

HighMark Charter School
Board of Directors Meeting
Date: January 26, 2026
Time: 7:00PM
Location: 2467 E South Weber Dr, South Weber, UT 84405



The mission of HighMark Charter School is to equip students with the highest quality education while fostering an entrepreneurial spirit by integrating practical business applications throughout the core curriculum.

AGENDA

CALL TO ORDER

PUBLIC COMMENT (Limited to three minutes per person)

- 2026/2027 Fee Schedule & Fee Waiver Policy (1st comment period)

CONSENT ITEMS

- November 19, 2025 Board Meeting Minutes
- Ratify New Hires

REPORTS

- Principal's Report
- Budget Report
 - Audit Presentation & Training

VOTING AND DISCUSSION ITEMS

- Mural Design and Installation Purchase
- Gymnasium Paint and Flooring
- Policies:
 - Amended Instructional Materials Policy
 - Amended Paid Parental and Postpartum Recovery Leave Policy
 - Amended Student Conduct and Discipline Policy
 - Amended Fee Waiver Policy

CALENDARING

- Next Board Meeting—March 16, 2026
- National Conference—June 24-26, 2026

ADJOURN

HIGHMARK CHARTER SCHOOL BOARD OF DIRECTORS



EXECUTIVE SUMMARY

FEE SCHEDULE

This is the first comment period for the fee schedule. No action needed at this time.

Per state law, if a school charges any school fees, the school must approve a fee schedule for the upcoming school year by June 1 before the school year begins. In addition, prior to the June 1 deadline, the school must also allow public comment on the proposed fee schedule at no fewer than two board meetings. A school's fee schedule must include a description of all fees charged, the amount of any fee, an explanation of how the fees will be spent by the school, a per student annual maximum fee amount for the school year (the maximum amount a student would pay in fees if the student participated in all activities, classes, clubs, etc. that charge a fee), and a statement notifying parents that their student might be eligible for a fee waiver.

Action: *Public Comment Opportunity*

PRINCIPALS REPORT

See board meeting documentation folder for the most up to date report.

Action: *No action needed*

BUDGET REPORT

See board meeting documentation folder for the most up to date report.

Action: *No action needed*

AUDIT PRESENTATION & TRAINING

Eide Bailly has completed the annual independent audit of the School's financial statements and compliance for the fiscal year ending June 30. Their audit was conducted in accordance with required standards, and they found that the financial statements fairly represent the School's financial position and activity. They met with the Board to review the audit results, including the financial statements, compliance testing, and this year's required communications.

Action: *No action needed*

MURAL DESIGN AND INSTALLATION PURCHASE

The board is asked to review and consider an invoice for mural design and installation services from artist Cole Eisenhour, following several months of collaborative design work and selection of a preferred full-wall banner concept.

Action: *Vote Needed*

GYMNASIUM PAINT AND FLOORING

The school has been in the process of soliciting bids for improvements to the gymnasium and related interior areas. This project includes painting the gymnasium and refinishing the gym floors, stairs, and wall carpet throughout the school. All three bids exclude demo of existing VCT. The need for demo is anticipated. Any possible flooring defects are typically due to settling of concrete, if this is determined those would need to be addressed.

Painting: Recommended to go with N&B Painting

Flooring: Recommended to go with Flooring Services.

Action: Vote Needed

POLICIES

Amended Instructional Materials Policy

HB 21 from the 2025 legislative session renumbered various parts of the criminal code, including the definitions of “objective sensitive material” and “subjective sensitive material.” Those definitions are included in the school’s Instructional Materials Policy and the USBE has asked schools to update their policies with the correct/updated code citations. The proposed revisions to the policy include only the updated code citations. No other changes have been made to the policy.

Action: Vote needed

Amended Paid Parental and Postpartum Recovery Leave Policy

This policy is being revised to clarify that the two paid leave periods are each up to 3 calendar weeks as opposed to 15 contract days. The revisions also clarify that the maximum amount of leave under each paid leave period is 3 calendar weeks and that any non-contract days occurring during a leave period will count toward the three-calendar week leave period.

Action: Vote needed

Amended Student Conduct and Discipline Policy

SB 170 from the 2025 legislative session and corresponding revisions to USBE rule R277-608 (effective November 2025) brought about changes to the rules and requirements related to the use of emergency safety interventions (physical restraint and seclusion) with students. These new rules and requirements have been built into the Student Conduct and Discipline Policy. Other updates and clarifications have also been added to the policy to increase its compliance with new and existing laws and updates to USBE rules, including those related to due process for student disciplinary actions, reinstatement of students after suspension, reintegration plans, administrative student conduct and discipline plans (plan requirements have decreased), corporal punishment, definitions of suspension and expulsion (as described in R277-609) and the alternative education service requirements related thereto, and state reporting requirements for suspensions and expulsions.

Action: Vote needed

Amended Fee Waiver Policy

HB 344 from the 2025 legislative session separates out courses for school fee charging purposes into “non-fee courses” (ELA, health education, math, science, and social studies) and “fee courses” (all courses that are not non-fee courses) This new law restricts what types of fees can be charged for such courses. It also specifies that beginning with the 26-27 school year, schools that have secondary students (students in grades 7-12) and award them credit toward graduation must provide at least one option for each graduation credit requirement that does not require the payment or waiver of a fee. However, there is an exception for charter schools that only offer the following for a given graduation requirement: an AP, IB, or CE course. HB 344 also extends the annual deadline by which schools must approve their fee schedules for the following school year, changing it from April 1 to June 1. The changes from HB 344 and R277-407 (which was last revised in December 2025) have been worked into the school’s Fee Waiver Policy.

Action: Vote needed



HIGHMARK CHARTER

2026-2027 Student Fee Schedule

The following student fees may be assessed to students of HighMark as follows:

REQUIRED FEES (for all fully and partially enrolled students in grades 6-9)			
FEE DESCRIPTION	EXPENDITURES FUNDED BY FEE (SPEND PLAN)		TOTAL FEE
Grade 7	School activities	\$15.00	\$65
	CCA Supplies	\$15.00	
	Elective Supplies	\$35.00	
Grade 8	School activities	\$15.00	\$75
	Electives Supplies	\$60.00	
Grade 9	School activities	\$15.00	\$75
	Electives Supplies	\$60.00	

OTHER FEES, INCLUDING FEES FOR OPTIONAL AFTER-SCHOOL CLUBS, ACTIVITIES, AND SPORTS (for participating students)		
FEE DESCRIPTION	EXPENDITURES FUNDED BY FEE (SPEND PLAN)	TOTAL FEE
Cheerleading	• Stipend for coach, judges,	\$80
	• Uniforms, camp – approximate	\$800-1200
Student Government	• Activities, stipend for advisor	\$80
	• Sweater, training – approximate	\$80-100
Volleyball	• Supplies, referees, stipend for coaches	\$75
Cross Country	• Supplies, stipend for coaches	\$35
Soccer	• Supplies, referees, stipend for coaches	\$75
Wrestling	• Supplies, referees, stipend for coaches	\$75
Baseball/Softball	• Supplies, referees, stipend for coaches	\$75
Track and Field	• Supplies, referees, stipend for coaches	\$35
Academic Bowl	• Supplies, stipend for coaches	\$20
Basketball	• Supplies, referees, stipend for coaches	\$75
Flag Football	• Supplies, referees, stipend for coaches	\$75
Sport Uniforms	• Sport uniforms – approximate	\$20-100
Sport Clinics	• Supplies, stipend for coaches; each sport may have a 2-day clinic	\$15
After School Care	• Supplies, stipend for teacher	\$80 per week
9th Grade Optional Business trip	• Air fare, hotel, bus, food	\$1750

PER STUDENT (GRADE 6) ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL YEAR: \$3792

This amount reflects the total student fees any student in grade 6 would be required to pay if the student participated in all after-school activities provided, sponsored, or supported by the School for students in grade 6th for the year.

PER STUDENT (GRADES 7-8) ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL YEAR: \$3876

This amount reflects the total student fees any student in grades 7-8 would be required to pay if the student participated in all courses, programs, and activities provided, sponsored, or supported by the School for students in grades 7-8 for the year.

PER STUDENT (GRADE 9) ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL YEAR: \$5523

This amount reflects the total student fees any student in grade 9 would be required to pay if the student participated in all courses, programs, and activities provided, sponsored, or supported by the School for students in grade 9 for the year.

Notice to Parents: Your student may be eligible to have one or more of their fees waived. For information on fees and fee waivers, please contact an administrator at the School and/or review the school fees materials provided on the School website (School Fees Posters and Notices, Fee Waiver Policy, Fee Waiver Applications, Fee Waiver Decision and Appeal Form, etc.). If you file a fee waiver request with the School and the request is denied, you may appeal the School's decision.

DRAFT



HighMark Charter School

Board of Directors Meeting

Date: November 19, 2025

Location: (801) 928-7660

In Attendance: Richard Bigler, Lori Drake, Rory Ukena

Others In Attendance: Shawn Miehlke, Kim McVey, Krystal Taylor

Excused: Blake Petersen

MINUTES

CALL TO ORDER

Richard Bigler called the meeting to order at 11:01 AM.

