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



EARLY LIGHT
ACADEMY

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

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

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

WE ARE WHAT HISTORY BOOKS ARE MADE OF!

AGENDA

8:30 AM – INTRODUCTORY ITEMS

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

PUBLIC COMMENT (Comments will be limited to three minutes)

REPORTS

- Administration
 - ✓ [Director Report](#) – Stephanie Schmidt
 - ★ Updated Employee Handbook
 - ★ Updated Dress Code Administrative Procedures
 - ★ Updated Attendance Administrative Procedures
- Board of Directors
 - ✓ [Financial Update](#) – Brett Crockett

CONSENT ITEMS

- [June 19, 2024 Board Meeting Minutes](#)

VOTING ITEMS

- [Property & Liability Insurance Renewal](#) – Stephanie Schmidt
- [2024-2025 Early Learning Plan](#) – Stephanie Schmidt
- [Employee Benefits](#) – Stephanie Schmidt
- Policy Amendments

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

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

- ✓ [Arrest Reporting Policy](#)
- ✓ [Selection, Approval, and Purchase of Instructional Materials Policy](#)
- Nominate/Elect Board Vice President – Jenn Lund

DISCUSSION ITEMS

- Calendaring Items – ALL
 - ✓ Next PreBoard Meeting – September 4th @ 10:30 a.m.
 - ✓ Electronic Board Meeting – September 18th
 - ✓ October PreBoard Meeting – October 2nd @ 10:30 a.m.
 - ✓ Next Board Meeting – October 16th

CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a) [*IF NEEDED*]

ADJOURN

UPCOMING CALENDAR ITEMS

September

Snow Removal Service Contract
LEA-Specific Educator Licenses (Due Oct 1)
Sex Ed/Maturation Curriculum

October

SLT Committee Membership (Due Oct 20)
Review SLT FY23 Expenditures
Director Winter Bonus
Update Parent Handbook

November

2024-2025 School Fees (1st Public Viewing)
Board Sign Christmas Cards
Prepare Staff/Parent Survey on Administration

January

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

February

Board Vacancies
SLT Plan Proposal/Review FY24
SLT Training Assurances
Digital Citizenship

March

2024-2025 School LAND Trust Plan
Present 2022-2023 SLT Final Report
Annual Open Meetings Act Training
Landscaping Service Contract

April

Director Evaluation Prep
Director Bonus/Salary

May

Audit Engagement Letter
2024-2025 TSSA Plan
Director Evaluation

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Review Positive Behavior Plan [Can email board or reapprove if changes]
Property & Liability Insurance Renewal

June

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

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DIRECTOR'S REPORT

August 21, 2024

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

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

- Highlights
 - We had such a successful Back to School Night!
 - Smooth onboarding process for new families
 - [ELA staff explorers](#)
- Reports
 - [Updated Employee Handbook](#)
 - Updated Dress Code Administrative Procedures
 - Updated Attendance Administrative Procedures
 - Current Enrollment #'s
 - IT Company Transfer to ETS
 - Fence project near completion

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ELA's ANNUAL GOALS 2024-2025

ELARISE

| Goal Area | Specific Indicators |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>#1- Own and Share our Story</p> | <ul style="list-style-type: none"> ● Increase enrollment to 1020 ● History made visible on our campus in every building ● Storybrand - Finalize w RISE element ● Increase Social Media/Community Presence <ul style="list-style-type: none"> ○ Written plan for social media activity ● Provide community resources to parents quarterly ● Clarify process for school communication with stakeholders ● Invite community leaders to visit the school twice ● Contact local news agencies twice ● Create an Internal Processes Handbook |
| <p>#2- Build Instructional Capacity and Professional Excellence of ELA Educators</p> | <ul style="list-style-type: none"> ● PCBL Initiative: <ul style="list-style-type: none"> ○ Culture of Learning <ul style="list-style-type: none"> ■ Strong classroom cohesion ■ Teacher clarity ○ Learner Agency <ul style="list-style-type: none"> ■ Self-directed learning ■ Appropriately challenging goals ● Create a Processes Handbook ● Formalize professional development processes involving teacher choice ● Formalize teacher onboarding process ● Use Cognia Stakeholder and Eleot Evaluation Tool to evaluate and analyze data with historical comparisons leading to improvement in PCBL initiatives ● Lean Think process implemented through 2 faculty PD trainings and follow ups ● Establish teacher leader program ● Decrease the frequency of and simplify teacher evaluations ● Create Portrait of an ELA Teacher |

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| | |
|--------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>#3- Deliver an ELA-branded Education: Academics</p> | <ul style="list-style-type: none"> ● Simplify PLC expectations ● Create Portrait of a Phoenix ● Research and observe PCBL (engaged learning) in action ● Participate in state cohort to plan for 3 year phased PCBL implementation ● Acadience Proficiency Rate Goal <ul style="list-style-type: none"> ○ Literacy 70% (State increasing goal to 70%) ○ Math 60% ● Increase our State Assessment Achievement by 1% over last years in Science, Math, Language Arts RISE scores |
| <p>#3- Deliver an ELA-branded Education: Culture</p> | <ul style="list-style-type: none"> ● RISE ● Keep stakeholders informed ● Stakeholder Surveys ● PCBL Initiatives ● Formalize expectations for schoolwide usage of RISE ● Trainings 2x's per year on Corrective Action procedures for students and effective collaboration around behaviors ● School safety grant projects - scheduled and working toward completion |
| <p>#4- Financial</p> | <ul style="list-style-type: none"> ● Increase enrollment to 1,020 ● Competitive Staff Compensation ● Days COH - end fiscal year at 95 days ● Maintain 1.1 or better debt ratio ● Review and Improve Insurance Benefits ● Annual salary increase ● Adopt new benefits plan (increase employer contribution) ● Review 10-year financial forecast, including special projects and technology repair and replacement needs |

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EARLY LIGHT ACADEMY

Dress Code Administrative Procedures

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

Early Light Academy has adopted the following dress standards for all students during school hours. All clothing must be unadorned, clean, in good condition, and sized appropriately. Gang related items and colors, as well as torn, cut off, and sheer clothing, will not be permitted at school. No wording, graphics, or designs are allowed with the exception of the official school logo, unless otherwise specified below.

Collared shirts paired with dress code bottoms are standard student dress Monday through Thursday in the approved colors below, inspired by "Sparks" the mascot. School spirit dress is allowed, as specified, on early release days; Spirit attire can be mixed and matched with standard student dress on all early release days.

Shirts

Approved solid colors: white, navy blue, pale blue, orange, light gray, gray, pale yellow, yellow, and black.



Must have a collar (any style): School logo optional

- ★ Styles may vary; Must be appropriate in fit and length; Shirts must be long enough to be tucked in, and stay tucked in, but are not required to be tucked.
- ★ May be long or short sleeved; Layering with a solid undershirt of any color is permitted but the outer shirt must be collared.
- ★ No neon hues.
- ★ Heathering (intermixed dark and light threads) permitted on gray tops only.
- ★ Solid sweaters, vests, and sweatshirts in the approved colors are acceptable as layers over **a collared dress code shirt**; Sweaters/sweatshirts may have hoods (worn down when inside).
- ★ PEAK purchased sweatshirts are allowed on standard dress code days but must have a solid collared dress code shirt underneath.

Bottoms

Approved solid colors: white, navy blue, light gray, gray, tan, and black.



- ★ Black must be true black and not faded or washed out.
- ★ May have plain or pleated front.
- ★ Boys: choice of pants or shorts.
- ★ Bottoms, including skirts, dresses and shorts must be mid-thigh length or longer when seated.
- ★ Girl: choice of pants, capris, shorts, and skirts.
- ★ Jumpers with a collared shirt underneath as well as one-piece dresses with a collar are ~~also~~ approved in dress code colors for bottoms, ~~including tan, navy blue, white, black, and gray;~~ (black, gray, light gray, white, navy blue and tan). ~~-The only exception is that one-piece dresses with a collar may be in the light blue color that is approved for dress code tops.~~ Leggings may be worn under skirts or dresses.
- ★ Styles may vary.

Accessories

- ★ Socks, tights, and leggings may be solid or patterned.
- ★ Shoes must be appropriately safe for school.
- ★ Body piercing is limited to earrings only.
- ★ Appropriate health-related face coverings are permitted.

Outerwear

Includes backpacks, hats, sunglasses, and non-dress code attire.

- ★ May be worn to and from school, during recess, and during field trips.
- ★ Sweaters, sweatshirts, and jackets worn in class must follow dress code rules. Outerwear, such as non-dress code sweatshirts and sweaters, should be removed before class.
- ★ Students not observing dress code at the time of the bell signal are considered out of dress code.

Students should use the bell as their reminder and not wait for school staff to remind them to comply with dress code expectations. Repeat violations will be referred to Administration.

Jr. High Physical Education (Gym clothes will be required for Jr. High athletic classes and activities.)

- ★ Athletic bottoms in the approved colors are required.
- ★ Plain t-shirts or spirit shirts in the approved colors are required.
- ★ Tennis or athletic shoes are required.

School Spirit Dress Days

On early out days, including all Fridays and other early release days as specified annually on the school calendar, school spirit attire is permitted with the following guidelines:

- ★ Collared tops in standard dress code styles in any solid color.
- ★ Bottoms in standard dress code styles in solid dress code bottom colors; Denim blue jeans.
- ★ All school spirit t-shirts, sweatshirts, and sweaters in any color.

School “spirit wear” is periodically available to purchase through PEAK, our parent organization. Spirit wear can also be coordinated through individual classrooms, clubs, athletics, and other school sponsored activity groups with purchasing handled through a parent volunteer or the main office. Official ELA Style Guide branding is required when using the official school logo and/or mascot. Sweatshirts and t-shirts for school-sponsored clubs, sports, and activities are approved to wear on spirit days.

Dress Down Days Available to All Students

Each month the school has a dress down day. All students are invited on dress down days to wear attire that is not normally allowed during the month. All clothing worn on dress down days must be school appropriate. Clothing with inappropriate styles and designs, pajamas, costumes, or other similar type clothing (such as those listed in the “Not Allowed” section below) are prohibited.

Other Dress Code Guidelines and Information

Dress code items may be purchased at any location as long as they meet the criteria and colors described in this policy. We expect some color variations but caution against major deviations.

