



HOME OF THE LIONS  
NORTH DAVIS PREPARATORY ACADEMY

# Board Meeting Materials

## VISION:

North Davis Preparatory Academy students develop a love of learning, experience high academic achievement, and enjoy high bi-literate proficiency.

## BOARD CONSTITUTION:

- ★ We will Govern, not Manage. We will set the direction and goals for the school, but we will not micromanage the day to day administration of the school.
- ★ We will speak with "One Voice". We will recognize that our authority is only valid as a group and not as individuals. We will not use our position on the Board to promote our own personal agendas.
- ★ We will make the Spanish language a key element of our school.
- ★ We will make decisions that will keep NDPA financially stable.
- ★ We will review our Charter before making any dramatic changes to school policy.

# October 29, 2025

# North Davis Preparatory Academy Board of Directors Meeting Agenda Wednesday, October 29, 2025

**Location:** Elementary Library, 1765 W Hill Field Rd, Layton, UT 84041



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

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## **AGENDA**

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### **6:00 PM – INTRODUCTORY ITEMS**

- Welcome and Roll Call – Monte Poll (5 minutes)
  - Pledge of Allegiance
  - School Vision
  - Board Constitution

### **6:05 PM – PUBLIC COMMENT (Comments will be limited to 3 minutes each)**

### **6:05 PM – REPORTS**

- Administration
  - State of the School – Ryan Robinson (30 minutes)
    - ✓ Student Achievement
      - ★ [Comprehensive Charter Review](#)
      - ★ OneWest Project Update
    - ✓ Trust in School
    - ✓ Retention of Students

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

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

✓ Compliance

- ★ [Bullying & Hazing Administrative Procedures](#)
- ★ [Meal Charge/Alternate Meal Administrative Procedures](#)
- ★ [Toilet Training Administrative Procedures](#)

➤ Board of Director

- [Financial Review](#) – Clint Heiner (5 minutes)

**6:40 PM – CLOSED SESSION** to discuss strategy sessions to discuss the purchase, exchange, or lease of real property, including any form of a water right or water shares, or to discuss a proposed development agreement, project proposal, or financing proposal related to the development of land owned by the state or a political subdivision pursuant to Utah Code 52-4-205(1)(d) (20 minutes)

**7:00 PM – CONSENT ITEMS**

- [September 24, 2025 Electronic Board Meeting Minutes](#)

**7:01 PM – VOTING ITEMS**

- Satellite Application – Brandon Fairbanks (5 minutes)
- [Award RFP for IT Services](#) – Ryan Robinson (2 minutes)
- [Hotline Complaint Policy](#) – Heidi Bauerle (2 minutes)
- Policy Amendments – Heidi Bauerle (3 minutes)
  - [Child Abuse & Neglect Reporting Policy & Administrative Procedures](#)
  - [SLT Council Membership & Election Procedures](#)

**7:13 PM – DISCUSSION ITEMS**

- Calendaring Items – ALL (5 minutes)
- Winter Social – November 5<sup>th</sup> (where do you want to go?)
  - Next PreBoard Meeting – November 18<sup>th</sup>
  - Next Board Meeting – December 3<sup>rd</sup>
  - NCSC26 New Orleans, LA June 24-26 (Wed-Fri)

**7:13 PM – CLOSED SESSION** to discuss the character, professional competence, or physical or mental health of an individual and/or to discuss deployment of security personnel, devices, or systems pursuant to Utah Code 52-4-205(1)(a)&(f) [IF NEEDED]

**7:13 PM – ADJOURN**

**UPCOMING CALENDAR ITEMS**

**December**

Audit Review

*Sex Ed/Maturation Curriculum [if changing]*

2025-2026 School Fee Schedule (1<sup>st</sup> Public Viewing)

2025-2026 School Calendar

Winter Bonus

**February**

2025-2026 School Fee Schedule (2<sup>nd</sup> Public Viewing)

Annual Open Meetings Act Training

*Building Evaluation Budget Review (every even year)*

Board Vacancies

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

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Technology Purchase  
Curriculum Purchases (2 Public Comment Periods)

**March**

School LAND Trust Plan  
SLT Training Assurances  
Comprehensive Guidance Review  
Positive Behavior Plan Review\*

**May**

Audit Engagement Letters  
2025-2026 TSSA Plan  
Capital Improvements  
Curriculum Renewals  
Prepare for Principal's Evaluation  
Science-In-Action Expenditures  
Property & Liability Insurance Renewal  
Principal Bonus/Salary

**June**

2024-2025 Final Amended Budget  
2025-2026 Annual Budget  
2025-2026 Sex Ed Instruction Committee  
*Title IX Athletics Reporting [if you have athletics in your Jr. High]*  
Mental Health Screening Determination  
Annual Policies Review  
Fraud Risk Assessment/Ethical Behavior  
Set 2025-2026 Board Meeting Schedule  
Ratify Board Members & Terms  
Ratify Board Officers  
Board Member Agreement  
Principal/AW Evaluation

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

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# SCSB 5-Year Comprehensive Review 2020-2025

## NORTH DAVIS PREPARATORY ACADEMY



Published Date: TBD

UTAH STATE CHARTER SCHOOL BOARD (SCSB)

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# North Davis Preparatory Academy

## 5-Year SCSB Comprehensive Review

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## Comprehensive Review Process, Rules, and Code

The SCSB is required by board rule and legislation to review the charter schools it authorizes annually, during its third and fifth year, and every five years after that.

### Legislation

The legislation which guides this review can be found in 53G-5-406. It reads:

The state board shall, after consultation with chartering entities, make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, that:

- (1) require a charter school to develop an accountability plan, approved by its charter school authorizer, during its first year of operation;
- (2) require an authorizer to:
  - (a) visit a charter school at least once during:
    - (i) its first year of operation; and
    - (ii) the review period described under Subsection (3); and
  - (b) provide written reports to its charter schools after the visits; and
- (3) establish a review process that is required of a charter school once every five years by its authorizer.

### Board Rule

The board rule governing this review can be found in R277-553-2. It reads:

- (3) An authorizer shall annually review and document matters specific to effective charter school operations, including:
  - (a) financial performance;
  - (b) academic performance;
  - (c) ~~enrollment~~; and
  - (d) governing board performance.
- (4) An authorizer shall conduct and document a comprehensive review of governing board performance and review the charter agreement at least once every five years.

Effective 1/24/2018



## North Davis Preparatory Academy SWOT Analysis

Based on information available to the SCSB as of the date on this document, the staff have conducted an analysis to determine the North Davis Preparatory Academy Strengths, Weaknesses, Opportunities, and Threats (SWOT).

Table 1. North Davis Preparatory Academy SWOT analysis for 5-year review period (2020-2025).

Strengths	Weaknesses
<ol style="list-style-type: none"> <li>1. Unique and valued charter model with inspiring mission statement.</li> <li>2. Stable and competent governing board leadership with clear vision for school.</li> <li>3. International language exposure for both DLI students and non-DLI students. School has connections with Spain's Ministry of Education with includes study abroad program for NDPA students.</li> <li>4. Consistent student enrollment history over review period. High student retention rates and low student transfer rates suggest positive school culture that meets the needs of the community.</li> <li>5. Diverse student population.</li> <li>6. Outstanding student growth outcomes on state summative assessments.</li> <li>7. Strategic financial management and balanced spending focused on teachers and students. ~ 6 months days cash on hand.</li> <li>8. No compliance issues with SCSB or USBE during review period.</li> <li>9. Recent improvement in USBE academic performance framework. (Up from 7<sup>th</sup> percentile to 24<sup>th</sup> percentile in SY24.)</li> <li>10. High teacher retention.</li> </ol>	<ol style="list-style-type: none"> <li>1. No weaknesses identified by SCSB staff during review of public data. Although, ATSI designation from USBE may require significant school resources in the future if the school is identified for TSI or CSI.</li> </ol>
Opportunities	Threats
<ol style="list-style-type: none"> <li>1. Collaborate with SCSB to update charter agreement if needed. Current agreement appears to be Exhibit A from 2019. * Clarification for academic goals needed.</li> <li>2. Expansion or future growth plan.</li> <li>3. SCSB mentorship program participation.</li> <li>4. Improved English Language performance (especially with higher than average EL numbers – 18.4% in SY25).</li> <li>5. Exit ATSI designation for multiple students groups.</li> </ol>	<ol style="list-style-type: none"> <li>1. No threats identified for North Davis Preparatory Academy.</li> <li>2. General threats for charter schools include competition for students and teachers from nearby traditional district schools, other charter schools, homeschool options, and state voucher program.</li> <li>3. Some charter schools are significantly impacted by unfunded legislative mandates.</li> </ol>

**SCSB Supportive Authorizing Discussion**

1. School visit discussion topics include Dual Language program details, WIDA scores, mission specific goals from charter, USBE ATSI designation for EL and Spanish students, student geographical range, marketing program

**School Leadership Question for School Visit**

1. Why do students and parents choose your school over other education options?
2. What measurable education outcome should parents expect based on your school model?
3. What is the governing board's 5-year strategic plan? What supports are needed?


**Potential SCSB Supports**

1. TBD

## School Summary

This section describes information about the school based on what the SCSB has in the current charter agreement. Information that is outdated, incorrect, or not in practice presents an opportunity to review the charter agreement to make sure the school is in compliance with all requirements.

### Background Information

Location:	Layton	 <div>NORTH DAVIS PREPARATORY ACADEMY</div>	
Year Opened:	2004 (SY05)		
Grades Served:	K-9		
Mission Statement:	The mission of North Davis Preparatory Academy is to instill in our students a love of learning through enjoyable learning experiences, a progressive educational program in core subjects and a bi-literate curriculum, all in an environment of respect, parental involvement, and a strong sense of community.		
Education Model:	Dual language Spanish/English Program		

### School Leadership Team

Table 2. School leadership as of school year 2026 (SY26).

Board Members	Director/Principal	Business Administrator
Monte Poll – Board Chair Maggie Arave – Vice Chair Clint Heiner Dale Pfister Rita Brock	Ryan Robinson – Director (Years served -	Cathie Hurst – Academica West

**Note:** Percentage of board membership as required in bylaws: \_\_\_\_\_

## Student Enrollment Data

Student enrollment measures the number of students that attend a school. A stable or increasing enrollment trend can be an indicator of successful academics and school culture, while a declining enrollment may reflect problems with academics, community priorities, finances, or other issues.

### LEA Enrollment History

Current Enrollment	Max Authorized	% of Max
967	1108	87.3%

North Davis Preparatory Academy Student Enrollment History

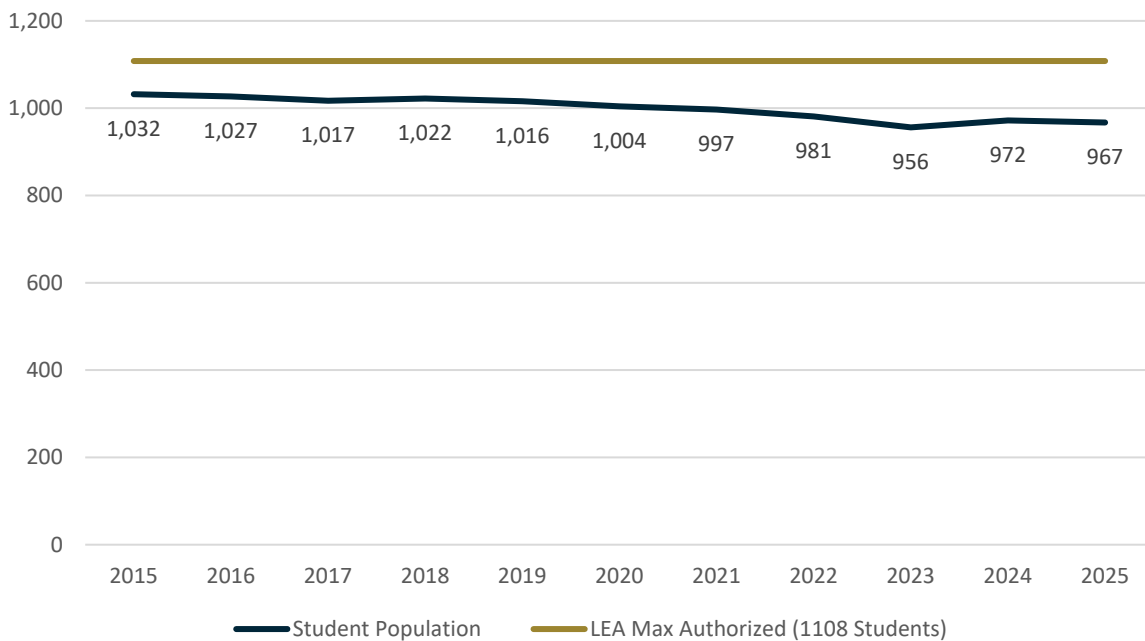


Table 3. Grade distribution history for North Davis Preparatory Academy (2015-2025).