CONSENT ITEMS

- September 10, 2025 Board Meeting Minutes
 - October 20, 2025 Board Meeting and Closed Session Minutes
- Richard Bigler made a motion to approve the September 10, 2025 board meeting minutes and the October 20, 2025 board meeting and closed session minutes. Lori Drake seconded. Motion passed unanimously. Votes were as follows: Richard Bigler, Aye; Lori Drake, Aye; Rory Ukena, Aye.*

VOTING & DISCUSSION ITEMS

- 2026/2027 School Year Calendar
- The 2026/2027 school year calendar has been reviewed to meet all state requirements.
- Lori Drake made a motion to approve the 2026/2027 school year calendar. Rory Ukena seconded. Motion passed unanimously. Votes were as follows: Richard Bigler, Aye; Lori Drake, Aye; Rory Ukena, Aye.*
- Advanced Electrical Bid
- Two bids were received for the Highmark lighting project from Alder Electric and Advanced Electric. Both vendors have strong experience with similar work. Advanced Electric confirmed their bid includes hauling and disposing of old lights and detailed their plan for protecting the gym's wood floor. Alder's bid does not include disposal and includes fewer emergency lights. Pricing favors Advanced Electric at \$11,865 compared to Alder at \$12,650. Timing will be coordinated to ensure the project takes place over the school's winter break.

Lori Drake made a motion to approve Advanced Electric Bid for up to \$12,000. Rory Ukena seconded. Motion passed unanimously. Votes were as follows: Richard Bigler, Aye; Lori Drake, Aye; Rory Ukena, Aye.

CALENDARING

- Holiday Social December 9th, 2025 at 6:00 PM
- The Roof: 15 E S Temple St 10th floor, Salt Lake City, UT 84150

ADJOURN

At 11:12 AM Richard Bigler made a motion to adjourn. Rory Ukena seconded. Motion passed unanimously. Votes were as follows: Richard Bigler, Aye; Lori Drake, Aye; Rory Ukena, Aye.

DRAFT

PRINCIPAL'S REPORT #13



AWARDS!

Recognized by the Utah State Board of Education for increasing the percentage of students reading on grade level in kindergarten, 2nd, and 3rd grade from the beginning of the year to the end of the year by 10% or more for the 24-25 school year.

Recognition for the achievement of having 90% or more at the rate for both below and well below progress monitoring for the current 25-26 school year.

PROJECTS

We have completed installing the new windows in our front entrance. We also completed the installation of our new lighting in both the commons and gym areas.

Summer Projects

Paint the gym to match the school's color scheme. Bids received.

Complete replacing the VCT and finish the wall carpeting. Bids received.

Mural Painting in Commons – Quote received.



ENROLLMENT/LOTTERY

Currently, we have received 155 applications for the 26-27 school year.

Our priority lottery was run on Tuesday, January 6th, for sibling preference.

Our general lottery was run on Tuesday, January 13th.

We continue to have strong retention rates and anticipate our enrollment trend to be remain solid.



Financial Statements

June 30, 2025

HighMark Charter School

Independent Auditor's Report.....	1
Management's Discussion and Analysis	4
Financial Statements	
Statement of Net Position	9
Statement of Activities.....	10
Balance Sheet – Governmental Funds	11
Reconciliation for Governmental Funds Balance Sheet to the Statement of Net Position	12
Statement of Revenue, Expenditures, and Changes in Fund Balance – Governmental Funds	13
Reconciliation of Governmental Funds Statement of Revenue, Expenditures, and Changes in Fund Balance to the Statement of Activities	14
Notes to Financial Statements	15
Required Supplementary Information	
Schedule of Revenue, Expenditures, and Changes in Fund Balance – Budget and Actual – General Fund	26
Notes to Required Supplementary Information	27
Supplementary Information	
Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	28
Independent Auditor's Report on Compliance and Report on Internal Control over Compliance as Required by the <i>State Compliance Audit Guide</i>	30
Schedule of Findings and Recommendations	33



Independent Auditor's Report

The Board of Directors
HighMark Charter School
South Weber, Utah

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities and the major fund of HighMark Charter School (the School) as of and for the year ended June 30, 2025, and the related notes to the financial statements, which collectively comprise the School's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the major fund of the School, as of June 30, 2025, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the School and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the School's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances but not for the purpose of expressing an opinion on the effectiveness of the School's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the School's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and schedule of revenue, expenditures, and changes in fund balance – budget and actual – general fund and notes to the required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with GAAS, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the

information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated October 27, 2025, on our consideration of the School's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing and not to provide an opinion on the effectiveness of the School's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the School's internal control over financial reporting and compliance.

A handwritten signature in black ink, appearing to read "Eric Baily LCP".

Ogden, Utah
October 27, 2025

The discussion and analysis of HighMark Charter School's (the School) financial performance provides an overall review of financial activities for the fiscal year.

FINANCIAL HIGHLIGHTS

During fiscal year 2025, the School demonstrated thoughtful stewardship of its resources, strategically budgeting and allocating funds to support a high-quality educational experience for its students. With measured enrollment growth and a 5% increase in State of Utah funding through the Weighted Pupil Unit (WPU), the School achieved strong financial results. Thanks to the Board of Directors' foresight in financial planning and management's commitment to maintaining the facility, the School completed several major summer improvement projects, including replacing all carpeting, repairing and sealing parking areas, and resealing the building's exterior. Through sound management and effective governance, the School concluded another year of financial strength and stability.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis serve as an introduction to the School's basic financial statements. These financial statements include three primary components:

- Government-wide financial statements
- Fund financial statements
- Notes to the financial statements

The basic financial statements consist of two kinds of statements that present different views of the School's financial activities.

Government-Wide Financial Statements (GWFS)

The GWFS (i.e., Statement of Net Position and Statement of Activities) provide readers with a broad overview of the School's finances. The government-wide statements report information about the School as a whole using accounting methods similar to those used by private-sector companies.

The Statement of Net Position provides information on all of the assets and liabilities of the School, with the difference between the two providing the net position. Increases or decreases in the net position may indicate whether the financial position of the School is improving or deteriorating, respectively.

The Statement of Activities reflects changes in net position during the fiscal year. Changes in net position are reported using the accrual basis of accounting, similar to that used by private-sector companies. Accrual basis accounting takes into account all current year related revenue and expenditures, regardless of when cash is received or paid.

The GWFS presents an aggregate view of the School's finances and contains useful long-term information as well as information for the just-completed fiscal year.

To assess the overall financial condition of the School, additional non-financial factors, such as changes in the condition of school buildings and other facilities, should be considered.

In the GWFS, the School's activities are all classified as governmental activities. Governmental activities include all regular and special education, all educational support activities, administration, custodial, maintenance, transportation, and food services. Most of these activities are supported by the State of Utah Minimum School Program. The GWFS can be found on pages 9-10 of this report.

Fund Financial Statements

Funds are accounting devices the School uses to keep track of sources of funding and spending on particular programs and to demonstrate compliance with various regulatory requirements. Fund financial statements focus on individual parts of the School. Fund statements generally report operations in more detail than the government-wide statements. This statement focuses on its most significant or "major" funds and not on the School as a whole.

The School establishes other funds, as necessary, to control and manage money for particular purposes or to show that it is properly using certain revenue.

Governmental Funds

Governmental funds account for nearly the same functions as the governmental activities. However, unlike the GWFS, governmental funds focus on near-term inflows and outflows as well as the balances left at year-end that are available for funding future basic services.

It is useful to compare information found in the governmental funds with that of the governmental activities. By doing so, readers may better understand the long-term impact of the School's near-term financing decisions.

The basic governmental funds financial statements can be found on pages 11-14 of this report.

Notes

The notes to the financial statements starting on page 15 provide further explanation of some of the information in the statements and provide additional disclosures so statement users have a complete picture of the School's financial activities and position.

Required supplementary information further explains and supports the financial statements by including a comparison of the School's budget data for the year.

Government-Wide Financial Analysis

Net position may serve as a useful indicator of an organization's financial position.

	<u>2025</u>	<u>2024</u>
Assets		
Current and other assets	\$ 3,784,360	\$ 3,514,680
Capital assets	<u>9,726,525</u>	<u>9,599,283</u>
 Total assets	 <u>\$ 13,510,885</u>	 <u>\$ 13,113,963</u>
Liabilities		
Current and other liabilities	\$ 545,526	\$ 704,057
Long-term liabilities	<u>8,827,747</u>	<u>9,075,697</u>
 Total liabilities	 <u>9,373,273</u>	 <u>9,779,754</u>
Net Position		
Net investment in capital assets	898,778	523,586
Restricted	<u>851,867</u>	<u>796,979</u>
Unrestricted	<u>2,386,967</u>	<u>2,013,644</u>
 Total net position	 <u>\$ 4,137,612</u>	 <u>\$ 3,334,209</u>

A portion of the School's net position is the investments in capital assets (i.e., building, land, audio and visual materials, furniture and equipment, computers, capital improvements, and construction in progress) and the related debt used to acquire those assets still outstanding. These capital assets provide services to students; consequently, these assets are not available for future spending. Restricted net position is restricted for debt service and program restrictions. The remaining portion of the School's net position is unrestricted.

Governmental Activities

Changes in Net Position – The table below shows the changes in net position for the fiscal years 2025 and 2024. The School relies on state and federal support for 95% of its governmental activities for the year ended June 30, 2025. The School had total revenue of \$7,643,556 and total expenses of \$6,840,153 during the year ended June 30, 2025. The School had an increase in net position of \$803,403 during the year ended June 30, 2025. The increase in net position reflects the Board and administration's deliberate efforts to strengthen the School's financial foundation through steady student enrollment, sound investment strategies, and disciplined budget management.