School logo collared shirts, sweaters, and sweatshirts may be available to purchase through some vendors, such as Lands End.

The Director may, from time to time, authorize other types of clothing and/or accessories to be allowed on a particular school day (for example during Spirit Week, This Day in History, and other atypical school days). Guidelines will be articulated in advance for any atypical dress days.

Fall school pictures are always in standard student dress code attire for yearbooks and class pictures; Spring pictures are “free dress” with students able to dress up or down as long as they observe the above dress down guidelines.

Not Allowed

The following items are **NEVER** allowed unless explicitly specified:

- ★ Adornments such as gems, glitter, etc. on regular dress code days.
- ★ Holes, rips, and tears whether manufactured or due to wear.
- ★ Faded color (for example, black should be true black and not faded or washed out). Color deviations from the intended approved colors (i.e. no teal/turquoise, no coral/pink).
- ★ Sleeveless tops of any kind, halter-tops, midriff shirts or shirts with plunging necklines.
- ★ Offensive or vulgar language, designs, images, or has inflammatory political statements, messages, or images.
- ★ Advertisement of drugs, alcohol, tobacco, acts of violence, or lawlessness.
- ★ Attempts to conceal or cover up any dress code violations.
- ★ Leather, vinyl, and/or nylon fabrics.
- ★ Knit bottoms such as yoga pants similar exercise pants outside of PE classes.
- ★ Sweats are not allowed other than on dress down days. Sweats are not allowed on spirit dress days.
- ★ Leggings as pants.
- ★ Visible underclothing.
- ★ Bottoms that sit lower than the top of the hip bone.
- ★ Inappropriate shoes, including but not limited to: sandals, slippers, flip-flops, crocs, backless shoes, as well as shoes with wheels, open toes, and high-heels.
- ★ Extreme or distracting accessories, makeup, hairstyles, belts, and jewelry, including gauges and plugs.
- ★ Head coverings except when worn for religious or cultural purposes.
- ★ Non-health related masks
- ★ Weapons or weapon lookalikes (including costumes).

Personal Electronics

- ★ Cell phones and other personal electronics, including headphones, should be turned off and not visible or used during class time, unless instructed by a teacher as part of a structured lesson previously approved by the Director.
- ★ Personal electronics brought on campus fall under the School’s acceptable electronics usage guidelines.

Inappropriate use of school or personal electronics may result in corrective action according to the School’s Student Conduct and Discipline Policy and Procedures.

ELA Volunteer Dress Guidelines

In addition to a student dress code, ELA encourages volunteers to dress appropriately. Volunteers are encouraged to dress business casual, and underclothing should not be visible.

ELA Staff Dress Guidelines

ELA staff dress guidelines are addressed in the Employee Handbook.

Corrective Action

Corrective action may be taken if Dress Code procedures are not adhered to by students.



EARLY LIGHT ACADEMY

Attendance Administrative Procedures

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

Definitions

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

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

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

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

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

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

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

- (1) is in grade 7 or above and at least 12 years old;
- (2) is subject to the requirements of Section 53G-6-202; and
- (3)(a) is truant at least ~~ten times~~ 20 days during one school year; or (b) fails to cooperate with efforts on the part of School authorities to resolve the school-age child's attendance problem as required under Section 53G-6-206.

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

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

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

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

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

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

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

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

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

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

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

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

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

Sluffing: Students are expected to attend class, assemblies, and other School activities during the school day at all assigned times. Students who are sluffing will be referred to School

administration for disciplinary action which may include: Lunch Detention, In-School Suspension, and/or Out-of-School Suspension.

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

Notice of Compulsory Education Violation (For Students in Grades 1-6)

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

This notice shall:

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

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

Chronic Absenteeism Prevention and Intervention Program

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

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

- Serving students breakfast and lunch at the School each school day.;
- Providing classroom and/or schoolwide rewards and/or incentives to students for good attendance.
- Notifying parents/guardians by phone each time a student is absent, and making such notification on the day of the absence.

- Contacting parents/guardians of students who reach four (4) and/or five (5) unexcused absences to try to resolve the students' attendance problems.
- Providing parents/guardians with notices of compulsory education violations or notices of truancy, as appropriate and as outlined herein.
- Making habitual truancy referrals, as appropriate and as outlined herein.
- Providing parents/guardians with the School's attendance policies and procedures each year at the time of registration.

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. Those efforts will include documented earnest and persistent efforts to resolve a student's attendance problems through the following interventions:

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

Notice of Truancy (For Students in Grade 7 or Above)

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

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

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

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

Referrals for Habitual Truancy (For Students in Grade 7 or Above)

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), including:

- a mobile crisis outreach team;
- a youth services center, as defined in Section 80-6-901;
- a certified youth court, as defined in Section 80-6-901, or comparable restorative justice program;
- an evidence-based intervention created and developed by the School or other governmental entities as set forth in Section 53G-8-211(a); or
- truancy mediation.

If the student who is a habitual truant refuses to participate in an evidence-based alternative intervention described above, 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:

- The student was previously alleged of being a habitual truant at least twice during the same school year; and
- 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 trancies.

If the School refers a student who is a habitual truant to a law enforcement officer or agency or a court, the School shall appoint a School representative to continue to engage with the student and the student's family through the court process. The School shall include the following in its referral to a law enforcement officer or agency or a court:

- Attendance records for the student;

- A report of evidence-based alternative interventions used by the School before the referral, including outcomes;
- The name and contact information of the School representative assigned to actively participate in the court process with the student and the student's family;
- If the student was referred to prevention or early intervention youth services, a report from the Division of Juvenile Justice and Youth Services that demonstrates the student's failure to complete or participate in prevention and early intervention youth services; and
- Any other information that the School considers relevant.

Appeals Process

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

Students with Qualified Disabilities

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

Annual Report

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

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

[Back to Agenda](#)

**Early Light Academy
Statement of Financial Position
As of June 30, 2024 (Unaudited)**

| | <u>AFR</u> | <u>Audit</u> |
|--------------------------------------------|----------------------------|-----------------------------|
| Assets & Other Debits | | |
| Current Assets | | |
| Operating Cash | \$ 2,642,531 | \$ 2,642,531 |
| Accounts Receivables | 279,888 | 279,888 |
| Other Current Assets | 123,977 | 123,977 |
| Total Current Assets | <u>3,046,396</u> | <u>3,046,396</u> |
| Restricted Cash | <u>2,748,988</u> | <u>2,748,988</u> |
| Net Assets | | |
| Fixed Assets | - | 21,045,887 |
| Depreciation | - | (5,148,497) |
| Total Net Assets | <u>-</u> | <u>15,897,390</u> |
| Total Assets & Other Debits | <u>\$ 5,795,384</u> | <u>\$ 21,692,774</u> |
| Liabilities & Fund Equity | | |
| Current Liabilities | <u>\$ 670,488</u> | <u>\$ 1,141,632</u> |
| Long-Term Liabilities | <u>-</u> | <u>21,795,621</u> |
| Fund Balance | <u>5,496,388</u> | <u>(1,453,248)</u> |
| Net Income | <u>(371,492)</u> | <u>208,769</u> |
| Total Liabilities & Fund Equity | <u>\$ 5,795,384</u> | <u>\$ 21,692,774</u> |

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

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

**Early Light Academy
Statement of Activities
As of June 30, 2024 (Unaudited)**

| | Approved Budget | AFR | Audit |
|------------------------------------|-----------------|---------------------|-----------------------|
| Prior Year Fund Balance | | | |
| Beginning Fund Balance | \$ - | \$ 5,496,388 | \$ (1,453,248) |
| Net Income | | | |
| Income | | | |
| Revenue From Local Sources | 483,400 | 542,975 | 542,975 |
| Revenue From State Sources | 10,695,627 | 10,450,546 | 10,450,546 |
| Revenue From Federal Sources | 478,644 | 461,642 | 461,642 |
| Revenue from Other Sources | | | |
| 6050 - Budget from Surplus | 532,068 | - | - |
| 6400 - EXTRAORDINARY ITEMS | 51,664 | 51,664 | 51,664 |
| Total Revenue from Other Sources | 583,732 | 51,664 | 51,664 |
| Total Income | 12,241,403 | 11,506,828 | 11,506,828 |
| Expenses | | | |
| Instruction/Salaries | 5,425,108 | 5,521,773 | 5,521,773 |
| Employee Benefits | 1,529,174 | 1,495,679 | 1,495,679 |
| Purchased Prof & Tech Serv | 1,048,547 | 1,065,353 | 1,065,353 |
| Purchased Property Services | 1,501,602 | 1,120,098 | 358,551 |
| Other Purchased Services | 450,798 | 482,399 | 482,399 |
| Supplies & Materials | 754,123 | 700,605 | 700,605 |
| Property | 53,917 | 53,812 | 596,314 |
| Debt Services & Miscellaneous | 1,478,133 | 1,438,602 | 1,077,387 |
| Total Expenses | 12,241,402 | 11,878,320 | 11,298,059 |
| Total Net Income | - | (371,492) | 208,769 |
| Ending P&L Fund Balance | \$ - | \$ 5,124,896 | \$ (1,244,479) |

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[Back to Agenda](#)

Early Light Academy Board Meeting Minutes Wednesday, June 19, 2024

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



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

Excused: Brian Christensen

Others in Attendance: Stephanie Schmidt, Matt Mouritsen, Heidi Bauerle, Erin Winterton, Ann Khong, Dawn Kawaguchi,

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

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

WE ARE WHAT HISTORY BOOKS ARE MADE OF!

MINUTES

10:34 AM – INTRODUCTORY ITEMS

- Welcome & Roll Call – Jenn Lund
- Board Mission – Candice

There was no PUBLIC COMMENT.

10:36 AM – Jenn Lund made a motion to enter a CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a) in the conference room. Brett Crockett seconded the motion. The roll call votes were as follows:

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

Motion passed unanimously.

11:22 AM – Jenn Lund made a motion to exit the CLOSED SESSION and resume our board meeting. Candice Mitchell seconded the motion. The roll call votes were as follows:

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

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

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

Motion passed unanimously.

