
SECTION: J – Students
G - Personnel
POLICY TITLE: Prohibition of Bullying, Hazing, and Retaliation
FILE NO.: JDD
GBEA
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1. PURPOSE AND PHILOSOPHY

- 1.1. The Board of Education is committed to providing all students and District employees with a safe and secure learning and working environment. Bullying, cyber-bullying, hazing, abusive conduct, and retaliation interfere with that environment and are prohibited. Not only can such conduct reduce academic achievement and job performance, but it can directly harm a student's or employee's health and well-being and may contribute to excessive absences, physical illness, mental and emotional anguish, or long-term social and psychological consequences.
- 1.2. Utah law defines and prohibits bullying, cyber-bullying, hazing, abusive conduct, and retaliation (together, "bullying conduct"). Both [UTAH CODE ANN. § 53G-9-605](#) and [UTAH ADMIN. CODE R277-613-4](#) require school districts to develop and implement policies that prohibit bullying conduct, require parental notification, and provide training to students and employees.
- 1.3. The Board therefore adopts this policy and encourages educators, employees, students, parents, and local law enforcement agencies to develop procedures to stop and prevent bullying, cyber-bullying, hazing, abusive conduct, and retaliation.

2. DEFINITIONS

- 2.1. "**Abusive Conduct**" is defined in [UTAH CODE ANN. § 53G-9-601](#) and means verbal, nonverbal, or physical conduct of a parent/guardian or student directed toward an employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress. A single act does not necessarily constitute abusive conduct.

2.2. “Bullying”

2.2.1. Bullying is defined in [UTAH CODE ANN. § 53G-9-601](#) and ~~is divided into “student bullying” or “staff bullying,” each of which is defined separately in the statute and in this policy below. means an employee or student intentionally committing a written, verbal, or physical act against an employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:~~

~~2.2.1.1. Causing physical or emotional harm to the employee or student;~~

~~2.2.1.2. Causing damage to the employee’s or student’s property;~~

~~2.2.1.3. Placing the employee or student in reasonable fear of: (a) harm to the employee’s or student’s physical or emotional well-being; or (b) damage to the employee’s or student’s property;~~

~~2.2.1.4. Creating a hostile, threatening, humiliating, or abusive educational environment due to: (a) the pervasiveness, persistence, or severity of the actions; or (b) a power differential between the bully and the target; OR~~

~~2.2.1.5. Substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.~~

~~2.2.2. The conduct described in subsection 2.2.1 constitutes bullying regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.~~

2.3. “Cyber-Bullying” is defined in [UTAH CODE ANN. § 53G-9-601](#) and means using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

2.4. “Hazing”

2.4.1. Hazing is defined in [UTAH CODE ANN. § 53G-9-601](#) and means an employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward an employee or student that

2.4.1.1. Does one of the following:

2.4.1.1.1. endangers the mental or physical health and safety of an employee or student;

2.4.1.1.2. involves brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing a harmful substance on the body, or exposure to the elements;

2.4.1.1.3. involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of an employee or student; or

2.4.1.1.4. involves any activity that would subject an employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects an employee or student to extreme embarrassment, shame, or humiliation;

2.4.1.2. AND:

2.4.1.2.1. is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or a condition for membership in any school or school-sponsored team, organization, program, club, or event; OR

2.4.1.3. is directed toward an employee or student whom the individual who commits the acts knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school sponsored team, organization, program, club, or event in which the individual who commits the act also participates.

2.4.2. The conduct described herein constitutes hazing, regardless of whether the employee or student against whom the conduct is committed directed, consented to, or acquiesced in the conduct.

2.5. “**Retaliation**” or “**Retaliate**” is defined in [UTAH CODE ANN. § 53G-9-601](#) and means an act or communication intended:

2.5.1. as retribution against a person for reporting bullying, cyber-bullying, hazing, or abusive conduct; or

2.5.2. to improperly influence the investigation of, or the response to, a report of bullying, cyber-bullying, hazing, or abusive conduct.

2.6. “**Staff bullying**” is defined in [UTAH CODE ANN. § 53G-9-601](#).

2.6.1. [Staff bullying means a school employee, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against a student or another school employee, or engaging in a single egregious act toward another employee involving an imbalance of power, that:](#)

2.6.1.1. [creates an environment that a reasonable person would find hostile, threatening, or humiliating; and](#)

2.6.1.2. [substantially interferes with a student's or employee's educational or professional performance, opportunities, or benefits.](#)

2.6.2. ["Staff bullying" does not mean instances of:](#)

2.6.2.1. [ordinary teasing, horseplay, argument, or peer conflict;](#)

2.6.2.2. [reasonable correction of behavior by a school employee; or](#)

2.6.2.3. [reasonable coaching strategies and techniques by a school employee who is a coach.](#)

2.7. “**Student bullying**” is defined in [UTAH CODE ANN. § 53G-9-601](#).

2.7.1. [Student bullying means one or more students, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against another student, or engaging in a single egregious act toward another student involving an imbalance of power, that:](#)

2.7.1.1. [creates an environment that a reasonable person would find hostile; and](#)

2.7.1.2. [interferes with a student's educational performance, opportunities, or benefits.](#)

2.7.2. [Student bullying does not mean instances of:](#)

2.7.2.1. [ordinary teasing, horseplay, argument, or peer conflict;](#)

[2.7.2.2. reasonable correction of behavior by a school employee; or](#)

[2.5.1.4.2.7.2.3. reasonable coaching strategies and techniques by a school employee who is a coach.](#)

3. PROHIBITION OF BULLYING, CYBER-BULLYING, HAZING, ABUSIVE CONDUCT AND RETALIATION

- 3.1. Nebo School District prohibits bullying of students and employees by other students and employees at school/work, while on school or District property, at school/work-related or sponsored activities and events, on a school bus, at a school bus stop, and while the student or employee is traveling to or from any of the above. The District encourages all victims of bullying and all persons with knowledge of bullying to report the incident(s) immediately.
- 3.2. Nebo School District prohibits hazing and cyber-bullying of students and employees by other students and employees at any time or in any location. The District encourages all victims of hazing or cyber-bullying, and all persons with knowledge of hazing or cyber-bullying, to report the incident(s) immediately.
- 3.3. Nebo School District prohibits abusive conduct directed towards an employee by a student or parent/guardian at any time or in any location. The District encourages all employee victims of abusive conduct, and all persons with knowledge of abusive conduct, to report the incident(s) immediately.
- 3.4. No student or employee may engage in retaliation against a student, employee, investigator, or witness of an alleged incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation. The District encourages all victims of retaliation, and all persons with knowledge of retaliation, to report the incident(s) immediately.
- 3.5. No student or employee may make a false allegation of bullying, cyber-bullying, hazing, abusive conduct, or retaliation against a student or employee.

4. REPORTING

- 4.1. A student victim of bullying, cyber-bullying, hazing, or retaliation shall inform his/her teacher or any of his/her school's administrators. Students shall follow the complaint procedures outlined in [Nebo School District Policy JDC, Student Discrimination and Harassment](#). A student alleging bullying, cyber-bullying, hazing, or retaliation by the school administration shall report the conduct to the applicable director of elementary or secondary education.
- 4.2. An employee victim of bullying, cyber-bullying, hazing, abusive conduct, or retaliation shall inform his/her supervisor. Employees shall follow the complaint procedures outlined in [Nebo School District Policy GBEB, Employee Discrimination and Harassment](#). An employee alleging bullying, cyber-bullying, hazing, abusive conduct, or retaliation by the employee's principal or supervisor shall report the conduct to the District's Director of Human Resources.
- 4.3. Any individual who is aware of bullying, cyber-bullying, hazing, abusive conduct, or retaliation at school should inform school administration. A school teacher or administrator to whom a complaint is made or who otherwise becomes aware of an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation shall, as soon as is reasonably possible, report it to the principal or his/her designee.
- 4.4. Each reported incident under this section shall provide the following information: (a) the name of the complaining party; (b) the name of the victim (if known); (c) the name of the alleged perpetrator (if known); (d) the date and location of the incident(s); and (e) a statement describing the incident(s), including names of witnesses (if known). Individuals making reports or complaints under this policy should use the [Complaint Form](#).

5. INVESTIGATION

- 5.1.** The procedures in this section, together with those set forth in the policies referenced herein, constitute the action plan required under [UTAH ADMIN. CODE R277-613-4\(1\)\(c\)](#). The procedures are detailed and constitute the recommended best practice. Minor omissions and other procedural inconsistencies do not invalidate an otherwise equitable investigation. Investigators must be flexible and adapt to the circumstances of each complaint.
- 5.2.** Throughout the investigation the investigator shall monitor whether ongoing conduct or retaliation occurs. If it does, the investigator shall ensure that prompt and appropriate action is taken and documented as part of the investigation.
- 5.3.** Commencing an Investigation
- 5.3.1.** An investigation should begin when an administrator becomes aware of an allegation of, or conduct that may constitute, bullying, cyber-bullying, hazing, retaliation, or abusive conduct. Such conduct or allegation is typically made known by receipt of a written complaint, but it may also be made known through a variety of other means, including but not limited to verbal complaints, direct observation, or as facts are disclosed during normal disciplinary proceedings. When an administrator becomes aware of conduct that may be in violation of this policy, the administrator shall begin an investigation in accordance with this policy.
- 5.3.2.** If any of the following apply, the administrator shall notify and consult with the applicable Director or other administrator in determining who will conduct the investigation.
- 5.3.2.1.** If the complaint alleges discrimination or harassment based on disability, notice and consultation should include the District Section 504 Coordinator or Director of Special Education, as applicable.
- 5.3.2.2.** If the complaint alleges facility access discrimination based on disability, notice and consultation should include the District Risk Manager.
- 5.3.2.3.** If the complaint involves an employee, volunteer, or other adult, notice and consultation should include the Director of Human Resources.
- 5.3.2.4.** If the complaint includes alleged or apparent conduct based on race, color, religion, sex, national origin, disability, and/or any other classification protected by law, consultation should include the Civil Rights Coordinator. An investigation should make findings and conclusions as to both bullying and civil rights harassment under Nebo School District Policy JDC, Student Civil Rights Harassment.
- 5.3.3.** An investigation under this policy will be conducted by a school or district administrator.
- 5.3.4.** The investigator should begin each investigation by documenting the type of conduct using the [Bullying, Hazing, Abusive Conduct Investigator Checklist](#) (Checklist) and creating an investigation file. The investigator completes the Checklist as the investigation proceeds.
- 5.3.5.** The investigator will determine whether supportive measures need to be taken such as separating the complainant from the respondent pending the outcome of the investigation. If necessary, the investigator will recommend or implement appropriate supportive measures to protect the complainant from continued Discrimination, Harassment, or Retaliation.
- 5.3.6.** If the investigator begins an investigation before receiving a [Complaint Form](#), the investigator shall interview the complainant and obtain a completed and signed Complaint Form. If the age or ability of the complainant prevents the complainant from completing and signing a Complaint Form, the investigator shall complete and sign the form.

- 5.3.7.** The investigator shall refer the matter to law enforcement authorities or the Utah State Division of Child and Family Services, where appropriate or required by law. The investigator must continue to conduct the investigation even if the matter has been referred to another agency. The investigator should coordinate with the other agency and may adjust timelines and procedures accordingly.

5.4. Investigative Procedures

Both school-level and District-level investigations shall include the following steps. If an investigation is reassigned to a new investigator after it has begun, the new investigator shall gather all evidence and information from the previous investigator. The new investigator may, but is not required to, repeat interviews or other investigative procedures conducted by the previous investigator.

5.4.1. Conduct Interviews

- 5.4.1.1.** Each of the following must be interviewed, and a record made of their conversations.

5.4.1.1.1. The complainant. The complainant may be accompanied by an adult representative, including legal counsel. The complainant may present evidence supporting the complaint. If the complainant has not already completed the [Complaint Form](#), the investigator shall complete it based on information gathered in the interview.

5.4.1.1.2. The person making the complaint, if different than the complainant.

5.4.1.1.3. The respondent. The respondent may be accompanied by an adult representative, including legal counsel. The respondent may present evidence refuting the allegations set forth in the complaint. The investigator should gather a signed, written statement from the respondent using the [Response Form](#).

- 5.4.1.2.** The following may also be interviewed at the discretion of the investigator, and where applicable a [Witness Statement](#) should be completed, signed, and dated:

5.4.1.2.1. Anyone who witnessed the alleged conduct.

5.4.1.2.2. Anyone who may provide additional relevant information.

5.4.1.2.3. Parents of the complainant, if the complainant is a student;

5.4.1.2.4. Parents of the respondent, if the respondent is a student;

5.4.1.2.5. School staff familiar with the complainant

5.4.1.2.6. School staff familiar with the respondent

- 5.4.1.3.** The investigator may have additional conversations with any of the individuals listed above to ensure that all relevant facts have been gathered.

5.4.2. Preservation of Evidence

- 5.4.2.1.** In addition to the interviews described above, the investigator shall gather and preserve all other evidence, including video footage from surveillance cameras, photos, physical evidence, documents, correspondence, and any relevant electronic information such as text messages, videos, and social media postings.

5.4.2.2. Evidence should be preserved in the investigative file.

5.4.3. Evaluation of Evidence

5.4.3.1. The investigator shall consider all the evidence, including the credibility of all statements, and determine which facts are true. The determination should be outlined as findings of fact in the written Report and Decision described below. In determining findings of fact, the investigator should consider the following:

- 5.4.3.1.1.** Credibility of statements made by the persons interviewed;
- 5.4.3.1.2.** Corroborating evidence;
- 5.4.3.1.3.** The details and consistency of each person's account;
- 5.4.3.1.4.** Evidence of any past violations of this policy by the respondent;
- 5.4.3.1.5.** Evidence of any false complaints; and
- 5.4.3.1.6.** Any other relevant information.

5.4.3.2. The investigator applies the findings of fact to District policy and makes a conclusion as to whether any policy provision has been violated. The conclusions are outlined in the written Report and Decision.

5.5. Report and Decision (Action Plan)

5.5.1. The investigator shall prepare a written report and decision of the investigation using the [Report and Decision form](#). If the investigation involving students determines that a verified incident of bullying, cyber-bullying, hazing, or retaliation occurred, the report and decision shall include an action plan meeting the requirements outlined in [UTAH CODE ANN. § 53G-9-605.5](#) and described below.

5.5.2. The report must include the following:

- 5.5.2.1.** A description of the complaint.
- 5.5.2.2.** A description of the response.
- 5.5.2.3.** A list of specific sections of Nebo School District policies that are alleged to have been violated or that the alleged conduct, if true, would violate.
- 5.5.2.4.** A detailed description of the investigation, including names and dates of individuals interviewed; receipt of written statements; and evidence considered, including video and audio recordings, correspondence, etc.
- 5.5.2.5.** Findings of fact. This section should describe with sufficient detail the events and actions found by the investigator to be true. It should include relevant facts such as age, gender, race, or disability of complainants and respondents.
- 5.5.2.6.** Conclusions, based on a preponderance of the evidence, as to whether Nebo School District policy was violated. If the investigator concludes that a policy violation has occurred, this section should refer to the specific policy provision and describe how the facts constitute a violation. This section should conclude whether each allegation is substantiated, unsubstantiated, or inconclusive.
- 5.5.2.7.** If allegations are substantiated but the investigator is not authorized under District policy to impose discipline on the respondent, the investigator's report

and decision must include recommendations to address policy violations, including recommendations to (1) remedy the effects on the complainant, (2) implement system-wide measures to eliminate the type of conduct that occurred, and (3) impose disciplinary action or other remediation to rehabilitate the respondent and deter future violations.

- 5.5.2.8.** If allegations are substantiated and the investigator is authorized under District policy to impose discipline on the respondent, the investigator's report and decision must include actions taken or that will be taken to address policy violations, including to (1) remedy the effects on the complainant, (2) implement system-wide measures to eliminate the type of conduct that occurred, and (3) impose disciplinary action or other remediation to rehabilitate the respondent and deter future violations.
- 5.5.3.** If the allegations are substantiated, the investigator shall include an action plan in the report and decision and ensure that the conduct and resulting disciplinary action is documented in the appropriate student or employee file. An action plan for students must include the following elements:
 - 5.5.3.1.** A communication plan designed to keep each parent updated on the implementation of the action plan;
 - 5.5.3.2.** With respect to the student to whom the incident was directed and in direct coordination with the student's parent:
 - 5.5.3.2.1.** A tailored response to the incident that addresses the student's needs;
 - 5.5.3.2.2.** A mechanism to consider consequences or accommodations the student may need regarding decreased exposure or interactions with the student who caused the incident;
 - 5.5.3.2.3.** Notification of the consequences and plan to address the behavior of the student who caused the incident;
 - 5.5.3.2.4.** Supportive measures designed to preserve the student's access to educational services and opportunities; and
 - 5.5.3.2.5.** To the extent available, access to other resources the parent requests for the student; and
 - 5.5.3.3.** With respect to the student who caused the incident and in direct coordination with the student's parent:
 - 5.5.3.3.1.** A range of tailored and appropriate consequences, making reasonable effort to preserve the student's access to educational services and activities;
 - 5.5.3.3.2.** A process to determine and provide any needed resources related to the underlying cause of the incident;
 - 5.5.3.3.3.** Supportive measures designed to preserve the student's access to educational services and opportunities while protecting the safety and well-being of other students; and
 - 5.5.3.3.4.** A process to remove the student from school in an emergency situation, including a description of what constitutes an emergency.
- 5.5.4.** If either the complainant or respondent is a student, the school administrator shall maintain the report. If either is an employee, volunteer, or other adult, a copy of the

report shall be maintained by the Director of Human Resources.