HighMark Charter School
 Management's Discussion and Analysis
 June 30, 2025

	<u>2025</u>	<u>2024</u>	<u>Change</u>
Revenue			
Program revenue			
State and federal aid	\$ 7,280,353	\$ 6,684,946	\$ 595,407
Operating grants and contributions	7,491	12,341	(4,850)
Earnings on investment	131,704	111,238	20,466
Other local revenue	<u>224,008</u>	<u>232,960</u>	<u>(8,952)</u>
Total revenue	<u>7,643,556</u>	<u>7,041,485</u>	<u>602,071</u>
Expenses			
Instructional	4,240,629	3,823,973	416,656
Support services			
Students	455,814	436,847	18,967
Staff assistance	88,613	21,869	66,744
General	27,509	18,500	9,009
School administration	434,218	503,265	(69,047)
Central services	454,186	392,087	62,099
Operation and maintenance			
of facilities	705,497	637,618	67,879
Transportation	14,587	16,698	(2,111)
Facilities acquisition and			
construction services	9,200	3,091	6,109
Interest and other costs	<u>409,900</u>	<u>434,976</u>	<u>(25,076)</u>
Total expenses	<u>6,840,153</u>	<u>6,288,924</u>	<u>551,229</u>
Change in Net Position	<u><u>\$ 803,403</u></u>	<u><u>\$ 752,561</u></u>	<u><u>\$ 50,842</u></u>

Governmental Funds

The focus of the School's governmental funds is to provide balances of spendable resources and to provide data on near-term inflows and outflows.

General Fund – The general fund is the general operating fund for the School. At the end of the current fiscal year, the general fund balance is \$3,238,834, which is an increase of \$428,211 from the prior year. At the beginning of the year, the School's Board and administration thoughtfully planned for a small surplus to help fund future facility needs and unexpected one-time expenses. Thanks to steady student enrollment and careful use of State and Federal funds, the School ended the year with a surplus greater than anticipated. These funds will be reinvested into future projects that enhance the campus and continue supporting a positive learning environment for students.

Expenditures for general School purposes totaled \$7,215,345, which is an increase of \$196,177 from the prior year. Expenditure increases were primarily the result of salary and benefit adjustments for instructional staff, along with planned facility improvement projects.

General fund salaries totaled \$4,103,846, while the associated fringe benefits of retirement, social security, unemployment, workers compensation, health, dental, and vision added \$586,126 to arrive at 65% of the School's general fund expenditures.

Budgetary Highlights

The School adopts an original budget in June for the subsequent year.

Actual expenditures in the General Fund were \$37,398 less than the amended budget. The amended budget was developed using a conservative approach to both revenue projections and year-end expenditures, resulting in actual expenditures falling below budgeted amounts.

Capital Assets

The School has invested \$13,256,491 in a wide range of capital assets, but primarily in land, building, capital improvements, and furniture and equipment. The total accumulated depreciation on these assets amounts to \$3,529,966. There were capital asset additions of \$583,728 for fiscal year 2025. Additional information regarding the School's capital assets can be found in Note 3 to the basic financial statements.

Long-Term Debt

Long-term debt consists of a \$5,226,944 note payable with the United States Department of Agriculture that bears interest at 3.50%. The note matures in August 2048. The School also has outstanding bonds issued through the finance authority totaling \$3,600,803, with rates at 6.13%. The bonds mature in September 2043. The School is required to meet certain covenants including debt coverage and cash available as defined by their notes payable agreement. See Note 4 to the basic financial statements for more information about long-term debt.

Requests for Information

This financial report is designed to provide our citizens, taxpayers, customers, and investors and creditors with a general overview of the School's finances and to demonstrate the School's accountability for the money it receives. If you have questions about this report or need additional financial information, contact the school at 2467 E. South Weber Drive, South Weber, Utah 84405, or by phone at 801-476-4627.

HighMark Charter School
 Statement of Net Position
 June 30, 2025

	<u>Governmental Activities</u>
Assets	
Cash and investments	\$ 2,766,194
Restricted cash and investments	823,861
State receivables	149,575
Federal receivables	5,280
Other receivables	2,458
Prepaid expenses	36,992
Capital assets (not subject to depreciation)	1,461,673
Capital assets (net of accumulated depreciation)	<u>8,264,852</u>
Total assets	<u>13,510,885</u>
Liabilities	
Accounts payable	65,565
Accrued liabilities	460,051
Unearned revenue	19,910
Long-term liabilities	
Due within one year - note and bonds payable	259,629
Due in more than one year - note and bonds payable	<u>8,568,118</u>
Total liabilities	<u>9,373,273</u>
Net Position	
Net investment in capital assets	898,778
Restricted for	
Special education	24,083
Educator professional time	3,923
Debt service	823,861
Unrestricted	<u>2,386,967</u>
Total net position	<u>\$ 4,137,612</u>

HighMark Charter School
Statement of Activities
Year Ended June 30, 2025

Functions/Programs	Program Revenue			Net Revenue (Expense) and Changes in Net Position
	Expenses	Charges for Services	Operating Grants and Contributions	
<i>Governmental activities</i>				
Instructional	\$ 4,240,629	\$ -	\$ 3,833,401	\$ (407,228)
Support services				
Students	455,814	-	-	(455,814)
Staff assistance	88,613	-	-	(88,613)
General	27,509	-	-	(27,509)
School administration	434,218	-	-	(434,218)
Central services	454,186	-	-	(454,186)
Operation and maintenance				
of facilities	705,497	-	-	(705,497)
Transportation	14,587	-	-	(14,587)
Facilities acquisition and construction services	9,200	-	-	(9,200)
Interest and other costs	409,900	-	-	(409,900)
Total governmental Activities	\$ 6,840,153	\$ -	\$ 3,833,401	(3,006,752)
General Revenue				
Grants and contributions not restricted to specific programs				
State aid				3,454,443
Local revenue				37,710
Interest earnings				131,704
School fees				69,391
Miscellaneous				116,907
Total general revenue				3,810,155
Change in Net Position				803,403
Net Position, Beginning of Year				3,334,209
Net Position, End of Year				\$ 4,137,612

HighMark Charter School
Balance Sheet – Governmental Funds
June 30, 2025

	General
Assets	
Cash and investments	\$ 2,766,194
Restricted cash and investments	823,861
State receivables	149,575
Federal receivables	5,280
Other receivables	2,458
Prepaid expenses	<u>36,992</u>
 Total assets	<u>\$ 3,784,360</u>
 Liabilities and Fund Balance	
 Liabilities	
Accounts payable	\$ 65,565
Accrued liabilities	460,051
Unearned revenue	<u>19,910</u>
 Total liabilities	<u>545,526</u>
 Fund Balance	
Nonspendable	
Prepaid expenses	36,992
Restricted for	
Special education	24,083
Educator professional time	3,923
Debt service	823,861
Unassigned	<u>2,349,975</u>
 Total fund balance	<u>3,238,834</u>
	<u>\$ 3,784,360</u>

HighMark Charter School

Reconciliation for Governmental Funds Balance Sheet to the Statement of Net Position

June 30, 2025

Total Fund Balance - Governmental Funds	\$ 3,238,834
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The cost of capital assets (building, land, audio and visual materials, furniture and equipment, computers, construction in progress and capital improvements) purchased or constructed is reported as an expenditure in governmental funds. The statement of net position includes those capital assets among the assets of the School as a whole. The cost of those capital assets is allocated over their estimated useful lives (as depreciation expense) to the various programs reported as governmental activities in the statement of activities. Because depreciation expense does not affect financial resources, it is not reported in government funds.

Costs of capital assets	13,256,491
Depreciation expense to date	<u>(3,529,966)</u>
	9,726,525

Long-term liabilities applicable to governmental activities are not due and payable in the current period and therefore are not reported as fund liabilities. All liabilities, both current and long-term, are reported in the statement of net position. Balances at year end are:

Long-term liabilities	
Note and bonds payable	<u>(8,827,747)</u>
Net Position	\$ 4,137,612

HighMark Charter School
 Statement of Revenue, Expenditures, and Changes in Fund Balance – Governmental Funds
 Year Ended June 30, 2025

	General
Revenue	
State aid	\$ 7,166,233
Federal aid	114,120
Earnings on investments	131,704
School fees	69,391
Other local sources	<u>162,108</u>
Total revenue	<u>7,643,556</u>
Expenditures	
Instructional	<u>4,240,629</u>
Support services	
Students	455,814
Staff assistance	88,613
General	27,509
School administration	434,218
Central services	454,186
Operation and maintenance of facilities	249,011
Transportation	14,587
Facilities acquisition and construction services	<u>9,200</u>
Total support services	<u>1,733,138</u>
Non-instructional	
Capital outlay	<u>583,728</u>
Debt service	
Principal	247,950
Interest and other costs	<u>409,900</u>
Total debt service	<u>657,850</u>
Total expenditures	<u>7,215,345</u>
Net Change in Fund Balance	428,211
Fund Balance, Beginning of Year	<u>2,810,623</u>
Fund Balance, End of Year	<u>\$ 3,238,834</u>

HighMark Charter School
Reconciliation of Governmental Funds Statement of Revenue, Expenditures,
and Changes in Fund Balance to the Statement of Activities
Year Ended June 30, 2025

Total Net Change in Fund Balance - Governmental Funds \$ 428,211

Amounts reported for governmental activities in the statement of activities are different because:

Capital outlay is reported in governmental funds as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which capital outlay exceeded depreciation during the fiscal year:

Capital outlay	583,728
Depreciation expense	<u>(456,486)</u>
	127,242

The governmental funds report repayment of long-term liability payments as expenditures. Interest is recognized as an expenditure in the governmental activities when it is due. In the statement of activities, interest expense is recognized as it accrues, regardless of when it is due. The net effect of these differences in the treatment of debt and related items is as follows:

Repayment of note and bonds payable principal	<u>247,950</u>
Change in Net Position of Governmental Activities	<u>\$ 803,403</u>

Note 1 - Summary of Significant Accounting Policies

HighMark Charter School (the School) was formed in 2011 and is a nonprofit institution organized under the nonprofit corporation laws of the State of Utah. The School was organized by a group of parents, teachers, and business professionals to provide an educational opportunity in South Weber, Utah, that was not governed by the local school district. The School was founded on the premise that parents as partners in the learning process leads to success for each child. Every parent is asked to be involved with the School either through committees or through volunteering time in the classroom or with other needs the school may have as they arise. The School provides the following activities: education, encompassing instruction, student and staff support activities, and facilities maintenance and operation. Supporting services include general and administrative services which are overall entity-related administrative costs.