REPORTS

- **Administration**

- ✓ Director Report – Stephanie Schmidt highlighted the recent activities including 9th grade promotion, scholarship recipients, end of the year staff party, teacher and staff awards, and ELA summer explorers. Enrollment is going well. We are currently at 1,044. Fence Project is underway. Director Schmidt reviewed the amended Dress Code Administrative Procedures. We have moved to compensation sheets in place of Annual Employee Agreements.
 - ★ End of Year Data Review showed that the growth in both reading and math were outstanding. There are some areas that will be targeted next year to help to increase those. Director Schmidt also reviewed the Scholastic Reading Tier II reading results, and the ELL highlights.
 - ★ Strategic Plan – Director Schmidt reviewed the current year’s goals and provided recommended goals for 2024-2025.
 - Own and share our ELA Story to stay relevant and maintain full enrollment in an increasingly competitive school landscape.
 - Build the instructional capacity and professional excellence of ELA educators
 - Consistently deliver an ELA-branded
 - ★ Dawn gave a brief review of the amended Student Conduct & Discipline Administrative Procedures.

BOARD TRAINING

- Brian Carpenter: Chapter 15: The 30/30/30 Agenda – Matt Mouritsen reviewed chapters 2, 3, and 15 in the Charter School Board University. He emphasized the School Board’s role in representing taxpayers, ensuring financial management, providing a safe learning environment, and maintaining market accountability for charter schools. Matt outlined five points for improving standards and achieving market leadership, stressing the importance of high standards of student achievement, maintaining laser-focused effectiveness, and ensuring appropriate policy governance. He underscored the need for board members to ask the right questions, focusing on outcomes rather than details about tools and processes. Matt also recommended a robust onboarding process for new board members and praised the current board for their work. Lastly, he noted an increase in student proficiency and expressed optimism about the school's future. Heidi shared her past experiences as a school board leader and how well she was supported by her board. She highlighted the importance of trust and open communication within the board and the community. The board praised Platte and how unassuming he is. They would like him to attend a future meeting.
- Annual Policies, Plan, Procedures & Training Review – Dawn took this item because she didn’t prepare Matt to discuss this item. Dawn presented and discussed the annual policy, plans and procedures, emphasizing their importance, particularly those related to out-of-school suspension and expulsion data. She also highlighted the need for approval of the Parent and Family Engagement Policy as the school receives Title I funds. Lastly, Dawn reviewed the Arrest Reporting Policy which states that non-licensed employees,

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volunteers, and board members must notify the Director within seven days regarding any arrests. The school will be notified through the rap back system of any arrests.

- Review and Sign Board Member Performance Expectations* – Jenn Lund reviewed the Board Member Performance Expectations and asked each board member to sign one for the next school year. There was a discussion on if they want to make any changes on this document. Dawn will have Brian sign his at the next board meeting.
- Review Ethics Policy & Sign Statement of Ethical Behavior* – Erin Winterton reviewed the Ethics Policy and asked each board member to sign the Board Commitment to Ethical Behavior. This corresponds with the Fraud Risk Assessment.
- Review Annual Fraud Risk Assessment* – Erin Winterton stated that this annual assessment that was set up by the state auditor’s office. This is a self-evaluation regarding many risk categories as well as the separation of duties. The school received 375/395 which is a very low risk level. The only points that they didn’t receive was because the school doesn’t have an internal audit function, but this is only required if you have over 10k students which ELA does not. Erin congratulated the board on this assessment. She also mentioned that both Director Schmidt and Brett will need to sign this document as it is turned into the state auditor’s office.

CONSENT ITEMS

- May 28, 2024 Electronic Board Meeting Minutes – There was no further discussion. **Jenn Lund made a motion to approve the consent items. Andrea Johnson seconded the motion. The roll call votes were as follows:**
 - Jenn Lund – Aye**
 - Andrea Johnson – Aye**
 - Candice Mitchell – Aye**
 - Brett Crockett – Aye****Motion passed unanimously.**

VOTING ITEMS

- 2023-2024 Final Amended Budget – Erin Winterton stated that we recently amended the budget so we will not have to amend the FY24 budget.
- 2024-2025 Annual Budget – Erin Winterton reviewed the FY23 budget in which Director Schmidt’s focus was facility upgrades. She reviewed the amended FY24 budget in which Director Schmidt’s focus was teacher retention. For the 2024-2025 school budget, Director Schmidt’s focus is to continue working on teacher retention with an emphasis on increasing employee benefits with some challenges due to the ending of ESSER funding this current fiscal year. Director Schmidt is also focusing on building the cash reserves back up as this budget reflects a \$151,798 surplus. Director Schmidt has worked a nice balance of cutting back in areas and then trying to give the employees raises all with receiving less revenue than last year. Erin stated that this budget is based on 1,020 student enrollment. Revenue could go up or down since this budget is a moving budget with schools. There was a discussion on how the school is funded.
- 2024-2025 Sex Ed Instruction Committee – Heidi Bauerle reviewed the sex education instruction committee which provides two roles. One with maturation at the elementary level and the other with the Jr. high health (human sexuality). The committee must have

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an equal number of parents to employees on the committee as well as a health teacher and school nurse. The Board will be approving the composition of the committee each year. Dawn mentioned a couple of typos on the cover letter including the number of parents and school year.

- Math Curriculum Purchase – Heidi Bauerle reviewed the math curriculum purchase that includes My Math, Glencoe Math and ALEKS. The recommendation is to approve a not to exceed amount of \$32,000.
- Retrofit Locks on Doors – Heidi Bauerle reviewed the retrofit door locks. She informed the board that Director Schmidt was one of the first in the state to get a safety evaluation of her school and now it's required. This is an attempt for one more layer of security for the students. Dawn added that there is another bid that wasn't included in the board packet which is why she is asking for a not to exceed amount of \$35,000. Erin prompted that this will be reimbursed by the safety grant funds.
- Connected2Therapy Agreement – Heidi Bauerle stated that this agreement is for the school nurse that will be on the sex ed committee. The rates have slightly increased which includes the mileage reimbursement. The school has been using this company for multiple years.
- Calcut Consulting Agreement – Heidi Bauerle stated that quite a few of our schools use Calcut Consulting for their school psychologist. She informed the board that there is a special education law that requires all schools have a psychologist to do the assessments for students who are tested for SpEd services. The rates have slightly increased for these services from last year. This is a two-year contract.
- Amend Background Check Policy – Dawn Kawaguchi reviewed the amended Background Check Policy. There is a cost for the fingerprinting and the background check. Most schools have the employee or volunteer pay to get fingerprinted but not the background check. The law now states that you can't charge any (non-licensed) employee or volunteer to get their fingerprints. The school must cover that cost. There was a discussion that ELA has been covering that cost. Dawn also mentioned that this does not include licensed teachers. In addition to eliminating the charge for fingerprinting and the actual background check, once a person in the system is no longer affiliated with the school, the school should inactivate them in the rap back system for privacy reasons because anyone in the system who is arrested, the rap back system will notify the school for any arrests. These are legislative changes.
- Amend Electronic Meetings Policy – Dawn Kawaguchi reviewed the amended Electronic Meetings Policy. These changes eliminate an anchor location for electronic board meetings unless a member of the public notifies the school within 12 hours requesting an anchor location. These are legislative changes.
- Kindergarten Toilet Training Policy – Heidi Bauerle reviewed the Kindergarten Toilet Training Policy. HB331 requires all kindergarteners to be toilet trained before beginning school and each school must adopt a policy implementing this law. Parents, when registering their student for kindergarten will need to sign an assurance that their child is toilet trained. This policy also states that the school must provide additional support if the student comes to school lacking toilet training. It also addresses students with disabilities. There was a discussion on social worker/counselor requirement regarding funding.

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- Re-Approve Parent & Family Engagement Policy – Heidi Bauerle stated that by law the board is required to review and re-approve every other year because the school receives Title I funding. At this point, we don't have any recommendations to change or update it just that you re-approve it based on Title I funding requirements.
- Appoint CSBBO – Jenn Lund stated that due to Eric's departure, we need to replace the Charter School Board Building Official (CSBBO). Dawn informed the board that this person is the point person with the state who works with any construction that goes on at the school. There are many forms that need to be sent into the state and Stephanie as the Executive Director would be working directly with the construction company, so it makes sense to have the position of Executive Director be the CSBBO.
- Appoint New Board Member – Jenn Lund stated that since Andrea is resigning her position early, she will need to put that in writing. The board will appoint Ann Khong. Dawn stated that typically, the new board member would assume the resigning board member's term but for continuity purposes, she is recommending that they give Ann a term that ended June 2028. There was a discussion on keeping Andrea on until she formally resigns.
- Ratify Board Members & Terms – Jenn Lund
- Elect Board Officers – Jenn Lund

Jenn Lund made a motion to approve the following:

- ✓ **Approve the final amended budget for the 2023-2024 school year;**
- ✓ **Approve the proposed annual operating budget for the 2024-2025 school year;**
- ✓ **Approve the 2024-2025 Sex Education Instruction Committee Membership with the following positions: (1) Jr. High Principal, (1) Elementary Principal, (1) Health Teacher, (1) School Nurse and (4) Parent Board Members;**
- ✓ **Approve the purchase of McGraw Hill Math Curriculum (My Math/Glencoe Math/ALEKS) not to exceed \$32,000;**
- ✓ **Approve the Retrofit Locks on Doors not to exceed \$35,000;**
- ✓ **Approve the 2024-2025 Connected2Therapy agreement and authorize the Executive Director to sign on behalf of the school;**
- ✓ **Approve Calcut Consulting Contract and authorize the Executive Director to sign on behalf of the school;**
- ✓ **Approve the Amended Background Check Policy;**
- ✓ **Approve the Amended Electronic Meetings Policy;**
- ✓ **Approve the Kindergarten Toilet Training Policy;**
- ✓ **Re-approve the Parent & Family Engagement Policy;**
- ✓ **Appoint the Executive Director as the Charter School Board Building Official;**
- ✓ **Appoint Ann Khong as a board member with a 4-year term ending June 2028 for board continuity;**
- ✓ **Ratify Jenn Lund and Candice Mitchell both with a term to expire June 2027; Brian Christensen with a term to expire June 2026, and Brett Crockett with a term to expire June 2025; and**
- ✓ **Approve the Board Officers as presently constituted and discuss the vice president position at the August board meeting.**

Andrea Johnson seconded the motion. The roll call votes were as follows:

Jenn Lund – Aye

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Andrea Johnson – Aye
Candice Mitchell – Aye
Brett Crockett – Aye
Motion passed unanimously.