5.6. Notice to Parties

At the conclusion of the investigation, the investigator shall notify the complainant and the respondent (and their parents, if they are students) of the outcome. Such notice is in addition to the notifications outlined in section 6. To satisfy the notice requirement of this subsection 5.6, the investigator may either provide a redacted copy of the Report and Decision or a separate summary. The summary must be in writing and must be sent to both parties at the same time. It must include at least the following information:

5.6.1. Notice that the investigation is concluded.

5.6.2. A brief summary of the investigative steps, the findings of fact, and the conclusions.

5.6.3. The safety measures that will be in place as a result of the investigation, including a summary of the action plan.

5.6.4. Any appeal options as described in subsection 5.7.

5.7. Appeal of Decision.

Investigative procedures conducted under this policy may be appealed by both complainants and respondents as provided in this subsection. The purpose of an appeal is to determine whether the investigative procedures outlined in this policy were followed. An appeal may also be filed to introduce new evidence not available during the investigation. If an appeal does not introduce new evidence or allege a violation of the investigative procedures of this policy, it will be denied. Disagreement with the outcome of an investigation or with an investigator's interpretation of the facts is not grounds for an appeal under this policy.

5.7.1. Students who have been disciplined as a result of an investigation under this policy may appeal in accordance with [Nebo School District Policy JD, Student Conduct and Discipline](#). Students issued a long-term suspension are entitled to the hearings described in that policy. Any hearing is limited to determining whether the investigative procedures were followed or whether new evidence has become available. Students receiving discipline other than a long-term suspension may work with their Building Administrator to resolve disagreements.

5.7.2. Employees who have been disciplined as a result of an investigation under this policy may appeal in accordance with the grievance procedures outlined in the applicable employee handbook.

5.7.3. Complainants may appeal by giving written notice to the Superintendent within ten (10) calendar days of the date of the decision they are appealing. Failure to submit written notice of appeal to the Superintendent within ten (10) calendar days constitutes forfeiture of any right to appeal. The Superintendent or his/her designee will hear the appeal and issue a written decision as to whether the investigative procedures of this policy were followed or whether new evidence would change the outcome of the investigation. The decision of the Superintendent or his/her designee is final.

6. PARENTAL NOTIFICATION

6.1. Pursuant to [UTAH CODE ANN. § 53G-9-604](#), each school administrator shall

6.1.1. Notify the parent of a student who threatens suicide;

6.1.2. Notify the parents of each student involved in an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, as determined under subsection 5.5. Notification of the incident must include notification of the action plan to address the incident, if applicable, as described in subsection 5.5.3.

- 6.2.** The school administrator who notifies a parent/guardian under this section shall:
- 6.2.1.** Keep a record verifying that the parent/guardian was notified. The record must conform to the [Communication of Risk and Harm](#) form associated with this policy. This form shall contain the date, time, and manner of notification, shall indicate the type of threat or incident, and shall track implementation of the action plan addressing the incident, if applicable.
 - 6.2.2.** Maintain the form created under subsection 6.2.1 in accordance with Title 53E, Chapter 9 of the Utah Code, Student Privacy and Data Protection, [UTAH CODE ANN. § 53E-9-101, et seq.](#), and the Family Educational Rights and Privacy Act (FERPA), [20 U.S.C. 1232g](#), and [34 C.F.R. Part 99](#).
 - 6.2.3.** Provide the parent with:
 - 6.2.3.1.** suicide prevention materials and information; and
 - 6.2.3.2.** information on ways to limit the student's access to fatal means, including a firearm or medication.
- 6.3.** At the request of a parent/guardian, the school administrator may provide information and make recommendations related to an incident or threat, as described herein.
- 6.4.** If a student requests a copy of the form created under paragraph 6.2.1 that specifically relates to the student, the school administrator shall provide the student a copy of the form.
- 6.5.** If a student who has graduated from high school specifically requests that records of an incident or threat described herein be expunged, the school administrator shall destroy the form and related written communication.

7. DISCIPLINE

- 7.1.** Upon completion of an investigation under this policy, an individual found to have engaged in bullying, cyber-bullying, hazing, abusive conduct, or retaliation shall be subject to disciplinary action. The investigator shall notify the administrator authorized to impose discipline under District policy. In addition, an individual found to have shared a recording of conduct prohibited by this policy in order to impact or encourage future incidents may be subject to disciplinary action.
- 7.2.** Students
- 7.2.1.** Any student found in violation of this policy shall be subject to disciplinary action in accordance with [Nebo School District Policy JD, Student Conduct and Discipline](#).
 - 7.2.2.** In addition to the disciplinary actions described in Policy JD, violation of this policy by students may also result in dissolution of a team, organization, or other group.
 - 7.2.3.** Disciplinary action may not be based solely on an anonymous report of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, but must be based on the outcome of an investigation conducted under this policy.
 - 7.2.4.** Disciplinary due process procedures shall be followed as set forth in [Nebo School District Policy JD, Student Conduct and Discipline](#). Hearings are limited to the issues available for appeal under this policy JDD/GBEA.
 - 7.2.5.** A complainant may be informed of disciplinary action taken against a respondent only in accordance with subsection 5.6 of this policy.
- 7.3.** Employees

7.3.1. Any employee found in violation of this policy shall be subject to disciplinary action in accordance with [Nebo School District Policy GCPD, Employee Discipline, Administrative Leave, and Orderly Termination](#). Consequences should be firm and fair and correspond to the severity of the infraction.

7.3.2. Certified employees may be referred to the Utah Professional Practices Advisory Commission (UPPAC), along with any and all evidence, for investigation and possible disciplinary action against professional licensing.

7.3.3. Criminal acts will also result in referral to law enforcement authorities.

7.3.4. Disciplinary due process procedures shall be followed as set forth in applicable District Employee Handbooks and policies.

7.4. Parents, Volunteers, and Others

7.4.1. Any parent, guardian, volunteer, or other individual who is not a student or employee, who engages in bullying, cyber-bullying, hazing, retaliation, or abusive conduct, as described herein, is in violation of this policy and may be subject to the following:

7.4.1.1. a trespass notice prohibiting them from coming onto school or District property;

7.4.1.2. communication protocols wherein parameters and restrictions are placed upon them in regards to communicating with school or District personnel;

7.4.1.3. Loss of privilege to volunteer, do business, or otherwise interact with students or employees;

7.4.1.4. other appropriate school or District imposed restrictions; and/or

7.4.1.5. appropriate legal action.

8. ADDRESS EFFECTS ON COMPLAINANT

If an investigation concludes that an employee or student was a victim of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, the District shall take prompt, appropriate action to end it and implement necessary remedial action with the intent to eliminate or reduce the adverse effects. Remedial actions may include referring the complainant to the school counselor or psychologist or to appropriate counseling services provided by the District, as applicable.

9. DISSEMINATION OF POLICY

This policy shall be posted on the District's website and may also be published in student registration materials, student and employee handbooks, parent information guides, and other appropriate school publications as directed by the District. The District will require a signed statement annually, indicating that the individual signing the statement has received this policy, from each (a) employee, (b) student who is at least eight years old, and (c) parent or guardian of a student enrolled in the District. An electronic signature satisfies the requirement. The signed statement does not satisfy the training requirements outlined in section 10.

10. EDUCATION AND TRAINING

10.1. Nebo School District recognizes the importance of educating its employees and students on the prevention of bullying, cyber-bullying, hazing, abusive conduct, and retaliation. To this end, students and employees will receive training in accordance with this section.

10.2. The superintendent shall identify at least one individual to be the point person with training and expertise to assist, direct, and supervise training of other employees on investigating allegations of bullying, cyber-bullying, hazing, retaliation, and abusive conduct.

- 10.3. The District will, subject to the parental consent requirements found in [UTAH CODE ANN. § 53E-9-203](#), assess students on the prevalence of bullying, cyber-bullying, hazing, and retaliation. The district will also provide ongoing training and education aimed at reducing and preventing such conduct. The District will provide annual training for students.
- 10.4. Employees shall complete training provided by the district at least as often as is required by law. Notice of this policy will be distributed as required by law. Volunteers with significant, unsupervised access to students in a school assignment shall also complete training provided by the district at least as often as is required by law. Training shall include information on the following:
 - 10.4.1. bullying, cyber-bullying, hazing, and retaliation;
 - 10.4.2. how bullying, cyber-bullying, hazing, and retaliation are different from discrimination under Nebo School District Policies JDC, [Student Discrimination and Harassment](#), and GBEB, [Employee Discrimination and Harassment](#), and how they may occur separately from each other or in combination;
 - 10.4.3. bullying, cyber-bullying, hazing, and retaliation based upon the students' or employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation, or other physical or mental attributes or conformance or failure to conform with stereotypes; and
 - 10.4.4. the right of free speech and how it differs for students, employees, and parents.
- 10.5. The training must complement or be included with the District's training on discrimination under the following federal laws and their related District policies:
 - 10.5.1. [Title VI of the Civil Rights Act of 1964](#);
 - 10.5.2. [Title IX of the Education Amendments of 1972](#);
 - 10.5.3. [Section 504 of the Rehabilitation Act of 1973](#); and
 - 10.5.4. [Title II of the Americans with Disabilities Act of 1990](#).
- 10.6. The training must complement the District's suicide prevention program.
- 10.7. The training must include information on when issues relating to this policy may lead to student or employee discipline.
- 10.8. Before a student, coach, or advisor may participate in a District-sponsored athletic program (curricular or extracurricular) or an extracurricular student club or activity, the student, coach, or advisor shall participate in bullying and hazing prevention training. Such training may be in collaboration with the Utah High School Activities Association (UHSAA). Student athletes and extracurricular student club members shall be informed of prohibited activities under Utah law and this policy and notified of potential consequences for violations. The District shall provide annual training to all new students and employees who are involved with such athletic programs and extracurricular student clubs, and shall provide refresher training for all such involved students and employees at least once every three (3) years. Training curriculum outlines, training schedules, and participant lists or signatures shall be maintained by the District or each school, as applicable, and provided to the Utah State Board of Education staff upon request.
- 10.9. Records of employee training on this policy, including participant lists, shall be maintained by the Department of Human Resources. Records maintenance of student training on this policy shall be managed by the Coordinator of School and Student Services.

11. FIRST AMENDMENT RIGHTS

Nothing contained in this policy is intended to infringe upon the right of a student or employee to exercise their First Amendment right of free speech.

EXHIBITS

NONE

REFERENCES

[Family Educational Rights and Privacy Act \(FERPA\), 20 U.S.C. 1232g; 34 C.F.R. Part 99](#)
[UTAH CODE ANN., § 53E-9-101, et seq.](#)
[UTAH CODE ANN., § 53G-9-601, et seq.](#)
[UTAH ADMIN. CODE, R277-609](#)
[UTAH ADMIN. CODE, R277-613](#)
[Nebo School District Policy CG, Computer, Email, and Internet Use](#)
[Nebo School District Policy GBEB, Employee Discrimination and Harassment](#)
[Nebo School District Policy JD, Student Conduct and Discipline](#)
[Nebo School District Policy JDA, Safe School Environment](#)
[Nebo School District Policy JDC, Student Discrimination and Harassment](#)
[Nebo School District Policy JDE, Student Electronic Devices](#)
[Letter from Russlynn Ali, U.S. Department of Education, Assistant Secretary for Civil Rights to Colleagues: Harassment and Bullying \(Oct. 26, 2010\) \("Dear Colleague Letter"\)](#)

FORMS

[Investigator Checklist \(v2023-05\)](#)
[Complaint \(v2023-05\)](#)
[Response \(v2023-05\)](#)
[Witness Statement \(v2023-05\)](#)
[Investigation Classification \(v2023-05\)](#)
[Report and Decision \(v2024-10\)](#)
[Communication of Risk and Harm \(v2024-10\)](#)

HISTORY

Revised: 13 August 2025 – added definitions of “staff bullying” and “student bullying” per SB 223 (2025).
Revised: 9 October 2024 – updated per HB84 (2024) to include action plan for verified incidents; made other technical and conforming changes.
Revised: 11 October 2023 – updated parental notification requirements per HB 481 (2023); made technical changes.
Revised: 13 April 2022 – updated consistent with changes to R277-613 (Feb 2022); added full investigation, discipline, and reporting procedures; updated training requirements; made technical changes.
Revised: 12 May 2021 – revised purpose and philosophy for clarity; reformatted some sections; updated per R277-613 (2020), including modifying definitions and training requirements to align with statute; added links to citations.
Revised: 11 July 2018 – updated per R277-613 (Apr 9, 2018); modified definitions; made technical changes.
Revised: 12 July 2017 – updated per SB161 (2017); modified definitions; added abusive conduct; modified reporting procedures; modified investigation process; addressed effects on victims; made technical changes.
Revised: 14 August 2013 – added provisions related to cyberbullying; revised reporting and investigation procedures; added parental notification requirement per HB134 (2013); made technical changes.
Revised: 17 October 2012 – added definitions; referenced discrimination and harassment policies; made technical changes.
Revised: 10 February 2010 – modified definitions; added requirements for education and training.
Revised: 9 September 2009 – updated per HB325 (2008); added definitions of hazing and retaliation; revised prohibitions; expanded complaint, investigation, and discipline procedures; added provision on First Amendment.
Renumbered: 9 July 2008 – relettered from JFCJC; no change to content.
Adopted: 8 November 2006.



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: J - Students
POLICY TITLE: ~~Protection of Pupil Rights Amendment~~ Student and Family Privacy
FILE NO.: JOA
DATED: ~~September 9, 2020~~ August 13, 2025

TABLE OF CONTENTS

1. PURPOSE AND PHILOSOPHY
2. ~~DEFINITIONS~~ PRIVATE INFORMATION
3. ~~PROTECTION OF STUDENT RIGHTS~~ NOTICE AND CONSENT
- 3.4. PARENT RIGHT TO INSPECT
5. MARKETING
- 4-6. MEDICAL EXAMINATIONS OR SCREENINGS

1. PURPOSE AND PHILOSOPHY

- ~~1.1.~~ The Board of Education of Nebo School District values student and family privacy. The District complies with all state and federal laws protecting that privacy. The Board recognizes the protections afforded to students by the ~~Some personal information should not be disclosed to school officials without the consent of a parent unless exceptional circumstances exist.~~
- ~~1.2.1.1.~~ State and federal laws require the District to protect the privacy of certain student and family information. The Protection of Pupil Rights Amendment, 20 U.S.C. 1232h (PPRA), and Utah's student privacy laws found at UTAH CODE ANN. § 53E-9-201 et seq., which place restrictions on the types of information that can be asked of students, and which grant certain rights to parents and students related to their private information.
- ~~1.3.1.2.~~ The purpose of this policy is adopted to work in conjunction together with Nebo School District Policy JO, Student Records, is to communicate to employees and patrons the District's obligations under state and federal student privacy laws and to outline procedures to ensure compliance therewith, inform students and their parents of their legal rights to privacy, and to assure that employees understand the District's obligations to protect that privacy.

2. DEFINITIONS

- ~~2.1.~~ "Instructional material" is defined in 20 U.S.C. 1232h(c)(6)(A) and means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). ~~The term does not include academic tests, academic assessments, or achievement tests.~~
- ~~2.2.~~ "Invasive physical examination" is defined in 20 U.S.C. 1232h(c)(6)(B) and means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- ~~2.3.~~ "Parent" is defined in 20 U.S.C. 1232h(c)(6)(D) and means the parent or legal guardian of the student and includes a person standing in loco parentis who is legally responsible for the welfare of the child.

~~2.4. “Personal information” is defined in 20 U.S.C. 1232h(c)(6)(E) and means individually identifiable information including:~~

~~2.5. a student or parent’s first and last name;~~

~~2.6. a home or other physical address, including street name and city;~~

~~2.7. a telephone number;~~

~~2.8. student identification number; or~~

~~2.9.1.3. a social security number.~~

2. PRIVATE INFORMATION

2.1. Information listed in this section about a student or the student’s family is private and cannot be asked of students, even anonymously, without prior written consent from the student’s parent.