<i>School Year</i>	<i>Total</i>	<i>Kindergarten</i>	<i>1<sup>st</sup> - 6<sup>th</sup> Grades</i>	<i>7<sup>th</sup>-8<sup>th</sup></i>	<i>9<sup>th</sup></i>
2015	1,032	104	664	189	75
2016	1,027	101	670	185	71
2017	1,017	104	664	184	65
2018	1,022	103	658	181	80
2019	1,016	102	650	179	85
2020	1,004	100	642	183	79
2021	997	102	635	181	79
2022	981	98	619	177	87
2023	956	100	619	171	66
2024	972	94	624	161	93
2025	967	94	611	174	88
<b>Average</b>	999	100	641	179	79

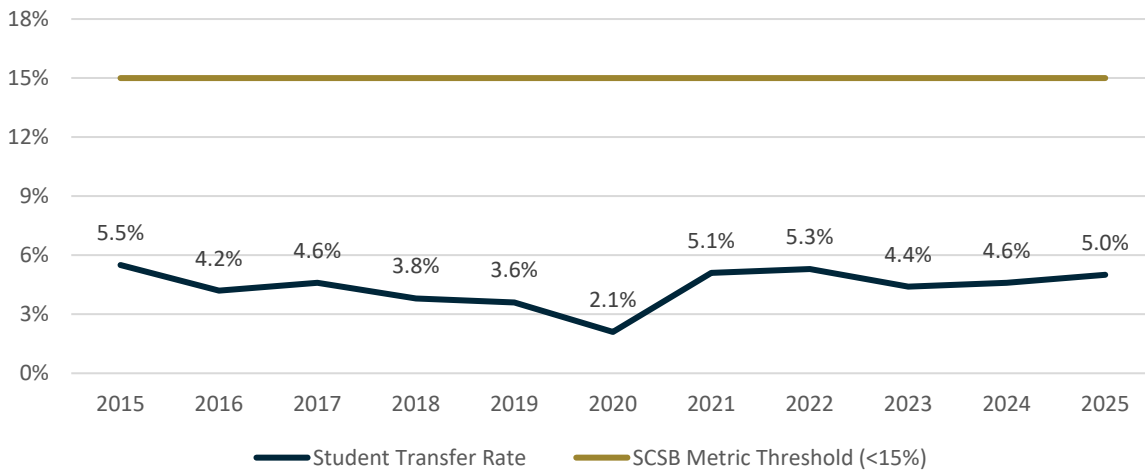
Table 4. North Davis Preparatory Academy student demographics from 2015-2025.

<b>School Year</b>	<b>Total</b>	<b>English Learners</b>	<b>Ethnic Minorities</b>	<b>Economically Disadvantaged</b>	<b>Students w/ Disabilities</b>
2015	1,032	1.6%	29.4%	30.2%	7.9%
2016	1,027	3.4%	33.4%	26.5%	7.0%
2017	1,017	6.4%	37.3%	24.7%	7.9%
2018	1,022	6.9%	39.9%	25.2%	8.6%
2019	1,016	8.7%	40.4%	30.2%	10.3%
2020	1,004	12.0%	41.7%	25.8%	10.1%
2021	997	12.2%	43.5%	19.5%	10.6%
2022	981	17.7%	49.5%	17.5%	10.9%
2023	956	19.2%	50.7%	26.2%	12.1%
2024	972	18.2%	52.9%	25.4%	12.4%
2025	967	18.4%	53.2%	28.5%	12.5%
<b>North Davis Average</b>	999	11.3%	42.9%	25.4%	10.0%
<b>SCSB Averages</b>	--	7.9%	34.8%	29.3%	15.3%

## Student Transfer Rates

Transfer rate is a measure of the number of students who withdraw from the school in the middle of the year. The metric does not include students who move out of state. The gold line represents the SCSB metric upper threshold of 15% which means that no more than 15% of enrolled students should transfer during a school year.

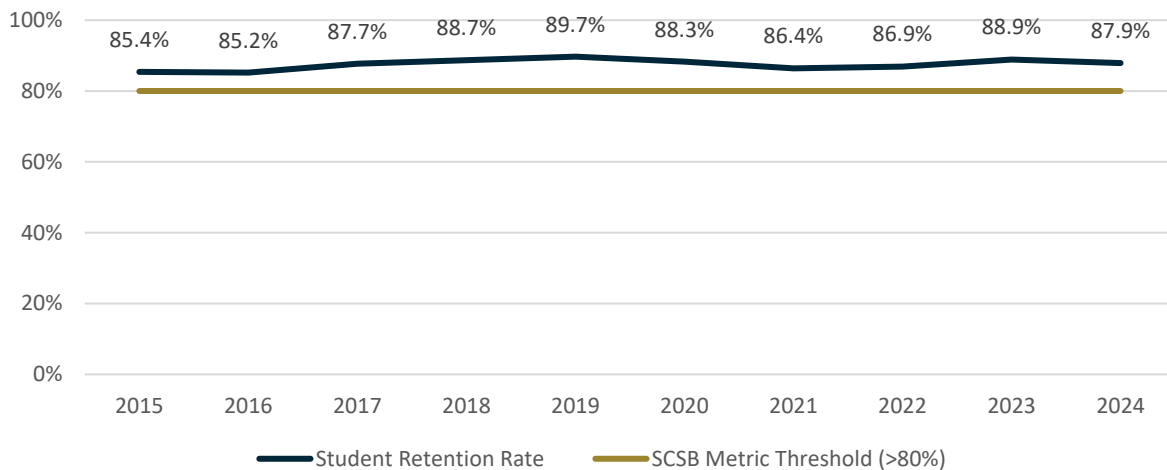
North Davis Preparatory Academy Student Transfer History



## Student Retention Rates

The gold line represents the SCSB metric lower threshold of 80% retention which means that schools should strive to retain at least 80% of their students each year.

North Davis Preparatory Academy Student Retention History



## Enrollment Performance Summary

TBD

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## Academic Performance Data

As a public charter school, North Davis Preparatory Academy is responsible for educating students according to the standards set for all Utah public schools. As of SY26, Utah uses the RISE assessments for state accountability for elementary students and ASPIRE test for 9<sup>th</sup> graders. These tests measure proficiency and growth in three subjects: English Language Arts, Math, and Science.

### USB E Academic Data

Table 5. USB E Accountability Performance of North Davis Preparatory Academy K-9.

K-9	SY22	SY23	SY24	UT K-8 Average SY24
<b>Achievement</b>	Developing	Developing	Developing	--
English	31.5%	37.7%	35.7%	45.9%
Math	24.0%	25.5%	26.5%	44.8%
Science	34.3%	34.3%	38.3%	50.9%
<b>Growth</b>	Commendable	Commendable	Commendable	--
English	52.8%	61.3%	51.7%	50.9%
Math	48.0%	50.8%	49.4%	51.2%
Science	56.1%	56.7%	49.3%	51.0%
Low. 25% Growth	50.3%	59.9%	62.8%	61.1%
<b>EL Progress</b>	Critical Needs	Developing	Developing	--
Adequate Progress	25.6%	36.9%	35.3%	36.6%
Reaching Proficiency	4.0%	13.5%	9.6%	12.0%
<b>Early Literacy</b>	--	--	--	--
Students on Grade Level	39.5%	40.7%	43.7%	48.2%
Students Making Progress	63.7%	58.7%	67.2%	67.9%

Table 5: The table shows the performance of North Davis Preparatory Academy on the RISE and ASPIRE assessments for the past 3 years.

No data was collected in 2020 due to the disruptions in education caused by the pandemic. Furthermore, the data collected in 2021 is for information only and will not be used for accountability purposes. (ND = No Data based on too small of sample size)

\*Due to the impacts of COVID-19, interpret 2021 scores with caution. Comparisons of 2021 scores to other years or across student groups, schools, and districts are not advised.



## USBE School Comparison Data

Table 6: The table shows the **SY24 performance of North Davis Preparatory Academy in Proficiency** compared to 20 similar schools. USBE uses a Gower Index calculation that includes metrics such as enrollment size, grades served, and demographics to find comparable schools.

- - ORANGE bars represent a school that scored ABOVE North Davis Preparatory Academy
- - GRAY bars represent a school that scored BELOW North Davis Preparatory Academy

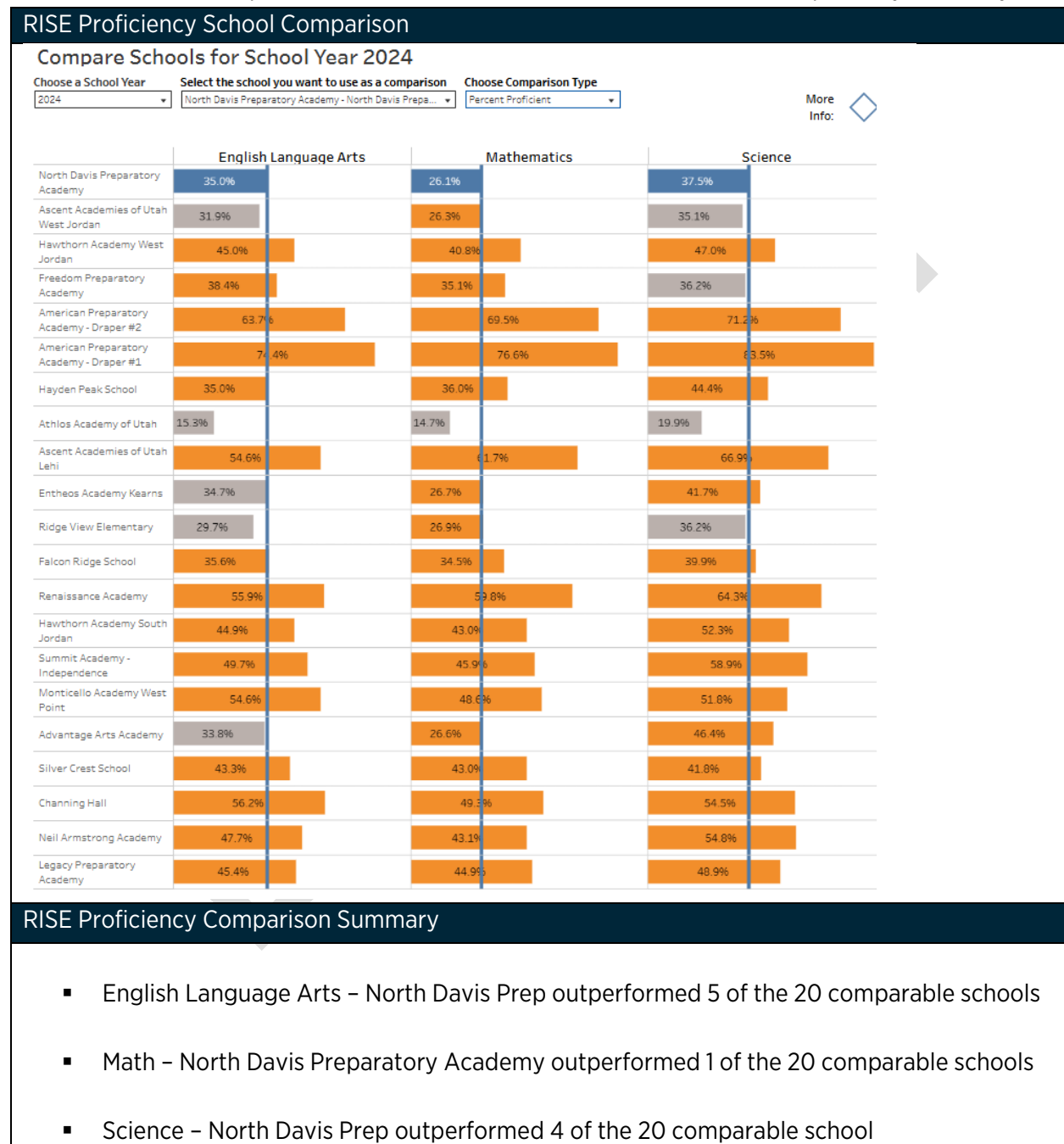
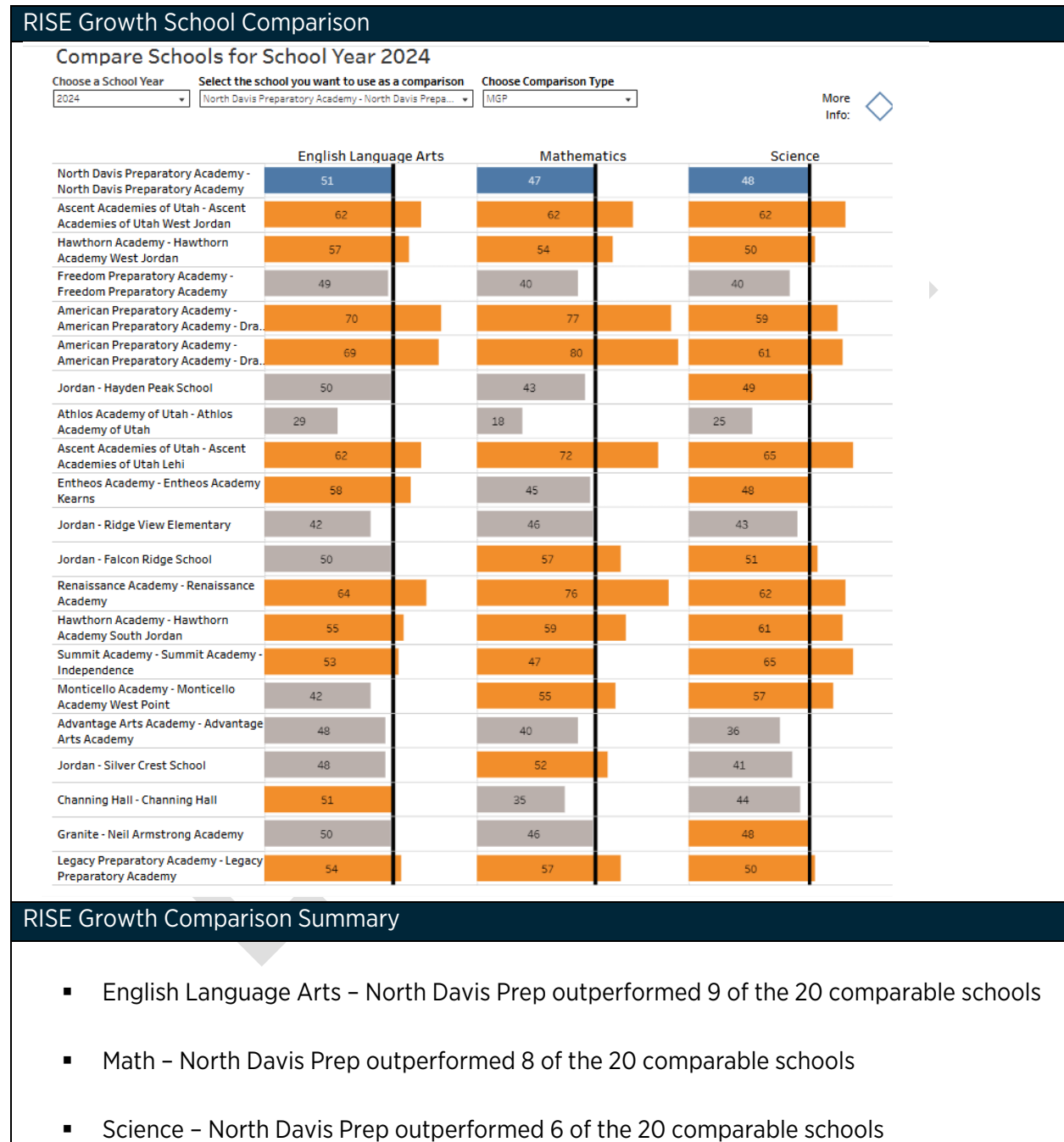