DISCUSSION ITEMS

- Set 2024-2025 Board Calendar Schedule – Dawn Kawaguchi stated that to continue the 30/30/30 training, the board schedule for next year looks big but it's not. We will meet in person on the even months and for this first year, we have scheduled electronic board meetings on the odd months. Since we typically don't meet in December and it is an even month, this first year we will schedule an electronic board meeting. It may take Director Schmidt a few months to get used to only meeting every other month but it's easier to cancel a meeting than to schedule one on the fly. This schedule isn't set in stone and is flexible. Dawn told Jenn that we will still have a preboard meeting for each meeting until Director Schmidt feels comfortable with the new schedule. There was a discussion on how often other boards meet and getting the materials out earlier to the board. There were thank you's all around. Dawn will send out calendar invites to the board.
- Calendar Items – ALL
 - ✓ Next PreBoard Meeting – August 7th @ 10:30 a.m. PROPOSED
 - ✓ Next Board Meeting – August 21st PROPOSED

1:36 PM – Jenn Lund made a motion to ADJOURN. Andrea Johnson seconded the motion. The roll call votes were as follows:

Jenn Lund – Aye
Andrea Johnson – Aye
Candice Mitchell – Aye
Brett Crockett – Aye
Motion passed unanimously.

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**Early Light Academy
Board of Directors
Closed Session Statement
Wednesday, June 19, 2024**

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



CLOSED SESSION SWORN STATEMENT:

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

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

Signed on the 19 day of June, 2024, at South Jordan, Utah.

Jenn Lund
Jenn Lund
Board Chair

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



ELA Board of Director's Meeting Wednesday, August 21, 2024

Action Item: *Insurance Renewal*

Issue

The school is required by law to have adequate insurance coverage.

Background

The school has carried general liability, property & casualty, directors & officers, educators legal liability, hired and non-owned auto, crime, and umbrella coverage through Wright Specialty for a few years. Wright Specialty has offered a renewal quote for these coverages in the amount of \$68,051, and the premium last year was \$67,648, which is an increase of 0.6%. The school's insurance broker, Jeff Hirst with American Insurance and Investment provided a coverage summary outlining the school's coverages and renewal premiums that is contained in the board meeting materials.

Recommendation

It is recommended that the Board approve the renewal of the school's insurance policies with Wright Specialty.

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Early Light Academy
Insurance Coverage Comparison



NOTES

| Coverage Year | Wright Specialty 2022 | Wright Specialty 2023 | Wright Specialty 2024 | NOTES |
|------------------------------------------------|---------------------------------------|---------------------------------------|---------------------------------------|----------|
| LIABILITY COVERAGES | | | | |
| Coverage Territory | USA, T&P, Canada | USA, T&P, Canada | USA, T&P, Canada | |
| General Liability | Yes, separate limit | Yes, separate limit | Yes, separate limit | |
| Occurrence | 1,000,000 | 1,000,000 | 1,000,000 | |
| Aggregate | 3,000,000 | 3,000,000 | 3,000,000 | |
| Property Damage | 1,000,000 | 1,000,000 | 1,000,000 | |
| Employee Benefits Liability | 1,000,000 | 1,000,000 | 1,000,000 | |
| Malpractice Included | Yes | Yes | Yes | |
| Counseling Professional Liability | 1,000,000 / 3,000,000 | 1,000,000 / 3,000,000 | 1,000,000 / 3,000,000 | |
| Cyber Liability Endorsement | None | None | None | |
| Number of Students | 944 | 939 | 1,001 | |
| Misconduct and Molestation | Yes, separate limit | Yes, separate limit | Yes, separate limit | |
| Each Occurrence | 1,000,000 | 1,000,000 | 1,000,000 | |
| Aggregate | 3,000,000 | 3,000,000 | 3,000,000 | |
| Innocent Party Defense | 500,000 / 1,000,000 | 500,000 / 1,000,000 | 500,000 / 1,000,000 | |
| Automobile Liability | Included with GL | Included with GL | Included with GL | |
| Hired & Non-Owned Liability | 1,000,000 | 1,000,000 | 1,000,000 | |
| School Educator's Legal Liability | Yes, separate limit | Yes, separate limit | Yes, separate limit | |
| Each Claim | 1,000,000 | 1,000,000 | 1,000,000 | |
| Aggregate | 3,000,000 | 3,000,000 | 3,000,000 | |
| Defense Outside Limits | Yes, unlimited | Yes, unlimited | Yes, unlimited | |
| Directors & Officers as Insureds | Yes | Yes | Yes | |
| Defense Fiduciary Duty: Benefits, Compensation | 100,000 | 100,000 | 100,000 | |
| Retroactive Date | 8/1/09 | 8/1/09 | 8/1/09 | |
| Deductible | 10,000 Loss and Expenses | 10,000 Loss and Expenses | 10,000 Loss and Expenses | |
| Non-Monetary Relief Defense (Injunction) | 100,000 + 10K ded | 100,000 + 10K ded | 100,000 + 10K ded | 300K Agg |
| Director's & Officer's Coverage | Yes, specifically in ELL | Yes, specifically in ELL | Yes, specifically in ELL | |
| Each Claim | 1,000,000 | 1,000,000 | 1,000,000 | |
| Defense Outside Limits | Yes, unlimited | Yes, unlimited | Yes, unlimited | |
| Deductible | 10,000 Loss and Expenses | 10,000 Loss and Expenses | 10,000 Loss and Expenses | |
| Supervision or management vicarious | Implied (part of duties) | Implied (part of duties) | Implied (part of duties) | |
| Employment Practices Liability | Yes, specifically in ELL | Yes, specifically in ELL | Yes, specifically in ELL | |
| Each Claim and Aggregate | 1,000,000 | 1,000,000 | 1,000,000 | |
| Defense Outside Limits | Yes, unlimited | Yes, unlimited | Yes, unlimited | |
| Wage and Hour Defense | (Included above) | (Included above) | (Included above) | |
| Deductible | 10,000 Loss and Expenses | 10,000 Loss and Expenses | 10,000 Loss and Expenses | |
| Umbrella Liability Limit | 1,000,000 | 1,000,000 | 1,000,000 | |
| Underlying Coverage | GL, AL, ELL, EBL, SAM, D&O, EPL | GL, AL, ELL, EBL, SAM, D&O, EPL | GL, AL, ELL, EBL, SAM, D&O, EPL | |
| PROPERTY COVERAGES | | | | |
| Building Coverage - Blanket | 24,156,500 | 25,539,455 | 29,352,758 | |
| Computer Equipment/Software | 21,942,000 | 23,258,520 | 27,003,395 | |
| Business Personal Property - Blanket | In BPP | In BPP | In BPP | |
| Ordinance and Law | 2,214,500 | 2,280,935 | 2,349,363 | |
| Data Breach Coverage | A=Incl, B&C=250,000 | A=Incl, B&C=250,000 | A=Incl, B&C=250,000 | |
| Equipment Breakdown | - | - | - | |
| Covers Outdoor School Equipment | Included | Included | Included | |
| Employee Theft | Yes | Yes | Yes | |
| Computer and Funds Transfer Fraud | No | No | No | |
| Crisis Management Expense | No | No | No | |
| Extra Expense | 300,000 | 300,000 | 300,000 | |
| Deductible | BI/EE 250,000 | BI/EE 250,000 | BI/EE 250,000 | |
| Earthquake | 5,000 | 5,000 | 5,000 | |
| | 10,000,000 - Ded: 100K per occurrence | 10,000,000 - Ded: 100K per occurrence | 10,000,000 - Ded: 100K per occurrence | |
| PREMIUM | | | | |
| | 2022 | 2023 | 2024 | |
| Liability Premium | \$ 16,097.00 | \$ 16,115.00 | \$ 16,955.00 | |
| Property Premium | \$ 7,608.00 | \$ 14,222.00 | \$ 15,042.00 | |
| SUBTOTAL | \$ 23,705.00 | \$ 30,337.00 | \$ 31,997.00 | |
| D&O Coverage | Included | Included | Included | |
| Umbrella Premium | \$ 3,311.00 | \$ 2,311.00 | \$ 1,054.00 | |
| Equipment Floater | Included | Included | Included | |
| Earthquake Premium | \$ 35,000.00 | \$ 35,000.00 | \$ 35,000.00 | |
| GRAND TOTAL | \$ 62,016.00 | \$ 67,648.00 | \$ 68,051.00 | |
| Travelers Crime Bond | 345,000 Limit | 345,000 Limit | 345,000 Limit | |
| | \$1,138 | \$1,138 | \$1,138 | |

This is just a summary of coverage for information purposes.



EARLY LIGHT
ACADEMY

**ELA Board of Director's Meeting
Wednesday, August 21, 2024**

Action Item: *2024-2025 Early Learning Plan*

Issue:

In accordance to Utah's Reading Improvement Program and the State Reading Goal, the Board shall approve a program plan submitted by an LEA.

Background:

The ELA Early Learning Team, in collaboration with the USBE Early Learning Team, set the following goals for the 2024-2025 school year.

- **Early Mathematics Goal:** By May 30, 2025, 1st grade teachers at Early Light Academy, with the support of the school administration, instructional coaches, grade level teams, paraprofessionals, the Special Education department, and other school personnel, will maintain the percentage of 1st grade students who score at or above benchmark on the Acadience Math computation submeasure from BOY to EOY by receiving professional learning, job embedded instructional coaching, classroom observations and feedback on the implementation of providing targeted and evidenced based interventions (located in our My Math curriculum) that align to a student's specifically identified learning gaps to increase the likelihood of students scoring at or above benchmark at the end of the year.
- **Early Literacy Goal:** By May 30, 2025, 2nd Grade Teachers at Early Light Academy, with the support of Administration, Instructional Coach, Grade Level Teams, Paraprofessionals, Special Education Department, and other school personnel, will maintain the percentage of 2nd Grade students who are scoring at or above benchmark on Acadience Reading in the submeasure of Accuracy from BOY to EOY by providing ongoing professional learning and job embedded instructional coaching with all 2nd Grade Teachers, by providing ongoing professional learning and job embedded instructional coaching with all 2nd grade teachers, including classroom observations and feedback on implementation of explicit phonics routines to increase the likelihood of students scoring at or above benchmark at the end of the year.