2.2. As required under “~~Protected Area~~” means 20 U.S.C. § 1232h(b) and UTAH CODE ANN. § 53E-9-203, and as more fully described in section 3, the District must obtain prior written consent from a student’s parent before administering to a student

2.2.1. Any psychological or psychiatric examination, test, or treatment; and

~~2.9.1.2.2.2.~~ Any survey, analysis, or evaluation in which the purpose or effect is to cause the student to reveal information, whether the information is personally identifiable or not, ~~any one of the following~~ concerning the student’s or the student’s family member’s:

~~2.9.2.~~ Political affiliations ~~or, except as provided under UTAH CODE ANN. § 53G-10-202 or rules of the Utah State Board of Education,~~

~~2.9.2.1.2.2.2.1.~~ Political philosophies or beliefs, ~~except as provided under UTAH CODE ANN. § 53G-10-202 or other applicable federal or state laws, rules, or regulations;~~

~~2.9.2.2.2.2.2.~~ Mental or psychological problems;

~~2.9.2.3.2.2.2.3.~~ Sexual behavior, orientation, gender identity, or attitudes;

~~2.9.2.4.2.2.2.4.~~ Illegal, anti-social, self-incriminating, or demeaning behavior;

~~2.9.2.5.2.2.2.5.~~ Critical appraisals of other individuals with whom the survey respondents have close family relationships;

~~2.9.2.6.2.2.2.6.~~ Legally recognized privileged or analogous relationships, such as those of lawyers, ~~physicians~~ medical personnel, ~~and or~~ ministers;

~~2.9.3.2.2.3.~~ Religious practices, affiliations, or beliefs; or

2.2.4. Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

~~2.10.2.3.~~ The policy does not limit the ability of the student to spontaneously express sentiments or opinions otherwise protected against disclosure under this policy.

3. PROTECTION OF STUDENT RIGHTS

~~3.1. Nebo School District recognizes that applicable federal laws, including the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA), as well as certain state laws, require that certain notifications to eligible students/parents must be given before the administration to a student by or for the District or the school of any psychological or psychiatric examination, test, or treatment, or any survey, analysis, or evaluation that concerns one or more protected area as defined herein. In keeping with such requirements, the Board of~~

~~Education of Nebo School District hereby establishes procedures and requirements to be followed before any examination, test, treatment, survey, analysis, or evaluation is administered to students regarding any protected area defined herein.~~

- ~~2.4. In the event that Nebo School District will administer any examination, test, treatment, survey, analysis, or evaluation of students which contains one or more questions about a protected area, the District or the school shall first obtain prior written and signed consent from the parent of any student who is to be involved in any such examination, test, treatment, survey, analysis, or evaluation. If any parent declines to give written consent, the student shall not be included in the examination, test, treatment, survey, analysis, or evaluation.~~

3. NOTICE AND CONSENT

- 3.1. As outlined in this section, the District must give parents written notice before engaging in certain privacy-related activities such as the administration of certain surveys or the solicitation of private information.

- 3.2. The district must annually obtain prior written consent for the following at the time a student registers:

3.2.1. Surveys related to an early warning system described in Utah Code Ann. § 53F-4-207;

3.2.2. Surveys that include social emotional learning questions; and

3.2.3. the school climate survey described in Utah Code Ann. § 53G-8-802.

- 3.3. For a survey described in section 2, the written notice described in paragraph 4.2 must include:

3.3.1. The survey that will be administered to the student;

3.3.2. the intended purposes and uses of the data collected;

3.3.3. the types of persons or governmental entities that:

3.3.3.1. share the collected data, including a list of recipients who will receive the student-level data; or

3.3.3.2. receive the data collected from a governmental entity on a regular or contractual basis; and

3.3.4. the record series as defined in Utah Code Ann. § 63G-2-103 in which the data is or will be included, if applicable.

- ~~3.2.3.4.~~ Prior written and signed parental consent is required in all grades, kindergarten through grade 12.

- ~~3.3.3.5.~~ In order for the written parental consent to be valid, the parent must be given at least two (2) weeks prior written notice, including notice that a copy of the educational or student survey questions to be asked of the student in obtaining the desired information is made available for inspection at the District or the school, and a reasonable opportunity to obtain written information concerning:

~~3.3.1.3.5.1.~~ Records or information, including information about relationships, that may be examined or requested;

~~3.3.2.3.5.2.~~ The means by which records or information shall be examined or reviewed;

~~3.3.3.3.5.3.~~ This-The means by which the information is to be obtained;

~~3.3.4.3.5.4.~~ The purposes for which the records or information are needed;

~~3.3.5.~~ 3.5.5. The entities or persons, regardless of affiliation, who will have access to the personally identifiable information; and

3.5.6. A method by which a parent of a student can grant permission to access or examine the personally identifiable information.

3.6. The two (2) week prior written notice to the parent described in subsection 3.5 does not apply in the event of the following:

3.6.1. an emergency, as reasonably believed as such by the District or the school;

3.6.2. a situation arising under the Child Abuse or Neglect Reporting Requirements, UTAH CODE ANN. § 80-2-601, *et seq.*; or

3.6.3. a court order. In addition, a parent may voluntarily waive the two (2) week minimum notification period by returning to the school a signed written waiver.

3.7. Unless otherwise agreed, the parent's consent is valid only for the activity for which it was granted.

3.8. Any written withdrawal of consent submitted to the District or the school by the authorizing parent terminates the consent.

3.9. A general consent used to approve admission to school or involvement in special education, remedial education, or a school activity does not constitute written consent under this policy.

~~3.3.6.~~

4. PARENT RIGHT TO INSPECT

~~3.4.4.1.~~ These prohibitions concerning protected area information also apply within the curriculum and other school activities, unless prior written consent of the student's parent has been obtained. ~~Nebo School District shall notify parents that they have~~ A parent has the right to review, upon request, any instructional materials used in connection with any such examination, test, treatment, survey, analysis, or evaluation, and any instructional material thereon which is used as part of the educational curriculum for the student to collect private information described in section 2. ~~These rights~~ This right also ~~apply~~ applies to the collection of information from students for marketing purposes, and certain non-emergency medical examinations.

~~3.5.~~ The two (2) week prior written notice to the parent does not apply in the event of: (a) an emergency, as reasonably believed as such by the District or the school; (b) a situation arising under the Child Abuse or Neglect Reporting Requirements, UTAH CODE ANN. § 62A-4a-401, *et seq.*; or (c) a court order. In addition, a parent may voluntarily waive the two (2) week minimum notification period by returning to the school a signed written waiver.

~~3.6.1.1.~~ Unless otherwise agreed, the parent's consent is valid only for the activity for which it was granted. Any written withdrawal of consent submitted to the District or the school by the authorizing parent terminates the consent. ~~A general consent used to approve admission to school or involvement in special education, remedial education, or a school activity does not constitute written consent under this policy.~~

~~3.7.~~ The following specific provisions apply to this policy:

~~3.7.1.~~ The administration shall develop and implement appropriate arrangements to protect student privacy in the event any examination, test, treatment, survey, analysis, or evaluation that contains one or more questions into or about a protected area, and shall make appropriate arrangements for any parent to inspect, upon request, any such related documentation.

~~3.7.2.~~ Parents shall have the right to inspect, upon request, any instructional material used as part of the educational curriculum for students. Upon such request being made, the administration shall notify the requesting parent within a reasonable time that the

~~requested material may be inspected, together with the time and place such inspection may be conducted.~~

5. MARKETING

~~3.8.5.1.~~ **5.1.** Personal information will not be collected from students for the purpose of marketing or selling, or otherwise providing such information to others for the purpose of marketing or selling, without, prior public notice sufficiently in advance so that a parent may opt-out of such disclosure. However, under federal and state law, general directory information as defined in the annual Family Educational Rights and Privacy Act (FERPA) notification is normally subject to release for any lawful purpose, unless a parent has requested that general directory information not be released for his/her student.

~~3.9.5.2.~~ **5.2.** Prior to collection of personal information for any marketing or similar purpose as described in the preceding paragraph, Nebo School District shall permit a parent, upon request, to inspect any instrument used in the collection of such personal information before the instrument is administered or distributed to a student. Upon such request being made, the administration shall notify the requesting parent within a reasonable time that the instrument may be inspected, together with the time and place such inspection may be conducted.

~~3.10.5.3.~~ **5.3.** The requirements concerning activities involving the collection and disclosure of personal information from students for marketing purposes do not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for or to students or educational institutions. Examples may include, but shall not be limited to, the following:

~~3.10.1.5.3.1.~~ **5.3.1.** College or other post-secondary education requirement, or military recruitment.

~~3.10.2.5.3.2.~~ **5.3.2.** Book clubs, magazines, and programs providing access to low-cost literary products.

~~3.10.3.5.3.3.~~ **5.3.3.** Curriculum and instructional materials used by elementary and secondary schools.

~~3.10.4.5.3.4.~~ **5.3.4.** Tests and assessments used by elementary and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students.

~~3.10.5.5.3.5.~~ **5.3.5.** The sale by students of products or services to raise funds for school-related or education-related activities.

~~3.10.6.5.3.6.~~ **5.3.6.** Student recognition programs.

~~3.11. The policy does not limit the ability of the student to spontaneously express sentiments or opinions otherwise protected against disclosure under this policy.~~

4.6. MEDICAL EXAMINATIONS OR SCREENINGS

~~4.1.6.1.~~ **6.1.** In the event that any medical examination or screening shall be required of students, prior notice thereof shall be given to parents, to include the nature and purpose of the examination or screening, whether it is required by law, and any opt-out provisions that may be allowed by law. The applicable provisions of federal and state law shall control whether a parent may opt-out a student from any examination or screening. Under federal law, a parent may opt-out his/her student from participating in any non-emergency, invasive physical examination or screening that is: (a) required as a condition of attendance; (b) administered by the District and scheduled in advance; and (c) not necessary to protect the immediate health and safety of the student or of other students. If a parent opts-out his/her student from such examination or screening, the District may require the parent to provide documentation of such examination or screening by the physician at the parent's expense, and the results thereof. Provided, however, any physical examination or screening that is permitted or required by applicable Utah law, including physical examinations or screenings permitted without parental notification, shall not be subject to this provision.

4.2.6.2. Nebo School District shall annually give written public notice to students and parents of their rights under this policy and the applicable federal and state laws.

4.3.6.3. Nebo School District shall provide training to administrators and teachers on the implementation of this policy. Violations of the policy may result in disciplinary action.

EXHIBITS

None

REFERENCES

[Family Educational Rights and Privacy Act \(FERPA\), 20 U.S.C. § 1232g & 34 CFR 99](#)
[Protection of Pupil Rights Amendment \(PPRA\), 20 U.S.C. § 1232h & 34 CFR 98](#)
[UTAH CODE ANN. § 53E-9-101, et seq.](#)
[UTAH CODE ANN. § 53E-9-201, et seq.](#)
[UTAH CODE ANN. § 53E-9-301, et seq.](#)
[UTAH CODE ANN. § 53G-10-202](#)
[UTAH CODE ANN. § ~~62A-4a-401~~80-2-601, et seq.](#)
[Nebo School District Policy JO, *Student Records*](#)

FORMS

None

HISTORY

Revised 11 June 2025 – updated links; reorganized; updated per changes to Utah law.

Revised 9 September 2020 – reformatted; added purpose and philosophy; updated citations and legal authority; made technical changes.

Adopted or Revised 11 May 2005

NEBO SCHOOL DISTRICT
BOARD MEETING MINUTES
Wednesday, June 11, 2025

The Board of Education of Nebo School District convened the Board meeting on Wednesday, June 11, 2025 at 3:00 PM at the new MTECH Payson Campus in Payson, Utah.

Shannon Acor welcomed everyone to the Board meeting.

1. Board Work Session

Item 1A: 3:00-4:00 PM, Tour of MTECH Payson Campus.

Board members present for the tour were President Shannon Acor, Rick Ainge, Kristen Betts, John Taylor, Brian Rowley, Shauna Warnick, and Scott Wilson. Superintendent Rick Nielsen, Michael Harrison, Reed Park, and others members of the Nebo District staff also joined the tour.

The MTECH tour concluded at approximately 4:00 PM and the Board reconvened their meeting at 4:26 PM at The Nebo School District Office located at 350 S Main in Spanish Fork, Utah. Additional, staff members present were Ben Ford, Suzanne Kimball, Alicia Rudd, Matt Gledhill, Frank Daybell, Mike Larsen, Dave Rowe, Bart Peery and Raquel Baum.

Item 1B: Discussion of Board Meeting Agenda and Review of Consent Agenda.

President Shannon Acor reviewed the Consent Agenda and inquired of any questions from the Board members. She mentioned that there will not be a closed session after the general board meeting.

2. Items for Board Discussion

Item 2A: Policy JDE – Student Electronic Devices

- Legal Counsel Reed Park and Associate Legal Counsel Jeff Peterson discussed and reviewed the policy in preparation for the action item in the general board meeting. The following amendments were made;
 - Section 5.3. Middle Schools and Section 5.4. Junior High Schools will have consistent language.
 - Section 2.2 “Classroom hours” will include study halls and independent study time during regular school operation hours.

Jeff Peterson made the necessary changes to the policy and Draft 2 was uploaded for Board approval in the general board meeting.

President Shannon Acor announced at 5:33 PM that the Board meeting was temporarily adjourned until 6:00 PM. Board member Brian Rowley was excused from the Board meeting at 5:33 PM.

The Board of Education of Nebo School District reconvened the Board meeting at 6:00 PM. Board members present were Shannon Acor, Rick Ainge, Kristen Betts, John Taylor, Shauna Warnick and Scott Wilson. Brian Rowley was excused. Staff members present were Superintendent Rick Nielsen, Michael Harrison, Reed Park, Ben Ford, Suzanne Kimball, Alicia Rudd, Matt Gledhill, Frank Daybell, Mike Larsen, Dave Rowe, Bart Peery and Raquel Baum.

The agenda was as follows:

1. OPENING

A. Pledge of Allegiance

2. AGENDA APPROVAL

A. Approval of Board Agenda

3. CONSENT AGENDA

A. Financial Report

B. Claims

C. Minutes of the Work Session and General Board Meeting held on May 14, 2025.

D. New Employees and Separations

E. Requests for Leave Without Pay

F. Requests for LAND Trust Amendments

- G. Student Educational Travel
- 4. PROGRAM REVIEW AND REPORT
 - A. Recognition of State Champions
 - B. Energy Star Recognition
- 5. PUBLIC HEARING 6:30 PM
 - A. Amended Budget for 2024-2025 – Michael Harrison
 - B. Proposed Budget for 2025-2026 – Michael Harrison
- 6. PUBLIC PARTICIPATION
 - A. Public Opportunity to Address the Board
- 7. ITEMS FOR BOARD DISCUSSION
- 8. ITEMS FOR BOARD ACTION
 - A. Consideration of Approval of Amended Budget for 2024-2025.
 - B. Consideration of Approval of Proposed Budget for 2025-2026.
 - C. Consideration of JN – Student Fees
 - D. Consideration of Policy JDE – Student Electronic Devices
 - E. Consideration of Policy GCPC – Employee Retirement Eligibility
 - F. Consideration of Policy IIA – Student Instruction and Materials
 - G. Consideration of Policy JDB – Student Substance Abuse
 - H. Consideration of Policy JHG – Management of Concussions and Head Injuries
 - I. Consideration of Request for Early Retirement Incentive Plans.
- 9. SPECIAL BUSINESS
 - A. Motion & Vote – Board Closed Session
 - B. Board Closed Session (Legal, Property, Personnel and/or Other Closed Session Issues)

Agenda Item 1: OPENING

Item No. 1A: Pledge of Allegiance – Scott Wilson

Agenda Item 2: AGENDA APPROVAL

Item No. 2A: Kristen Betts presented a motion to approve the Board Agenda. She mentioned that there will not be a closed session after the general board meeting.
John Taylor seconded the motion. All members present voted in favor.

Agenda Item 3: CONSENT AGENDA

Item No. 3: Rick Ainge reviewed items listed on the Consent Agenda and inquired of any questions from the Board. He then presented a motion to approve the following items listed on the Consent Agenda:

- A. Financial Report
 - B. Claims
 - C. Minutes of Work Session & General Board Meeting held on May 14, 2025.
 - D. New Employees and Separations
 - E. Requests for Leave Without Pay
 - F. Requests for LAND Trust Amendments
 - G. Student Educational Travel
- Kristen Betts seconded the motion. All members present voted in favor.

Agenda Item 4: PROGRAM REVIEW AND REPORT

Item No. 4A: President Shannon Acor invited Secondary Director Bart Peery and Communications and Community Relations Specialist Seth Sorensen to introduce the following State Champions;

Unified Track and Field Individual Champions

Miles Asay	Salem Hills High School 4x100 Relay Team
Mason Wies	Salem Hills High School 4x100 Relay Team
Weston Harry	Salem Hills High School 4x100 Relay Team
Gage Whitehead	Salem Hills High School 4x100 Relay Team
Seth Ramirez	Springville High School Boys Javelin
Kaylani Sione	Springville High School Girls Javelin

Track and Field Individual Champions

Easton Leavitt	Springville High School Boys Javelin
Denver Spanheimer	Payson High School 110 Hurdles

Spanish Fork 5A Boys Baseball Team Champions

Boston Duvall
Conner Ford
Jaxon Sorenson
Jesse Harrison
Kayden Lambson
Matai Johnson
Nixon Warren
Pratt Morley
Rhythm Fagan
Samuel Dart
Swae Nielson
Tyler Orton
Xavier Amonett
Cody McLean
Cohen Nelson
Grayson Zappe
Jason Pintar
Jaxon Randolph
Rhett Walburger
Trey Snyder
Trigg Cloward
Boston Wignall
Cash Andrus
Dylan Chambers
Evan Steward
Heston Freeland
Tilden Scott

Coaches: Hadley Thorpe, Jace Brinkerhoff, Nelson Castleberry, Kyle Dart, Skiler Hohrein, Hayden Nielsen and Shaun Peterson.