The financial statements of the School have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to local government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant accounting policies of the School are described below.

Financial Reporting Entity

The School follows GASB in determining the reporting entity and component units. The financial reporting entity consists solely of the primary government. Accordingly, the financial statements include all funds and agencies of the primary government whose budgets are controlled or whose boards are appointed by the Board of Directors (the Board).

The accounts of the School are organized and operated on the basis of funds. A fund is an independent fiscal and accounting entity with a self-balancing set of accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum number of funds is maintained consistent with legal and managerial requirements.

The funds of the School are classified as governmental funds. The fund classifications and a description of each existing fund type follow:

Governmental Funds

Governmental funds are used to account for the School's general government activities, including the collection and disbursement of specific or legally restricted monies, the acquisition or construction of general fixed assets, and the servicing of general long-term debt. The general fund is considered a major fund.

Governmental funds include:

General fund – the primary operating fund of the School accounts for all financial resources, except those required to be accounted for in other funds.

Measurement Focus and Basis of Accounting

Government-Wide Financial Statements (GWFS)

The statement of net position and the statement of activities display information about the reporting government as a whole.

The statement of net position and the statement of activities were prepared using the economic resources measurement focus and the accrual basis of accounting. Revenue, expenses, gains, losses, assets, and liabilities resulting from exchange and exchange-like transactions are recognized when the exchange takes place. Revenue, expenses, gains, losses, assets, and liabilities resulting from nonexchange transactions are recognized in accordance with the requirements of GASB Statement No. 33 *Accounting and Financial Reporting for Nonexchange Transactions* in the GWFS.

Program Revenue

Program revenue included in the statement of activities derive directly from the program itself or from parties outside the School's citizenry, as a whole; program revenue reduces the cost of the function to be financed from the School's general revenue. Program revenue includes charges to students or applicants who purchase, use, or directly benefit from the goods or services provided by the given function.

Fund Financial Statements

Governmental Funds

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. Governmental fund types use the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenue is recognized when susceptible to accrual defined as measurable and available. Measurable means the amount of the transaction can be determined, and available means collectible within the current period or soon enough thereafter to pay liabilities of the current period. The School considers all revenue available if they are collected within 90 days after year-end. Expenditures are recorded when the related fund liability is incurred, except for unmatured principal and interest on general long-term debt, which is recognized when due, and certain compensated absences and claims and judgments which are recognized when the obligations are expected to be liquidated with expendable available financial resources. With this measurement focus, only current assets and current liabilities and deferred outflows and inflows of resources, as applicable, are generally included on the balance sheet. Operating statements of these funds present increases and decreases in fund balance.

The governmental funds use the following practices in recording revenue and expenditures:

Revenue

Entitlements and shared revenue (which include state equalization and state revenue sharing) are recorded as unrestricted grants-in-aid at the time of receipt or earlier if the susceptible to accrual criteria are met. Expenditure-driven grants are recognized as revenue when the qualifying expenditures have been incurred and all other grant requirements have been met and the susceptible to accrual criteria have been met.

Other receipts become measurable and available (collected within 90 days of year-end) when cash is received by the School and are recognized as revenue at that time. The School's period of availability is 90 days subsequent to year end.

Expenditures

Expenditures are generally recorded when the related fund liability is incurred. General capital asset acquisitions are reported as expenditures in governmental funds. The School has employees who do not work year-round, but receive salary payments on a monthly basis; salaries earned, but unpaid, have been accrued as of June 30, 2025.

Restricted Cash and Investments

Cash and investments restricted for debt service is cash and investments set aside for bonds payable reserve requirements.

Investments

Investments are recorded at fair value in accordance with GASB Statement No. 72, *Fair Value Measurement and Application*. Accordingly, the change in fair value of investments is recognized as an increase or decrease to investment assets and investment income.

Receivables

All receivables are shown net of any allowance for uncollectible amounts. No allowances for uncollectible items have been recorded as of June 30, 2025.

Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts of assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates, and those differences could be material.

Capital Assets

Capital assets are recorded at historical cost and depreciated over their estimated useful lives (excluding salvage value). Donated capital assets are recorded at their estimated acquisition value at the date of donation. Estimated useful lives are management's estimate of how long the asset is expected to meet service demands. The School's capitalization threshold is \$1,500. The cost of normal maintenance and repairs not adding to the value of the asset or materially extending asset lives are not capitalized.

Straight-line depreciation is used based on the following estimated useful lives:

Buildings	40 years
Audio and visual materials	5 years
Furniture and equipment	7 years
Computers	5 years
Capital improvements	20 years

Long-Term Liabilities

For government-wide reporting, material premiums and discounts are deferred and amortized over the life of the debt using the straight-line method, which approximates the effective interest method. Debt is reported net of the applicable premium or discount. Issuance costs are expensed as incurred.

For fund financial reporting, premiums and discounts as well as issuance costs are recognized in the period the debt is issued. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuance are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, even if withheld from the actual net proceeds received, are reported as debt service expenditures.

Unearned Revenue

Unearned revenue consists of funds that have been received but not yet earned (expended). The funds must be returned to the State of Utah if not used for qualifying expenditures.

Restricted Net Position

For the government-wide statement of net position, net position is reported as restricted when constraints placed on net position use is either:

Externally imposed by creditors (such as debt covenants), grantors, contributors, or laws or regulations of other governments;

Imposed by law through constitutional provisions or enabling legislation.

It is the School's policy to consider restricted-net position to have been depleted before unrestricted-net position is applied.

Fund Balances of Fund Financial Statements

The governmental fund financial statements present fund balance based on classifications that comprise a hierarchy based primarily on the extent to which the School is bound to honor constraints on the specific purposes for which amounts in the respective governmental funds can be spent.

The classifications used in the governmental fund financial statements are as follows:

Nonspendable: This classification includes amounts that cannot be spent because they are either (a) not in spendable form or (b) are legally or contractually required to be maintained intact. The School has historically shown prepaids as being nonspendable as these items are not expected to be converted to cash or are not expected to be converted to cash within the next year.

Restricted: This classification includes amounts for which constraints have been placed on the use of the resources either (a) externally imposed by creditors (such as through a debt covenant), grantors, contributors, or laws or regulations of other governments, or (b) imposed by law through constitutional provisions or enabling legislation. Debt service resources are to be used for future servicing of the general obligations and are restricted through debt covenants.

Committed: This classification includes amounts that can be used only for specific purposes pursuant to constraints imposed by formal action by the Board. These amounts cannot be used for any other purpose unless the Board removes or changes the specified use by taking the same type of action (resolution) that was employed when the funds were initially committed.

Assigned: This classification includes amounts that are constrained by the Board's intent to be used for a specific purpose but are neither restricted nor committed. This intent can be expressed by the Board or by the Board delegating this responsibility to the Director or his designee through the budgetary process.

Unassigned: This classification includes the residual fund balance for the general fund and the amount established for minimum funding.

The School has a policy to use restricted fund balances first, followed by committed resources and then assigned resources, as appropriate opportunities arise, but reserves the right to selectively spend unassigned resources first to defer the use of these other classified funds.

Grants and Other Intergovernmental Revenue

Federal and state reimbursement-type grants are recorded as intergovernmental revenue when the related expenditures and expenses are incurred and, in the governmental funds, when the revenue meets the availability criterion.

Note 2 - Cash and Investments

At June 30, 2025, the School's cash and investments consisted of the following:

Cash		
Insured	\$ 277,528	
Uninsured and not collateralized	<u>758,754</u>	
Total balance of deposits	<u>\$ 1,036,282</u>	

	Rating	Fair Value	Investment Maturities
Investments			
PTIF	Unrated	<u>\$ 2,553,773</u>	Less than 1 year
Total cash and investments		<u>\$ 3,590,055</u>	

The State of Utah Money Management Council has the responsibility to advise the State Treasurer about investment policies, promote measures and rules that will assist in strengthening the banking and credit structure of the state, and review the rules adopted under the authority of the State of Utah Money Management Act (the Act) that relate to the deposit and investment of public funds.

The School follows the requirements of the Act (Utah Code, Title 51, Chapter 7) in handling its depository and investment transactions. The Act requires the depositing of School funds in a qualified depository. The Act defines a qualified depository as any financial institution whose deposits are insured by an agency of the federal government and which has been certified by the State Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council.