Recommendation:

It is recommended that the Board approve the 2024-2025 Early Learning Plan.

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

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



EARLY LEARNING PLAN 2024-2025

LEA Name: Early Light Academy

Date of Expected Local Board Approval: August 21, 2024

Submission of Early Learning Plan:

- Submission on or before August 1st: For ELP **approval**, submit the following to 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 |
|--------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Wonders (2023) | Heggerty (2022) <ul style="list-style-type: none"> • Kindergarten • 1st Grade • 2nd Grade |
| Heggerty (2022) <ul style="list-style-type: none"> • Kindergarten • 1st Grade | Really Great Reading (Phonics Instruction) <ul style="list-style-type: none"> • Kindergarten: Countdown (2017) • 1st: Blast (2014) |

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

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| | <ul style="list-style-type: none"> • 2nd: HD Word (2015) • 3rd Grade HD Word (2015) |
| Really Great Reading (Phonics Instruction) <ul style="list-style-type: none"> • Kindergarten: Countdown (2017) • 1st: Blast (2014) • 2nd: HD Word (2015) | |

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 |
|---------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| McGraw-Hill “My Math”, ST Math (K-2), Reflex Math (1-3), ALEKS (3) | Math centers that gamify math knowledge and skills and apply deliberate practice (effect size 0.79), peer-to-peer learning (effect size 0.53) and play (effect size 0.50) |

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

| Mathematical Components | Evidence-based Strategies |
|-------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Conceptual Understanding: the comprehension and connection of concepts, operations, and relations. | ST Math & Math Manipulatives: ST Math engages students in activities that teach foundational concepts visually. This allows students to tackle unfamiliar math problems, recognize patterns in math, and build conceptual understanding. Math manipulatives provided with our My Math program aid our teachers in their Tier I instruction. Students engage in this type of practice in whole-group as well as small group instruction. |
| Procedural Fluency: the meaningful, flexible, accurate, and efficient use of procedures to solve problems. | “My Math” gives students opportunities to practice skills through examples (I do), Guided Practice (we do) and Independent Practice (you do). These opportunities are completed during the school day with support from teachers. In addition, “My Math” performance tasks can be used for students to practice what they have learned to solve multi-step problems in real world situations. ST Math provides students with the opportunity to practice newly acquired skills before moving forward on to the next skills on their journey. Reflex math practice promotes basic fact fluency (addition, subtraction, multiplication and division) through their various game platforms. ALEKS creates a personalized learning path that both tracks and addresses instructional gaps and new grade level content. |

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

| | |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>Strategic and Adaptive Mathematical Thinking: the ability to formulate, represent, and solve mathematical problems with the capacity to justify the logic used to arrive at the solution.</p> | <p>During Tier I instruction, students use manipulatives, white boards, and physical movement to represent and justify their learning. Teachers use the ST Math program in conjunction with the My Math curriculum. At the beginning of the year teachers create a scope and sequence in ST Math that matches their My Math scope and sequence. This allows students to work at their pace while discovering math through logic experiences. This program also allows students to learn from their mistakes. Performance Tasks provided with the My Math Program allows students to put their learning into practice, and also allows students to move at their own pace and show what they have learned at their own levels. The Performance Tasks provide more open-ended questions and reflective tasks for students. It also allows teachers to give partial credit based on student work. These tasks also allow for advanced students to explore more and dig deeper into the mathematical thinking. Both Reflex and ALEKS give students the opportunity to show mastery of grade level problem types.</p> |
| <p>Productive Disposition: the attitude of a student who sees mathematics as useful and worthwhile while exercising a steady effort to learn mathematics.</p> | <p>Teachers will use the My Math “Math in My World” starters in their Tier I instruction. Each starter introduces a relatable real-world problem that needs to be solved and allows teachers and students to engage in mathematical conversations in large and small groups.</p> |

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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 May 30, 2025, 1st grade teachers at Early Light Academy, with the support of the school administration, instructional coaches, grade level teams, paraprofessionals, the Special Education department, and other school personnel, will maintain the percentage of 1st grade students who score at or above benchmark on the Acadience Math computation submeasure from BOY to EOY by receiving professional learning, job embedded instructional coaching, classroom observations and feedback on the implementation of providing targeted and evidenced based interventions (located in our My Math curriculum) that align to a student's specifically identified learning gaps to increase the likelihood of students scoring at or above benchmark at the end of the year.

2. Early Literacy or Mathematics Goal (required)

Literacy Goal

Mathematics Goal

By May 30, 2025, 2nd Grade Teachers at Early Light Academy, with the support of Administration, Instructional Coach, Grade Level Teams, Paraprofessionals, Special Education Department, and other school personnel, will maintain the percentage of 2nd Grade students who are scoring at or above benchmark on Acadience Reading in the submeasure of Accuracy from BOY to EOY by providing ongoing professional learning and job embedded instructional coaching with all 2nd Grade Teachers, by providing ongoing professional learning and job embedded instructional coaching with all 2nd grade teachers, including classroom observations and feedback on implementation of explicit phonics routines to increase the likelihood of students scoring at or above benchmark at the end of the year.

General Assurances: Check the boxes below.

X 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.

X 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](#).

X 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.

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

[Back to Agenda](#)



ELA Board of Director's Meeting Wednesday, August 21, 2024

Action Item: *Employee Health Insurance Broker*

Issue:

The school is transitioning its employee health insurance to new plans brokered by HUB International.

Background:

The school has provided employee health insurance benefits through Helpside's health insurance plans since the school opened. After researching options, the school has determined that it can provide its employees better benefit options through plans brokered by HUB International.

Recommendation:

It is recommended that the board approve retaining HUB International as its broker of record for employee health insurance and related services and authorize the director to execute all necessary agreements.

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

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

BUSINESS ASSOCIATE AGREEMENT

THIS BUSINESS ASSOCIATE AGREEMENT (this “BAA”), dated as of 7/1/24, is entered into by and between **HUB Insurance Services, Inc.** (“Business Associate”) and those Employee Welfare Benefit Plans (as defined in the Employee Retirement Income Security Act of 1974) of **Early Light Academy** (“Plan Sponsor”) that are subject to 45 CFR Parts 160 and 164, Subparts A and E and 45 CFR Parts 160 and 164, Subpart C (each a “Covered Entity”) and on whose behalf this BAA has been executed and delivered. Business Associate and Covered Entity are referred to herein from time to time each individually as a “Party” and collectively as the “Parties.” Capitalized terms used herein but not otherwise defined in this BAA will have the same meaning as the meaning ascribed to such terms in the HIPAA Rules (as defined below).

WHEREAS, pursuant to certain services agreements (the “Agreements”), Business Associate provides services to Covered Entity that may involve the use, disclosure, transmission, maintenance and/or creation of Protected Health Information; and

WHEREAS, Business Associate and Covered Entity are committed to compliance with the Privacy, Security, Breach Notification and Enforcement Rules of the Health Insurance Portability and Accountability Act of 1996 (“HIPAA”) at 45 CFR Parts 160 and 164 and any current and future regulations promulgated thereunder (collectively, the “HIPAA Rules”);

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein, and for other good and valuable consideration, the Parties agree as follows:

I. DEFINITIONS

For purposes of this BAA, the following terms shall have the meanings ascribed to them below:

- A. *Breach*. “Breach” shall have the same meaning as the term “breach” in 45 CFR §164.402, subject to all exclusions under 45 CFR §§164.402(1)(i), (ii) and (iii).
- B. *Electronic Protected Health Information*. “Electronic Protected Health Information” or “ePHI” shall have the same meaning as the term “electronic protected health information” in 45 CFR §160.103, limited to the information created or received by Business Associate from or on behalf of Covered Entity.
- C. *Electronic Transactions Rule*. “Electronic Transactions Rule” shall mean the final regulations issued by HHS concerning standard transactions and code sets under 45 CFR Parts 160 and 162.
- D. *HHS*. “HHS” shall mean the U.S. Department of Health and Human Services.
- E. *Individual*. “Individual” shall have the same meaning as the term “individual” in 45 CFR § 160.103.
- F. *Protected Health Information*. “Protected Health Information” or “PHI” shall have the same meaning as the term “protected health information” in 45 CFR §160.103, limited to the information created or received by Business Associate from or on behalf of Covered Entity, including but not limited to Electronic Protected Health Information.
- G. *Required By Law*. “Required by Law” shall have the same meaning as the term “required by law” at 45 CFR §164.103 and the standards imposed at 45 CFR §164.512(a).
- H. *Secretary*. “Secretary” shall mean the Secretary of HHS.
- I. *Security Incident*. “Security Incident” shall have the same meaning as the term “security incident” in 45 CFR §164.304.

- J. *Transaction*. “Transaction” shall have the meaning as the term “transaction” in 45 CFR §160.103.
- K. *Unsecured Protected Health Information*. “Unsecured protected health information” shall have the meaning as the term “unsecured protected health information” in 45 CFR §164.402.