Item No. 4B. President Shannon Acor invited Operations Director Matt Gledhill to introduce Cenergistic representatives Cari DuBose, Aaron Emens and Lynn Pace. They recognized 40 of our schools who received the Energy Star award and presented Nebo School District with a check for \$2,500.00 in recognition of being honored as “Best in Class.”

Due to the time certainty of the budget hearing, President Shannon Acor announced at 6:22 PM that the Board would move to some items for Board action until 6:30 PM.

Agenda Item 8: ITEMS FOR BOARD ACTION

Item No. 8C: Scott Wilson made the motion to approve Policy JN – Student Fees.
Rick Ainge seconded the motion. All members present voted in favor.

Item No. 8D: Kristen Betts made the motion to approve Policy JDE – Student Electronic Devices. Shauna Warnick seconded the motion. All members present voted in favor.

Item No. 8E: Rick Ainge made the motion to approve Policy GCPC – Employee Retirement Eligibility. Scott Wilson seconded the motion. All members present voted in favor.

Item No. 8F: Shauna Warnick made the motion to approve Policy IIA – Student Instruction and Materials. Kristen Betts seconded the motion. All members present voted in favor.

Item No. 8G: John Taylor made the motion to approve Policy JDB – Student Substance Abuse. Rick Ainge seconded the motion. All members present voted in favor.

President Acor announced at 6:30 PM that due to the time certainty of the budget hearing, the Board would move to the budget hearing portion of the meeting and return to the action items later in the meeting.

Agenda Item 5: BUDGET HEARING 6:30 PM

Item No. 5A. Amended Budget for 2024-2025

Item No. 5B. Proposed Budget for 2025-2026

Business Administrator Michael Harrison reviewed the Amended Budget for 2024-2025 and the Proposed Budget for 2025-2026. He reviewed the salaries and benefits information and mentioned that the beginning teacher salary is approximately \$63,000 for next school year. This is a wonderful celebration! The Board thanked the Finance Department for their continued hard work, dedication, and competency and expressed confidence in Michael and Asst. Business Administrator Jesse Hales and the rest of their team for their wisdom and in completing accurate reports.

President Acor inquired whether any citizens in attendance wished to address the Board regarding the Amended Budget for 2024-2025 or the Proposed Budget for 2025-2026. Seeing that no citizens wished to address the Board, President Shannon Acor declared the Budget Hearing closed at 6:58 PM.

Agenda Item 6: PUBLIC PARTICIPATION

Item No. 6A: Public Opportunity to Address the Board

The following individuals addressed the Board:

Name	City	Schools	Topic
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No one signed up to address the Board

Agenda Item 7: ITEMS FOR BOARD DISCUSSION

Agenda Item 8: ITEMS FOR BOARD ACTION

Item No. 8A: Shauna Warnick made the motion to approve the Amended Budget for 2024-2025 as presented. Kristen Betts seconded the motion. All members present voted in favor.

Item No. 8B: John Taylor made the motion to approve the Proposed Budget for 2025-2026 as presented. Scott Wilson seconded the motion. All members present voted in favor.

Item No. 8H: Scott Wilson made the motion to approve Policy JHG – Management of Concussions and Head Injuries.

Rick Ainge seconded the motion. All members present voted in favor.

Item No. 8I: Kristen Betts presented the motion to approve the Request for Early Retirement Incentive Plans. John Taylor seconded the motion. All members present voted in favor.

President Shannon Acor announced at 7:02 PM that the Board had need to return to items listed on the 3:00 PM agenda to finalize discussion.

1. Board Work Session

Item 1C: Board Member Reports

- Scott Wilson reported that patrons are still asking about bricks from the old Payson High School. Operations Director Matt Gledhill mentioned that bricks will be placed on the sidewalk on Main Street for the public to take each day.
- Shauna Warnick shared items from USBA;
 - She enjoyed the Delegate and Pre-Delegate Assembly.
 - USBA is wondering if Nebo School District would consider sharing a presentation at the Annual Conference.
 - USBA Leadership Academy is September 25-27. Registration will begin in early July. Shauna, John, Shannon, and the Superintendent plan to register. If space allows, we will register other Board members.
 - The Advocacy Committee plans to focus on social media posts and Master Board certifications.
 - The Legislative Committee is focusing on building relationships with key legislators.
- John Taylor attended the Audit Committee meeting and understands that the Board is required to participate in audit training. The Superintendent will get the information from our Internal Auditor Tim Beardall and include it in his Monday bulletin.
- The Superintendent thanked Rick Ainge for arranging the tour of the MTECH Payson Campus.
- Kristen Betts attended the Delegate Assembly.
- Kristen Betts thanked Secondary Director Bart Peery for his response to questions from a concerned patron regarding the removal of gate receipts.

2. Items for Board Discussion

Item 2B: Policy KA – School Facility Use

- Legal Counsel Reed Park mentioned that this policy was updated to;
 - adjust the fees due to funding for supervision during school facility use and rental use.
 - include a \$1000 security deposit for auditorium rental.
 - authorize two employees to run the kitchen during a cafeteria rental.
 - amend and update definitions.

Item 2C: Policy EEA – School Access and Student Transportation

- Legal Counsel Reed Park mentioned that this policy was amended to remain compliant with HB161, School Bus Route Amendments. This legislative bill adjusted the distance for a student to be eligible for transportation. Eligible students in the secondary schools are those who live at least two miles from their middle school, junior high or high school.

Item 2D: Policy DID – Asset Inventory

- Legal Counsel Reed Park mentioned that this policy was amended stating that the Legal Department will maintain all asset details pertaining to property. The Operations Department will maintain all asset details pertaining to buildings and building improvements.

Item 2E: Items from Superintendent

- The Superintendent mentioned the Board Member business cards made available for each of them tonight.
- The Superintendent mentioned that Child Nutrition has a new school lunch system. Parents will need to create a new login to pay for meals and see student lunch accounts.
- The Superintendent mentioned his participation on the United Way Board and that United Way is looking for a stronger presence in South Utah County. He gave them names of some key leaders in the community to reach out to.
- The Superintendent share that a patron near Payson High School is concerned about the placement of the driver's education range. Customer Experience Specialist Lindsey Hughes will reach out to the patron. It was suggested that as soon as we know where the driver's

education range will be placed at the new Springville High School, we add the details to our website.

- The Superintendent reminded the Board that the amendments to Board compensation go into effect July 1.
- The Superintendent informed the Board of an Open Enrollment appeal that has reached Assistant Superintendent Ben Ford. If not approved by Ben, the law allows for the patron to appeal to the Board. This may result in an appeal hearing in the July Board meeting.
- The Superintendent mentioned the Title XI softball concerns and that SFHS softball will be moved to Spanish Fork City fields 9 and 10 with invested improvements. Softball coaches are still voicing concern over the outfield fence distances, but the distances are regulation and similar to other fields in the district.
- President Shannon Acor mentioned a letter addressed to her from the superintendent of Logan School District praising Superintendent Nielsen. She expressed her appreciation for Superintendent Nielsen as well.

President Shannon Acor announced at 7:35 PM that all items on the agenda were covered and asked for a motion to adjourn the Board meeting.

John Taylor presented the motion to adjourn the Board meeting.

Shauna Warnick seconded the motion. All members present voted in favor.

The Board meeting was adjourned at 7:35 PM.

BACKGROUND INFORMATION TO BE READ:

Nebo School District voters authorized the issuance of \$298 million in bonds during the 2018 election. Our practice is to issue a portion of those bonds each year to cover the projected construction costs over the next 12 to 18 months. As part of that \$298 million, we have need to issue up to \$12.5 million of that authorization to continue construction of Spanish Fork High School, Payson High School, and Springville High School. After this sale, approximately \$10 million of the voter approved \$298 million remains to be sold over the next one to two years. The district has maintained its commitment to the voters to construct the six buildings as outlined in the 2018 bond proposal, which include three middle schools and three high schools, using the \$298 million in authorized bond money plus District capital funds to complete the projects.

RESOLUTION TO BE READ:

With that understanding, I make a motion to approve the resolution of the Board of Education of Nebo School District authorizing the issuance and sale by the Board of not more than \$12.5 million aggregate principal amount of general obligation bonds and related matters.

BACKGROUND INFORMATION TO BE READ:

State law requires each taxing entity, including the Board of Education, to take official action to set tax rates for the coming year. This is an annual process and is separate from the bond issuance that was just voted on by the Board.

The tax rate presented for approval tonight is 0.007227 and is aligned with the Certified Tax Rate as set by the Utah County Auditor's Office and the Utah State Tax Commission.

Revenue from property taxes is used to pay for operating costs of the District, construction and maintenance of District facilities, as well as repayment of principal and interest on bonds.

RESOLUTION TO BE READ:

I make a motion to approve the resolution of the Board of Education of Nebo School District adopting the total tax rate of 0.007227 for the 2025 tax year as presented.

BOARD MOTION

Proposed Motion

I make the motion to adopt the Board Resolution approving the Memorandum of Understanding between Nebo School District and Spanish Fork City for the exchange of technology services.

BOARD RESOLUTION

RESOLVED that, after due consideration, the Board of Education of Nebo School District hereby approves the attached Memorandum of Understanding between Nebo School District and Spanish Fork City for the exchange of technology services, wherein: (a) Nebo School District leases to Spanish Fork City 6144 IPv4 Addresses; and (b) Spanish Fork City provides to Nebo School District high-speed Internet Fiber Connections to Nebo facilities located with Spanish Fork City's jurisdiction.

– SEE ATTACHED MEMORANDUM OF UNDERSTANDING –

Approved: 09 July 2025

SECTION: K – School / Community Relations
POLICY TITLE: School Facility Use
FILE NO.: KA
DATED: July 9, 2025

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10. VIOLATIONS

Note: When reviewing this policy, the following interrelated policies may need to be referenced:

[KAA, Community Education](#)
[KAB, PTAs, PTOs, Booster Clubs, and Parent Support Groups](#)
[KAC, School Fundraising Activities](#)
[KAD, Summer/Out of Season Activities](#)

1. PURPOSE AND PHILOSOPHY

- 1.1. The primary use of Nebo School District facilities is for the School District's educational, athletic, and extra-curricular programs. All other uses are secondary. This policy is adopted to preserve and maintain District facilities and resources for use by District programs.
- 1.2. Pursuant to [UTAH CODE ANN. § 53G-7-209](#), public school buildings and grounds are civic centers and may be used by Nebo School District residents for appropriate, supervised recreational activities and meetings, subject to the requirements and restrictions set forth herein. Only use of a District facility under Classes II through VII constitutes civic center use. Such use is granted pursuant to [UTAH CODE ANN. §§ 53G-7-209 and 210](#). Except as otherwise provided in Section 6 below, approval under this policy constitutes a permit under [UTAH CODE ANN. § 63G-7-201\(4\)\(c\)](#), and grants the District full legal immunity under the [Governmental Immunity Act of Utah](#).
- 1.3. Anyone using school facilities and grounds is subject to the provisions of this policy as well as those contained in the Facility Use Agreement. Various facility use fees will be charged as indicated in the Nebo School District Facility Use Fee Schedule.

2. CLASS DEFINITIONS

Each use of District facilities is classified according to this section. The District retains sole and absolute discretion for classification of use. Class determination is normally made by the school administrators. Determinations must take into account both the characteristics of the group or individual seeking use of the facilities as well as the nature of the activity for which use is sought. The Fee Schedule lists the fee to be charged for each class according to the type of facility used. Facilities not listed on the Fee Schedule may not be rented.

2.1. Class I: Nebo School District Use

- 2.1.1.** The use of Nebo School District facilities under this classification shall be subject to applicable District policies, procedures, and rules, and may be subject to fees as determined by the school administrator.
- 2.1.2.** Class I includes, but is not limited to, the following:
 - 2.1.2.1.** District or school sponsored staff and student groups.
 - 2.1.2.2.** School or student clubs.
 - 2.1.2.3.** District or school sponsored school athletic teams.
 - 2.1.2.4.** District or school sponsored camps/clinics.
 - 2.1.2.5.** School student councils.
 - 2.1.2.6.** District departments conducting staff development, in-service training, or other job-related training classes for District personnel and at the request of a District administrator.
 - 2.1.2.7.** Activities, events, and programs sponsored by Nebo School District or its schools.
 - 2.1.2.8.** Activities and programs sponsored and administered by Nebo School District Community Education.
 - 2.1.2.9.** Activities and programs sponsored by the Nebo Education Foundation.
 - 2.1.2.10.** Official school class reunions.
 - 2.1.2.11.** District-sponsored summer and out-of-season activities as described in [Nebo School District Policy KAD, Summer/Out-of-Season Activities](#).
 - 2.1.2.12.** Utah State Board of Education events hosted by the District.
- 2.1.3.** All District or school sponsored activities must have the express approval of the school principal or District administrator. Money transacting activities are overseen by the District or school and all money must go through the District or school finance departments in accordance with applicable District accounting procedures.

2.2. Class II: Interlocal Agreement Use

- 2.2.1.** This classification applies to city, county, state, or other governmental entities desiring to use School District facilities. Terms, conditions, stipulations, and fees are set forth in a written Interlocal Cooperation Agreement between the School District and the governmental entity.
- 2.2.2.** Fees and usage under Class II shall be per Interlocal Cooperation Agreement or as otherwise designated in the Fee Schedule.
- 2.2.3.** Governmental entities operating under an Interlocal Cooperation Agreement may not supersede the intent of this policy by contracting with private individuals or entities to run recreation programs, such as youth athletic leagues, community theaters, arts councils, etc., that would normally fall under Class VIII. A private individual or entity that has contracted with a governmental entity to run a recreation program for the governmental entity may use District facilities under the governmental entity's

Interlocal Cooperation Agreement only if the following requirements are satisfied prior to use of the facility:

2.2.3.1. The individual or entity's use of the facility would otherwise fall under Class VII of this policy as determined in the sole discretion of the District, AND

2.2.3.2. The governmental entity provides to the Coordinator of School Services a copy of a written agreement, and any other related documentation, between the governmental entity and the individual or entity running the program indicating that the governmental entity fully sponsors the program, assumes all liabilities, and agrees on behalf of the contracted entity to all terms and conditions of the applicable Interlocal Cooperation Agreement. The documentation must verify that neither the governmental entity nor the individual or entity using the facilities, nor any of their respective employees, will make a profit, either directly or indirectly, from use of the facilities.

2.2.4. Governmental entities may not sublease use of District facilities to private individuals or entities.

2.3. Class III: School Support Organizations

2.3.1. This classification applies to qualified and formally recognized Student Support Organizations (SSO). An SSO may consist of individuals, groups, entities, or organizations that exist for the primary purpose of benefitting and supporting the District, its schools, and its officially sanctioned school teams, groups, clubs, classes, or student programs. Groups that may qualify as an SSO are Parent Teacher Associations (PTA), external Parent Teacher Organizations (PTO), external booster clubs, and other external support groups. To be recognized as an SSO and fall within this classification for school facility use, the individuals, groups, entities, or organizations must: (a) meet the definition of an SSO; AND (b) provide annually to the District an executed SSO Assurance Document, as described in [Nebo School District Policy KAB, PTAs, PTOs, Booster Clubs, and Parent Support Groups](#).

2.3.2. Fees under Class III shall be charged as indicated on the Fee Schedule.

2.4. Class IV: Non-Sponsored Sport Use

2.4.1. This classification applies to sports teams that meet the following criteria:

2.4.1.1. the sports are recognized and sanctioned by the Utah High School Activities Association (UHSAA);

2.4.1.2. the sports are not sponsored by Nebo School District at the grade level of any participant; and

2.4.1.3. the teams are comprised only of students enrolled in a single high school feeder system.

2.4.2. Groups associated in this classification are independent of Nebo School District. Sports teams meeting the qualifications in this Class IV are required to meet all terms and conditions of this School Facility Use policy.

2.4.3. Fees under Class IV shall be charged as indicated on the Fee Schedule.

2.5. Class V: Instructional/Governmental Use

2.5.1. This classification shall apply to those groups that are organized for instructional or governmental purposes. Such groups could include educational institutions,

government entities, political groups, and others whose purpose is to provide information and instruction to the general public.

2.5.2. All activities qualifying under this classification shall be:

- 2.5.2.1.** non-exclusive in participation;
- 2.5.2.2.** open to the public;
- 2.5.2.3.** free of charge; and
- 2.5.2.4.** approved by the school principal or District administrator.

2.5.3. Except as indicated in this section, fees under Class V shall be charged as indicated on the Fee Schedule.

2.5.3.1. The purpose and objective of charging fees under Class V is to cover the school's personnel costs.

2.5.3.1.1. Use of a school facility requires the school to pay one or more employees to provide services before, during, and/or after the facility's use. Personnel costs include the time required to prepare a facility for the scheduled use and the time required to restore it to its original condition (e.g., cleaning, rearranging furniture, grooming and striping fields, etc.).