Table 7: The table shows the **SY24 performance of North Davis Preparatory Academy in Growth** compared to 20 similar schools. USBE uses a Gower Index calculation that includes metrics such as enrollment size, grades served, and demographics to find comparable schools.

- - ORANGE bars represent a school that scored ABOVE North Davis Preparatory Academy
- - GRAY bars represent a school that scored BELOW North Davis Preparatory Academy



## Mission Specific Outcomes

### Mission Specific Goals

Set by Governing Board

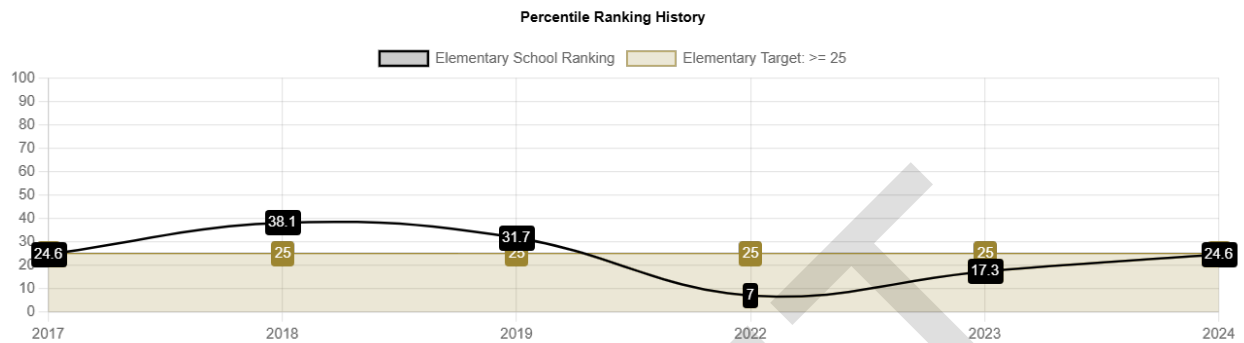
In SCSB Charter Agreement

- Additional school specific standards used to assess School Achievement in the Charter School Accountability Framework:

Measure	Metric	Targets			
		Exceeds	Meets	Does Not Meet	Falls Far Below
Mission Specific	Number of Spanish speaking employees with Spanish as their native language.	> 10	10	6 – 9	< 6
Mission Specific	Number of 1 <sup>st</sup> -6 <sup>th</sup> grade students participating in Dual Language Immersion (DLI) program.	>49%	48-49%	45-47%	Below 45%
Relative Academic Performance	End-of-year state assessment Language Arts proficiency scores as compared to Utah schools with 90% similar demographics.	Above average proficiency	Average proficiency	3% - 5% below average proficiency	> 5% below average proficiency

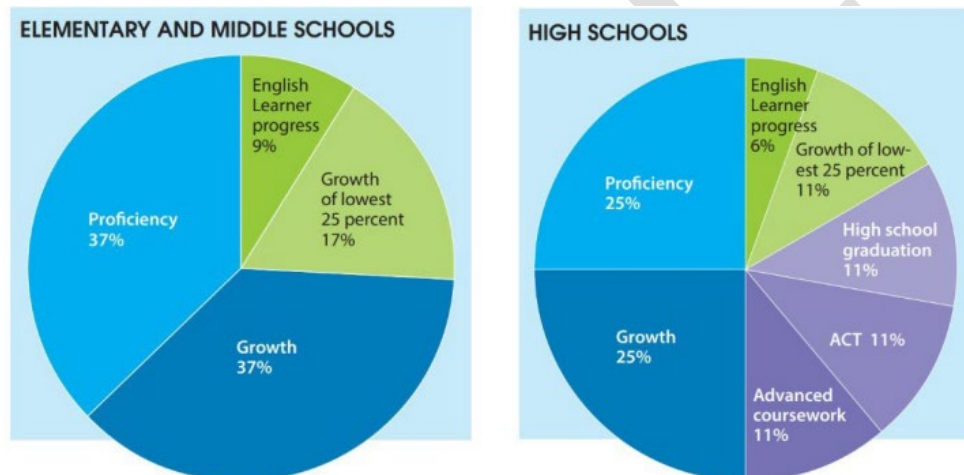
Measure	Metric	Targets			
		Exceeds	Meets	Does Not Meet	Falls Far Below
Student Academic Gain	End-of-year state assessment Math median growth percentile (MGP) scores as compared to Utah schools with 90% similar demographics.	Above average MGP	Average MGP	3 - 5 points below average MGP	> 5 points below average MGP

## USBE Percentile Data



\* More information about the USBE percentile data will be shared during SCSB school visit.

\* USBE Academic Performance Framework



Academic Performance Summary  
TBD

## Financial Performance Data

With the autonomy of being able to decide how to teach also comes the autonomy to spend hard-earned tax-payer funds. Charter schools are responsible to use those funds wisely. The table below includes the different metrics the SCSB looks at to gauge the financial health of the charter schools it authorizes.

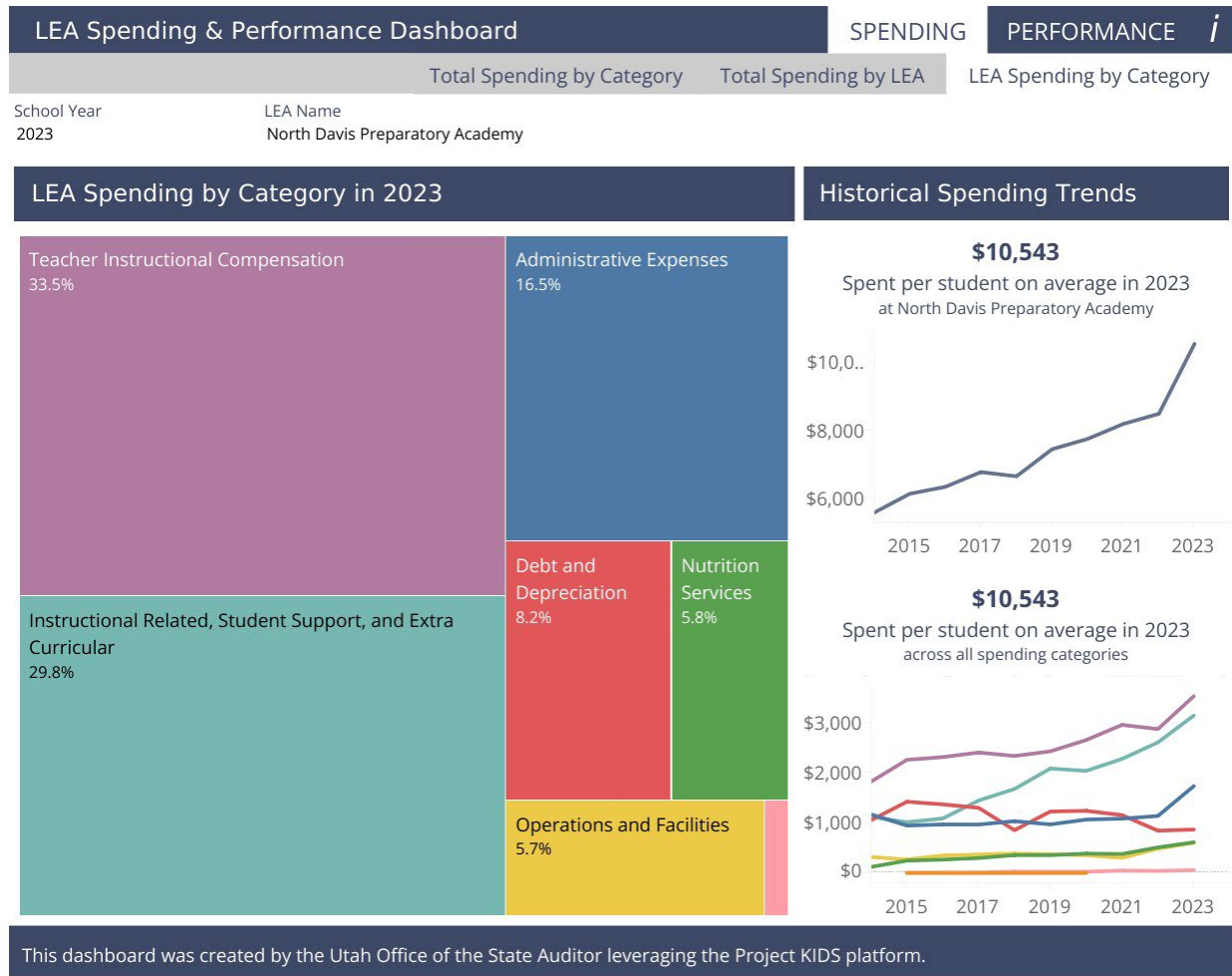
Table 8. North Davis Preparatory Academy financial metrics from FY 2020 – 2024.

Metric	FY 2020	FY 2021	FY 2022	FY 2023	FY2024	SCSB Targets
Annual Cash Flow	-\$168,106	\$729,658	\$407,318	\$1,662,093	-\$94,763	> \$0
Change in Net Position	\$237,122	\$113,075	\$824,056	\$1,659,202	\$1,234,124	> \$0
Current Ratio	2.51	3.23	3.76	3.94	4.68	>1
Debt Service Coverage Ratio	---	---	1.71	2.97	2.58	>1.1
Debt To Asset Ratio	0.82	0.82	0.78	0.7	0.64	<1
Facility Cost	---	---	20.82%	15.91%	15.86%	<24%
Salary and Benefits Ratio	---	---	---	---	63%	<60%
Total Margin	2.91%	1.33%	9.14%	15.55%	11.02%	> 0%
Unrestricted Cash on Hand	117 days	135 days	156 days	212 days	192 days	Maintain at least 60 days
Total Audit Findings	0	0	0	0	1	No material audit findings
Audit Comments	--	--	--	--	Reporting issues with ESSER funds	--



## LEA Spending by Category Report

Figure 1. Summary of North Davis Preparatory Academy spending by category in FY23. Data and graphic provided by Project KIDS team in the Utah Office of the State Auditor.



Spending By Category Comparison	North Davis Prep	Utah K-12 Average
Teacher Compensation (Purple)	33.5%	34%
Instructional Material (Sage Green)	29.8%	29%
Debt and Depreciation (Red)	8.2%	8%
Administrative Expenses (Blue)	16.5%	10%
Operations and Facilities (Yellow)	5.7%	8%
Nutritional Services (Green)	5.8%	4%
Transportation Services (Pink)	<1.0%	3%
Community Services (Orange)	<1.0%	4%

\* **RED NUMBERS** represent +/- 10% from Utah public K-12 average for FY23.