The Act defines the types of securities authorized as appropriate investments for the School's funds and the conditions for making investment transactions. Investment transactions may be conducted only through qualified depositories, certified dealers, or directly with issuers of the investment securities.

Statutes authorize the School to invest in negotiable or nonnegotiable deposits of qualified depositories and permitted negotiable depositories; repurchase and reverse repurchase agreements; commercial paper that is classified as "first tier" by two nationally recognized statistical rating organizations; bankers' acceptances; obligations of the United States Treasury including bills, notes, and bonds; obligations, other than mortgage derivative products, issued by U.S. government sponsored enterprises (U.S. Agencies) such as the Federal Home Loan Bank System, Federal Home Loan Mortgage Corporation (Freddie Mac), and Federal National Mortgage Association (Fannie Mae); bonds, notes, and other evidence of indebtedness of political subdivisions of the state; fixed rate corporate obligations and variable rate securities rated "A" or higher, or the equivalent of "A" or higher, by two nationally recognized statistical rating organizations; shares or certificates in a money market mutual fund as defined in the Act; and the Utah State Public Treasurers' Investment Fund.

The Utah State Treasurer's Office operates the Public Treasurers' Investment Fund (PTIF). The PTIF is available for investment of funds administered by any Utah public treasurer and is not registered with the SEC as an investment company. The PTIF is authorized and regulated by the Act (Utah Code, Title 51, Chapter 7). The Act established the Money Management Council which oversees the activities of the State Treasurer and the PTIF and details the types of authorized investments. Deposits in the PTIF are not insured or otherwise guaranteed by the State of Utah, and participants share proportionally in any realized gains or losses on investments.

The PTIF operates and reports to participants on a fair value basis. The income, gains, and losses of the PTIF, net of administration fees, are allocated based upon the participant's average daily balance. The fair value of the PTIF investment pool is approximately equal to the value of the pool shares.

Fair Value of Investments

The School measures and records its investments using fair value measurement guidelines established by generally accepted accounting principles. These guidelines recognize a three-tiered fair value hierarchy, as follows:

- Level 1: Quoted prices for identical investments in active markets;
- Level 2: Observable inputs other than quoted market prices; and
- Level 3: Unobservable inputs.

The investments consist only of PTIF funds which are classified as Level 2. The PTIF funds use the application of the June 30, 2025, fair value as calculated by the Utah State Treasurer to the School's average daily balance in the Fund. The School currently has no assets that qualify for Level 1 or 3 investments. The following table illustrates the investments by the appropriate levels for the School:

	Quoted Prices in Active Markets (Level 1)	Other Observable Inputs (Level 2)	Unobservable Inputs (Level 3)
Total			
June 30, 2025			
PTIF	\$ 2,553,773	\$ -	\$ 2,553,773

Custodial Credit Risk

For deposits and investments, custodial credit risk is the risk that, in the event of the failure of the counterparty, the School will not be able to recover the value of its deposits, investments, or collateral securities that are in the possession of an outside party. The School's policy for managing custodial credit risk is to adhere to the Act. The Act requires all deposits of the School to be in a qualified depository, defined as any financial institution whose deposits are insured by an agency of the federal government and which has been certified by the Commissioner of Financial Institutions as meeting the requirements of the Act and adhering to the rules of the Utah Money Management Council.

Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. The School's policy for reducing its exposure to credit risk is to comply with the Act, as previously discussed.

Concentration of Credit Risk

Concentration of credit risk is the risk of loss attributed to the magnitude of the School's investment in a single issuer. The School's policy for reducing this risk of loss is to comply with the Rules of the Money Management Council. Rule 17 of the Money Management Council limits investments in a single issuer of commercial paper and corporate obligations to 5-10% depending upon the total dollar amount held in the portfolio

Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. The School's policy for managing its exposure to fair value loss arising from increasing interest rates is to comply with the Act. Section 51-7-11 of the Act requires that the remaining term to maturity of investments may not exceed the period of availability of the funds to be invested. The Act further limits the remaining term to maturity on all investments in commercial paper, bankers' acceptances, fixed rate negotiable deposits, and fixed rate corporate obligations to 270 days - 15 months or less. The Act further limits the remaining term to maturity on all investments in obligations of the United States Treasury; obligations issued by U.S. government sponsored enterprises; and bonds, notes, and other evidence of indebtedness of political subdivisions of the state to five years. In addition, variable rate negotiable deposits and variable rate securities may not have a remaining term to final maturity exceeding three years.

Note 3 - Capital Assets

A summary of activity in the capital assets is as follows:

	June 30, 2024	Additions	Deletions	June 30, 2025
Capital assets, not subject to depreciation				
Land	\$ 1,330,000	\$ -	\$ -	\$ 1,330,000
Construction in progress	- <hr/>	131,673 <hr/>	- <hr/>	131,673 <hr/>
Total capital assets, not subject to depreciation	1,330,000 <hr/>	131,673 <hr/>	- <hr/>	1,461,673 <hr/>
Capital assets being depreciated				
Building	9,902,600	- <hr/>	- <hr/>	9,902,600 <hr/>
Audio and visual materials	116,905	- <hr/>	- <hr/>	116,905 <hr/>
Furniture and equipment	685,670	15,140 <hr/>	(5,533) <hr/>	695,277 <hr/>
Computers	274,265	38,946 <hr/>	(6,644) <hr/>	306,567 <hr/>
Capital improvements	375,500 <hr/>	397,969 <hr/>	- <hr/>	773,469 <hr/>
Total capital assets, subject to depreciation	11,354,940 <hr/>	452,055 <hr/>	(12,177) <hr/>	11,794,818 <hr/>
Less accumulated depreciation for				
Building	(2,667,162)	(253,913) <hr/>	- <hr/>	(2,921,075) <hr/>
Audio and visual materials	(57,014) <hr/>	(23,381) <hr/>	- <hr/>	(80,395) <hr/>
Furniture and equipment	(135,891) <hr/>	(96,546) <hr/>	5,533 <hr/>	(226,904) <hr/>
Computers	(97,612) <hr/>	(52,640) <hr/>	6,644 <hr/>	(143,608) <hr/>
Capital improvements	(127,978) <hr/>	(22,063) <hr/>	- <hr/>	(150,041) <hr/>
Total accumulated depreciation	(3,085,657) <hr/>	(456,486) <hr/>	12,177 <hr/>	(3,529,966) <hr/>
Total capital assets, subject to depreciation	8,269,283 <hr/>	(4,431) <hr/>	- <hr/>	8,264,852 <hr/>
Total capital assets, net	<u>\$ 9,599,283</u> <hr/>	<u>\$ 127,242</u> <hr/>	<u>\$ -</u> <hr/>	<u>\$ 9,726,525</u> <hr/>

Depreciation expense was charged to operation and maintenance of facilities function of the School.

Note 4 - Long-Term Liabilities

A summary of activity for the long-term liabilities is as follows:

	<u>Balance at June 30, 2024</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance at June 30, 2025</u>	<u>Due Within One Year</u>
Note payable	\$ 5,370,827	\$ -	\$ (143,883)	\$ 5,226,944	\$ 149,000
Bonds payable	<u>3,704,870</u>	<u>-</u>	<u>(104,067)</u>	<u>3,600,803</u>	<u>110,629</u>
	<u>\$ 9,075,697</u>	<u>\$ -</u>	<u>\$ (247,950)</u>	<u>\$ 8,827,747</u>	<u>\$ 259,629</u>

Long-term liabilities as of June 30, 2025, consist of the following:

Promissory note issued by the United States Department of Agriculture and had an original issue amount of \$6,539,000. The note bears interest at 3.50%. The note requires monthly payments of principal and interest of \$27,646 through August 2048. The proceeds were used to purchase a school building.

\$ 5,226,944

Series 2013A Revenue Bonds are qualified zone academy bonds and are 6.13% bonds issued during fiscal year 2013 for \$4,500,000. Monthly principal and interest payments of \$27,357 are required through September 2043. The proceeds were used to purchase a school building.

3,600,803

\$ 8,827,747

The annual requirements to pay principal and interest on the outstanding long-term liabilities is as follows:

Years Ending June 30,	Principal	Interest	Total
2026	\$ 259,629	\$ 398,223	\$ 657,852
2027	271,904	385,948	657,852
2028	284,808	373,045	657,853
2029	298,373	359,479	657,852
2030	312,638	345,214	657,852
2031 - 2035	1,804,462	1,484,800	3,289,262
2036 - 2040	2,290,973	998,290	3,289,263
2041 - 2045	2,316,325	398,439	2,714,764
2046 - 2049	<u>988,635</u>	<u>62,412</u>	<u>1,051,047</u>
Total	<u>\$ 8,827,747</u>	<u>\$ 4,805,850</u>	<u>\$ 13,633,597</u>

Note 5 - Concentrations

The School's principal source of support is state and federal-based support revenue. For the year ended June 30, 2025, this funding source accounted for approximately 95% of all revenue.

Note 6 - Benefit Plan

The School has a defined contribution retirement plan covering all full-time, salaried employees. The plan is administered by Helpside, an outsourcing company that the School has contracted with to perform its payroll and retirement functions. Eligible employees may contribute into an account at their option and discretion. The School matches up to 100% of employee contributions that do not exceed 4% of the employee's salary. For the year ended June 30, 2025, the School made matching contributions of \$111,576.