2.5.3.1.2. The fees listed in the Fee Schedule under Class V satisfy the purpose and objective as calculated and averaged over the course of the year. The amount to be charged per hour per supervisor for personnel costs, including for time spent before, during and after the scheduled use, is fifty dollars (\$50.00). Except as provided in Section 2.5.3.2, the amount charged may not be less than the amount on the Fee Schedule regardless of the supervising employee's actual wage, salary, or willingness to work for reduced or no pay at a particular activity. School administrators will determine the number of hours required for personnel costs before and/or after the scheduled use and include it in the total fee charged.

2.5.3.1.3. Where the Fee Schedule lists a higher hourly fee under Class V than that listed in paragraph 2.5.3.1.2, that particular facility requires a minimum of two (2) employees per hour for supervision.

2.5.3.2. School administrators may determine that multiple rooms (including adjacent gyms) under Class V may be adequately supervised by fewer employees than the number of rooms being used. The formula for calculating fees for use of multiple rooms may be found by consulting Exhibit 2, Formulas for Multiple Room Charges.

2.5.3.3. Pursuant to [UTAH CODE ANN. § 20A-8-404](#), the fee charged to registered political parties may not exceed the actual cost of custodial services and any other service requested by the political party provided by the District.

2.5.3.3.1. No fee will be charged for use of District buildings as polling places on election days, whether primary or general.

- 2.5.3.3.2.** No fee will be charged to a registered political party, as defined by and certified under the Utah Election Code, [UTAH CODE ANN. § 20A-8-101, et seq.](#), for use of District buildings for the political party's officially announced caucus meetings. However, all other use by political parties, including delegate meetings, conventions, and any other use that is not the party's official caucus meeting held during an election year, is subject to the fees indicated in Section 2.5.3.3.

2.6. Class VI: Patriotic Societies

- 2.6.1.** This classification applies to the Boy Scouts of America and any other youth groups listed in [Title 36, Subtitle II of the United States Code](#) as a patriotic society (see Exhibit 3), consistent with the [Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905](#).
- 2.6.2.** Fees under Class VI shall be charged as indicated on the Fee Schedule.

2.7. Class VII: Charitable, Civic, Religious, and Private Use

- 2.7.1.** This classification applies to private functions and events, such as family reunions, weddings, dinners, holiday celebrations, and other such activities. This classification may also apply to organizations that solicit fees, dues, or contributions from the participants or the public as long as the net proceeds are expended for the welfare of students of the District or for charitable purposes. These organizations operate primarily on unpaid volunteer help (i.e., charitable, civic, or religious organizations).
- 2.7.2.** Fees under Class VII shall be charged as indicated on the Fee Schedule.
- 2.7.2.1.** The purpose and objective of charging fees under Class VII is to cover the school's actual costs. Actual costs under Class VII include the following:
- 2.7.2.1.1.** Personnel costs as defined in Section 2.5.3; AND
- 2.7.2.1.2.** Utilities; AND
- 2.7.2.1.3.** Replacement of supplies and other costs incurred by the school due to the facility's use.
- 2.7.2.2.** The fees listed in the Fee Schedule satisfy the purpose and objective as calculated and averaged over the course of the year. The amount to be charged per hour per supervisor for personnel costs, including time spent before and/or after the scheduled use as described in Section 2.5.3, is fifty dollars (\$50.00). Supplies and other costs may be included at the discretion of the school administrator and must be so indicated on the Application. Except as provided in 2.7.2.3, the amount charged may not be less than the amount on the Fee Schedule regardless of the supervising employee's actual wage, salary, or willingness to work for reduced or no pay at a particular activity, and regardless of the actual utility cost of a particular activity.
- 2.7.2.3.** School administrators may determine that multiple rooms (including adjacent gyms) under Class VII may be adequately supervised by fewer employees than the number of rooms being used. The formula for calculating fees for use of multiple rooms may be found by consulting Exhibit 2, Formulas for Multiple Room Charges.

2.8. Class VIII: Market Use

- 2.8.1.** This classification shall apply to any individual, group, or activity that either: (a) does not fall within any other classification under the “Class Definitions,” or (b) satisfies the description in Section 2.8.2.
- 2.8.2.** Activities meant to earn a profit fall under Class VIII. School administrators should, in consultation with the Coordinator of School Services, consider the following factors in determining whether a particular use falls under Class VIII:
- 2.8.2.1.** Whether the motive, objective, and/or operational structure of the user is to make a profit;
 - 2.8.2.2.** Whether the user operates primarily on paid personnel; and/or
 - 2.8.2.3.** Whether the user charges admission and/or participation fees for membership or for the activity, the proceeds of which will be spent for other than charitable or welfare purposes.
- 2.8.3.** Fees under Class VIII shall be charged as indicated on the Fee Schedule.
- 2.8.3.1.** The purpose and objective of charging fees under Class VIII is to collect an approximate fair market rental value for the use of the school facilities. Fair market rental includes the following:
 - 2.8.3.1.1.** Actual costs as described in Section 2.7.2.1, AND
 - 2.8.3.1.2.** An additional amount to make the fee consistent with similar rental fees in the market.
 - 2.8.3.2.** The fees listed in the Fee Schedule satisfy the purpose and objective as calculated and averaged over the course of the year. For purposes of calculating the fee for multiple room use as described in Section 2.5.3.3, the amount to be charged per hour per supervisor for personnel costs, including time spent before and/or after the scheduled use as described in Section 2.5.3, is fifty dollars (\$50.00) . Supplies and other costs may be included at the discretion of the school administrator and must be so indicated on the Application. Except as provided in Section 2.5.3.3, the amount charged may not be less than the amount on the Fee Schedule regardless of the supervising employee’s actual wage, salary, or willingness to work for reduced or no pay at a particular activity, and regardless of the actual cost of a particular activity.
 - 2.8.3.3.** School administrators may determine that multiple rooms (including adjacent gyms) under Class VIII may be adequately supervised by fewer employees than the number of rooms being used. The formula for calculating fees for use of multiple rooms may be found by consulting Exhibit 2, Formulas for Multiple Room Charges.

3. FACILITIES WITH INDIVIDUALIZED RULES**3.1. Stadiums**

- 3.1.1.** The fee for rental of a stadium with scoreboard use must include an additional amount if an employee is required to run the scoreboard.
- 3.1.2.** Only authorized individuals approved by the school principal may operate stadium scoreboards.

3.2. Auditoriums

- 3.2.1.** Rental of high school auditoriums requires a minimum of two employees: a supervising employee and at least one technician to adequately run lights, sound, and other media.
- 3.2.2.** The fee for renting auditoriums includes the amount to pay the wages of the technician referred to in paragraph 3.2.1. If additional technicians or employees are required, the principal must add the appropriate amount to the fee.
- 3.2.3.** No food or drink is allowed in the high school auditoriums.
- 3.2.4.** Rental of high school auditoriums requires a security deposit of one thousand dollars (\$1,000). The security deposit will be used to cover damage to the facility or the equipment, or reconfiguration of equipment. Any unused amount of the security deposit will be returned.

3.3. Kitchens

- 3.3.1.** Rental of cafeterias that includes use of the kitchen requires a minimum of two employees: a supervising employee and at least one child nutrition employee.
- 3.3.2.** The fee for renting cafeterias with kitchen use includes the amount to pay the wages of the employees referred to in paragraph 3.3.1. If additional employees are required, the principal must add the appropriate amount to the fee.

4. SCHOOL ADMINISTRATOR RESPONSIBILITIES

- 4.1.** School administrators are responsible for the implementation and administration of this School Facility Use policy. School administrators are responsible for the scheduling and oversight of all activities that utilize the school buildings, facilities, and grounds. Administrators should create a facility use schedule each year, and update it as necessary, to ensure school and district programs, including both practices and competitions, have priority over all other uses. In creating the schedule, administrators should consult the interlocal agreement and follow its procedures and requirements for scheduling with entities described in subsection 2.2.
- 4.2.** While discharging this responsibility, school administrators shall do the following:
 - 4.2.1.** Assign an employee to provide supervision, security, and protection of all school property.
 - 4.2.2.** Assign any necessary technicians to provide assistance with the lights, sound, equipment, and other systems associated with the school facilities being utilized.
 - 4.2.3.** Assign the activity to the proper classification under the Class Definitions.
 - 4.2.4.** Complete and retain an executed Application for Use of School Facilities, Facility Use Agreement, and, if applicable, Certificate of Insurance as required by Section 6.
 - 4.2.5.** Collect the appropriate rental and use fees pursuant to the Fee Schedule and this policy.
 - 4.2.6.** Assure compliance with this policy and the Facility Use Agreement, including the accompanying rules.
 - 4.2.7.** Assure compatibility of the proposed activity and the school facility being requested.

- 4.2.8. Submit, on a voucher or time card, hours for personnel and include a check to the District Office to cover personnel costs.
- 4.2.9. Consider using surplus rental funds for the improvement and maintenance of school facilities.
- 4.2.10. Assess the condition of facilities to determine whether a rental of particular facility should be prohibited according to the provisions of Section 9 below.

5. FACILITY USE AGREEMENT

A Facility Use Agreement, prepared by and containing such terms and conditions as deemed reasonable and appropriate by the School District, shall be signed between the sponsoring group or individual and the school administrator.

- 5.1. A Facility Use Agreement is required for all uses under Classes III, IV, V, VI, VII, and VIII in accordance with the following:
 - 5.1.1. Only facilities specifically identified on the Fee Schedule may be rented.
 - 5.1.2. Fees will be charged in accordance with the Fee Schedule and this policy.
 - 5.1.3. Additional fees will be charged for use of special equipment, additional services, and additional personnel not included in the descriptions of fees in Section 2 above. These fees will be determined by the school administrator and incorporated into the Facility Use Agreement.
 - 5.1.4. Applications for use must be submitted at least two (2) weeks in advance of the activity. The Facility Use Agreement, Certificate of Insurance (where required, including applicable endorsements naming Nebo School District as an additional insured), and full payment of rental and use fees must be received before the event is placed on the calendar.
- 5.2. Depending upon the type of activity, the facility to be used, the number of people involved, and other relevant factors, the school administrator has the discretion and right to require a security/cleaning deposit to cover any unexpected costs in the event of property damage, property loss, and/or clean-up. The amount of the security/cleaning deposit shall be determined by the school administrator and received by a check made payable to the school. The check will not be deposited but shall be held in safekeeping by the school administrator until after the activity is completed. The school administrator shall then assess if there is any property damage, property loss, and clean-up associated with the activity. If there is no property damage, property loss, or clean up, the check shall be returned to the sponsoring group or individual. If there is any property damage, property loss, and/or clean-up, the school administrator shall ascertain the costs of such and may deposit the check to cover such costs. A written itemized accounting of the property damage, property loss, and/or clean-up costs shall be provided by the school administrator to the sponsoring group or individual along with a check for the excess amount or a bill for payment for the deficient amount. The foregoing matters concerning a security/cleaning deposit shall be accomplished by the school administrator in a timely manner.

6. INSURANCE

- 6.1. Only District or school sponsored groups and activities (Class I) are covered by the District's insurance.
- 6.2. Use of District facilities as a civic center under Classes II through VII is granted pursuant to [UTAH CODE ANN. §§ 53G-7-209](#) and [210](#). Approval under these classes is a permit under Utah

Code and grants the District full legal immunity under the Governmental Immunity Act of Utah pursuant to [Section 63G-7-201](#).

- 6.2.1.** While the District is granted immunity, the individuals and entities utilizing the facilities under Classes II through VII are not and are therefore strongly encouraged to secure insurance to protect themselves. Insurance coverage protects users against liability not only for personal injury but also for property damage to school facilities. Users who fail to secure insurance coverage may be personally liable for such damages.
- 6.2.2.** If a school administrator or other district administrator determines that use of a particular facility by a particular user poses significant risk of property damage to school facilities, the administrator, in consultation with the Coordinator of School Services, may require the user to provide proof of insurance against property damage.
- 6.3.** Any group or individual using a facility under Class VIII is not granted a permit and must comply with the insurance requirements in Section 6.3.1 through 6.3.3 below.
 - 6.3.1.** The District requires a Certificate of Insurance providing \$1,000,000.00 per occurrence and \$3,000,000.00 in the aggregate for general liability/property damage insurance coverage, which includes personal injury, property damage, and property loss, with "Nebo School District" named as additional insured (including applicable endorsements).
 - 6.3.2.** The sponsoring group or individual will procure and maintain full insurance coverage during the entire activity.
 - 6.3.3.** Responsibility for paying for and obtaining such insurance coverage rests solely with the sponsoring group or individual.

7. SPONSORING GROUP RESPONSIBILITIES

- 7.1.** Facility usage may not interfere with any school activity, event, function, or purpose, and a request may be denied if it is determined that the requested use might cause such interference.
- 7.2.** All activities must be compatible with the school facility being used. Activities that are not compatible with the type of use typically associated with the school facility are not permitted.
- 7.3.** If the kitchen is to be used for food service or preparation, a District food service worker, possessing a current and valid health department food handler's license or permit, must be present and the cost paid by the sponsoring group or individual at the employee's hourly wage.
- 7.4.** It shall be the responsibility of the sponsoring group or individual to assure that only authorized portions of the school facilities are used and the premises are vacated as scheduled. All functions shall promptly close by 10:30 p.m., unless special permission is secured in advance from the school administrator.
- 7.5.** The District assumes no liability for personal injury or property loss or damage. Sponsoring groups or individuals are solely responsible for any and all claims, damages, liabilities, costs, and expenses (including attorney's fees) arising out of or in any way associated with the activity. In addition, the sponsoring group or individual shall defend, hold harmless, and fully indemnify the School District of any and all such claims, damages, liabilities, costs, and expenses.
- 7.6.** Sponsoring groups may not sublease the facilities to other individuals or entities.
- 7.7.** Sponsoring groups or individuals shall provide sufficient, competent adult supervision (at least 21 years of age).

- 7.8. Sponsoring groups or individuals shall not discriminate against individuals because of race, color, gender, age, religion, national origin, disability, or any other legally protected classification.
- 7.9. The facility shall be left clean and in the same condition as the sponsoring group or individual found it.
- 7.10. The sponsoring group or individual shall pay all damages to the building, equipment, or grounds which occurred during the activity.
- 7.11. The sponsoring group or individual will insure that the school facilities remain a drug-free, smoke-free, and alcohol-free place.
- 7.12. Profane language, quarreling, fighting, and gambling are prohibited activities on school property.
- 7.13. It is the responsibility of the sponsoring group or individual to insure that the sale of food and/or drink has been approved.
- 7.14. No food and/or drink will be allowed in the auditorium and in other designated portions of the school. Permission for the consumption of any food and/or drink in the school must be specifically authorized by the school principal.
- 7.15. All activities shall comply with any and all applicable federal, state, and local laws, rules, and regulations.
- 7.16. The sponsoring group or individual is responsible to comply with any and all requirements of the ADA Amendments Act of 2008 (ADAAA) and Section 504 of the Rehabilitation Act (Section 504), as amended, including, but not limited to, providing requested accommodations for programs or activities (i.e., interpreters, facility access, materials in alternative formats, ADAAA notifications in publicity materials, service animals, etc.).

8. NO ALTERATION OF PREMISES

Sponsoring groups or individuals using school facilities, including a stage or stage equipment, shall not be permitted to remove or displace furniture, equipment, or apparatus, including lights, curtains, and ceiling valance; or change the counter weights system or the switch board, except when under the direct supervision of a designated school employee. Where the stage is to be used, full details of equipment and personnel requested must be furnished in advance with the application.

9. GENERAL RESTRICTIONS

- 9.1. Emergency or unforeseen circumstances that require the use of school facilities will take precedence over any prior scheduling by the sponsoring group or individual.
- 9.2. School facilities shall not be available for dances except those sponsored by the school or Nebo School District Community Education and approved by the school administrator.
- 9.3. School marquees are not available for rent, nor will the school participate in advertising any commercial programs held within the school, except as may be permitted under [Nebo School District Policy KACA – School Advertising Restrictions](#).
- 9.4. School facilities will not be available on Sundays, except: (a) as provided only in an Interlocal Agreement with the city, county, state, or other governmental entity; or (b) as provided only in the event of a community emergency as approved by the Superintendent.