## Financial Performance Summary

TBD

DRAFT

## Governance Performance Review

The board's performance is measured in two ways. The first way is through the performance of the school. As the governing body in charge of making key decisions, the school's academic, financial, and enrollment performances are a reflection of the board's governance. The second way is through the board's adherence to its own bylaws and the requirements of governing boards in the state of Utah.

### Charter Agreement

- Original charter agreement signed with SCSB in 2007 (Monte Poll signature as board chair)
- Updated agreement signed in 2009 – Outdated law references
- Charter agreement collaboration with SCSB in 2019-2020. Charter agreement in SCSB files but without SCSB Chair signature
- Exhibit A (2019) uploaded to UCAP but no final signatures (Need additional context from school)

### Questions for Governing Board

1. When was your charter agreement last reviewed by the governance board?
2. Do the mission and vision statements reflect the school priorities?
3. Do you have appropriate academic goals in your agreement? If not, how does the administration and board set annual academic goals and monitor progress?
4. Are all charter agreement bylaws implemented with fidelity?
5. Are all OPMA laws followed for board meetings?
6. All required background checks have been completed and recorded?

### Charter School Accountability Framework Summary

The Charter School Accountability Framework (CSAF) is the oversight model used by the SCSB. CSAF allows the SCSB to give individualized remediation to help charter schools be compliant and successful.

- North Davis Preparatory Academy has no unresolved CSAF issues with the SCSB during the 5-year review period.

Table 9. North Davis Preparatory Academy CSAF history during 5-year review period. FOR DISCUSSION ONLY DURING SCHOOL VISIT.

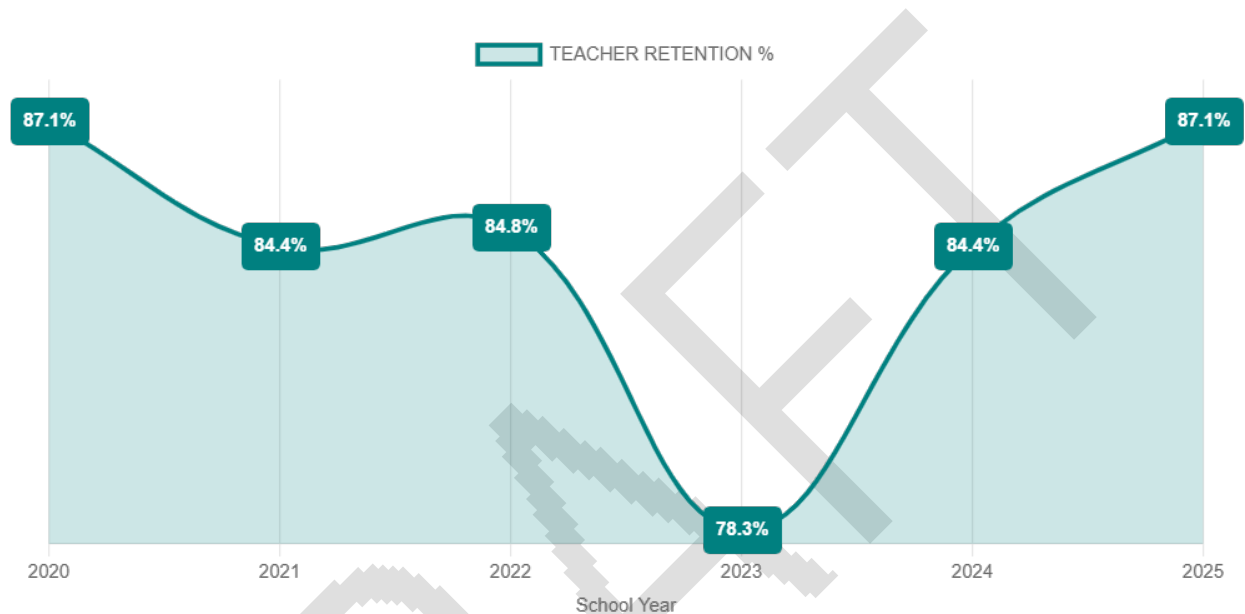
CSAF (SY19-SY23)	Opened	Resolved	Active
Complaints	6	6	0
Compliance Monitoring	2	2	0
Research & Reviews	8	8	0
Letter of Awareness	0	0	0
Notice of Concerns	1	1	0
Warnings/Probations	0	0	0



- For additional information about specific accountability issues related to this school, please contact the SCSB office at 801-538-7671.

## Teacher Retention History

Figure 2. North Davis Preparatory Academy teacher retention history during 5-year review period. For comparison, the SCSB portfolio average for teacher retention is approximately 82%.



## **Appendix A: Comprehensive Review Methodology**

The comprehensive review of North Davis Preparatory Academy was conducted using a multi-faceted approach to ensure a thorough evaluation of the school's performance and operations. The methodology included a school site visit on September 16<sup>th</sup>, 2025, discussions within the State Charter School Board (SCSB) team, analysis of data from the Utah State Board of Education (USBE), and an internal data review from the Utah Charter Access Point (UCAP).

During the school site visit, the SCSB review team led a collaborative session with school leaders and board members to understand governance practices, strategic goals, and areas for improvement. The USBE data analysis focused on academic performance metrics, including state assessment results, growth indicators, and demographic trends. Additionally, the internal data review from UCAP provided a comprehensive overview of the school's financial health, enrollment trends, and compliance with regulatory requirements. This holistic approach ensured a balanced and in-depth evaluation of North Davis Preparatory Academy's performance over the review period.

Note: Some narrative portions of this review were assisted by Microsoft Copilot software.

## **Appendix B: Additional School Visit Notes:**

SCSB staff visit to North Davis Preparatory Academy in Layton, Utah conducted on September 16<sup>th</sup>, 2025.

\* Notes in no particular order and generally follow SWOT analysis conversation.

1. The school

Possible SCSB Support:

- a.

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## **Updated Bullying and Hazing Administrative Procedures Summary**

SB 223 from the 2025 legislative session amended the definition of bullying and broke it down into “staff bullying” and “student bullying.” Both of these bullying definitions require repeated misconduct or a single egregious act that involves an imbalance of power. In light of SB 223, the USBE amended its bullying rule in R277-613 to not only incorporate the new definitions of staff bullying and student bullying, but to make other changes as well. These other changes include, but aren’t limited to, amending the definition of “civil rights violation,” prohibiting students and employees from creating or distributing sexually explicit or nonconsensual intimate images, and adding “safe digital citizenship” to the list of bullying and hazing topics schools must train on. The school’s Bullying and Hazing Administrative Procedure has been revised to comply with the changes brought about by SB 223 and the revised rule in R277-613.

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

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



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## **Bullying & Hazing**

### *Administrative Procedures*

#### **Introduction**

The school environment at NDPA is like a family. Most of the time we treat each other with kindness and respect. There are some times, however, where people are thoughtless, reckless, and even mean to others. The intent of people involved is often to “save face”, to get someone to “leave me alone”, or “get back at someone who deserves it”. These behaviors, generally the result of interpersonal conflicts on the part of students, are dealt with the philosophy and procedures described in the NDPA Student Conduct and Discipline Policy.

When administrators address issues where students are injured, teased, intimidated, upset, or scared, they take into consideration two factors: the intent of the aggressor and the impact the behavior has on others.

True bullying, as defined below, is such a serious violation it warrants a separate policy. When the intent of the perpetrator is to cause harm or create the fear of harm, the administration will follow the procedures outlined below.

#### **Purpose**

Bullying, as defined by law, is an extreme violation of the Core Values, the NDPA End Statements, and the NDPA Student Conduct and Discipline Policy. The main purpose of this policy is to prohibit bullying, cyber-bullying, hazing, retaliation, and abusive conduct involving the school’s students and employees. This will be accomplished through awareness efforts, training, identification, and disciplinary action (both students and employees) against those who violate this Policy. A second purpose is to promote the development of personal and social responsibility in all students.

#### **Prohibited Conduct**

Bullying, cyber-bullying, hazing, retaliation, and abusive conduct towards students and employees are against federal, state, and local policy and are not tolerated by the School. The School is committed to providing all students with a safe and civil environment in which all members of the School community are treated with dignity and respect. To that end, the School has in place policies, procedures, and practices that are designed to reduce and eliminate this conduct – including, but not limited to, civil rights violations – as well as processes and procedures to deal with such incidents. Bullying, cyber-bullying, hazing, retaliation, and abusive conduct towards students and/or employees by students and/or employees will not be tolerated in the School. Likewise, abusive conduct by students or parents or guardians against School employees is prohibited by the School and will not be tolerated in the School.

In order to promote a safe, civil learning environment, the School prohibits all forms of bullying of students and School employees (a) on School property, (b) at a School-related or sponsored event, or (c) while the student or School employee is traveling to or from School property or a School-related or sponsored event.

The School prohibits all forms of bullying, cyber-bullying, hazing, abusive conduct or retaliation against students and School employees at any time and any location.

Students and School employees are prohibited from retaliating against any student, School employee or an investigator for, or witness of, an alleged incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation.

Students and School employees are prohibited from making false allegations of bullying, cyber-bullying, hazing, abusive conduct, or retaliation against a student or School employees.

Students and School employees are prohibited from sharing a recording of an act of bullying, cyber-bullying, hazing, abusive conduct, and retaliation in order to impact or encourage future incidents.

Students and School employees are prohibited from creating or distributing sexually explicit or nonconsensual intimate images.

In addition, School employees, coaches, sponsors and volunteers shall not permit, condone or tolerate any form of hazing, bullying, cyber-bullying, or abusive conduct and shall not plan, direct, encourage, assist, engage or participate in any activity that involves hazing, bullying, cyber-bullying, or abusive conduct.

Any bullying, cyber-bullying, hazing, abusive conduct, or retaliation that is found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws and is subject to OCR compliance regulations.

## Definitions

*Abusive Conduct* – For purposes of this policy, “abusive conduct” means verbal, nonverbal, or physical conduct of a parent or guardian or student directed toward a School 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 constitute abusive conduct.

*Action Plan* – For purposes of this policy, “action plan” means a process to address an incident of bullying, cyber-bullying, hazing or retaliation ~~as described in Utah Code § 53G-9-605.5.~~

*Bullying* – For purposes of this policy, "bullying" means student bullying and staff bullying ~~School employee or student intentionally committing a written, verbal, or physical act against a~~

~~School employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:~~

~~(1) causing physical or emotional harm to the School employee or student;~~

~~(2) causing damage to the School employee's or student's property;~~

~~(3) placing the School employee or student in reasonable fear of:~~

~~(a) harm to the School employee's or student's physical or emotional well-being; or~~

~~(b) damage to the School employee's or student's property;~~

~~(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~~

~~(5) substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.~~

~~This conduct constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct. In addition, bullying is commonly understood as aggressive behavior that is intended to cause distress and harm; exists in a relationship in which there is an imbalance of power and strength; and is repeated over time.~~

~~Bullying may also include relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation.~~

*Civil Rights Violations* – For purposes of this policy, “civil rights violations” means violations as outlined in the following federal laws: bullying, cyber bullying, harassment, abusive conduct, or hazing that is targeted at a federally protected class.

(1) Title VI of the Civil Rights Act of 1964 (prohibits discrimination on the basis of race, color, or national origin);

(2) Title IX of the Education Amendments of 1972 (prohibits discrimination on the basis of sex);

(3) Section 504 of the Rehabilitation Act of 1973 (prohibits discrimination on the basis of disability);  
or

(4) Title II of the Americans with Disabilities Act (prohibits discrimination on the basis of disability).

*Cyber-bullying* – For purposes of this policy, "cyber-bullying" 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.

~~*Federally protected class* – For purposes of this policy, “federally protected class” means any group protected from discrimination under federal law, such as:~~

~~(1) Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin.~~

~~(2) Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex;~~

~~(3) Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability;~~

~~(4) Other areas included under these acts which include religion, gender, and sexual orientation;~~

*Hazing* – For purposes of this policy, “hazing” means a School employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a School employee or student that:

- (1) (a) endangers the mental or physical health or safety of a School employee or student;  
(b) involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;  
(c) 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 a School employee or student; or  
(d) involves any activity that would subject a School employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a School employee or student to extreme embarrassment, shame, or humiliation; and
- (2) (a)(i) is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in a School or School sponsored team, organization, program, club, or event; or  
(ii) is directed toward a School employee or student whom the individual who commits the act 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.
- (3) The conduct described above constitutes hazing, regardless of whether the School employee or student against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

*Incident* – For purposes of this policy, “incident” means a verified incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation that is prohibited in Utah Code § 53G-9-601 *et seq.*

*Retaliate or Retaliation* – For purposes of this policy, "retaliate or retaliation" means an act or communication intended:

- (1) as retribution against a person for reporting bullying or hazing; or
- (2) to improperly influence the investigation of, or the response to, a report of bullying or hazing.



*School Employee* – For purposes of this policy, “School employee” means an individual working in the individual’s official capacity as:

- (1) a School teacher;
- (2) a School staff member;
- (3) a School administrator; or
- (4) an individual:
  - (a) who is employed, directly or indirectly, by the School; and
  - (b) who works on the School’s campus(es).

*Staff Bullying* – For purposes of this policy, “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:

- (1) creates an environment that a reasonable person would find hostile, threatening, or humiliating; and
- (2) substantially interferes with a student’s or employee’s educational or professional performance, opportunities, or benefits.