Required Supplementary Information
June 30, 2025
HighMark Charter School

HighMark Charter School
 Schedule of Revenue, Expenditures, and Changes in Fund Balance – Budget and Actual – General Fund
 Year Ended June 30, 2025

	Budgeted Amounts		Actual Amounts	Variance with Final Budget- Positive (Negative)
	Original	Final		
Revenue				
State aid	\$ 6,810,969	\$ 6,995,470	\$ 7,166,233	\$ 170,763
Federal aid	113,116	114,113	114,120	7
Earnings on investments	90,000	113,000	131,704	18,704
School fees	\$73,100	73,100	69,391	(3,709)
Other local sources	\$161,500	163,000	162,108	(892)
Total revenue	7,248,685	7,458,683	7,643,556	184,873
Expenditures				
Instructional	3,933,000	4,229,401	4,240,629	(11,228)
Support services				
Students	582,000	536,346	455,814	80,532
Staff assistance	10,500	48,625	88,613	(39,988)
General	-	7,900	27,509	(19,609)
School administration	727,061	472,600	434,218	38,382
Central services	539,000	499,910	454,186	45,724
Operation and maintenance of facilities	350,000	136,110	249,011	(112,901)
Transportation	15,000	15,000	14,587	413
Facilities acquisition and construction services	286,000	71,443	9,200	62,243
Total support services	2,509,561	1,787,934	1,733,138	54,796
Non-instructional				
Capital outlay	-	583,728	583,728	-
Debt service				
Principal	241,778	241,778	247,950	(6,172)
Interest and other costs	409,902	409,902	409,900	2
Total debt service	651,680	651,680	657,850	(6,170)
Total expenditures	7,094,240	7,252,743	7,215,345	37,398
Net Change in Fund Balance	\$ 154,445	\$ 205,940	\$ 428,211	\$ 222,271

Note 1 - Basis of Budgeting

The School follows these procedures in establishing the budgetary data reflected in the financial statements.

1. The School's Principal is appointed as the budget officer. Before June 1 of each year, the budget officer shall prepare a tentative budget, with supporting documentation, to be submitted to the Board.
2. The tentative budget and supporting documents shall include the following items:
 - a. The revenue and expenditures of the preceding fiscal year,
 - b. The estimated revenue and expenditures of the current fiscal year,
 - c. A detailed estimate of the essential expenditures for all the purposes for the next succeeding fiscal year, and
 - d. The estimated financial condition of the School at the close of the fiscal year.
3. The tentative budget shall be filed with the School's Principal for public inspection at least 15 days before the date of the tenant budget's proposed adoption by the Board.
4. Before June 30 of each year, the Board will adopt a budget for the next fiscal year.
5. By the sooner of July 15 or 30 days of adopting a budget, the Board will file a copy of the adopted budget with the state auditor and the State Board of Education.

Supplementary Information
June 30, 2025
HighMark Charter School



***Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance
and Other Matters Based on an Audit of Financial Statements Performed
in Accordance with Government Auditing Standards***

The Board of Directors
HighMark Charter School
South Weber, Utah

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*), the financial statements of the governmental activities and the major fund of HighMark Charter School (the School), as of and for the year ended June 30, 2025, and the related notes to the financial statements, which collectively comprise the School's basic financial statements and the related notes to the financial statements and have issued our report thereon dated October 27, 2025.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the School's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements but not for the purpose of expressing an opinion on the effectiveness of the School's internal control. Accordingly, we do not express an opinion on the effectiveness of the School's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the School's financial statements will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the School's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the result of that testing and not to provide an opinion on the effectiveness of the School's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the School's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink that reads "Eddie Baully LCP". The signature is cursive and fluid, with "Eddie" and "Baully" being the most prominent parts.

Ogden, Utah
October 27, 2025



**Independent Auditor's Report on Compliance and Report on Internal Control over Compliance
as Required by the *State Compliance Audit Guide***

The Board of Directors
HighMark Charter School
South Weber, Utah

Report on Compliance

We have audited HighMark Charter School's (the School) compliance with the applicable state compliance requirements described in the *State Compliance Audit Guide*, issued by the Office of the Utah State Auditor, for the year ended June 30, 2025.

State compliance requirements were tested for the year ended June 30, 2025, in the following areas:

Budgetary Compliance
Fraud Risk Assessment
Crime Insurance for Public Treasurers
Internal Control Systems
Public Education Programs

Opinion on Compliance

In our opinion, the School complied, in all material respects, with the state compliance requirements referred to above for the year ended June 30, 2025.

Basis for Opinion

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States (*Government Auditing Standards*); and the *State Compliance Audit Guide* (Guide), issued by the Office of the Utah State Auditor. Our responsibilities under those standards and the *State Compliance Audit Guide* are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the School and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion. Our audit does not provide a legal determination of the School's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the state requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to the School's government programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on the School's compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Guide will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about School's compliance with the requirements of the government program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Guide, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding School's compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the School's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Guide but not for the purpose of expressing an opinion on the effectiveness of the School's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Other Matters

The results of our auditing procedures disclosed an instance of noncompliance, which is required to be reported in accordance with the Guide and which is described in the accompanying schedule of findings and recommendations as item 2025-A. Our opinion on compliance is not modified with respect to this matter.

Government Auditing Standards requires the auditor to perform limited procedures on the School's response to the noncompliance findings identified in our audit described in the accompanying schedule of findings and recommendations. The School's response was not subjected to the other auditing procedures applied in the audit of compliance, and accordingly, we express no opinion on the response.

Report on Internal Control over Compliance

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or to detect and correct noncompliance with a state compliance requirement on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a state compliance requirement will not be prevented or detected and corrected on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a state compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

Purpose of this Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control and compliance and the results of that testing based on the requirements of the Guide. Accordingly, this report is not suitable for any other purpose. However, pursuant to *Utah Code* Title 63G, Chapter 2, this report is a matter of public record, and as such, its distribution is not limited.

A handwritten signature in black ink, appearing to read "Eric Baily LCP".

Ogden, Utah
October 27, 2025

HighMark Charter School
Schedule of Findings and Recommendations
June 30, 2025

2025-A Crime Insurance for Public Treasurers

Criteria: The Crime Insurance for Public Treasurers guidelines require the governing body to have a certain amount of crime insurance coverage based on the budgeted gross revenue for the previous fiscal year.

Condition: The School's crime insurance coverage did not meet the minimum insurance threshold as required.

Cause: The School's crime insurance coverage did not meet the minimum insurance threshold as required.

Effect: The School failed to comply with the guidelines of the Crime Insurance for Public Treasurers.

Recommendation: We recommend that the School increase their current crime insurance coverage to be in compliance with the minimum insurance coverage required.

Management Response: Management agrees with this finding and plans to increase their current crime insurance coverage to be in compliance with the minimum insurance coverage required.



HMCS – Board of Directors Meeting Monday, January 26, 2025

Financial Updates for December 31, 2025

Items of Note:

Revenues

- We are **50%** of the way through the fiscal year. Overall revenues are at **49.4%**.
- Local revenues are at **61%**.
 - Investment income – **69%**
 - Fees – **76%**
 - Rentals – **79%**
- State revenue forecast has decreased by **\$90,993**
 - Change in demographic (kindergarten vs. jr. high)
 - Reduction in students who require Special Education services
 - Increase in Charter School Replacement Fund
- Federal funding is at 0% as federal monies are only realized once expenses have been incurred and reimbursement is requested.
- **Enrollment:** the October 1 enrollment count was **671 students**, while the budget was based on **660 students**.

Expenses

- Overall expenses are **41.6%**
- Salaries and benefits will lag due to the timing of employee contracts.
- Repairs & Maintenance are ahead due to FY25 **summer projects** (block seal, asphalt, carpet) as anticipated.
- Other Purchased Services are ahead mainly to **liability and property insurance** policies that are paid on an annual basis.
- Supplies and Materials are also reflective of yearly purchases of **software, textbooks, and curriculum** that are needed at the beginning of the year.
- Capitalized Furniture forecast updated to show the office remodel that was originally budgeted for FY25 but not finished until FY26.

Cash Position

- Operating Cash has increased by **\$334,482** compared to the same time last year.