- 9.5. Drapes, hangings, curtains, drops, and all decorative materials used within or upon school buildings shall be made of non-flammable material, and all materials used must be approved by the State Fire Marshall. No open fires, flames, or lighted candles shall be permitted.
- 9.6. Classrooms shall not be disturbed or rearranged to accommodate the activity (i.e., chairs, desks, furniture, equipment, wall hangings, etc.).
- 9.7. All drawers, cupboards, closets, and other such areas in the school are off-limits and shall not be opened.
- 9.8. Some school facilities, including, but not limited to, offices, photography labs, computer labs, home economic rooms, special ed classrooms, science labs, weight rooms, and shops are not available for rent. In addition, school administrators may determine that a particular facility is not available for rent in order to prevent disclosure of private or confidential student information, to protect valuable or fragile equipment and supplies, or for the reasons described in Section 9.9.
- 9.9. Either a school administrator or the Operations Department may prohibit the use of any school or District facility in the event the facility is in need of maintenance, repair, or restoration; the physical condition of the facility is unsafe for the intended activity(ies); or for any other reason relating to the condition of the facility deemed to be in the best interest of the School District as determined in its sole and absolute discretion. The prohibition on use of a facility under this paragraph may occur regardless of whether a Facility Use Agreement has been signed or an event or activity has been scheduled or is underway.
- 9.10. District facilities may not be used for conduct that is illegal, false, inaccurate, threatening, harmful, hateful, abusive, harassing, stalking, tortious, defamatory, libelous, vulgar, obscene, indecent, lewd, profane, or invasive of a person's privacy. Facilities may not be used for activities that violate any state or federal laws, rules, regulations, or District policies or procedures. Facilities may not be used to promote illegal discrimination on the basis of gender, race, color, religion, age, national origin, disability, or any other legally protected classification.

10. VIOLATIONS

Any violation of this policy shall be sufficient for denying further use of school property and facilities to any individual or organization.

EXHIBITS

Exhibit 1: Nebo School District Facility Use Fee Schedule
 Exhibit 2: Formulas for Multiple Room Charges
 Exhibit 3: Patriotic Societies

REFERENCES

[ADA Amendments Act of 2008 \(ADAAA\), 42 U.S.C. §12101, et seq.; 28 C.F.R. Parts 35 & 36, et seq.; & 29 C.F.R. Part 1600, et seq.](#)
[Boy Scouts of America Equal Access Act, 20 U.S.C. § 7905](#)
[Patriotic and National Organizations, 36 U.S.C. II](#)
[Section 504 of the Rehabilitation Act of 1973 \(Section 504\), 29 U.S.C. §794, et seq. & 34 C.F.R. Part 104, et seq.](#)
[UTAH CODE ANN. § 20A-8-101, et seq.](#)
[UTAH CODE ANN. § 20A-8-404](#)
[UTAH CODE ANN. § 53G-7-209](#)
[UTAH CODE ANN. § 53G-7-210](#)
[UTAH CODE ANN. § 63G-7-201\(4\)\(c\)](#)
[UTAH ADMIN. CODE R277-113](#)
[Nebo School District Policy KAB, PTAs, PTOs, Booster Clubs, and Other Parent Support Groups](#)
[Nebo School District Policy KACA, School Advertising Restrictions](#)
[Nebo School District Policy KAD, Summer/Out-of-Season Activities](#)

FORMS

[Application for Use of School Facilities \(v2022-09\)](#)
[Nebo School District Facility Use Agreement \(v2022-09\) and Nebo School District Board of Education, School Facility Use Policy \(File KA\), Rules](#)

HISTORY

Revised: 9 July 2025 – added requirements for auditoriums and kitchens; removed availability of PE buildings; increased facility rental fees.

Revised: 8 March 2023 – expanded Class IV use; expanded type of employee who can supervise; prohibited subleasing; made technical changes.

Revised: 10 November 2021 – deleted certain stadium restrictions and charges and added requirement for fee for scoreboard use; clarified auditorium fees; clarified scheduling responsibilities; made technical and clarifying changes.

Revised: 9 January 2019 – added classification for patriotic organizations; updated Utah Code citations and formatting; made technical changes.

Revised 13: September 2017 – changed prices on fee schedule to “no charge” for Class 3.

Revised: 9 February 2016 – added exemptions from fees when buildings used as polling places or by registered political party caucus meetings.

Revised: 13 January 2016 – added possibility of fees and use by USOE under Class 1; removed specifics of services provided by personnel under Class V; specified football fields are for games, not programs; added Summit Center to fee schedule.

Revised: 11 February 2015 – substantial reorganization, including additions, deletions, and moving formulas and examples for multiple room charges to an exhibit.

Revised: 11 September 2013

Board Approval 7/9/2025

Policy KA Exhibit 1, NEBO SCHOOL DISTRICT FACILITY USE FEE SCHEDULE Use of school facilities that incur costs above and beyond normal operating costs, including personnel, utilities, supervision, security, etc., will result in additional charges, regardless of fee schedule amount								
School Facility	Class I*	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII
	Nebo School District Use:	Interlocal Agreement Use:	School Support Organizations Use:	Non-Sponsored Sport Use:	Instructional/ Governmental Use:	Patriotic Society Use:	Charitable, Civic, Religious, and Private Use:	Market Use:
High School Auditorium**	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$100.00/hr**	\$200.00/hr **	\$200.00/hr **	\$300.00/hr **
High School Auditorium with adjoining room(s)**	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$100.00/hr**	\$200.00/hr + add'l amt per Ex. 2. **	\$200.00/hr + add'l amt per Ex. 2. **	\$300.00/hr + add'l amt per Ex. 2. **
Summit Center Auditorium**	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$60.00/hr**	\$80.00/hr **	\$80.00/hr **	\$200.00/hr **
High School Main Gym	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$60.00/hr	\$105.00/hr	\$105.00/hr	\$155.00/hr
High School Auxiliary Gym, Jr. High & Middle School Gym, & Summit Center Gym	Per District Policy	Per Interlocal Agreement	No Charge	\$60.00/hr	\$60.00/hr	\$120.00/hr	\$120.00/hr	\$200.00/hr
Physical Education Building Field	Per District Policy	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available	Not Available
Elementary Gym	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$100.00/hr	\$100.00/hr	\$150.00/hr
Little Theater	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$100.00/hr	\$100.00/hr	\$150.00/hr
Cafeteria	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$100.00/hr	\$100.00/hr	\$150.00/hr
Cafeteria (with Kitchen)	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$100.00/hr	\$200.00/hr	\$200.00/hr	\$300.00/hr
Cafetorium	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$100.00/hr	\$100.00/hr	\$200.00/hr
Multi-Purpose Room & Summit Center Rooms with capacity over 30	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$100.00/hr	\$100.00/hr	\$150.00/hr
Classroom(s) & Summit Center Rooms with capacity of 30 or less (General Use)	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$50.00/hr	\$55.00/hr	\$150.00/hr
Dance Room	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$70.00/hr	\$70.00/hr	\$140.00/hr
Wrestling Room	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$70.00/hr	\$70.00/hr	\$140.00/hr
Stadium (without lights)	Per District Policy	Per Interlocal Agreement	No Charge	\$10.00/hr	\$50.00/hr	\$150.00/hr	\$150.00/hr	\$300.00/hr
Stadium (with lights)	Per District Policy	Per Interlocal Agreement	No Charge	\$50.00/hr Mon-Fri	\$50.00/hr	\$170.00/hr	\$170.00/hr	\$300.00/hr

School Facility	Class I*	Class II	Class III	Class IV	Class V	Class VI	Class VII	Class VIII
	Nebo School District Use:	Interlocal Agreement Use:	School Support Organizations Use:	Non-Sponsored Sport Use:	Instructional/Governmental Use:	Patriotic Society Use:	Charitable, Civic, Religious, and Private Use:	Market Use:
Soccer Field	Per District Policy	Per Interlocal Agreement	No Charge	\$10.00/hr	Not Available	Not Available	Not Available	Not Available
Baseball/Softball Field	Per District Policy	Per Interlocal Agreement	No Charge	\$10.00/hr	\$50.00/hr	\$70.00/hr	\$70.00/hr	\$120.00/hr
Tennis Courts	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00	\$50.00/hr	\$50.00/hr	\$100.00/hr
Playing Field	Per District Policy	Per Interlocal Agreement	No Charge	\$10.00/hr	\$50.00/hr	\$70.00/hr	\$70.00/hr	\$100.00/hr
Asphalt Area/Parking Lots***	Per District Policy	Per Interlocal Agreement	No Charge	Not Available	\$50.00/hr	\$70.00/hr***	\$70.00/hr***	\$100.00/hr***
	*Use under Class I may be subject to fees as determined by the school administrator.							
	**Use of the auditoriums requires authorized light, sound, and other technicians to be assigned. The additional hourly wage of one technician is included in the fee listed on the fee schedule. If additional technicians are needed, an additional amount will be charged.							
	***Rental fees for asphalt area/parking lots only apply for an activity held on the area/lot not for general parking for an activity.							



Policy KA Exhibit 2 Formulas for Multiple Room Charges

The formulas and examples in this exhibit apply only to use of the following: (a) classrooms and (b) adjacent gyms.

CLASS V FORMULA:

The formula for calculating the rental fee for a Class V activity is as follows:

$$\text{No. of Supervisors} \times \$50 \text{ (Hourly Supervisor Cost)} \times \text{Hours of Room Use}$$

Class V Examples:

If a group under Class V desired to rent one (1) classroom for two (2) hours, the charge pursuant to the Fee Schedule would be \$30.00/hr. for a total of \$60.00.

$$1 \times \$50.00 \times 2 = \underline{\$100.00}$$

If a group under Class V desired to rent three (3) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that a single individual could provide the appropriate supervision and security for all three (3) classrooms to meet the purposes and objectives of the Class V usage (which is to cover personnel costs) and charge the group \$30.00/hr. for a total of \$60.00.

$$1 \times \$50.00 \times 2 = \underline{\$100.00}$$

In the event that the group under Class V desired to rent eight (8) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that two (2) individuals could provide the appropriate supervision and security for all eight (8) classrooms to meet the purposes and objectives of the Class V usage (which is to cover personnel costs) and charge the group \$60.00/hr. for a total of \$120.00.

$$2 \times \$50.00 \times 2 = \underline{\$200.00}$$

CLASS VII FORMULA:

The formula for calculating the rental fee for a Class VII activity is as follows:

$$\text{No. of Supervisors} \times \$50 \text{ (Hourly Supervisor Cost)} \times \text{Hours of Room Use}$$

+

$$\text{No. of Rooms} \times \$5 \text{ (Hourly Utility Cost per Room)} \times \text{Hours of Room Use}$$

If a group under Class VII desired to rent one (1) classroom for two (2) hours, the charge pursuant to the Fee Schedule would be \$35.00/hr. for a total of \$70.00.

$$1 \times \$55.00 \times 2 = \underline{\$110.00}$$

-OR-

$$[1 \times \$50.00 \times 2] + [1 \times \$5.00 \times 2] = \underline{\$110.00}$$

If a group under Class VII desired to rent three (3) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that a single individual could provide the appropriate supervision and security for all three (3) classrooms and charge the group \$50.00/hr. for a total of \$100.00 for personnel costs (see Class V on the Fee Schedule), and in addition charge \$5.00/hr. per classroom for utility costs (the difference between the personnel costs in Class V and the actual costs in Class VII) for a total of \$30.00. Accordingly, the group would be charged a total of \$130.00 for the three (3) classrooms for two (2) hours and satisfy the purposes and objectives of the Class VII usage (which is to cover actual costs).

$$[1 \times \$50.00 \times 2] + [3 \times \$5.00 \times 2] = \$130.00$$

In the event that the group under Class VII desired to rent eight (8) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that two (2) individuals could provide the appropriate supervision and security for all eight (8) classrooms and charge the group \$100.00/hr. for a total of \$200.00 for personnel costs (see Class V on the Fee Schedule), and in addition charge \$5.00/hr. per classroom for utility costs (the difference between the personnel costs in Class V and the actual costs in Class VII) for a total of \$80.00. Accordingly, the group would be charged a total of \$280.00 for the eight (8) classrooms for two (2) hours and satisfy the purposes and objectives of the Class VII usage (which is to cover actual costs).

$$[2 \times \$50.00 \times 2] + [8 \times \$5.00 \times 2] = \$280.00$$

CLASS VIII FORMULA:

The formula for calculating the rental fee for a Class VIII activity is as follows:

No. of Supervisors x \$50 (Hourly Supervisor Cost) x Hours of Room Use

+

No. of Rooms x \$5 (Hourly Utility Cost per Room x Hours of Room Use

If a group under Class VIII desired to rent one (1) classroom for two (2) hours, the charge pursuant to the Fee Schedule would be \$75.00/hr. for a total of \$150.00.

$$1 \times \$150.00 \times 2 = \$300.00$$

-OR-

$$[1 \times \$50.00 \times 2] + [1 \times \$100.00 \times 2] = \$300.00$$

However, if a group under Class VIII desired to rent three (3) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that a single individual could provide the appropriate supervision and security for all three (3) classrooms and charge the group \$50.00/hr. for a total of \$100.00 for personnel costs (see Class V on the Fee Schedule), and in addition charge \$100.00/hr. per classroom (the difference between the personnel costs in Class V and the fair market rental in Class VIII) for a total of \$600.00 for utility costs and fair market rent. Accordingly, the group would be charged a total of \$700.00 for the three (3) classrooms for two (2) hours and satisfy the purposes and objectives of the Class VIII usage (which is to charge fair market rent).

$$[1 \times \$50.00 \times 2] + [3 \times \$100.00 \times 2] = \$700.00$$

In the event that the group under Class VIII desired to rent eight (8) classrooms for two (2) hours, the school administrator (depending upon the circumstances) could determine that two (2) individuals could provide the appropriate supervision and security for all eight (8) classrooms and charge the group \$100.00/hr. for a total of \$200.00 for personnel costs (see Class V on the Fee Schedule), and in addition charge \$100.00/hr. per classroom (the difference between the personnel costs in Class V and the fair market rental in Class VIII) for a total of \$1600.00 for utility costs and fair market rent. Accordingly, the group would be charged a total of \$1800.00 for the eight (8) classrooms for two (2) hours and satisfy the purposes and objectives of the Class VIII usage (which is to charge fair market rent).

$$[2 \times \$50.00 \times 2] + [8 \times \$100.00 \times 2] = \$1800.00$$



Policy KA Exhibit 3 Patriotic Societies

The following organizations are identified as patriotic societies under Title 36 of the United States Code and are charged fees in accordance with Class VI on the Fee Schedule.

- | | |
|--|---|
| <ol style="list-style-type: none"> 1. Agricultural Hall of Fame 2. Air Force Sergeants Association 3. American Academy of Arts and Letters 4. American Chemical Society 5. American Council of Learned Societies 6. American Ex-Prisoners of War 7. American GI Forum of the United States 8. American Gold Star Mothers, Incorporated 9. American Historical Association 10. American Hospital of Paris 11. The American Legion 12. The American National Theater and Academy 13. The American Society of International Law 14. American Symphony Orchestra League 15. American War Mothers 16. AMVETS (American Veterans) 17. Army and Navy Union of the United States of America 18. Aviation Hall of Fame 19. Big Brothers-Big Sisters of America 20. Blinded Veterans Association 21. Blue Star Mothers of America, Inc. 22. Board For Fundamental Education 23. Boy Scouts of America 24. Boys & Girls Clubs of America 25. Catholic War Veterans of the United States of America, Incorporated | <ol style="list-style-type: none"> 26. Civil Air Patrol 27. Congressional Medal of Honor Society of the United States of America 28. Corporation for the Promotion of Rifle Practice and Firearms Safety 29. Daughters of Union Veterans of the Civil War 1861–1865 30. Disabled American Veterans 31. 82nd Airborne Division Association, Incorporated 32. Fleet Reserve Association 33. Former Members of Congress 34. The Foundation of the Federal Bar Association 35. Frederick Douglass Memorial and Historical Association 36. Future Farmers of America 37. General Federation of Women's Clubs 38. Girl Scouts of the United States of America 39. Gold Star Wives of America 40. Help America Vote Foundation 41. Italian American War Veterans of the United States 42. Jewish War Veterans of the United States of America, Incorporated 43. Jewish War Veterans, U.S.A., National Memorial, Incorporated 44. Korean War Veterans Association 45. Ladies of the Grand Army of the Republic |
|--|---|

46. Legion of Valor of the United States of America, Incorporated
47. Little League Baseball, Incorporated
48. Marine Corps League
49. The Military Chaplains Association of the United States of America
50. Military Officers Association of America
51. Military Order of the Purple Heart of the United States of America, Incorporated
52. Military Order of the World Wars
53. National Academy of Public Administration
54. National Academy of Sciences
55. National Conference of State Societies, Washington, District of Columbia
56. National Conference on Citizenship
57. National Council on Radiation Protection and Measurements
58. National Education Association of the United States
59. National Fallen Firefighters Foundation
60. National Federation of Music Clubs
61. National Film Preservation Foundation
62. National Fund for Medical Education
63. National Mining Hall of Fame and Museum
64. National Music Council
65. National Recording Preservation Foundation
66. National Safety Council
67. National Ski Patrol System, Incorporated
68. National Society, Daughters of the American Colonists
69. The National Society of the Daughters of the American Revolution
70. National Society of the Sons of the American Revolution
71. National Tropical Botanical Garden
72. National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic
73. The National Yeomen F
74. Naval Sea Cadet Corps
75. Navy Club of the United States of America
76. Navy Wives Clubs of America
77. Non Commissioned Officers Association of the United States of America, Incorporated
78. Paralyzed Veterans of America
79. Pearl Harbor Survivors Association
80. Polish Legion of American Veterans, U.S.A.
81. Reserve Officers Association of the United States
82. Retired Enlisted Association, Incorporated
83. Society of American Florists and Ornamental Horticulturists
84. Sons of Union Veterans of the Civil War
85. Theodore Roosevelt Association
86. 369th Veterans' Association
87. United Service Organizations, Incorporated
88. United States Capitol Historical Society
89. United States Olympic Committee
90. United States Submarine Veterans of World War II
91. Veterans of Foreign Wars of the United States
92. Veterans of World War I of the United States of America, Incorporated
93. Vietnam Veterans of America, Inc.
94. Women's Army Corps Veterans' Association

SECTION: E - Support Services
POLICY TITLE: School Access and Student Transportation
FILE NO.: EEA
DATED: July 9, 2025

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1. PURPOSE AND PHILOSOPHY

- 1.1. The Board of Education recognizes the benefits of providing transportation for students to and from school and other activities under certain specified conditions. Providing student transportation reduces traffic and increases student safety. The District will provide student transportation as outlined in this policy in accordance with state and federal laws.
- 1.2. The Board also recognizes the need to provide for safe access to schools for those students not eligible for District transportation.