*Student Bullying* – For purposes of this policy, “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:

- (1) creates an environment that a reasonable person would find hostile; and
- (2) interferes with a student’s educational performance, opportunities, or benefits.

“Student bullying” and “staff bullying” do not mean instances of:

- (1) ordinary teasing, horseplay, argument, or peer conflict;
- (2) reasonable correction of behavior by a School employee; or
- (3) reasonable coaching strategies and techniques by a School employee who is a coach.

*Verification* – For purposes of this policy, “verification” means that an alleged incident has been found to be substantiated through a formal investigation process done by the School as outlined in this policy.

*Volunteer* – For purposes of this policy, “volunteer” means a non-employee with significant, unsupervised access to students in connection with a School assignment.

## **Reporting Prohibited Conduct**

Students who have been subjected to or witnessed bullying, cyber-bullying, hazing, or retaliation, and students who have witnessed abusive conduct, must promptly report such prohibited conduct

to any School personnel orally or in writing. School personnel who receive reports of such prohibited conduct must report them to the Principal.

School employees who have been subjected to or witnessed hazing, bullying, cyber-bullying, abusive conduct, or retaliation must report such prohibited conduct to the School's Principal orally or in writing.

Each report of prohibited conduct shall include:

- (1) the name of complaining party;
- (2) the name of person subjected to the prohibited conduct (if different than complaining party);
- (3) the name of perpetrator (if known);
- (4) the date and location of the prohibited conduct; and
- (5) a statement describing the prohibited conduct, including names of witnesses (if known).

In connection with a report of prohibited conduct, students and School employees may request that their identity be kept anonymous, and reasonable steps shall be taken by the Principal and others involved in the reporting and investigation to maintain the anonymity of such individuals, if possible. School employees must take strong responsive action to prevent retaliation, including assisting students who are subjected to prohibited conduct and his or her parents or guardians in reporting subsequent problems and new instances of prohibited conduct.

The Principal or his/her designee shall promptly make a reasonably thorough investigation of all complaints of prohibited conduct, including, to the extent possible, anonymous reports, and shall, in accordance with the Consequences of Prohibited Behavior section below, administer appropriate discipline to all individuals who violate this policy. Formal disciplinary action is prohibited based solely on an anonymous report.

The Principal may report to OCR all incidents of bullying, hazing, cyber-bullying, abusive conduct, or retaliation that he/she reasonably determines may be violations of a student's or employee's civil rights.

It is the School's policy, in compliance with state and federal law, that students have a limited expectation of privacy on the School's computer equipment and network system, and routine monitoring or maintenance may lead to discovery that a user has violated School policy or law. Also, individual targeted searches will be conducted if there is reasonable suspicion that a user has violated policy or law. Personal electronic devices of any student suspected of violation of this policy will be confiscated for investigation and may be turned over to law enforcement.

## **Investigation of Alleged Incidents**

The School will investigate all allegations of bullying, cyber-bullying, hazing, retaliation, and abusive conduct in accordance with this policy and applicable law. The Principal or his/her designee will investigate such allegations, and the School ~~and will~~ shall ensure that the investigator ~~have~~ is provided adequate training to conduct such an investigation. The Principal or his/her designee will be the point person with training and expertise to assist, direct, and supervise training of other employees in the responsibilities set forth in this paragraph.

The School will investigate these alleged incidents by interviewing:

- (1) the ~~students~~ individual who was allegedly targeted ~~subjected to the alleged incident~~;
- (2) the individual who is alleged to have engaged in the prohibited conduct;
- (3) the parents or guardians of the students who were allegedly targeted ~~subjected to the alleged incident~~ and the individual who is alleged to have engaged in prohibited conduct;
- (4) any witnesses;
- (5) School staff familiar with the student who was allegedly targeted ~~subjected to the alleged incident~~;
- (6) School staff familiar with the individual who is alleged to have engaged in prohibited conduct; or
- (7) Other individuals who may provide additional information.

The individual who investigates an alleged incident will inform an individual being interviewed that (1) to the extent allowed by law, the individual is required to keep all details of the interview confidential; and (2) further reports of bullying will become part of the review. However, the confidentiality requirement described in this paragraph does not apply to conversations with law enforcement, requests for information pursuant to a warrant or subpoena, a state or federal reporting requirement, or other reporting required by R277-613.

In conducting this investigation, the School may (1) review disciplinary reports of involved students; and (2) review physical evidence, including video or audio, notes, email, text messages, social media, or graffiti.

The School will report alleged incidents of bullying, cyber-bullying, hazing, retaliation, and abusive conduct to law enforcement when the Principal reasonably determines that the alleged incident may have violated criminal law.

The School shall follow up with the parents or guardians of all parties to:

- (1) inform parents or guardians when an investigation is concluded;
- (2) inform parents or guardians what safety measures will be in place for their child, as determined by the investigation;

(3) provide additional information about the investigation or the resolution consistent with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g ("FERPA"); and

(4) inform parents or guardians of the School's Parent Grievance Policy if the parents or guardians disagree with the resolution of the investigation.

If the investigation results in a verification of an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct, the School shall create and implement an action plan for each such incident in accordance with Utah Code § 53G-9-605.5 and R277-613.

In addition, following verification of an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct, the Principal may, if he/she determines it is appropriate:

(1) ~~take positive restorative justice practice action~~ use accountability practices in accordance with policies established by the School; and

(2) provide supportive services designed to preserve the student's access to educational opportunities and a sense of safety; ~~or~~

~~(3) develop a communication process.~~

However, a student to whom an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct is directed is not required to participate in a restorative justice practice with an individual who is alleged to have engaged in prohibited conduct. If the School would like any student to participate in a restorative justice practice, the School will notify the student's parent or guardian of the restorative justice practice and obtain consent from the student's parent or guardian before including the student in the process.

### **Parental Notification**

The Principal or his/her designee will timely notify a student's parent or guardian if:

(1) the student threatens suicide; or

(2) the student is involved in an incident (including if the student is subjected to the incident or is the person who caused the incident) and of the action plan to address the incident.

The Principal or his/her designee will attempt to contact the parent or guardian by telephone to provide this notification and to discuss the matter. If the parent or guardian is not available by telephone, the Principal or his/her designee will provide the parent or guardian the required notification by email.

The Principal or his/her designee will produce and maintain a record that:

(1) verifies that the School notified each parent or guardian as required above. If an in-person meeting takes place, the Principal or his/her designee may ask the parent or guardian to sign the record acknowledging that the notification was provided. If a telephone conversation takes place, the Principal or his/her designee may document on the record such details as the date and time of the telephone call, who was spoken to, and brief notes

regarding the notification that was provided and the content of the conversation. If an email is sent, the Principal or his/her designee will retain a copy of the email; and

- (2) tracks implementation of the action plan addressing the incident, if applicable.

The School will retain the record for at least as long as the student is enrolled at the School and will provide or expunge the record in accordance with Utah Code § 53G-9-604. The School will maintain the confidentiality of the record in accordance with the state and federal student data privacy laws referenced in Utah Code § 53G-9-604.

In addition to notifying the parent or guardian as set forth above, the Principal or his/her designee will provide the parent or guardian with the following:

- (1) suicide prevention materials and information as recommended by the Utah State Board of Education in accordance with Utah Code § 53G-9-604(2)(b);
- (2) information on ways to limit a student's access to fatal means, including firearms or medication; and
- (3) information and resources on the healthy use of social media and online practices as provided in R277-613.

### **Action Plan to Address Incidents**

Following verification of an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct, the School shall develop and implement an action plan. The action plan shall include:

- (1) with respect to the targeted student ~~to whom the incident was directed~~ and in direct coordination with the student's parent or guardian:
  - (a) a tailored response to the incident that addresses the student's needs;
  - (b) a mechanism to consider consequences or accommodations the student may need regarding decreased exposure or interactions with the student who caused the incident;
  - (c) notification of the consequences and plan to address the behavior of the student who caused the incident, to the extent allowed by FERPA;
  - (d) support measures designed to preserve the student's access to educational services and opportunities; and
  - (e) to the extent available, access to other resources the parent requests for the student; and
- (2) with respect to the student who caused the incident and in direct coordination with the student's parent or guardian:
  - (a) a range of tailored and appropriate consequences, making reasonable effort to preserve the student's access to educational services and activities;
  - (b) a process to determine and provide any needed resources related to the underlying cause of the incident;
  - (c) 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
  - (d) a process to remove the student from School in an emergency situation, including a description of what constitutes an emergency.

The School may not include in an action plan a requirement that the student to whom the incident was directed change the student's:

- (1) educational schedule or placement; or
- (2) participation in a School sponsored sport, club, or activity.

The School shall try to involve the parent or guardian of a student who was involved in an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct in the development and implementation of an action plan. However, if, after the School attempts to involve a parent or guardian in the development and implementation of an action plan, the parent or guardian chooses to not participate in the process, the School may develop and implement an action plan without the parent or guardian's involvement.

The School shall communicate with the parent or guardian of each student involved in an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct about the implementation of the action plan. Specifically, the School shall provide regular updates on the implementation of the action plan to each such parent or guardian. The updates shall include:

- (1) the outcome of the School's investigation (if not already provided at the conclusion of the investigation);
- (2) a discussion of safety considerations for the student who is the subject of the incident; and
- (3) an explanation of the School's process for addressing the incident.

The Principal or his/her designee shall oversee the implementation of the action plan, monitor the implementation of the communication plan/requirements within the action plan, and assist the School with case-specific needs when the School is addressing an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct.

### **Consequences of Prohibited Behavior**

If, after an investigation, a student is found to be in violation of this policy by participating in or encouraging conduct prohibited by this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion, pursuant to Utah Code § 53G-8-205 and School policy, removal from participation in School activities, and/or discipline in accordance with regulations of the U.S. Department of Education Office for Civil Rights (OCR).

If, after an investigation, a School employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination, reassignment or other appropriate action.

School officials have the authority to discipline students for off-campus or online speech that causes or threatens a substantial disruption to School operations, including violent altercations or a significant interference with a student's educational performance and involvement in School activities.

## **Grievance Process for School Employees**

As explained above, a School employee who has experienced abusive conduct must report the abusive conduct to the School Principal orally or in writing. If the School employee is not satisfied with the Principal or designee's investigation of the abusive conduct and/or the resulting disciplinary action (or recommended disciplinary action) against the perpetrator, the School employee may address/raise the issue in accordance with the School's Staff Grievance Policy.

## **Grievance Process for Parents and Guardians**

A parent or guardian of a student who caused an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct may appeal one or more of the consequences included in an action plan in accordance with the School's Parent Grievance Policy.

## **Additional Provisions**

The Principal will ensure compliance with OCR regulations when civil rights violations are reported, as follows:

- (1) Once the School knows or reasonably should know of possible student-on-student bullying, cyber-bullying, or hazing, the School must take immediate and appropriate action to investigate.
- (2) If it is determined that the bullying, cyber-bullying, or hazing of a student did occur as a result of the student's membership in a protected class, the School shall take prompt and effective steps reasonably calculated to:
  - (a) end the bullying, cyber-bullying, or hazing;
  - (b) eliminate any hostile environment; and
  - (c) prevent its recurrence.
- (3) These duties are the School's responsibilities even if the misconduct is also covered by a separate anti-bullying policy and regardless of whether the student makes a complaint, asks the School to take action, or identifies the bullying, cyber-bullying, or hazing as a form of discrimination.

The Principal will take reasonable steps to ensure that any person subjected to prohibited conduct will be protected from further hazing, bullying, cyber-bullying, abusive conduct, and retaliation and that any student or School employee who reports such prohibited conduct will be protected from retaliation.

If the Principal believes that any person who was subjected to or who caused conduct prohibited by this policy would benefit from counseling, the Principal may refer such individuals for counseling.

If the Principal believes that it would be in the best interests of the individuals involved, the Principal may involve the parents or guardians of a student who was subjected to or a student who



caused hazing, bullying, cyber-bullying, or retaliation in the process of responding to and resolving conduct prohibited by this policy.

Incidents of bullying, cyber-bullying, hazing, and retaliation will be reported in the School's student information system as required.

## Student Assessment

~~Subject to the parental consent requirements of Utah Code § 53E-9-203, t~~The Principal or his/her designee will ~~solicit student assessments of~~ the prevalence of bullying, cyber-bullying, ~~and~~ hazing, and retaliation in the School, specifically locations where students are unsafe and additional adult supervision may be required, such as playgrounds, hallways, and lunch areas.

## Training

The Principal will ensure that School students, employees, coaches, and volunteers receive training on bullying, cyber-bullying, hazing, retaliation, and abusive conduct from individuals qualified to provide such training. The training shall meet the standards established by the Utah State Board of Education's rules and include information on:

- (1) bullying, cyber-bullying, hazing, retaliation, and abusive conduct;
- (2) discrimination under the following federal laws:
  - (a) Title VI of the Civil Rights Act of 1964;
  - (b) Title IX of the Education Amendments of 1972;
  - (c) Section 504 of the Rehabilitation Act of 1973; and
  - (d) Title II of the Americans with Disabilities Act of 1990;
- (3) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are different from discrimination and may occur separately from each other or in combination;
- (4) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are prohibited based upon ~~the students' or employees' actual or perceived characteristics, including~~ race, color, national origin, sex, disability, or religion, ~~gender identity, sexual orientation, or other physical or mental attributes or conformance or failure to conform with stereotypes; and~~
- (5) the right of free speech and how it differs for students, employees, and parents or guardians; and
- ~~(5)(6)~~ safe digital citizenship.