II. OBLIGATIONS OF BUSINESS ASSOCIATE

Business Associate agrees:

- A. Not to use or disclose Protected Health Information other than (i) as permitted or required by this BAA, (ii) as permitted or required to perform its obligations pursuant to the Agreements, or (iii) as Required by Law.
- B. To use appropriate safeguards, and comply with Subpart C of 45 CFR Part 164 with respect to Electronic Protected Health Information, to prevent the use or disclosure of PHI other than as provided for by this BAA.
- C. To mitigate, to the extent practicable, any harmful effect that is known to Business Associate of a use or disclosure of PHI by Business Associate in violation of the requirements of this BAA.
- D. To report to the appropriate Covered Entity any use or disclosure of PHI not provided for by this BAA of which it becomes aware and any Successful Security Incident of which Business Associate becomes aware. For purposes of this BAA, a “Successful Security Incident” is any Security Incident that results in unauthorized access, use, disclosure, modification, or destruction of Electronic Protected Health Information of Covered Entity. The parties further stipulate and agree that this paragraph constitutes notice by Business Associate to Covered Entity with respect to any “Unsuccessful Security Incident,” which is defined for purposes of this BAA as any Security Incident that is not a Successful Security Incident. Covered Entity and Business Associate agree that reporting of Unsuccessful Security Incidents are too numerous to be meaningful or helpful and therefore this BAA constitutes the report from Business Associate that these incidents occur.
- E. In accordance with 45 CFR §§164.502(e)(1)(ii) and 164.308(b)(2), if applicable, to ensure that any subcontractor that creates, receives, maintains or transmits Protected Health Information on behalf of Business Associate agrees to the same restrictions and conditions that apply through this BAA to Business Associate with respect to such PHI. If Business Associate becomes aware of a pattern or practice by the subcontractor that violates such agreement, Business Associate shall take steps to cure the breach or end the violation. If efforts to cure the breach or end the violation are not successful, Business Associate shall terminate its arrangement with the subcontractor, if feasible. If not feasible, Business Associate shall notify Covered Entity of the breach or violation.
- F. To make available, at the request of Covered Entity, and in the form and format designated by such Covered Entity, PHI in a Designated Record Set, to Covered Entity or, as directed by Covered Entity, to the requesting Individual or such Individual’s designee, within the time period necessary to meet the requirements under 45 CFR § 164.524; provided, however, that this Section II.F is applicable only to the extent Business Associate is required to maintain a Designated Record Set for the particular Covered Entity pursuant to the terms of the Agreements.
- G. To make any amendment(s) to PHI in a Designated Record Set as directed or agreed to by Covered Entity pursuant to 45 CFR § 164.526, or to take other measures as necessary to satisfy Covered Entity’s obligations under 45 CFR § 164.526; provided, however, that this Section II.G is applicable only to the extent Business Associate is required to maintain a Designated Record Set for the particular Covered Entity pursuant to the terms of the Agreements.
- H. To make applicable internal practices, books and records available to the Secretary or his designee for purposes of the Secretary’s determining Business Associate’s compliance with the HIPAA Rules.

- I. To maintain and make available upon request by Covered Entity the information required to provide an accounting of disclosures as necessary to satisfy Covered Entity's obligations under 45 CFR § 164.528.
- J. Without unreasonable delay and in no case later than sixty (60) days following discovery by Business Associate (except as otherwise required under 45 CFR §164.412), Business Associate will notify Covered Entity in writing of any Breach of Unsecured Protected Health Information. Business Associate shall provide Covered Entity, to the extent known, the identity of each Individual whose Unsecured Protected Health Information has, or is reasonably believed by Business Associate, to have been affected by the Breach. In addition, Business Associate shall provide to Covered Entity, either at the time it provides notice to Covered Entity of the Breach or promptly thereafter as information becomes available, any other information that Covered Entity is required to include in its notification to an Individual under 45 CFR §164.404(c).
- K. In the event Business Associate transmits or receives a Transaction on behalf of Covered Entity, it shall comply with all provisions of the Electronic Transactions Rule to the extent applicable.
- L. To the extent Business Associate is to carry out one or more of Covered Entity's obligation(s) under Subpart E of 45 CFR Part 164, Business Associate shall comply with the requirements of Subpart E that apply to Covered Entity in the performance of such obligation(s).
- M. In its performance of the functions, activities, services, and operations for Covered Entity, Business Associate agrees to make only the minimum necessary uses and disclosures and requests for Protected Health Information.
- N. Business Associate shall not engage in the Sale of Protected Health Information or otherwise directly or indirectly receive direct or indirect remuneration in exchange for the disclosure of Protected Health Information of an Individual, unless Covered Entity or Business Associate has obtained a valid authorization from the Individual, consistent with the requirements under 45 CFR §164.508.

III. PERMITTED USES AND DISCLOSURES BY BUSINESS ASSOCIATE

Except as otherwise limited in this BAA, Business Associate may:

- A. *Use or disclose* PHI for purposes of performing the functions, activities or services for, or on behalf of, each Covered Entity as specified in the Agreements, provided that such use or disclosure would not violate Subpart E of 45 CFR Part 164 if done by Covered Entity or is permitted under paragraphs B and C below.
- B. *Use* PHI for all appropriate management and administrative functions of Business Associate, or as needed to carry out the legal responsibilities of Business Associate.
- C. *Disclose* PHI for all appropriate management and administrative functions of Business Associate, or as needed to carry out the legal responsibilities of Business Associate, provided that such disclosures are either Required by Law, or Business Associate obtains reasonable assurances from the person to whom the information is disclosed that it will remain confidential and will be used or further disclosed only as Required by Law or for the purpose for which it was disclosed to the person, and the person notifies Business Associate of any instances of which it is aware in which the confidentiality of the information has been breached.

IV. OBLIGATIONS OF COVERED ENTITY

Each Covered Entity shall:

- A. Provide Business Associate with the notice of privacy practices that Covered Entity produces in accordance with 45 CFR § 164.520, as well as any changes to such notice.

- B. Provide Business Associate with any changes in, or revocation of, permission by an Individual to use or disclose PHI, if such changes affect Business Associate's permitted or required uses and disclosures.
- C. Notify Business Associate of any restriction to the use or disclosure of PHI that Covered Entity has agreed to in accordance with 45 CFR § 164.522, to the extent that such restriction may affect Business Associate's use or disclosure of PHI.
- D. Not request Business Associate to use or disclose PHI in any manner that would not be permissible under the Subpart E of 45 CFR Part 164 if done by Covered Entity, except as set forth in Sections III.B and C.
- E. Disclose only the minimum necessary Protected Health Information to Business Associate as may be required for Business Associate to perform its services to Covered Entity, except that Covered Entity will not be obligated to comply with this minimum necessary limitation if neither Business Associate nor Covered Entity is required to limit its use, disclosure or request to the minimum necessary.

V. TERM AND TERMINATION

- A. **Term.** As to each Covered Entity, the term of this BAA shall be effective as of the date set forth above in the first paragraph. This BAA shall terminate on the date Business Associate ceases to be obligated to perform functions, activities or services for Covered Entity under the Agreements. However, Business Associate's obligations under Articles II, III and V shall survive the termination of this BAA with respect to any PHI so long as it remains in the possession of Business Associate.
- B. **Termination for Cause.** Without limiting the rights of the Parties respecting termination under the Parties' Agreements:
 - 1. **By Covered Entity.** Upon Covered Entity's knowledge of a pattern of an activity or practice of Business Associate that constitutes a material breach or violation of this BAA by Business Associate with respect to PHI maintained for that Covered Entity, such Covered Entity shall provide an opportunity for Business Associate to cure the breach or end the violation. Covered Entity shall terminate this BAA and the Agreements if Business Associate does not cure the breach or end the violation within such reasonable time as is specified by Covered Entity, or immediately terminate this BAA and the Agreements if Business Associate has breached or violated a material term of this BAA and cure is not possible. However, Business Associate's Agreement(s) and the terms of this BAA with respect to any other Covered Entity shall continue to remain in effect until otherwise terminated.
 - 2. **By Business Associate.** Upon Business Associate's knowledge of a pattern of an activity or practice of Covered Entity that constitutes a material breach or violation of this BAA by such Covered Entity, Business Associate shall provide an opportunity for Covered Entity to cure the breach or end the violation. Business Associate shall terminate this BAA and the Agreements with respect to that Covered Entity if Covered Entity does not cure the breach or end the violation within such reasonable time as is specified by Business Associate, or immediately terminate this BAA and the Agreements with respect to that Covered Entity if Covered Entity has breached or violated a material term of this BAA and cure is not possible. However, Business Associate's Agreement(s) and the terms of this BAA with respect to any other Covered Entity shall continue to remain in effect until otherwise terminated.
- C. **Effect of Termination.** Upon termination of this BAA for any reason, Business Associate, with respect to Protected Health Information received from Covered Entity, or created, maintained, or received by Business Associate on behalf of Covered Entity, shall:
 - 1. Retain only that PHI which is necessary for Business Associate to continue its proper management and administration or to carry out its legal responsibilities;

2. Return to Covered Entity or destroy the remaining PHI that Business Associate still maintains in any form;
3. Continue to use appropriate safeguards and comply with Subpart C of 45 CFR Part 164 with respect to Electronic Protected Health Information to prevent use or disclosure of the PHI, other than as provided for in this Section V.C, for as long as Business Associate retains the PHI;
4. Not use or disclose the PHI retained by Business Associate other than for the purposes for which such PHI was retained and subject to the same conditions set out under Sections III.B and III.C which applied prior to termination; and
5. Return to Covered Entity or destroy the PHI retained by Business Associate when it is no longer needed by Business Associate for its proper management and administration or to carry out its legal responsibilities.

VI. MISCELLANEOUS PROVISIONS

- A. **Regulatory References.** A reference in this BAA to a section in the HIPAA Rules means the section as in effect or as amended, and for which compliance is required at the time of the use or disclosure in question. *In case a specific regulatory reference used in this BAA changes, as may occur when an enforcement body moves or otherwise changes its numbering system, this BAA shall remain in place and the Parties subject to the BAA shall use all reasonable efforts to discern the correct and applicable reference currently in effect in order to optimally satisfy compliance obligations as set forth under governing law.*
- B. **Amendment.** The Parties agree to take appropriate action as necessary to amend this BAA from time to time in order for Covered Entity and Business Associate to comply with the HIPAA Rules. Moreover, to the extent permitted by applicable law, upon the compliance date of any final regulation, or amendment to final regulation promulgated by HHS that affects Business Associate or Covered Entity's obligations under this BAA, this BAA will automatically amend such that the obligations imposed on Business Associate or Covered Entity remain in compliance with the final regulation or amendment to final regulation.
- C. **Survival.** The respective rights and obligations of the Parties to this BAA shall survive the termination of this BAA.
- D. **Governing Law.** This BAA shall be governed by the laws of the State of **Utah**.
- E. **Notices.** All notices hereunder shall be in writing and delivered by hand, by certified mail, return receipt requested or by overnight delivery. Notices shall be directed to the Parties at their respective addresses set forth below their signature, as appropriate, or at such other addresses as the Parties may from time to time designate in writing.
- F. **Entire Agreement; Modification.** This BAA represents the entire agreement between Business Associate and each Covered Entity relating to the subject matter hereof and supersedes all prior oral and written agreements relating to the subject matter hereof. No provision of this BAA may be modified, except in writing, signed by the Parties.
- G. **No Third Party Beneficiaries.** There shall be no third party beneficiaries to this BAA, and no individual (including an Individual) or entity who is not a party to this BAA shall have any rights in connection with a breach or violation of this BAA.
- H. **Binding Effect.** This BAA shall be binding upon the Parties hereto and their successors and assigns.