Balance Sheet

- **Note:** The **Monthly Balance Sheet** sent to the board shows information from the beginning of this fiscal year. This analysis represents a comparison of December 2024 to December 2025. **See statement below.**

HighMark Charter School – Balance Sheet - Board

Statement of Financial Position

	Period Ending	Period Ending
	12/31/2025	12/31/2024
	Actual	Actual
▼ Assets & Other Debits		
▼ Current Assets		
► Operating Cash	3,622,592	3,288,110
► Accounts Receivables	4,023	3,130
► Other Current Assets	20,000	20,000
Total Current Assets	3,646,615	3,311,240
► Restricted Cash	411,512	410,081
▼ Net Assets		
► Fixed Assets	13,256,490	12,684,939
► Depreciation	(3,529,966)	(3,085,657)
Total Net Assets	9,726,524	9,599,282
Total Assets & Other Debits	13,784,651	13,320,603
▼ Liabilities & Fund Equity		
► Current Liabilities	14,685	14,964
► Long-Term Liabilities	8,827,747	9,075,697
► Fund Balance	4,137,610	3,334,209
► Net Income	804,609	895,733
Total Liabilities & Fund Equity	13,784,651	13,320,603

Month End Report (Prior vs Current)

Account	Category Type	Prior YTD	Current YTD	Budget	% of Budget	Forecast	% of Forecast
Revenue - 1000 Local Revenue 61% (10 Account records)							
1510 Interest on Investments	Revenue	67,732	62,122	90,000	69%	90,000	69%
1741 General Student Fees	Revenue	891	0	0	0%	0	0%
1743 Curricular Activity Fees	Revenue	20,097	18,717	20,000	94%	20,000	94%
1745 Co-Curricular Activity Fees	Revenue	2,080	150	2,000	8%	2,000	8%
1747 Extra-Curricular Activity Fees	Revenue	29,418	32,291	45,000	72%	45,000	72%
1750 School Vending & Stores (Gross Sales)	Revenue	6,923	6,715	20,000	34%	20,000	34%
1910 Rentals	Revenue	11,168	10,994	14,000	79%	14,000	79%
1920 Contributions and Donations From Private Sources	Revenue	4,158	6,726	10,000	67%	10,000	67%
1990 Miscellaneous	Revenue	55,613	56,033	115,000	49%	115,000	49%
1990-001 Field Trips	Revenue	203	395	2,500	16%	2,500	16%
TOT		198,283	194,143	318,500		318,500	
Revenue - 3000 State Revenue 50% (8 Account records)							
3005 Regular School Programs K	Revenue	87,928	89,273	175,575	51%	178,547	50%
3010 Regular School Programs 1-12	Revenue	1,356,265	1,398,652	2,815,310	50%	2,778,038	50%
3020 Professional Staff	Revenue	114,053		0	0%	0	0%
3100 Restricted Basic School Programs	Revenue	350,194	432,133	860,454	50%	852,027	51%
3200 Related to the Basic Programs	Revenue	1,150,517	1,379,913	2,758,561	50%	2,774,150	50%
3400 Other Programs	Revenue	320,623	390,001	648,235	60%	635,207	61%
3500 One-time Funding	Revenue	185,976	205,640	373,084	55%	307,626	67%
3800 Non-MSP State Revenues (via USBE)	Revenue	6,525	25,734	265,300	10%	279,933	9%
TOT		3,572,080	3,921,346	7,896,520		7,805,528	
Revenue - 4000 Federal Revenue 0% (3 Account records)							
4522 IDEA - B -- Pre-School Disabled (Sec 619)	Revenue	0	0	4,173	0%	4,178	0%
4524 IDEA - B -- Disabled (PL 101-476)	Revenue	0		108,840	0%	108,472	0%
4800 Federal No Child Left Behind	Revenue	0	0	1,100	0%	1,100	0%
TOT		0	0	114,113		113,750	
Expense - 100 Salaries 39% (8 Account records)							
0121 Salaries - Principals and Assistants	Expense	-145,198	-148,887	-437,000	34%	-302,218	49%
0131 Salaries - Teachers	Expense	-1,126,288	-1,199,556	-3,200,290	37%	-3,223,865	37%
0132 Salaries - Substitute Teachers	Expense	-18,496	-12,055	-55,000	22%	-55,000	22%
0142 Salaries - Guidance Personnel	Expense	-31,558	-33,703	-86,000	39%	-86,000	39%
0152 Salaries - Secretarial and Clerical Personnel	Expense	-43,241	-37,929	-80,000	47%	-80,000	47%
0161 Salaries - Teacher Aides and Para-Professionals	Expense	-219,037	-252,538	-616,950	41%	-616,950	41%
0162 Salaries - Media Personnel – Non-Licensed	Expense	-4,226	-4,608	-10,000	46%	-10,000	46%
0184 Salaries – Administrative Technology Personnel	Expense	-8,391	-16,909	-25,000	68%	-25,000	68%
TOT		-1,596,434	-1,706,185	-4,510,240		-4,399,033	
Expense - 200 Employee Benefits 33% (5 Account records)							
0220 Social Security	Expense	-119,166	-127,166	-345,000	37%	-347,488	37%
0230 Local Retirement	Expense	-42,247	-40,144	-152,800	26%	-152,800	26%
0240 Group Insurance	Expense	-35,524	-36,427	-110,000	33%	-110,000	33%
0270 Industrial Insurance	Expense	-3,690	-4,099	-11,000	37%	-11,000	37%
0280 Unemployment Insurance	Expense	-9,192	-14,484	-60,000	24%	-60,000	24%
TOT		-209,818	-222,321	-678,800		-681,288	
Expense - 300 Professional & Tech Services 52% (6 Account records)							
0320 Professional - Educational Services	Expense	-57,643	-64,585	-155,195	42%	-155,195	42%
0330 Professional Employee Training and Development	Expense	-6,629	-477	-10,000	5%	-3,400	14%
0340 Other Professional Services	Expense	-9,426	-11,237	-30,000	37%	-30,000	37%
0345 Business Services	Expense	-173,348	-174,373	-325,000	54%	-325,000	54%

Account	Category Type	Prior YTD	Current YTD	Budget	% of Budget	Forecast	% of Forecast	
0349 Purchased Legal Services	Expense	-7,704		-7,900	0%	-7,900	0%	
0350 Technical Services	Expense	-34,225	-47,193	-95,000	50%	-95,000	50%	
TOT		-288,974	-297,865	-623,095		-616,495		
Expense - 400 Property Services 47% (10 Account records)								
0411 Water/Sewage	Expense	-7,224	-7,573	-14,000	54%	-14,000	54%	
0412 Disposal Service	Expense	-1,707	-1,991	-6,000	33%	-6,000	33%	
0422 Snow Removal Services	Expense		-665	-20,000	3%	-20,000	3%	
0423 Custodial Services	Expense	-30,314	-29,814	-65,000	46%	-65,000	46%	
0424 Lawn Care Services	Expense	-13,031	-12,155	-30,000	41%	-30,000	41%	
0430 Repairs & Maintenance Services	Expense	-20,914	-172,225	-300,000	57%	-300,000	57%	
0441 Rental of Land & Buildings	Expense			-500	0%	-500	0%	
0442 Rental of Equipment & Vehicles	Expense		-2,200	0	0%	0	0%	
0450 Construction Services	Expense	-44,477	-1,175	-60,000	2%	-60,000	2%	
0490 Other Purchased Property Services	Expense	-1,906	-1,605	-7,000	23%	-7,000	23%	
TOT		-119,573	-229,403	-502,500		-502,500		
Expense - 500 Other Services 42% (9 Account records)								
0513 Student Transportation Services - Commercial	Expense	-4,655	-3,749	-15,000	25%	-15,000	25%	
0517 Student Overnight Trips/Field Trips	Expense			-2,000	0%	-2,000	0%	
0518 Student Day Trips/Field Trips (includes Admission Charges)	Expense	-1,808	-2,373	-10,000	24%	-10,000	24%	
0521 Property Insurance	Expense	-28,087	-28,388	-35,000	81%	-35,000	81%	
0522 Liability Insurance	Expense	-8,489	-4,751	-11,000	43%	-11,000	43%	
0530 Communication (Telephone & Other)	Expense	-4,364	-4,272	-15,000	28%	-15,000	28%	
0540 Advertising	Expense	400		-500	0%	-500	0%	
0561 Student Tuition to other LEAs In State	Expense	-75	-75	-150	50%	-150	50%	
0580 Travel/Per Diem	Expense	-4,915	45	-15,000	0%	-15,000	0%	
TOT		-51,991	-43,562	-103,650		-103,650		
Expense - 600 Supplies & Materials 53% (10 Account records)								
0610 General Supplies	Expense	-84,706	-86,037	-175,000	49%	-175,000	49%	
0610-001 Furniture and Fixtures (not capitalized)	Expense	-6,384	-13,357	-10,000	134%	-17,755	75%	
0610-002 Other Food Purchases	Expense	-46,594	-43,822	-115,000	38%	-115,000	38%	
0621 Natural Gas	Expense	-2,618	-4,071	-20,000	20%	-20,000	20%	
0622 Electricity	Expense	-24,090	-25,077	-50,000	50%	-50,000	50%	
0641 Textbooks	Expense	-6,099	-4,312	-8,500	51%	-8,500	51%	
0642 E-Textbooks / Online Curriculum	Expense	-19,469	-27,293	-30,000	91%	-38,141	72%	
0650 Supplies - Technology Related	Expense	-46,190	-53,713	-80,000	67%	-80,000	67%	
0670 Software	Expense	-18,178	-15,290	-30,000	51%	-30,000	51%	
0680 Maintenance Supplies and Materials	Expense	-12,017	-13,178	-25,000	53%	-25,000	53%	
TOT		-266,346	-286,150	-543,500		-559,396		
Expense - 700 Property 59% (3 Account records)								
0730 Equipment	Expense		-131,673	-275,000	48%	-275,000	48%	
0733 Capitalized Furniture and Fixtures	Expense	0	-44,184	-20,000	221%	-56,504	78%	
0734 Technology Related Hardware	Expense		-8,434	0	0%	0	0%	
TOT		0	-184,291	-295,000		-331,504		
Expense - 800 Debt Service and Misc. 49% (4 Account records)								
0810 Dues and Fees	Expense	-12,567	-11,399	-35,000	33%	-35,000	33%	
0820 Judgments Against the LEA	Expense		-777	0	0%	0	0%	
0830 Interest	Expense	-206,375	-200,608	-398,223	50%	-398,223	50%	
0840 Redemption of Principal	Expense	-122,551	-128,318	-259,629	49%	-259,629	49%	
TOT		-341,493	-341,102	-692,852		-692,852		
TOT		895,734	804,609	379,496		351,061		



Flooring Services, Inc.
3412 West 2400 South, West Valley City, UT 84119

Kay's Cell 801-505-8733
Jeff's Cell 801-634-2544

PROPOSAL

January 16, 2026

To: Kirk
Academica West

RE: Highmark Charter School
2467 E. S. Weber Drive
South Weber, UT

We propose to supply and install wall carpet, standard VCT, rubber stair treads, and 4" rubber base as per walk through. Our breakdown is as follows:

Wall carpet	\$2,163.00
VCT, stair treads, and 4" rubber base	<u>43,239.00</u>
TOTAL	\$45,402.00

We have not figured to demo existing VCT and suggest that we install over the top of existing VCT. I can get you a price to demo if you want but we don't know what is underneath and what prep would be needed. You can install over the top of existing.