The training will also complement the suicide prevention program required for students under R277-620 and the suicide prevention training required for licensed educators consistent with Section 53G-9-704(1), and also include information on when issues relating to R277-613 may lead to student or employee discipline.

The training shall be offered to:



- (1) new school employees, coaches, and volunteers within the first year of employment or service;
- (2) all School employees, coaches, and volunteers at least once every three years after the initial training; and
- (3) all students (regardless of whether they are involved in athletics or extracurricular activities or clubs) at a frequency determined by the Principal.

In addition to the training requirements described above, any student, employee, or volunteer coach participating in a School sponsored athletic program, both curricular and extracurricular, or extracurricular club or activity, shall, prior to participating in the athletic program or activity, participate in bullying, cyber-bullying, hazing, retaliation, and abusive conduct prevention training. This training shall be offered to new participants on an annual basis and to all participants at least once every three years. The School will inform student athletes and extracurricular club members of prohibited activities under R277-613 and potential consequences for violation of the law and the rule.

The School will maintain training participant lists or signatures and provide them to the Utah State Board of Education upon request.

#### **Liaison to Utah State Board of Education**

The Principal or his/her designee shall act as the School's liaison to the Utah State Board of Education regarding bullying, cyber-bullying, hazing, abusive conduct, and retaliation.

#### **Distribution of Policy and Signed Acknowledgement**

The ~~Principal~~ School will inform students, parents or guardians, School employees, and volunteers that hazing, bullying, cyber-bullying, abusive conduct, and retaliation are prohibited by distributing a copy of this policy to such individuals annually. A copy of this policy will also be posted on the School's website and included in any student conduct or employee handbooks issued by the School.

On an annual basis, School employees, students who are at least eight years old, and parents or guardians of students shall sign a statement indicating that they have received this policy.

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## **Updated Meal Charge Administrative Procedures Summary**

HB 100 from the 2025 legislative session requires schools that participate in the National School Lunch Program to provide free lunch to students who qualify for reduced-price meals. Under this new law, the USBE will, subject to legislative appropriations, reimburse schools for each free lunch served to reduced-priced students. The reimbursements will be in a dollar amount equal to the difference between the federal reimbursement rates for a lunch and a reduced-price lunch, as determined annually by the USDA. The school's meal charge policy/procedure has been amended to reflect this new law.

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

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



## Meal Charge *Administrative Procedures*

The goal of North Davis Preparatory Academy Charter School is to provide students with healthy delicious meals each day in an effort to establish a foundation for healthy living and learning. Our Food Services Department makes affordable, healthy and nutritious lunches available. It is the responsibility of a student's parents to provide meals either by supplying food from home, by sending money to school so that the school can supply a meal, or by applying for meal assistance through the free and reduced meal program.

In an effort to keep parents informed the following procedures have been put in place.

### **I. Purpose**

North Davis Preparatory Academy participates in the National School Lunch Program ("NSLP") and National School Breakfast Program ("NSBP"). The School provides meals to its students pursuant to these programs and offers free or reduced-price meals to eligible students. Participating students who are not eligible for free or reduced-price meals may receive meals at the School at the normal paid rate.

These procedures address how the School will handle situations where students eligible to receive reduced price or paid rate meals at school do not have money in their account or in hand to pay for the cost of a meal at the time of meal service. These procedures also address, among other things, where families can find assistance with applying for free or reduced-price school meals, notification and collection of unpaid meal charges, and how the School will communicate these procedures to families and School personnel.

### **II. Information about Free or Reduced-Price Meals**

- A. Prior to or at the beginning of each school year, the School will provide to the parent or guardian of each student:
  - (i) Information about school meals, including prices for the meals and acceptable methods of paying for the meals; this information is on our School website and available at back to school night.
  - (ii) Information about the NSLP and NSBP, including how students qualify for free or reduced priced meals under the programs; and
  - (iii) An application for free or reduced priced meals under the NSLP and NSBP.
- B. The School will provide the information and application as follows:
  - (i) The applications are available to fill out electronically online and a link has been set up on the NDPA website. This is the most efficient way to make sure the application is completed and sent in. Applications may also be

printed from the link on our website. Hard Copies are available at both school sites at the front office and also on the milk coolers, and at back to school night. Applications can also upon request be sent home in an envelope with students. The Director of Nutrition Services LaRetta Foxley is available upon request and with a scheduled time to give assistance in filling out the applications.

- (ii) Applications are made available each school year beginning July 1<sup>st</sup>. Application for free and reduced lunch must be done on an annual school year bases. Assistance and help will be given when requested but it is the responsibility of the Parent or Guardian to apply for the free or reduced benefits.
  - (iii) Parents or Guardians may apply at any time during the year that they feel they may qualify for the program or that income circumstances have changed.
- C. Completed applications should be returned to the School as soon as possible, but completed applications will be accepted by the School throughout the year. Applications will be dated at the time they are received and qualifications are for that date forward. Parents or guardians should contact LaRetta Foxley DNS at (801) 547-1809 or email at [LFoxley@NorthDavisPrep.org](mailto:LFoxley@NorthDavisPrep.org) for questions about or assistance with applying for free or reduced priced school meals.

### **III. Students Unable to Pay for Meals**

- A. Students who are unable to pay for a meal at the time of meal service, either because they don't have sufficient money in their meal account or on their person, will be allowed to charge the meal to their meal account. A case by case basis will be used to determine if a student with insufficient funds will not be served a meal. Contact with Parent or Guardian will happen and arrangements made to pay negative balance before a meal is ever denied to a student.
- B. Students allowed to charge a meal to their meal account under the terms described above will receive a regular reimbursable meal as opposed to an alternate meal.
- C. This Section does not apply to students who have qualified for free meals under the NSLP and NSBP, as such students are not required to pay for reimbursable meals at the School. Students with insufficient funds will not be allowed to charge extra meals or ala carte items.
- D. This Section also does not apply to the lunches of students who have qualified for reduced price meals under the NSLP. Per Utah Code § 53F-2-423, students who have qualified for reduced price meals under the NSLP are not required to pay for reimbursable lunches at the School.

### **V. Notifications Regarding Balances; Collection Efforts**

- A. Parents have access to the students account balances by accessing the ASPIRE account of student. It is the responsibility of the Parent or Guardians to check the students balance and keep sufficient funds in the account. Students are reminded when the account balance has 5 days or less balances as they come through the line.
- B. The School will notify parents or guardians of negative meal account balances. When a student's meal account has a negative balance, the School will notify the student's parent or guardian of the negative account balance. When a student's meal account reaches a balance of \$0 or lower, the School will notify the student's parent or guardian of the negative low balance by email and phone or text when correct email and phone numbers are provided to the school. When necessary and contact in previously mentioned methods have not been successful notice of the negative account will be sent letters by mail and or in a note to the parent with the student. Information in all notification will be given about the account balance and information about how they can bring the account current.
- C. If a Parent or Guardian has needs for a delay in payment it is their responsibility to contact the school and make payment arrangements
- D. When a student's meal account reaches a negative balance of at least -\$50.00, the School will continue to notify parents or guardians as described above and may also turn the account over to collections.
- E. The School may contact parents or guardians of students with delinquent meal accounts to inquire if the household might be eligible for free or reduced-price meal benefits under NSBP and NSLP.
- F. LaRetta Foxley at the School is generally responsible for managing meal account balances and balance notifications and can be reached at 801-547-1809 or lfoxley@northdavisprep.org for questions or concerns related to such matters.
- G. The School will maintain documentation of the balance notifications and collection efforts described above, as this may be requested as part of federal or state audits.

## **VI. Communication of Procedures**

- A. Prior to or at the beginning of each school year, and upon a student transferring to the School during the school year, the School will provide to the parent or guardian of each student a link to the Website where this procedure is available and a Parent or Guardian will be given a hard copy of this procedure.
- B. In order to ensure that these procedures are applied consistently and correctly, the School will also annually provide a copy of these procedures to all School personnel who are responsible for or involved in:
  - (i) Collecting payment for meals at the time of meal service;
  - (ii) Notifying parents or guardians of low or negative meal account balances;

- (iii) Collection efforts for delinquent meal accounts;
  - (iv) Distributing these procedures and the information described in Section II;  
and
  - (v) Enforcing any aspect of these procedures.
- C. The School will post these procedures on its website and may also choose to provide additional copies to parents or guardians of students whose meal accounts reach a negative balance.
- D. The School will maintain documentation of the communication methods described above, as this may be requested as part of federal or state audits.
- E. Students, parents, and the School community were involved in developing these communication procedures.

## **VII. Review of Procedures**

- A. The School will review these procedures annually and revise them as it deems necessary.



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## Toilet Training *Administrative Procedures*

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

### Students Who are not Toilet Trained

In the event a student seeking to enroll in the School is not toilet trained, or if a student who is already enrolled in the School is found to not be toilet trained, the School shall:

- (a) consider whether the student's lack of toilet toileting may be a sign of a disability that could impact the student's education, including by conducting an initial evaluation consistent with the School's child find obligations, if appropriate; and
- (b) determine whether the student is not able to be toilet trained because of a disability that is described in the student's IEP or Section 504 plan.

The School may, consistent with its lottery and enrollment policies, enroll a new student or maintain the enrollment of an existing student who is found to not be toilet trained if the School determines that the student is not able to be toilet trained because of a suspected disability that is subject to federal child find requirements or that is described in an IEP or Section 504 plan.

However, if the School determines that neither of these exceptions apply with respect to the student, the School shall:

- (a) in the case of a student seeking to enroll in the School, not enroll the student in the School; and
- (b) in the case of a student who is already enrolled in the School, unenroll the student from the School.

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

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

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## North Davis Preparatory Academy Board Balance Sheet As of 9/30/2025

	Period Ending 09/30/2025	Period Ending 09/30/2024
	Actual	Actual
<b>Assets &amp; Other Debits</b>		
Current Assets		
Operating Cash	6,619,438	5,876,309
Accounts Receivables	1,855	58,848
Other Current Assets	20,000	0
Total Current Assets	6,641,293	5,935,157
Restricted Cash	220,293	220,098
Net Assets		
Fixed Assets	17,760,197	15,865,810
Depreciation	(5,389,807)	(4,881,455)
Total Net Assets	12,370,390	10,984,355
<b>Total Assets &amp; Other Debits</b>	<b>19,231,976</b>	<b>17,139,610</b>
<b>Liabilities &amp; Fund Equity</b>		
Current Liabilities	111,129	78,765
Long-Term Liabilities	10,240,000	10,240,000
Fund Balance	6,714,428	6,498,518
Net Income	2,166,419	322,327
<b>Total Liabilities &amp; Fund Equity</b>	<b>19,231,976</b>	<b>17,139,610</b>

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

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**North Davis Preparatory Academy**  
**Board Profit and Loss**  
**7/1/2025 - 9/30/2025**

	<b>Annual June 30, 2026</b>	<b>Year-to-Date Sept 30, 2025</b>	
	<b>Budget</b>	<b>Actual</b>	<b>% of Budget</b>
<b>Net Income</b>			
Income			
Revenue From Local Sources	431,500	110,865	25.7 %
Revenue From State Sources	10,662,496	2,854,380	26.8 %
Revenue From Federal Sources	413,194	0	0.0 %
Revenue from Other Sources	250,000	1,402,595	561.0 %
Total Income	11,757,190	4,367,840	37.2 %
Expenses			
Instruction/Salaries	6,306,058	886,813	14.1 %
Employee Benefits	1,615,580	232,093	14.4 %
Purchased Prof & Tech Serv	747,660	214,839	28.7 %
Purchased Property Services	299,500	69,683	23.3 %
Other Purchased Services	269,000	64,764	24.1 %
Supplies & Materials	971,297	201,440	20.7 %
Property	665,000	0	0.0 %
Debt Services & Miscellaneous	869,825	681,122	78.3 %
Total Expenses	11,743,920	2,350,754	20.0 %
<b>Total Net Income</b>	<b>13,270</b>	<b>2,017,086</b>	<b>15,200.3 %</b>

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# North Davis Preparatory Academy Electronic Board of Directors Meeting Minutes Wednesday, September 24, 2025

**Zoom Meeting:** <https://us02web.zoom.us/j/81005221029?from=addon>

**Meeting ID:** 810 0522 1029

**Mobile:** (669) 900-9128



**In Attendance:** Monte Poll, Maggie Arave, Rita Brock, Clint Heiner,

**Excused:** Dale Pfisters

**Others in Attendance:** Ryan Robinson, Dawn Kawaguchi, Cathie Hurst

## VISION:

North Davis Preparatory Academy students develop a love of learning, experience high academic achievement, and enjoy high bi-literate proficiency.