- I. **Counterparts and Signature.** This BAA may be executed in any number of counterparts, which, when taken together, shall constitute one original. This BAA may be executed by an electronic or facsimile signature of an authorized representative of the Parties, and any such signature shall be deemed to be an original signature and shall be binding on the Parties to the same extent as if such electronic or facsimile signature were an original signature.
- J. **Interpretation of this Agreement.** Any ambiguity in this BAA shall be resolved in favor of a meaning that permits the Parties to comply with applicable law.

IN WITNESS WHEREOF, the Parties hereto have caused this BAA to be executed as of the date first above written.

BUSINESS ASSOCIATE: HUB Insurance Services, Inc.

By: Jeffery Winter
 Name: **Jeffery Winter**

Title: President/HUB Utah

Address of Business Associate:
 75 West Towne Ridge Parkway, Tower 2, Suite 400
 Sandy, UT 84070

For Notices, a copy (which will not constitute notice) shall be sent to:
 HUB International Limited
 c/o Legal Department
 300 N. LaSalle St., 17th Floor
 Chicago, IL 60654

PLAN SPONSOR: Early Light Academy
on behalf of its group health plan as Covered Entity

Address of Plan Sponsor: 11709 Vadiana Dr, South Jordan, UT 84009

By: Stephanie Schmidt
DocuSigned by:
178308B49D5D44C...
 Name: **Stephanie Schmidt**
 Title: **Executive Director**

Simple, Secure, Solution Services - Fee Schedule

At your request, we may arrange for the performance of employee benefits related services by third parties on your behalf, provide you with sample documents, forms or compliance advice related to your employee benefits plans, or perform other services that are beyond the scope of the employee benefits insurance brokerage services previously described. We provide these additional services as an added value to our clients. These services are consultative in nature and are designed to provide clients with general education, information and guidance. We do not assume any responsibility or liability relating to the performance of these services. It is your responsibility to ensure that any such services are performed, and that any sample document or form or compliance advice that is provided to you by HUB is utilized or implemented, properly and in accordance with applicable plan documents and law.

In consideration of HUB's willingness to arrange for or facilitate the Simple, Secure, Solution Services, you acknowledge and agree that HUB shall not have any liability arising out of or relating to the performance of the Simple, Secure, Solution Services. Without limiting the generality of the foregoing, Client shall, and shall cause its affiliates to, indemnify, defend and hold harmless the HUB Parties from and against, and reimburse the HUB Parties for, any and all damages, losses, liabilities, costs and expenses incurred or suffered by any of the HUB Parties arising out of or relating to the performance of the Simple, Secure, Solution Services. For purposes of this letter agreement, "HUB Parties" means any of (a) HUB, (b) its affiliates, (c) their respective directors, managers, officers, employees and agents, and (d) their respective heirs, executors, successors and permitted assigns. Notwithstanding anything to the contrary set forth herein, HUB shall not be obligated to continue to arrange for or facilitate the Simple, Secure, Solution Services and may terminate its willingness to arrange or facilitate the Simple, Secure, Solution Services at any time with or without notice. Similarly, except as otherwise agreed to between you and HUB from time to time we will not be responsible to make payment to any third party performing any service.

Simple, Secure, Solution Services Fee Agreement

Client Name: Early Light Academy
Billing Contact: Michelle Drachman
Contact Email: mdrachman@earlylightacademy.org
Billing Address: 11709 Vadania Dr, South Jordan, UT

Plan Year (mm/dd/yyyy): 09/01/2024 To: 09/01/2025

This agreement shall continue from Plan Year to Plan Year, beginning with the Plan Year above, unless and until you provide written notice of a change in the services you wish to utilize. Billing will occur annually.

| Compliance Service | Description | Pricing | Accept or Decline | Initials |
|------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Wrap SPD (Summary Plan Description) | Federal law requires every group health insurance plan to have a Plan Document and a Summary Plan Description (SPD). A Wrap SPD ensures compliance with these requirements, while also facilitating the need to file only one IRS Form 5500 (if applicable). HUB recommends updating these documents each year to ensure that any changes in the law are included. HUB can do this on your behalf to help minimize the risk of financial penalties, lawsuits and to keep group plans compliant with demanding laws. | \$250 Annually | Accept <input checked="" type="radio"/> Decline <input type="radio"/> | DS SS |
| Section 125 Plan (Premium Conversion Plan or Premium Only Plan) | The IRS requires Plan Sponsors who wish to allow their employees to pay their portion of insurance premiums with pre-tax (tax-free) salary reductions, to have an IRS Section 125 Plan Document, aka a Premium Only Plan (POP) Document. HUB can create or update this document on your behalf. If you're taking pre-tax deductions without a Section 125 Plan Document in place you could be penalized, penalties can range from \$5,000 - \$10,000 per occurrence. Employers with a Flexible Spending Account (FSA) normally do not need HUB to create this additional document, as the FSA provider normally creates this document. | \$100 Annually | Accept <input checked="" type="radio"/> Decline <input type="radio"/> | DS SS |
| Enhanced Module in HUB's Benefit Administration System (Employee Navigator) | All of your HR in one place! In addition to a full compliance library, Employee Navigator has partnered with HUB to ensure you get a first-class technology platform that fits your workforce management needs. You have the choice to customize your module with any of the options below: <ul style="list-style-type: none"> New Hire On-Boarding Tracking Time-Off and Paid Time-Off (PTO) Affordable Care Act (ACA) tracking/reporting data collection tool provides the framework for calculating and preparing 1095 forms as required for your annual ACA reporting. This only applies to groups with over 50 Full-Time Equivalent (FTE) employees or level-funded or self-funded medical plan. | First Year \$250 <input checked="" type="radio"/> | Customize your Module. Select all that apply. On-Boarding <input checked="" type="checkbox"/> Tracking Time-Off/PTO <input checked="" type="checkbox"/> ACA Tracking <input checked="" type="checkbox"/> Decline All <input type="checkbox"/> | DS SS |
| | | Future Consecutive Years \$200 <input type="radio"/> | | |
| ACA Filing Support and Per Form Fee | When the IRS begins accepting filings, HUB will guide you through the data review process and connect you with the ACA preparing agency, Nelco for your filing submission and Per Form Fee collection. ACA services and Per Form Fee include: <ul style="list-style-type: none"> Federal E-Filing for employers Print and submit by first class mail required IRS Forms. If filing is done on the last day of the filing deadline, a peak fee will be charged through Nelco. Pricing subject to change annually. | Price Determined annually by Nelco. ACA Filing Fee Schedule Rates available upon request. | Accept <input checked="" type="radio"/> Decline <input type="radio"/> | DS SS |
| COBRA/Mini-COBRA | If you wish to utilize HUB's complimentary benefit administration system (Employee Navigator), COBRA administration services will be managed by HRPro provided the carrier does not provide COBRA for their own lines of coverage. COBRA Administration with HRPro will help you manage administrative costs, become compliant thus reducing the risk of penalties and fines, as well as saving you time, money and manpower through automation of the process. Mini COBRA: Our designated TPA (HRPro) is only able to administer COBRA if client's place of business is within the State of Utah and Line(s) of coverage are written in the State of Utah. | Provided at No Cost | Accept <input checked="" type="radio"/> Decline (Other TPA) <input type="radio"/> Decline (Managed In-House) <input type="radio"/> | DS SS |
| 5500 Filing Through Wrangle | Filing a Form 5500 is an ERISA requirement for all private sector employers and non-profits that sponsor fully-insured and self-insured health and welfare plans with 100 or more participants in the plan as of the 1st date of the plan year. On your behalf, HUB will work with our contracted third party vendor, Wrangle, to complete your 5500 form filing. 5500's must be signed and filed electronically either through the Department of Labor (DOL) File System or our approved EFAST2 Software Provider, Wrangle. | \$350 per filing per year | Accept <input type="radio"/> Decline <input type="radio"/> N/A <input checked="" type="radio"/> | DS SS |

Early Light Academy

Client - Print Name

DocuSigned by:

 178308849D5D4C...

Client - Signature

8/18/2024

Client - Date

Kate Ashby

Account Executive - Print Name

[Back to Agenda](#)



ELA Board of Director's Meeting Wednesday, August 21, 2024

Action Item: *Amend Arrest Reporting Policy*

Issue:

ELA needs to amend its Arrest Reporting Policy to update the administrative code references and requirements.

Background:

ELA's Arrest Reporting Policy was originally adopted in 2015 and contains some outdated Administrative Code References related to arrest reporting. The proposed revisions to the policy include the updated code references as well as add some detail regarding the arrest and other offense reporting requirements for employees, volunteers, and board members.

The administrative procedures for this policy have also been updated to reflect current law and rule. The timeline for reporting by non-licensed employees, volunteers, and board members has been changed in the procedures to reflect the same timeline imposed on licensed employees. With these revisions, all employees (licensed and non-licensed) must make the required reports within 48 hours.

Recommendation:

It is recommended that the Board approve the amended Arrest Reporting Policy.

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

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

Early Light Academy Arrest Reporting Policy



EARLY LIGHT
ACADEMY

POLICY

The Board of Directors of ~~the School~~ Early Light Academy (the “School”) recognizes the importance of receiving information regarding arrests, convictions, and other offenses of employees ~~that are not licensed by the Utah State Office of Education,~~ Board Members, and volunteers in order to assist the School in adequately safeguarding the safety of students.

Employees who are licensed by the Utah State Board of Education shall report arrests, citations, charges, and convictions as set forth in Utah Administrative Code Rule R277-217-4.