2. AUTHORITY

- 2.1. Student transportation is provided under authority of, and subject to requirements found in, numerous statutes, regulations, and rules. Relevant to this policy are at least the following, all of which are incorporated herein.
 - 2.1.1. [UTAH CODE ANN. § 41-6a-301](#), which requires the Utah Department of Transportation (UDOT) to make rules for school crossing zones and school crossing guards;
 - 2.1.2. [UTAH CODE ANN. § 41-6a-303](#); which requires UDOT to make rules establishing criteria and specifications for the
 - 2.1.2.1. establishment, location, and operation of school crosswalks, school zones, and reduced speed school zones;
 - 2.1.2.2. training, use, and supervision of school crossing guards at elementary schools and secondary schools; and
 - 2.1.2.3. content and implementation of child access routing plans under [UTAH CODE ANN. § 53G-4-402](#);

- 2.1.3. [UTAH CODE ANN. § 41-6a-1301, et seq.](#), which sets forth requirements for school buses and school bus parking zones;
- 2.1.4. [UTAH CODE ANN. §§ 53F-2-402](#) and [403](#), which provide for the appropriation of money for the transportation of eligible students.
- 2.1.5. [UTAH CODE ANN. § 53G-4-402](#), which requires the Board to establish a school traffic safety committee to fulfill the duties outlined in Section 3;
- 2.1.6. [UTAH CODE ANN. § 53G-7-220](#), which requires that a school bus driver inspect the entire interior of a school bus at the end of every route;
- 2.1.7. [UTAH CODE ANN. § 53G-7-1202\(3\)\(a\)\(iii\)\(C\)](#), which requires a school community council to advise and make recommendations to school and District administration and the Board regarding a child access routing plan under [UTAH CODE ANN. § 53G-4-402](#);
- 2.1.8. [UTAH CODE ANN. § 76-9-107](#), which makes it a crime for an unauthorized person to illegally enter a school bus;
- 2.1.9. [UTAH CODE ANN. 76-10-1501, et seq.](#), which provides for the safety and orderly conduct of bus passengers;
- 2.1.10. [UTAH ADMIN. CODE R909-3-1, et seq.](#), which governs the design and operation of school buses as required by [UTAH CODE ANN §§ 41-6a-1304](#) and [1309](#), as well as the placement of advertising on buses as described in [Nebo School District Policy KACA, School Advertising Restrictions](#);
- 2.1.11. [UTAH ADMIN. CODE R920-1-1, et seq.](#), which establishes specifications for the establishment, location, and operation of school crosswalks, school zones, and reduced speed school zones, and which establishes specifications for uniform signage or markings to clearly identify school bus parking zones, as required by [UTAH CODE ANN §§ 41-6a-301](#), [303](#), and [1307](#), and which incorporates by reference the [Utah Manual on Uniform Traffic Control Devices](#), 2009 Edition, with revisions through June 30, 2015 (MUTCD);
- 2.1.12. [UTAH ADMIN. CODE R277-600](#), which establishes rules for bus routes, bus safety and other transportation needs; provides for distribution of funds for transportation of public school students, adopts disability standards for student bus riders; and provides for the awarding of unsafe route grants; and
- 2.1.13. [UTAH ADMIN. CODE R277-601](#), which adopts a manual, titled [Standards for School Buses and Operation](#), published by the Utah State Board of Education, that establishes standards for state student transportation funds, school buses, and school bus drivers.
- 2.2. Under these laws the state partially funds student transportation through reimbursement to the District. The laws also provide certain requirements with which the District must comply.

3. SCHOOL TRAFFIC SAFETY COMMITTEE

- 3.1. Consistent with [UTAH CODE ANN. § 53G-4-402](#), the Board hereby establishes a school traffic safety committee for the schools within each municipality in the District.
- 3.2. Each Committee is chaired by the District Risk Manager and includes at least the following:
 - 3.2.1. the District Risk Manager;
 - 3.2.2. the Transportation Department Supervisor or designee;
 - 3.2.3. a member of the parent teacher organization of a school within the municipality;
 - 3.2.4. a representative of the municipality;

- 3.2.5. a representative of state or local law enforcement; and
- 3.2.6. a representative of state or local traffic safety engineering.
- 3.3. The Risk Manager shall annually convene each committee to review the child access routing plan and submit annually to UDOT and affected municipalities and counties a child access routing plan for each elementary, middle, and junior high school within the district.
- 3.4. The Committee shall:
 - 3.4.1. receive suggestions from school community councils, parents, teachers, and others and recommend school traffic safety improvements, boundary changes to enhance safety, and school traffic safety program measures;
 - 3.4.2. consult the Utah Safety Council and the Division of Family Health Services and provide for training to all students in elementary schools on school crossing safety and use; and
 - 3.4.3. help ensure the district's compliance with rules made by UDOT under [UTAH CODE ANN. § 41-6a-303](#), including UTAH ADMIN. CODE R920-1-1, et seq., which adopts the [MUTCD](#).
- 3.5. The Committee may establish subcommittees as needed to assist in accomplishing its duties.

4. CHILD ACCESS ROUTING PLANS (SAFE ROUTES UTAH)

- 4.1. Under the [MUTCD](#), each elementary, middle, and junior high school shall create a child access routing plan. Various rules and guidance documents have alternately referred to the required plan both as a “student neighborhood access program” (SNAP) and as part of the Safe Routes Utah program. Both names refer to the same plan. Consistent with the current terminology used by UDOT, this policy uses the term “safe routes plan.”
- 4.2. The principal at each elementary, middle, and junior high school oversees the development of the school’s safe routes plan and may delegate it to one or more school employees. If the District has designated and provides a bus route due to hazardous walking conditions as described in Section 8, an alternative walking route shall not be shown on the school’s plan. In creating a plan, a school should consider the needs of students with disabilities in both the walking route to and from school as well as the loading and unloading areas around the school. The principal or designee may receive advice and recommendations from the school community council regarding the plan consistent with [UTAH CODE ANN. § 53G-7-1202](#) and [Nebo School District Policy KC, School Community Councils](#).
 - 4.2.1. Elementary Schools
 - 4.2.1.1. The school administrator for each elementary school shall prepare and update a safe routes plan annually.
 - 4.2.1.2. The plan shall include the following information:
 - 4.2.1.2.1. A map, readable in black and white print, identifying the following:
 - 4.2.1.2.1.1. The school location;
 - 4.2.1.2.1.2. Existing traffic controls (STOP and YIELD signs, signals);
 - 4.2.1.2.1.3. Location of school crosswalks;
 - 4.2.1.2.1.4. Crossing guard locations;
 - 4.2.1.2.1.5. Rail line crossings;
 - 4.2.1.2.1.6. Established School Zones; and,

- B

route crossing the rail line has not changed since the original notification. The UDOT Chief Railroad Engineer is required to evaluate rail line crossings and provide recommendations to the District. The School Traffic Safety Committee will consider the recommendations and may work with the school whose plan includes rail line crossings to implement them.

5. BUS LOADING ZONES

- 5.1. Each building principal will implement a procedure for safe bus loading and unloading at their school. This procedure may be reviewed by the District Transportation Supervisor and Risk Manager to ensure that procedures are consistent and effective throughout the district.
- 5.2. As part of the procedure, the building principal will schedule supervision of the bus loading/unloading zones before and after school. Those assigned will be instructed by the principal regarding their duties.
- 5.3. New buildings constructed in the Nebo School District will provide safe bus loading/unloading zones. Input from the Transportation Department will be asked for and given during the planning stage. The proper painting of curbs and signs will be in place before students enter the building for school. Parking by other vehicles will not be allowed in these zones. The area to drop off students by parents will be placed in an area that does not conflict with the bus loading/unloading zones.

6. STUDENT ELIGIBILITY FOR TRANSPORTATION

- 6.1. Under [UTAH CODE ANN. § 53F-2-403](#), a student eligible for state-supported transportation means
 - 6.1.1. A student enrolled in an elementary school who lives at least one and one-half (1½) miles from school;
 - 6.1.2. A student enrolled in a middle school, junior high school, or high school who lives at least two miles from school; and
 - 6.1.3. A student enrolled in a special program offered by the District and approved by the State Board of Education for trainable, motor, multiple-disability, or other students with severe disabilities who are incapable of walking to school or where it is unsafe for students to walk because of their disabling condition, without reference to distance from school.
- 6.2. A student who is not eligible under subsection 6.1 may request transportation by completing the Space Available Application and submitting it to the Transportation Department. Students who are not eligible under subsection 6.1 have no right to transportation, and a Space Available Application may be denied for any or no reason. An application may not be granted until the Transportation Department has finalized routes and numbers of eligible students per bus, which may be several weeks into the school year. A student submitting an application under this subsection may not ride the bus until the application is granted. An application that is granted may be withdrawn at any time, and all applications terminate at the end of the school year. An application must be denied if the following conditions are not met.
 - 6.2.1. An existing bus route passes near the student's house;
 - 6.2.2. The bus has available seats;
 - 6.2.3. The bus makes no additional stops for the student.

7. BUS ROUTES

- 7.1. The Transportation Department shall create school bus routes in accordance with [UTAH ADMIN. CODE R277-600-6](#).
 - 7.1.1. A bus route shall traverse the most direct public route.

- 7.1.2. A bus route shall traverse roads that are constructed and maintained in a manner that does not cause property damage.
- 7.1.3. A bus route shall provide adequate safety for students.
- 7.1.4. A bus route shall not traverse a dead-end road.
- 7.1.5. A bus route shall be reasonably cost-effective in comparison to other feasible alternatives. To promote bus route efficiency, the minimum distance between stops should be three tenths (.3) of a mile.
- 7.1.6. A bus route shall include an economically appropriate number of students.
- 7.2. The Transportation Department shall designate safe areas for bus stops.
 - 7.2.1. Except as provided in paragraph 7.2.2, a student is responsible for the student's own transportation to bus stops up to one and one-half miles from home.
 - 7.2.2. A student with a disability is responsible for the student's own transportation to bus stops unless the student's IEP or 504 plan determines otherwise.
- 7.3. The Transportation Department shall report changes made in existing routes and the addition of new routes to the state superintendent.
- 7.4. The minimum number of general education students required to establish a bus route is ten. The minimum number of students with disabilities required to establish a bus route is five. A route may be established in either case for fewer students with permission of the State Superintendent.

8. HAZARDOUS WALKING CONDITIONS

- 8.1. A person may request that the District provide transportation for students who are otherwise ineligible under Section 6 when the person considers that walking to or from school is unsafe for students. The person must submit the request in writing to the Director of Operations. The request must state that it is a request for transportation due to unsafe walking conditions and must include the school name, street names, approximate number of students affected, and a detailed description of the unsafe conditions.
- 8.2. The Director of Operations shall review a request received under paragraph 8.2. If the Director of Operations determines the request warrants an investigation, the director must convene a Hazardous Conditions Committee.
 - 8.2.1. A Hazardous Conditions Committee should include the following members.
 - 8.2.1.1. Director of Operations
 - 8.2.1.2. Transportation Supervisor or designee
 - 8.2.1.3. The school principal
 - 8.2.1.4. A parent member of the School Community Council
 - 8.2.1.5. The District Risk Manager
 - 8.2.1.6. Others as invited by the school principal or Director of Operations.
 - 8.2.2. The Hazardous Conditions Committee shall review the request and analyze the factors listed in subsection 8.6. The committee should visit the site and consult with local transportation officials. If the committee determines the conditions are hazardous, the committee must make a written recommendation to the Board, submitted to the superintendent, that the District provide transportation.

- 8.3. The Board may approve the provision of transportation of students in areas where walking constitutes a hazardous condition. Such transportation is provided using the District's general funds or funds from a Board Local Levy authorized under [UTAH CODE ANN. § 53F-8-302](#).
- 8.4. The Board may designate hazardous conditions upon analysis of the following factors:
 - 8.4.1. Volume, type, and speed of vehicular traffic;
 - 8.4.2. Age and condition of students traversing the area;
 - 8.4.3. Condition of the roadway, sidewalks, and applicable means of access in the area; and
 - 8.4.4. Environmental conditions.
 - 8.4.5. Hazardous Conditions Committee Recommendation.
 - 8.4.6. Availability of resources.
- 8.5. The Transportation Supervisor or designee may request a review of a hazardous conditions designation. When a request is made, the process outlined in subsections 8.2 through 8.4 will be followed.

9. ALTERNATE SITE

- 9.1. The parent of a student may request that the District transport the student to and from a child care provider ("alternate site") instead of the student's residence. The Transportation Department Supervisor may grant the request if the following conditions are met:
 - 9.1.1. The parent submits a written request for transportation to an alternate site using the Alternate Site Request form.
 - 9.1.2. The alternate site is at least one and one-half or two miles from the school consistent with the student's eligibility under section 6;
 - 9.1.3. The alternate site lies in an existing bus route;
 - 9.1.4. The bus traveling the existing route has room for the child;
 - 9.1.5. The bus does not make additional stops for the child; and
 - 9.1.6. The transportation to and from the alternate site is provided daily.
- 9.2. A request for varied busing services, such as alternating days between the residence and the alternate site, must be denied. Likewise, the District shall not provide transportation to or from a location that is not a bus stop or the student's residence or an approved alternate site. The District will not provide transportation to or from sporadic or nondaily events such as birthday parties, music lessons, scouts, sporting events, study groups, friends' houses, employment, etc.

10. BUS DRIVERS

- 10.1. School bus drivers are bound by a comprehensive set of requirements, including standards related to their physical condition, training and certification, and criminal history. The requirements are found in the [Standards for School Buses and Operation](#), adopted by the Utah State Board of Education. See [UTAH ADMIN. CODE R277-601](#). Bus drivers, substitute drivers, attendants, and other employees transporting students on a school bus shall comply with the most current version of the *Standards*.
- 10.2. Drivers may not allow a person, including the driver's own child, to ride the bus unless the person has been authorized or assigned to that bus by the Transportation Supervisor or designee.

- 10.3. Drivers shall perform pre-trip inspections of buses and other safety measures as directed by Transportation Department rules.
- 10.4. Drivers shall clean their buses as directed by Transportation Department rules.
- 10.5. Drivers shall inspect the entire interior of their school bus at the end of every route and are subject to disciplinary action under [Nebo School District Policy GCPD, Employee Discipline, Administrative Leave, and Orderly Termination](#) for failure to perform the inspection.

11. ALTERNATIVE TRANSPORTATION

- 11.1. Alternatives such as payment in lieu of transportation may be offered as permitted by [UTAH ADMIN. CODE R277-600-7](#). The Transportation Department shall analyze bus routes that include a large number of deadhead miles (miles driven with no student on the bus) to determine if an alternative method of transporting students is more efficient or fiscally responsible. Possible alternatives include the following, as outlined in Utah State Board of Education rules:
 - 11.1.1. Use of a District multi-purpose passenger vehicle (rather than a bus) to transport students;
 - 11.1.2. Paying eligible students an allowance in lieu of District-supplied transportation wherein a student is reimbursed for mileage to school or bus-stop, whichever is closer;
 - 11.1.3. Providing a subsistence allowance for a student to live at a site nearer to the school; and
 - 11.1.4. Engaging in a contract or leasing for transportation.
- 11.2. The Transportation Department shall annually perform a cost-benefit analysis as part of its determination of the specific reimbursement rate. This analysis shall be made available to the public.
- 11.3. A mileage allowance under this section is available only to one student per family for each trip that is necessary for all the students within a family to attend school. However, if siblings are on different schedules or would ride buses that are on significantly different schedules, multiple students within a family may be paid for student mileage allowances.
- 11.4. The District shall measure and certify a student's mileage in school district records.