## BOARD CONSTITUTION:

- ★ We will Govern, not Manage. We will set the direction and goals for the school, but we will not micromanage the day to day administration of the school.
- ★ We will speak with "One Voice". We will recognize that our authority is only valid as a group and not as individuals. We will not use our position on the Board to promote our own personal agendas.
- ★ We will make the Spanish language a key element of our school.
- ★ We will make decisions that will keep NDPA financially stable.
- ★ We will review our Charter before making any dramatic changes to school policy.

## **MINUTES**

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### **9:06 AM – INTRODUCTORY ITEMS**

- Welcome and Roll Call – Monte Poll

**There was no PUBLIC COMMENT.**

### **CONSENT ITEMS**

- August 6, 2025 Board Meeting Minutes – There was no further discussion. **Monte Poll made a motion to approve the consent items. The roll call votes were as follows:**
  - Monte Poll – Aye**
  - Maggie Arave – Aye**
  - Rita Brock – Aye**
  - Clint Heiner – Aye**

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

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

**Motion passed unanimously.**

## **VOTING ITEMS**

- LEA-Specific Educator License(s) – Ryan Robinson discussed the LEA-specific educator licenses support teachers who are working toward their Utah teaching certification while actively teaching. We usually have our new Spanish teachers needing to apply while waiting for their Utah license. However, this year, we only have one new Spanish educator, and her license was recently approved. Currently, Noel and Corinne are close to completing their certification, while Kaisa is earlier in the process. Andra Zook already holds a math teaching license but is working on a Level 4 endorsement to teach 9th grade. **Monte Poll made a motion to approve the request for an LEA-specific educator license for the following: *Kajsa Berlin for a Social Studies Composite Endorsement; Noal Loertscher for a Physical Education K-12 Endorsement; Corinn McCord for a Biology 1 Endorsement; and Andra Zook for a Math Level 4 Secondary Math Endorsement* all for 3-years. The roll call votes were as follows:**

**Monte Poll – Aye**

**Maggie Arave – Aye**

**Rita Brock – Aye**

**Clint Heiner – Aye**

**Motion passed unanimously.**

*Dawn requested permission to use Monte's electronic signature on the letter to USBE requesting the LEA-specific licenses. He granted permission.*

## **DISCUSSION ITEMS**

- Calendaring Items – Monte Poll
- Next Board Meeting – October 1<sup>st</sup>
  - Holiday Social – November 5<sup>th</sup>
  - Next PreBoard Meeting – November 18<sup>th</sup>
  - Board Meeting – December 3<sup>rd</sup>
  - NCSC26 New Orleans, LA June 24-26 (Wed-Fri)

**9:12 AM – Monte Poll made a motion to ADJOURN. The roll call votes were as follows:**

**Monte Poll – Aye**

**Maggie Arave – Aye**

**Rita Brock – Aye**

**Clint Heiner – Aye**

**Motion passed unanimously.**

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

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

## NDPA Board of Director's Meeting Wednesday, October 29, 2025

### **Action Item:** *Awarding Contract for IT Services*

#### **Issue:**

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Awarding a contract for IT services.

#### **Background:**

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NDPA's current contract for IT services is expiring, and the school needs to procure a new contract.

NDPA issued an RFP and received one proposal from Eminent Technical Solutions, LLC (ETS). ETS's proposal was awarded full points by the evaluation committee.

ETS has provided IT services for NDPA and many other charter schools for many years, does quality work, and has fair pricing. ETS has the experience and expertise to continue meeting the school's IT needs going forward.

The Evaluation Committee Statement is included in the board meeting materials.

#### **Recommendation:**

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It is recommended that the Board award the contract for IT services to ETS and authorize Ryan Robinson to execute an agreement for those services with a term of up to five years.

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

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

**North Davis Preparatory Academy  
Evaluation Committee Statement  
RFP for IT Services Provider**

Background

North Davis Preparatory Academy (the “school”) issued an RFP for an IT Services Provider on September 16, 2025. The school posted the RFP on its website from September 16, 2025 to September 25, 2025. The deadline to submit a proposal in response to the RFP was September 25, 2025, at 3:00 pm. One company submitted a proposal to the school. Eminent Technical Solutions, LLC (“ETS”) was the only offeror.

Evaluation and Scoring of Proposal

The Evaluation Committee on this RFP was Ryan Robinson, Jessica Bryant, and Misty Meacham. They reviewed and scored the proposals on September 26, 2025. Together they determined that ETS’s proposal met the minimum requirements of the RFP, that its pricing and terms were reasonable, and that it would be in the best interest of the school to award the contract to ETS.

Based on the Committee’s review of the proposal, ETS (a) has the requisite experience and qualifications to provide quality IT services; (b) has successfully done this type of work for the school and for other charter schools in Utah in the past. The Committee awarded ETS 70 out of 70 possible points for non-cost criteria and 30 out of 30 points for cost criteria, for a total of 100 out of 100 points.

Award Recommendation

The Evaluation Committee recommends to the school’s Board of Directors that it award the contract for IT Services to ETS for a period of five years.

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

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



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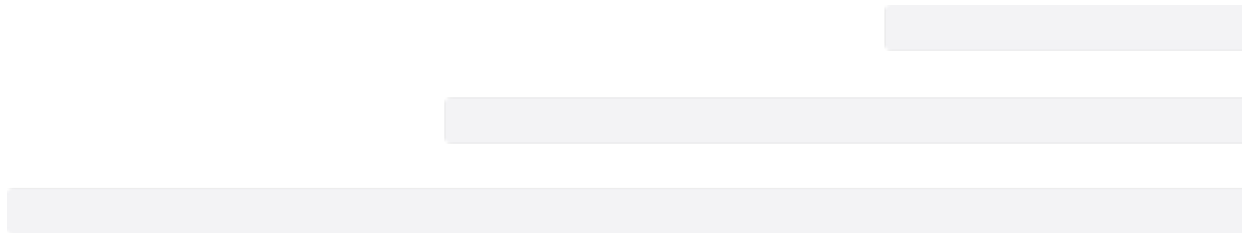
// North Davis Preparatory Academy

# RFP Response for IT Services Provider

## **COST INFORMATION**

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The following contains a cost breakdown for IT Services.



# Cost Information Notes

## Exhibit B

A three-year outlook of the estimated costs associated with supporting and maintaining the school's overall IT including core network offerings and resuming a monthly allocated amount of time for onsite support.

IT Managed Services										
Hourly Rate		YEAR 1: Dec 2025 - Nov 2026			YEAR 2: Dec 2026 - Nov 2027			YEAR 3: Dec 2027 - Nov 2028		
Hourly Rate - Support Calls & Work Orders 8:30AM - 5:30PM		\$120			\$125			\$135		
Hourly Rate - *After Hours 5:31PM - 8:29AM		\$180			\$188			\$203		
Services and Products		Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total
RMM Software** (6 servers and 59 Faculty workstations)			\$408	\$1,632		\$408	\$1,632		\$408	\$1,632
ETS Cloud-Hosted Unifi Controller (2 Locations - 35 Devices)			\$175	\$700		\$175	\$700		\$175	\$700
Maintenance & Monitoring of Core Network (2 Locations)		\$2,400		\$28,800	\$2,544		\$30,528	\$2,697		\$32,360
Office 365 Licensing**		\$334		\$4,008	\$334		\$4,008	\$334		\$4,008
SSL Encryption Management			\$150	\$600		\$150	\$600		\$150	\$600
ETS Backup & Disaster Recovery (\$175/TB/Qtr)			Per Use			Per Use			Per Use	
Aspire Mailer Service			\$60	\$240		\$60	\$240		\$60	\$240
IT Managed Services - Total		\$2,734	\$793	\$35,980	\$2,878	\$793	\$37,708	\$3,031	\$793	\$39,540

Phone/Internet Services										
Hourly Rate		YEAR 1: Dec 2025 - Nov 2026			YEAR 2: Dec 2026 - Nov 2027			YEAR 3: Dec 2027 - Nov 2028		
Hourly Rate - Support Calls & Work Orders 8:30AM - 5:30PM		\$120			\$125			\$135		
Hourly Rate - *After Hours 5:31PM - 8:29AM		\$180			\$188			\$203		
Services and Products		Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total
Phone System - 3CX										
- Unlimited Support & Handset Hardware Warranty										
- 2 x DID Numbers										
- 60 x Handsets		\$1,149		\$13,788	\$1,149		\$13,788	\$1,149		\$13,788
IT Managed Services - Total		\$1,149	\$0	\$13,788	\$1,149	\$0	\$13,788	\$1,149	\$0	\$13,788

Low-Voltage Services										
Hourly Rate		YEAR 1: Dec 2025 - Nov 2026			YEAR 2: Dec 2026 - Nov 2027			YEAR 3: Dec 2027 - Nov 2028		
Hourly Rate - Support Calls & Work Orders 8:30AM - 5:30PM		\$120			\$125			\$135		
Hourly Rate - *After Hours 5:31PM - 8:29AM		\$180			\$188			\$203		
Services and Products		Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total
Available upon request via project quote(s)										
IT Managed Services - Total		\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Combined Total		Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total	Monthly	Quarterly	Annual Total
		\$3,883	\$793	\$49,768	\$4,027	\$793	\$51,496	\$4,180	\$793	\$53,328

## **Sample Technology Plan**

An example of costs associated with student technology devices.

Additional discussion and negotiation are welcome regarding cost and services needed.

### **SAMPLE TECHNOLOGY PLAN**

<b>Computers, Carts and Tablets</b>	<b>Per Unit Cost</b>	<b>Number of Units</b>	<b>TOTAL</b>
Student Chromebook - 11 inch, 4 GB RAM, 64 GB eMMC (Minimum requirements similar to an 11 inch Dell Chromebook 3120)	\$329.00	30	\$9,870.00
Chromebook Mobile Charging Cart - lockabe to secure, charge, and transport between 30 and 36 Chromebooks.	\$1,249.00	1	\$1,249.00
iPad - 11th generation, 128 GB, Wi-Fi, 11"	\$329.00	30	\$9,870.00
iPad Mobile Charging Cart - lockable to secure, charge, and transport between 30 and 36 iPads.	\$1,249.00	1	\$1,249.00
<b>TOTAL</b>			<b>\$22,238.00</b>

<b>Management, Setup &amp; Miscellaneous</b>	<b>Per Unit Cost</b>	<b>Number of Units</b>	<b>TOTAL</b>
Chromebook Management Console Fee	\$38.00	30	\$1,140.00
Setup cost - Chromebook (configuration of management console, account, OS settings, etc.)	\$65.00	30	\$1,950.00
Setup cost - iPad (configuration of any management console, account, OS settings, etc.)	\$65.00	30	\$1,950.00
<b>TOTAL</b>			<b>\$5,040.00</b>



## NDPA Board of Director's Meeting Wednesday, October 29, 2025

### Action Item: *Hotline Complaint Policy*

#### **Issue:**

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The School is required to have a Hotline Complaint Policy.

#### **Background:**

---

R277-123 requires each school to have on its website a link to the school's local education hotline or a link to the USBE's public education hotline so that the public can report alleged violations. The school does not have its own local hotline but does have a link on its website to the USBE's public education hotline. R277-123 also now requires each school to adopt a hotline complaint policy.

Per R277-123, this policy must establish how a school will respond to hotline complaints and contain steps a school must go through when responding to such complaints. The proposed Hotline Complaint Policy tracks the requirements in R277-123. It also explains that if a hotline complaint received by the school should have been addressed via the school's applicable grievance policy, the school may inform the USBE's Internal Audit Department (the department who handles USBE hotline complaints). This policy emphasizes that complainants should not use the hotline to bypass the school's grievance policies.

#### **Recommendation:**

---

It is recommended that the Board approve the Hotline Complaint Policy.

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

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

## **North Davis Preparatory Academy Hotline Complaint Policy**



### **PURPOSE**

The purpose of this policy is to outline, in accordance with Utah Administrative Code R277-123-7, how North Davis Preparatory Academy (the “School”) responds to and resolves Utah State Board of Education (“USBE”) public education hotline complaints received as referrals from the USBE Internal Audit Department.

### **POLICY**

After the School receives a hotline complaint, if contact information for the complainant is available, designated School personnel will contact the complainant promptly and document (a) the School personnel that contacted the complainant; (b) the type of contact made (phone, email, etc.); (c) the date of the contact; and (d) the resolution of the concern or action steps to be taken.

The School will make at least two good faith attempts to contact a complainant when contact information is available.

The School will investigate, respond to, and attempt to resolve hotline complaints in accordance with the requirements set forth in R277-123-7 and School policy. If the School determines that a hotline complaint should have been addressed by way of the School’s applicable grievance policy, the School may inform the USBE Internal Audit Department. To the extent allowed by R277-123 and applicable law, complainants should not use the hotline to bypass the School’s grievance policies.

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

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



NORTH DAVIS  
PREPARATORY ACADEMY

## **HOTLINE TRAINING ACKNOWLEDGEMENT**

**Training Link:** <https://www.youtube.com/watch?v=gwbqoAHS0rI>

This training explains the requirements of Utah Board Rule [R277-123](#), which establishes an optional process for reporting violations of statute and rule in public education. It outlines how the Public Education Hotline and LEA-level hotlines function, the responsibilities of the Utah State Board of Education's Internal Audit Department, and the duties of local boards and LEA administrators in receiving, investigating, and resolving hotline complaints.