The Executive Director of the School shall establish administrative procedures that comply with the requirements of Utah Administrative Code R277-~~5~~316-4 with respect to the required reporting of arrests and convictions of the following individuals: employees that are not licensed by the Utah State Board of Education, volunteers who have significant unsupervised access to students in connection with their volunteer assignment, Board Members, and any other employee who drives a motor vehicle as part of his or her employment responsibilities at the School.

The Board acknowledges the requirement that Board Members report arrests and convictions as set forth in R277-316-4.

Required Reports

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

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

Timeline for Reports

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

Procedure for Review of Reports

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

~~The Principal will maintain the confidentiality of the information submitted and only share such information with individuals who have a legitimate need to know. Information regarding the reports, the results of any investigation, the Principal's determination and any action taken will be maintained in a separate, confidential employment file. These records will only be kept as long as the Principal determines it is necessary to protect the safety of students.~~

Required Action

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

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

Training

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



EARLY LIGHT ACADEMY

Arrest Reporting Administrative Procedures

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

Required Reports

(a) Non-US~~OE~~BE-licensed employees of the School, (b) School volunteers who are given significant unsupervised access to children in connection with their volunteer assignment, (c) Board Members, and (d) any School employees who drive a motor vehicle as part of their employment responsibilities must report to the PrincipalExecutive Director information regarding the following matters:

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

Timeline for Reports

Current employees of the School must provide the required reports to the PrincipalExecutive Director within ~~seven (7) days~~48 hours (or as soon as possible thereafter) of receiving notification of this policy ~~from the Principal~~. Thereafter, employees of the School must submit required reports to the PrincipalExecutive Director within ~~seven (7) days~~48 hours (or as soon as possible thereafter) of the event necessitating the report. New employees of the School must report this information prior to commencing work for the School.

Procedure for Review of Reports

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

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

These records will only be kept as long as the ~~Principal~~Executive Director determines it is necessary to protect the safety of students.

Required Action

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

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

Due Process

An employee or volunteer dismissed or suspended from employment or appointment shall receive adequate due process consistent with Utah Code § 53G-11-405, including written notice of the reasons for dismissal or suspension and have an opportunity to respond to the reasons.

Training

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



EARLY LIGHT
ACADEMY

ELA Board of Director's Meeting Wednesday, August 21, 2024

Action Item: *Amend Selection, Approval & Purchase of Instructional Materials Policy*

Issue:

Early Light Academy (the School) needs to amend its Selection, Approval, & Purchase of Instructional Materials Policy.

Background:

HB 29 from the 2024 legislative session established a review process that schools must follow when stakeholders (i.e., school employees, students enrolled in the school, parents of students enrolled in the school, and board members of the school) allege that instructional materials used by the school constitute "sensitive material." HB 29 also modified the definition of "sensitive material," creating an objective and subjective sensitive material standard. Under the bill, schools must remove instructional materials that it finds through its review process to be sensitive material. In addition, schools must 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: at least three (3) school districts or at least two (2) school districts and five (5) charter schools. In response to HB 29, the USBE amended R277-628, which formerly contained requirements with respect only to the selection and review of library materials. The USBE's amendments to R277-628 now make the rule apply to the selection and review of all instructional materials, not just library materials. The amendments also require all LEAs to have, by September 1, 2024, a policy and procedures for the selection and review/reconsideration of instructional materials.

The proposed revisions to the school's Selection, Approval, and Purchase of Instructional Materials Policy and the new administrative procedures to go with it are intended to comply with HB 29 and the newly amended R277-628. With the changes to R277-628, the school should soon review its library materials selection and review policy and procedures to see if they should be amended or rescinded to avoid any overlap with this policy.

Recommendation:

It is recommended that the Board approve the amended Selection, Approval, & Purchase of Instructional Materials Policy including the name change to Instructional Materials Policy and **rescind the Library Materials Policy and Administrative Procedures.**

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

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

Early Light Academy
~~Selection, Approval, & Purchase of~~ Instructional Materials
Policy



PURPOSE

The purpose of this policy is to establish the parameters by which Early Light Academy (the “School”) will select, approve, and purchase instructional materials. The purpose of this policy and accompanying procedures is to also set forth the School’s process for reviewing challenges to instructional materials.

DEFINITIONS

”Instructional materials” are the resources used by educators to deliver curriculum or support student learning. These materials may be commercially available or School-created and include such materials as textbooks, reading materials, videos, digital materials, websites, online applications, and live presentations. “Instructional materials” do 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.

“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).

“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).

“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).

“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).

“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.

“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 Directors.

POLICY

The School shall comply with the requirements of Utah law and Utah State Board of Education (“USBE”) rule regarding the selection, approval, ~~and purchase,~~ and review of instructional materials, 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.

The School’s purpose in managing the selection, approval, ~~and purchase,~~ and review of instructional materials is to implement, enrich, and support the School’s educational program. It is also to prioritize protecting students from the harmful effects of illicit pornography over other considerations in evaluating instructional materials. ~~For purposes of this policy, instructional materials are the resources used by educators to deliver or support student learning. These materials may be commercially available or School-created and include such materials as textbooks, workbooks, digital resources, online courses, and multiple forms of communication media.~~

Criteria for Instructional Materials

Instructional materials should contribute to the intellectual development and positive character of students. ~~These~~ Instructional materials used by the School shall ~~should be:~~

- (a) be consistent with the Utah Core standards;
 - (b) be consistent with the principles of individual freedom as defined in Utah Code § 53G-10-206;
 - (c) not constitute sensitive material as defined in Utah Code § 53G-10-103;
 - (d) not be prohibited discriminatory practice as described in Utah Code § 53B-1-118;
and
 - (e) comply with all other applicable state laws and USBE rules.
- ~~(a) in alignment with the School’s educational mission and philosophy and Utah Core standards;~~
 - ~~(b) of high quality, research-based, and proven to be effective in supporting student learning;~~
 - ~~(c) objective and provide balanced viewpoint of issues;~~
 - ~~(d) accurate and factual;~~
 - ~~(e) reflective of the pluralistic character and culture of the American people and accurate in the representation of diverse ethnic groups;~~
 - ~~(f) consistent with the principles of individual freedom as defined in Utah Code § 53G-10-206;~~
 - ~~(g) appropriate to varying levels of learning;~~

- ~~(h) — age appropriate; and~~
- ~~(i) — compatible with School technology systems, of high technical quality, and easy to use.~~

~~Instructional materials should not be “sensitive materials” as that term is defined in Utah Code § 53G-10-103.~~

Selection and Approval of Instructional Materials by the Executive Director

The Board of Directors (the “Board”) delegates to the School Executive Director the authority and responsibility to select and approve instructional materials for the School, except under circumstances where the Board is specifically required by law or a different School policy to approve instructional materials.

The Executive Director shall select and approve instructional materials that meet the criteria set forth in this policy. When considering instructional materials, the Executive Director ~~shall~~may review the ~~Utah State Board of Education~~USBE’s recommended instructional materials (RIMs), but the Executive Director is not required to select RIMs if there are other instructional materials available that meet the criteria set forth in this policy.

The Executive Director shall involve School community parents ~~reflective of the School’s community (those who have a student who attends the School)~~ and instructional staff in the consideration of instructional materials. The Executive Director has discretion as to how to involve such parents and instructional staff in this process.

Selection and Approval of Instructional Materials by the Board

If the Board is required by law or School policy to approve instructional materials for use in the classroom, the Board shall do the following (in order) prior to approving the instructional materials:

- (a) post the recommended instructional materials online to allow for public review or, for copyrighted material, make the instructional materials available at the School for public review; and
- (b) hold at least two Board meetings where the recommended instructional materials 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.

The Board may approve the recommended instructional materials in an open and regular Board meeting after the requirements above have been satisfied. The vote to approve the recommended instructional materials may occur at the second of the two Board meetings described in subsection (b) above.

In accordance with Utah Code § 53G-5-404(~~1413~~), the requirements in this section apply only if the Board is approving instructional materials. The requirements do not apply if the Board is not approving instructional materials and instead only the Executive Director is selecting and

approving instructional materials (which Utah Code § 53G-5-404(1413) refers to as “learning material”). In addition, ~~nor do~~ the requirements in this section do not apply to educators’ selection of supplemental materials or resources.

Any instructional materials approved by the Board shall meet the criteria set forth in this policy.

Purchase of Instructional Materials

The School shall follow its Purchasing and Disbursement Policy in connection with the purchase of any instructional materials, regardless of whether the instructional materials are selected and approved by the Executive Director or by the Board. The School shall identify all costs associated with instructional materials prior to purchasing the instructional materials, including any implementation and professional development costs.

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 classroom to augment instructional materials already selected and approved by the Executive Director or the Board so long as each of the following are satisfied:

- (a) the educator has reviewed the supplemental materials or resources in their entirety prior to using them in the classroom;
- (b) the supplemental materials or resources meet the criteria set forth in this policy; and
- (c) the supplemental materials or resources have not previously been prohibited by the Executive Director or the Board.

Contract Requirements

If the School contracts with a third party to provide online or digital materials, the School shall 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 shall also comply with applicable requirements in R277-469 related to School contracts with publishers for instructional materials.

~~Complaints About Instructional Materials~~

~~If a School employee or parent has a complaint about instructional materials, they shall follow the School’s applicable grievance policy (i.e., Staff Grievance Policy or Parent Grievance Policy). If a complaint about instructional materials rises to the level of the Executive Director or the Board, the School shall include parents reflective of the School’s community (those who have a student who attends the School) in reviewing the complaint. The Executive Director or the Board, as applicable, has discretion as to how to include such parents in this process.~~

Sensitive Material Review Procedures

Sensitive materials are prohibited in the School setting. In accordance with Utah law, USBE rule, and the School's administrative procedures, stakeholders may initiate a sensitive material review by the School if they feel an instructional material used by the School constitutes sensitive material.

The Executive Director shall establish administrative procedures that set forth how stakeholders may initiate a sensitive material review by the School and the review process the School will follow. The administrative procedures shall comply with applicable Utah law and USBE rule.

Administrative Procedures Sensitive Material Review

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

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 these procedures. 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 Executive Director shall designate two or more School employees to make this initial determination for the School (the Executive Director can be one of the two employees if he/she desires); and
- (ii) If the School's initial determination is that 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 Executive 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 Executive 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 Executive 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 rationale 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 MATERIALS THAT CONSTITUTE 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.