12. STUDENT CONDUCT AND DISCIPLINE

- 12.1. Students shall comply with all applicable district policies while on a school bus. The requirements and procedures outlined in [Nebo School District Policy JD, Student Conduct and Discipline](#), apply to student conduct occurring on a school bus. A student's principal may take disciplinary action against the student for conduct occurring on a school bus in accordance with Policy JD.
- 12.2. Students on a school bus shall comply with rules set by the Transportation Department and directives given by a bus driver or attendant.
- 12.3. Bus Tickets
 - 12.3.1. The Transportation Department may take disciplinary action against a student for conduct that violates District policy or Transportation Department rule or directive from driver or attendant. This disciplinary action may be in addition to action taken by a school administrator for the same conduct. If the Transportation Department takes disciplinary action against a student beyond a level 1 ticket, the department shall notify the student's school administrator of the student's conduct and the action taken.
 - 12.3.2. Discipline administered by the Transportation Department under this subsection is accomplished by the issuance of tickets as described in paragraphs 12.3.2.1 through 12.3.2.4. The Transportation Department shall input disciplinary action beyond a level 1 ticket taken by the Transportation Department to the District's student information

system. Tickets are issued based on the severity and/or frequency of student misconduct. Level 1 tickets are issued for minor misconduct, and level 4 tickets are issued for severe or frequent misconduct. Bus drivers may issue level 1 tickets. Only the Transportation Supervisor or designee may issue level 2, 3, and 4 tickets.

- 12.3.2.1.** Level 1 Ticket. The parent/guardian shall sign the ticket and the student must return it to the driver. If the slip is not signed and returned to the driver, the student will not be permitted to ride the bus.
- 12.3.2.2.** Level 2 Ticket. The student may be suspended for up to five (5) school days from bus privileges. The parent/guardian and principal are to sign the ticket before the student will be allowed to ride the bus.
- 12.3.2.3.** Level 3 Ticket. The student may be suspended for up to ten (10) school days from bus privileges. At this time it will be determined if the student will retain bus privileges or be kept on suspension. The student will not be allowed to ride the bus until the suspension have been completed.
- 12.3.2.4.** Level 4 Ticket. Automatic bus suspension for up to twenty (20) school days. At the end of the suspension, a conference with the involved parties will be held to evaluate the student's bus privileges.
- 12.3.3.** Suspension from bus privileges may also be extended to include field trips, athletic trips, and other special activities where students are transported by District buses.
- 12.3.4.** A student will not be denied transportation until a parent/guardian is contacted.
- 12.3.5.** The level of a ticket issued is based on the severity of the infraction. Students do not necessarily move from one level to another with each ticket issued.
- 12.4.** Before a student is suspended from riding the bus, the administrator issuing the discipline must determine whether the student is entitled to transportation due to disability by reviewing the student's Individualized Education Program (IEP) or Section 504 Plan. If the student is entitled to transportation because of a disability, discipline may be administered only as permitted under the applicable provisions of [Policy JD](#) and in accordance with the student's IEP or 504 plan.

13. UNAUTHORIZED ENTRY OF SCHOOL BUS

- 13.1.** In accordance with Utah law, each school bus shall contain a sign next to the entrance warning that unauthorized entry is a violation of state law.
- 13.2.** A person is guilty of a class B misdemeanor if the person:
 - 13.2.1.** enters a school bus with the intent to commit a criminal offense;
 - 13.2.2.** enters a school bus and disrupts or interferes with the driver; or
 - 13.2.3.** enters a school bus and refuses to leave the bus after being ordered to leave by the driver and the person:
 - 13.2.3.1.** is not a peace officer acting within the scope of his or her authority as a peace officer;
 - 13.2.3.2.** is not authorized by the school district to board the bus as a student or as an individual employed by the school district or volunteering as a participant in a school activity;
 - 13.2.3.3.** causes or attempts to cause a disruption or an annoyance to any passenger on the bus; or

13.2.3.4. is reckless as to whether the person's presence or behavior will cause fear on the part of any passenger on the bus.

13.3. If a person meeting the criteria in subsection 13.2 enters a bus, the driver or attendant shall report the person to the local police and notify the Transportation Supervisor.

14. MISCELLANEOUS

14.1. Schools are not required to provide crossing guards on public streets. Under [Utah Code Ann. § 41-6a-303](#) the local highway authority shall pay for, provide, train, and supervise school crossing guards.

EXHIBITS

None

REFERENCES

[UTAH CODE ANN. § 41-6a-301.](#)
[UTAH CODE ANN. § 41-6a-303.](#)
[UTAH CODE ANN. § 41-6a-1301, et seq.](#)
[UTAH CODE ANN. § 53F-2-402.](#)
[UTAH CODE ANN. § 53F-2-403.](#)
[UTAH CODE ANN. § 53F-8-302.](#)
[UTAH CODE ANN. § 53G-4-402.](#)
[UTAH CODE ANN. § 53G-7-220.](#)
[UTAH CODE ANN. § 53G-7-1202.](#)
[UTAH CODE ANN. § 76-9-107.](#)
[UTAH CODE ANN. 76-10-1501, et seq.](#)
[UTAH ADMIN. CODE R277-600.](#)
[UTAH ADMIN. CODE R277-601.](#)
[UTAH ADMIN. CODE R909-3-1, et seq.](#)
[UTAH ADMIN. CODE R920-1-1, et seq.](#)
[Nebo School District Policy GCPD, *Employee Discipline, Administrative Leave, and Orderly Termination.*](#)
[Nebo School District Policy JD, *Student Conduct and Discipline.*](#)
[Nebo School District Policy KACA, *School Advertising Restrictions.*](#)
[Nebo School District Policy KC, *School Community Councils.*](#)
[Utah Manual on Uniform Traffic Control Devices, 2009 Edition, with revisions through June 30, 2015 \(MUTCD\).](#)
[Standards for School Buses and Operation, Utah State Board of Education.](#)

FORMS

[Alternate Site Request](#)
[Space Available Application](#)

HISTORY

Revised 9 July 2025 – adjusted distance requirement for 6th grade students at a middle school per HB 161 (2025); adjusted discipline for student misconduct; made technical changes.

Revised 11 August 2021 – added requirement for drivers to inspect bus after each route per HB 369 (2021); made technical changes.

Adopted 8 May 2019 – This policy repeals and replaces the following policies: EEA, Student Transportation (1995); EEA-P, Student Transportation (1996); EEA-P2, School Bus Route Approval (1995); EEA-A, In-Lieu of Transportation (1995); EEA-A-P, Reimbursement for In-Lieu of Transportation (1998); EEABA, Hazardous Routes (1996); EEABA-P, Hazardous Routes (2003); EEABA-E, Composition of the Hazardous Route Committee (1999); EEABA-E2, Request for Special Transportation Consideration; EEAC, Accidents Involving School Buses (1998); EEAC-P, Accidents Involving School Buses (1998); EEACAA, Driver Qualifications (2000); EEACAB, Sub Driver Qualifications (1998); EEACB, Minor Inspections of Buses (1978); EEACB-P, Bus Inspection (1978); EEACB-P1, Bus Cleanliness (1978); EEACC, Student Behavior While Riding the Bus (1978); EEACC-P, School Bus Rider Incident Report (2004); EEAI, Driver Conduct (1978); EEAI-A, Driver Handbook (1978); EEAI-B, Driver's Personal Children on Bus (1978); EBB, Accident Prevention (1976); EBB-P, Accident Prevention in Bus Loading Zones (2001); EBB-P2, Regulations and Preventing Accidents in Traffic and Parking Areas (1976).

SECTION: D - Fiscal Management
POLICY TITLE: Asset Inventory
FILE NO.: DID
DATED: JULY 9, 2025

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-

1. PURPOSE AND PHILOSOPHY

Maintaining a complete and accurate listing of all District assets is critical to safeguarding those assets.

2. DEFINITIONS

- 2.1. References to “**schools**” indicate the school Principal or his/her designee.
- 2.2. References to “**departments**” indicate the District department Supervisor or his/her designee.
- 2.3. References to “District asset accounting system” indicate the accounting system authorized by the Finance Department.
- 2.4. The Finance Department is under the direction of the Business Administrator. References to the “**Finance Department**” indicate the Business Administrator or his/her designee.
- 2.5. The Purchasing Department is under the direction of the Operations Director and the Operations Director acts as the Procurement Officer. References to the “**Purchasing Department**” indicate the Procurement Officer or his/her designee.
- 2.6. The Legal Department is under the direction of the District Legal Counsel. References to the “**Legal Department**” indicate the District Legal Counsel or his/her designee.
- 2.7. Assets for purposes of this policy are defined as follows:
 - 2.7.1. Furniture with a cost or value of Five Hundred Dollars (\$500) or more.
 - 2.7.2. Works of art with a cost or value of Five Hundred Dollars (\$500) or more.
 - 2.7.3. Equipment with a cost or value of Five Hundred Dollars (\$500) or more unless it falls into one of the categories below in which case the lower amount applies:
 - 2.7.3.1. Computers, laptops, tablets, Chromebooks and other student devices, and related technology equipment with a cost or value of One Hundred Fifty Dollars (\$150) or more.

- 2.7.3.2.** Musical instruments with a cost or value of Two Hundred Fifty Dollars (\$250) or more.
- 2.7.3.3.** Power tools with a cost or value of One Hundred Fifty Dollars (\$150) or more.
- 2.7.3.4.** Small appliances such as mixers and blenders with a cost or value of One Hundred Fifty Dollars (\$150) or more.
- 2.7.3.5.** Electronic equipment such as media players, music players, televisions, camcorders, cameras, printers, and fax machines with a cost or value of One Hundred Fifty Dollars (\$150) or more.
- 2.7.4.** Vehicle assets include all vehicles that require registration with the Utah Division of Motor Vehicles.
- 2.7.5.** Land and water stock with a cost or value of Five Thousand Dollars (\$5,000) or more.
- 2.7.6.** Buildings and building improvements with an estimated useful life in excess of two (2) years and a cost or value of One Hundred Thousand Dollars (\$100,000) or more.
- 2.7.7.** Any other items at the request and discretion of the schools, departments, Finance Department, or Purchasing Department.

3. ASSET ACQUISITIONS

- 3.1.** All asset acquisitions except those for Chromebooks or other student devices, vehicles, land, water stock, buildings, and building improvements made by or on behalf of schools or departments will adhere to the following:
 - 3.1.1.** Assets will be tagged by the schools or departments benefiting from the assets with authorized numbered tags distributed by the Finance Department to indicate that the asset is the property of Nebo School District.
 - 3.1.2.** Asset details will be added to the District asset accounting system by the schools or departments benefiting from the assets. Details should include a complete description of the item, cost, date purchased, model number, serial number, location of the item, account number used to acquire the asset, and asset tag number.
- 3.2.** All Chromebook and other student device acquisitions will adhere to the following:
 - 3.2.1.** Assets will be tagged by the schools or departments benefiting from the assets with authorized numbered tags distributed by the Finance Department to indicate that the asset is the property of Nebo School District.
 - 3.2.2.** Asset details will be added to either the District accounting system by the schools or departments benefiting from the assets or documented in a school tracking system. In either case, details should include a complete description of the item, cost, date purchased, model number, serial number, account number used to acquire the asset, and asset tag number. If the asset is tracked in the District accounting system, the location of the item should also be indicated. If the asset is tracked in a school tracking system, the student assigned to the asset should be documented.
- 3.3.** All vehicle asset acquisitions will adhere to the following:
 - 3.3.1.** Asset details will be added by the Finance Department to the District asset accounting system. The District assigned vehicle number will be used as the tag number in the District asset accounting system. Details should include a complete description of the vehicle, cost, date of purchase, model year, model description, vehicle identification number, and account number used to acquire the vehicle.

- 3.3.2.** The Finance Department will license all vehicles and maintain titles to vehicles.
- 3.3.3.** The Transportation Department will maintain and renew registration documents for eligible District vehicles.
- 3.3.4.** The Operations Department will maintain and renew insurance coverage for all eligible District vehicles.
- 3.4.** All land and water stock acquisitions will adhere to the following steps:
 - 3.4.1.** Asset details will be maintained by the Legal Department. Details should include a complete description of the land and/or water stock, cost, date of purchase, and the account number used to acquire the asset.
 - 3.4.2.** The Legal Department will maintain all deeds to land, water stock certificates, and other documentation evidencing the District's property and water rights.
- 3.5.** All building and building improvement acquisitions will adhere to the following steps:
 - 3.5.1.** Asset details will be maintained by the Operations Department. Details should include a complete description of the building and/or building improvement, cost, date of purchase, and the account number used to acquire the asset.

4. ASSET TRANSFERS

- 4.1.** Schools and departments transferring assets should adhere to the following:
 - 4.1.1.** The receiving school or department will arrange for delivery of the asset.
 - 4.1.2.** The sending school or department will update the District asset accounting system with the new school or department location for the asset when it is delivered to the receiving school or department. The receiving school or department will then update the District asset accounting system with the specific location of the asset.

5. ASSET DISPOSITIONS

Schools and departments may sell or otherwise dispose of an asset with an estimated value of less than \$100 at the discretion of the school principal or department supervisor. Schools and departments desiring to sell or otherwise dispose of an asset with an estimated value of one hundred dollars (\$100) or more should complete Part A of the [Asset Disposition Form](#) and forward it to the Purchasing Department. Regardless of the estimated value and associated approval requirements, the following guidelines will be followed:

- 5.1.** If it is determined that an asset may be sold, the following steps will take place:
 - 5.1.1.** The Purchasing Department, or schools or departments with the approval of the Purchasing Department, will advertise the sale of the asset for a period of not less than seven (7) days in publications or electronic forums as determined appropriate by the Purchasing Department.
 - 5.1.2.** The asset will be sold to the highest bidder (including District employees) as long as that bid equals or exceeds the minimum acceptable price. If there are no qualifying bids, the Purchasing Department will determine if the highest bid will be accepted, the asset will be advertised for sale for an extended period of time, or the asset will be discarded following Section 5.3.
 - 5.1.3.** Those involved in the sale of the asset must provide the purchaser with a receipt, complete Part B of the [Asset Disposition Form](#), and deliver a copy of the receipt, the completed Asset Disposition Form, and the sale proceeds to the Finance Department. A copy of the Asset Disposition Form must also be given to the school or department where the asset resided.

- 5.1.4. The school or department will update the District asset accounting system to show the asset as disposed.
- 5.2. If it is determined that the asset will be assigned to another school or department, the steps in Section 4 will be followed.
- 5.3. If it is determined that the asset should be discarded, the following steps will take place:
 - 5.3.1. The school or department will arrange for disposal of the asset. Preferred disposal will be to charitable organizations or in an environmentally-friendly manner.
 - 5.3.2. The school or department will complete Part D of the [Asset Disposition Form](#) and keep it with their asset records.
 - 5.3.3. The school or department will update the District asset accounting system to show the asset as disposed.

6. ASSET RECONCILIATION

Schools and departments should continuously update their inventory asset records to ensure accuracy. Assets should be reconciled to inventory records at least annually and schools and departments should complete the [Annual Asset Reconciliation Form](#) and submit it to the Finance Department by June 30th of each year along with a current asset inventory list.

- 6.1. To reconcile, schools and departments should do the following:
 - 6.1.1. Schools and departments will generate their asset inventory list from the District asset accounting system and ensure that all items on the list are physically on the premises and all assets on the premises are on the list.
 - 6.1.1.1. If an asset is located on the premises but is not on the inventory list, schools and departments should follow the requirements found in Section 3 to add the asset to the District asset accounting system.
 - 6.1.1.2. If an asset is listed on the inventory list but is not found on the premises, schools or departments should list the asset on the [Annual Asset Reconciliation Form](#) and update the District asset accounting system to show the asset as unable to be located. If the asset is subsequently located, the District asset accounting system should be updated with the asset location information.

7. OVERSIGHT AND REVIEW

The Finance Department is assigned the responsibility to oversee accurate inventory of District assets and to promote and implement adequate safeguards over assets. Asset purchases may be made both with and without the involvement of the Purchasing Department, depending on the dollar amount of the purchase in accordance with [Nebo School District Policy DJB, Purchasing](#). Involvement of the Purchasing Department indicates that a requisition must be entered into the District accounting software program and must be approved by the Purchasing Department prior to the purchase being made.

- 7.1. Specifically, the Finance Department will perform the following oversight and review activities:
 - 7.1.1. Verify compliance with Section 3 above during periodic internal audits performed at schools for selected asset purchases made at the school level.
 - 7.1.2. Verify compliance with Section 3 above for selected asset purchases made at the District level with or without the involvement of the Purchasing Department.
 - 7.1.3. Review the [Annual Asset Reconciliation Forms](#) and related asset inventory lists submitted by schools and departments.

- 7.1.4.** Generate an asset disposition report from the District asset accounting system at least annually and verify compliance with Section 5 above for selected asset disposals.
- 7.1.5.** Report any noncompliance issues observed to both the schools or departments and to their appropriate Director or Supervisor.

EXHIBITS

None

REFERENCES

[Nebo School District Policy DJB, *Purchasing*](#)

FORMS

[Nebo School District Asset Disposition Form](#)

[Nebo School District Annual Asset Reconciliation Form](#)

HISTORY

Revised 9 July 2025 – added flexibility to the method and location of maintaining asset details by departments.

Revised 10 May 2023 – updated definitions; added requirements for inventory of student device acquisitions; modified requirements for disposition of certain assets; made technical changes.

Revised or Adopted 18 June 2008.