### **ACKNOWLEDGMENT**

By signing below, I confirm that I have completed this training.

Signature \_\_\_\_\_  
*Ryan Robinson, Principal*

\_\_\_\_\_ *Date*

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

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

## NDPA Board of Director's Meeting Wednesday, October 29, 2025

### **Action Item:** *Amending Child Abuse and Neglect Reporting Policy*

#### **Issue:**

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Amending the School's Child Abuse and Neglect Reporting Policy.

#### **Background:**

---

Proposed revisions to the school's Child Abuse and Neglect Reporting Policy have been made to bring the policy into better compliance with Utah law and USBE rule. New language has been added and existing language amended to better explain the circumstances under which school employees must report suspected abuse or neglect to the authorities. Language has also been added to clarify that when there is reasonable cause to believe a student has been abused by a school employee or volunteer, such abuse should not only be reported to the authorities but also to the school's administration, who then must report the suspected abuse to the Utah State Board of Education. Updated language has also been added to the school's Child Abuse and Neglect Reporting Procedures, including language with respect to new training requirements in this area required by HB 40 from the 2025 legislative session (this bill added school personnel training requirements with respect to sexual extortion).

#### **Recommendation:**

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It is recommended that the Board approve the Amended Child Abuse and Neglect Reporting Policy.

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

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

# North Davis Preparatory Academy

## Child Abuse and Neglect Reporting Policy



### **POLICY PURPOSE**

North Davis Preparatory Academy (the “School”) takes seriously the legal responsibility of its personnel to protect the physical and psychological well-being of its students. We believe that the School’s personnel have an important role to play in the elimination of child abuse because they are in a unique position to observe children over extended periods of time on a daily basis.

### **POLICY**

School personnel shall report suspected child abuse and neglect in accordance with Utah Code § 80-2-602, § 53E-6-701, and Utah Administrative Code Rule R277-401. The law provides serious penalties for failure to fulfill one’s duty to report.

~~Utah law requires that w~~Whenever ~~any person, including any s~~School employee, contracted or temporary employee, or volunteer ~~who~~ has reason to believe that a child is, or has been, the subjected ~~of to incest, molestation, sexual exploitation, sexual abuse, physical abuse,~~ or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in ~~sexual abuse, physical abuse,~~ or neglect, he/she shall immediately ~~notify~~ report the suspected abuse or neglect to the nearest peace officer, law enforcement agency, or the Division of Child and Family Services. ~~The law provides serious penalties for failure to fulfill one’s duty to report.~~

In addition, whenever any School employee, contracted or temporary employee, or volunteer has reasonable cause to believe that a student may have been physically or sexually abused by a School employee or volunteer, he/she shall immediately report that belief and all other relevant information to the Principal. The Principal, after having received such a report or otherwise having his/her own reasonable cause to believe that a student may have been physically or sexually abused by a School employee or volunteer, shall immediately report that information to the Utah State Board of Education.

All reports made regarding child abuse or neglect shall be documented in writing.

The Principal shall establish administrative procedures that ~~will~~ comply with the provisions of Utah Code ~~Ann. §§ 53E-6-701; 62A-4a-402,~~ § 80-2-602 et seq., and Utah Administrative ~~Rules~~ Code Rule R277-401 and will help the School’s personnel to understand and fulfill their legal responsibilities concerning child abuse and neglect.

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*Jennifer Bazzano — NDPA Board President*



## Child Abuse & Neglect Reporting *Administrative Procedures*

These procedures are established pursuant to the Child Abuse and Neglect Reporting Policy adopted by the Board of Directors.

1. If a School employee or volunteer **has reason to believe** that a child is, or may have been, ~~the~~ ~~subjected to incest, molestation, sexual exploitation, sexual abuse, physical of~~ abuse, or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in such, the ~~employee-person~~ shall immediately make a report to the School's Principal followed by an oral report to the nearest peace officer, law enforcement agency or Division of Child and Family Services ("DCFS"). The requirement to notify the Principal does not satisfy the ~~employee-person~~'s personal duty to report to law enforcement or DCFS.
  - a. The oral report to law enforcement or DCFS may be made with the Principal present, but must be made by the person making the report.
  - b. The reporting ~~employee-person~~ must record the name of the individual and the agency contacted to make the required report.
  - c. The reporting ~~employee-person~~ must complete and provide ~~a copy of~~ the Child Abuse and Neglect Reporting Form to the Principal within twenty-four (24) hours. The Principal will keep the form in a separate file, and it shall not be placed in the student's permanent file. The form should also be sent to the agency to which the oral report was given.
  - d. The ~~Principal-School~~ will preserve the anonymity of the person making the report and any others involved in any investigation.
2. To determine whether or not there is **reason to believe** that abuse or neglect has occurred, school employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.
  - a. Investigations by staff prior to submitting a report shall not go beyond what is minimally necessary to support a reasonable belief that a reportable problem exists.
  - b. It is not the responsibility of the Principal or any other school employees to prove who the abuser is or that the child has been abused or neglected, or to determine whether the child is in need of protection.
  - c. School employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.
  - d. School employees shall not conduct interviews with the child or contact the suspected abuser.
  - e. Notes of voluntary or spontaneous statements by the child shall be given to the investigational agency.

3. Investigations of reports of abuse for children seventeen (17) years of age and younger are the responsibility of DCFS.
  - a. School employees shall not contact the child's parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.
  - b. School personnel shall cooperate with DCFS and share all information with ~~the division~~ DCFS that is relevant to ~~the division~~ DCFS's investigation of an allegation of abuse or neglect. Additionally, School employees shall cooperate with DCFS and law enforcement employees authorized to investigate reports of alleged child abuse and neglect, including:
    - i. allowing appropriate access to students;
    - ii. allowing authorized agency employees to interview children consistent with DCFS and local law enforcement protocols;
    - iii. making no contact with the parents or legal guardians of children being questioned by DCFS or law enforcement authorities; and
    - iv. maintaining appropriate confidentiality.
  - c. If school officials are contacted by parents about child abuse reports, school personnel shall not confirm or deny that a contact or investigation is taking place. A school employee should refer the caller to law enforcement or DCFS.
4. If the suspected perpetrator of child abuse or neglect is a School employee or volunteer, that report shall be made immediately to the Principal. ~~‡~~The Principal shall then immediately report the allegation to the Utah State Board of Education. Steps shall be taken to ~~assure~~ ensure that further abuse or neglect is prevented by the suspected perpetrator.
5. Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune from any civil or criminal liability that otherwise might arise from those actions, as provided by law.
6. The Principal shall annually (a) provide each School employee with the ~~written~~ Child Abuse and Neglect Reporting Policy and Procedures, including a copy of the Child Abuse and Neglect Reporting Form and (b) notify each School employee of the mandatory reporting requirements of this Policy and Procedure and Utah Code ~~Sections~~ § 53E-6-701 and ~~§62A-4a-403~~ 80-2-602.
7. The Principal will provide School personnel once every ~~other~~ three years with training and instruction on child sexual abuse and human trafficking prevention and awareness, including (a) responding to a disclosure of child sexual abuse in a supportive, appropriate, manner; (b) identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; ~~and~~ (c) the mandatory reporting requirements of this Policy, Utah Code § 53E-6-701 and ~~62A-4a-403§~~ 80-2-602; and (d) appropriate responses to incidents of sexual extortion, including connecting victims with support services. Newly hired staff will be provided with the same training and the written policy at the beginning of their employment.

8. The School, under the direction of the Principal, will provide the parents or guardians of elementary school students with training and instruction once every ~~other~~ three years on child sexual abuse and human trafficking prevention and awareness, including (a) recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation; ~~and~~ (b) effective, age-appropriate methods for discussing the topic of child sexual ~~exploitation~~ abuse with a child; and (c) resources available for victims of sexual extortion.
9. The training and distribution of materials will be documented.
10. Educational neglect means that, after receiving a notice of compulsory education violation under Utah Code Section 53G-6-202, the parent or guardian fails to make a good faith effort to ensure that the child receives an appropriate education.
  - a. When School personnel have reason to believe that a child may be subject to educational neglect, school personnel shall submit the report described in Utah Code Subsection 53G-6-202(8) to DCFS.
  - b. When School personnel have a reason to believe that a child is subject to both educational neglect and another form of neglect or abuse, School personnel may not wait to report the other form of neglect or abuse pending preparation of a report regarding educational neglect.



## NDPA Board of Director's Meeting Wednesday, October 29, 2025

### **Action Item:** *Amending SLT Council Membership & Election Procedures*

#### **Issue:**

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Amending the School LAND Trust Council Membership and Election Procedures.

#### **Background:**

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The Utah State Board of Education (USBE) recently updated its model Charter Trust Land Council Election Procedures and is recommending that Charter School Boards adopt them to ensure compliance. While the model procedures allows for some flexibility, the administration has collaboratively reviewed the options and developed a recommendation tailored to accommodate specific needs and operational context of the LEA.

#### **Recommendation:**

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It is recommended that the Board approve the Amended School LAND Trust Council Membership & Election Procedures.

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

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



## School LAND Trust Council Membership & Election Procedures

North Davis Preparatory Academy (the “School”) has established a Charter LAND Trust Council (the “LAND Council”) to prepare a plan for the use of School LAND Trust Program money in accordance with state law and administrative rule.

1. **LAND Council Size & Composition.** The LAND Council shall consist of no fewer than five (5) and no more than thirteen (13) members. The LAND Council shall determine the size of its membership by a majority vote. The number of LAND Council members who are parents or grandparents of students actively enrolled at the School *shall* exceed all other members combined by at least two.

- a. If the School’s governing board meets the size and composition requirements above, the governing board will serve as the LAND Council.

- b. If the governing board does not serve as the Council, the Council shall consist of the specific number of parents/grandparents. In addition, membership may also include staff members, School’s Principal, and other members that desire to serve on the Council.

2. **Election Procedures for Parents/Grandparents.** On or before October 1<sup>st</sup> each year, the Principal will notify parents/guardians about Council membership opportunities and the necessary steps to become a member. Notification will be posted on website and school newsletter as well as the Parent Teacher Conference in September.

- a. If the number of interested individuals exceeds the number of open positions, an election will take place. If an election is required, the school will notify families of the election process at least ten (10) days before voting commences.

- i. Only parents of students currently attending the school are eligible to vote.

- ii. Each parent will be given one (1) vote regardless of the number of family members that attend the school.

- iii. Voting by secret ballot will be done through Google Forms and instructions for voting (including when voting opens/closes, submission information as well as the candidate list will be included in the election notice described in paragraph 2(a) above.

- iv. Absentee voting is not allowed.

- v. If two or more candidates receive the same number of votes, the person who informed the Principal of their desire to serve first, based on date and time of email to Principal, will be given the place on the Council. Notice of desire stated in paragraph 2(a) above.
  - vi. The School's Principal will oversee the election to ensure compliance with these election procedures.
- b. If the number of interested individuals is less than or equal to the number of open positions, an election is not required. Appointments by Principal will be made to fill any open seats.
- 3. **Parent/Grandparent Terms.** Terms shall be a 2-year term, and members are eligible for re-election. See paragraph (1) for eligibility to serve.
- 4. **Staff and Other Members Terms.** Terms shall be a 1-year term, and members are eligible for re-election.
- 5. **Officers.** Once established, the Council members shall elect from its membership a parent or grandparent of a student enrolled at the school to serve as Chair. The Principal may not hold an officer position.
- 6. **Filling Vacancies.** If a Council member resigns a replacement will be appointed by the Principal using the elections list if an election was held. If no election was held then the Principal will appoint a willing parent/grandparent to finish the incomplete term if the Council is not a parent majority or less than five (5) Council members.
- 7. **Quorum.** A quorum consists of a majority of the current members of the Council.
- 8. **Meetings.** The Chair shall schedule, provide notice, and convene the meetings of the Council consistent with the School Community Council Open and Public Meeting Act, 53G-7-1203.
- 9. **Council Responsibilities.** In accordance with state board rule regarding Charter Trust LAND Council expenditures and funding limits, a Council shall:
  - a. Prepare a plan for the use of School LAND Trust Program money.
  - b. Work with students, families, and educators and hold at least an annual discussion with charter school administrators to develop and incorporate safety principles at the school level.
  - c. Provide input to the School's Principal on a Positive Behaviors Plan.

~~**Election Procedures.** If the School's governing board does not serve as the LAND Council, membership shall consist of the required number of parents or grandparents of students, the School's director, and may also include other School employees.~~

~~The School will notify parents/guardians about the LAND Council and provide information on becoming a member of the School's LAND Council.~~

~~If the number of interested individuals exceeds the number of open positions, an election will take place. Families will be notified of the election process at least ten (10) days before voting commences, and each family will be given the opportunity to vote. Voting will be anonymous. The School's director will oversee the elections.~~

~~If the number of interested individuals is less than or equal to the number of open positions, an election is not required.~~

~~Terms shall be for a period of one (1) year, and members are eligible for re-election.~~