If you want 5" rubber base in lieu of 4" rubber base, please add \$760.00.

We have not figured sales tax. If sales tax is needed, please add \$2,452.00.

Our proposals are good for 60 days.

Bid includes installation, and F.O.B. job site. Floors should be substantially ready for installation. All work to be performed during normal business hours. Overtime and after hour work will be additional.

Excessive prep will be additional pricing including sanding, skimming, floating, leveling, adhesive encapsulation, grinding, major repairs, vapor barriers, moisture barriers, or sealing of floor. Bid does not include heat, caulking, waxing, carpet cleaning, moisture testing, or protection after installation. Thank you for the opportunity to bid with you on this project.

Kay Hill – khill@flooringservices.com Jeff Hill – jhill@flooringservices.com

Subject: FW: State of Utah Flooring Contract
Date: Tuesday, November 18, 2025 at 10:06:51 AM Mountain Standard Time
From: Shawn Miehlke <smiehlke@highmarkhawks.com>
To: Kirk Blake <kirk.blake@awservices.com>, Kim McVey <kim.mcvey@awservices.com>, Ryan H. Smith <ryan.smith@awservices.com>, Blake Petersen <bpetersen@highmarkhawks.com>

Good morning,

Here is a bid from Certified Sales (on state contract) to complete our flooring, stairs, and wall carpet.

We are still waiting for a bid back from Wall2Wall on completing this project.

Thanks,
Shawn

From: Luke Todd <certifiedsalesluke@gmail.com>
Sent: Tuesday, November 18, 2025 10:01 AM
To: Shawn Miehlke <smiehlke@highmarkhawks.com>
Subject: Re: State of Utah Flooring Contract

Hi Shawn, sorry for the delay.

Thanks for the invite to bid. Please let me know if you have any questions. This bid includes typical floor prep. If you need a formal bid, I would be happy to get you one. We would suggest installing a new VCT over the existing VCT. Removing the existing VCT can pull up any patch underneath it and cause additional costs . Let me know, thanks.

SUPPLY/INSTALL STANDARD VCT IN CAFETERIA, STAIRS, HALLS -	\$ 18,990
SUPPLY/INSTALL RUBBER BASE THROUGHOUT AND WALL CARPET IN HALL -	\$ 4,500
SUPPLY/INSTALL RUBBER STAIR TREADS AND RISERS -	\$ 9,850
SUPPLY/INSTALL NEW STAGE STEPS WITH NOSING -	\$ 950

Luke Todd



Certified Sales
certifiedsalesluke@gmail.com
801-663-5094

On Wed, Nov 12, 2025 at 8:31 AM Shawn Miehlke <smiehlke@highmarkhawks.com> wrote:

Hi Luke,

I'll plan on tomorrow at 1:00 pm. You can just come right to the front office, and we'll do a walkthrough once you arrive.

Thanks,
Shawn Miehlke

From: Luke Todd <certifiedsalesluke@gmail.com>
Sent: Monday, November 10, 2025 3:15 PM
To: Shawn Miehlke <smiehlke@highmarkhawks.com>
Subject: Re: State of Utah Flooring Contract

Let's do Thursday at 1 pm, if that works for you. Let me know, thanks.

Luke Todd



Certified Sales
certifiedsalesluke@gmail.com
801-663-5094

On Mon, Nov 10, 2025 at 7:35 AM Shawn Miehlke <smiehlke@highmarkhawks.com> wrote:

Hey Luke,

Wednesday (12th) or Thursday (13th) between 12:00 and 2:30 would work for us this week.

Thanks,
Shawn Miehlke

From: Luke Todd <certifiedsalesluke@gmail.com>
Sent: Thursday, November 6, 2025 12:33 PM
To: Shawn Miehlke <smiehlke@highmarkhawks.com>
Subject: Re: State of Utah Flooring Contract

Hey Shawn, thanks for reaching out. We would be happy to help you look at some flooring options. Let me know if there is a good time in the afternoon next week. Thanks.

Luke Todd



Certified Sales
certifiedsalesluke@gmail.com
801-663-5094

On Wed, Nov 5, 2025 at 9:17 AM Shawn Miehlke <smiehlke@highmarkhawks.com> wrote:

Hey Luke,

We are interested in looking at a couple of different options to replace our flooring in our commons, hallways, and stairways.

Would you have some time to come take a look and provide us with a quote?

Highmark Charter School
2467 E. South Weber Dr.
South Weber, UT 84405
801-476-4627

Thanks,
Shawn Miehlke

From: Luke Todd <certifiedsalesluke@gmail.com>
Sent: Friday, November 8, 2024 11:51 AM
To: Shawn Miehlke <smiehlke@highmarkhawks.com>
Subject: State of Utah Flooring Contract

Hi Shawn, this is Luke, I work for a flooring contractor on the State of Utah contract. Please let me know if I can help with any of the flooring needs at your facility. If there is a better contact that I should reach out to, please let me know. Thanks!

Luke Todd



Certified Sales
certifiedsalesluke@gmail.com
801-663-5094



COMMERCIAL FLOORING

November 24, 2025

HIGHMARK CHARTER SCHOOL
2467 E SOUTH WEBER DR
SOUTH WEBER, UT 84405

Re: HIGHMARK CHARTER SCHOOL
Bid # 451316
THIS BID IS FOR BUDGETARY PURPOSES ONLY

Thank you for the opportunity to submit the following proposal for the above referenced project.

Scope of Work:

STAIR & LANDING:

VCT	PROVIDE AND INSTALL: INSTALL 180 SF VCT – STYLE/COLOR TBD	\$1,319.00
BASE	PROVIDE AND INSTALL: 120 LF ROPPE 4" 700 SERIES RUBBER BASE – COLOR TBD	\$316.00
STAIRS	PROVIDE AND INSTALL: 72 STAIR TREAD & RISER – STYLE / COLOR TBD, 3 STAIR NOSING – STYLE / COLOR TBD	\$15,949.00

COMMONS, CAFETERIA & CORRIDOR:

VCT	PROVIDE AND INSTALL: 5,175 SF VCT – STYLE / COLOR TBD – INCLUDES TRANSITIONS	\$28,799.00
BASE	PROVIDE AND INSTALL: 360 LF ROPPE 4" 700 SERIES RUBBER BASE – COLOR TBD	\$776.00
STAIRS	PROVIDE AND INSTALL: 72 LF STAIR NOSINGS – STYLE / COLOR TBD	\$1,643.00

WALL CARPET @ CORRIDOR:

CARPET	PROVIDE AND INSTALL: 85 SY WALL CARPET – STYLE / COLOR TBD – OWNER TO DEMO WALL – INCLUDES TRANSITIONS	\$4,542.00
BASE	PROVIDE AND INSTALL: 120 LF ROPPE 4" 700 SERIES RUBBER BASE – COLOR TBD	\$316.00

VCT LOGO @ SECURE ENTRY:

VCT	PROVIDE AND INSTALL: 180 SF VCT – STYLE / COLOR TBD, VCT LOGO – INCLUDES TRANSITION	\$2,540.00
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Re: HIGHMARK CHARTER SCHOOL
Bid # 451316

BASE	PROVIDE AND INSTALL: 120 LF ROPPE 4" 700 SERIES RUBBER BASE – COLOR TBD	\$316.00
		Total Price
		\$56,516.00

BID INCLUDES:

- REGULAR FLOOR PREP (EXPANSION JOINTS)

BID EXCLUDES:

- DEMOLITION OF EXISTING MATERIALS
 - ATTIC STOCK
 - FURNITURE MOVE
 - NIGHT & WEEKEND WORK
 - MAJOR FLOOR PREP (HIDDEN SUBFLOOR DAMAGE)
-

Thank you,

Todd Myers
Wall 2 Wall Commercial Flooring – Ogden
todd@w2wcommercial.com 801-391-9640

* * *

I hope you find this proposal complete and to your satisfaction.
Please sign below to accept this proposal.

Authorized Signature

Date

EISENHOUR ART INC.

ARTIST

ISSUED TO:
HIGHMARK CHARTER

INVOICE NO.
33

DATE ISSUED
11/20/2025

DESCRIPTION	QTY	PRICE	TOTAL
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MURAL INSTALLATION/DESIGN /REVISIONS	1		\$12,500.00
MURAL PROTECTIVE COATING			

BUDGET INCLUDES ALL MATERIALS, PAINT, AND EQUIPMENT

TOTAL			\$12,500.00
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TOTAL AMOUNT	\$1000.00
TAX	0%
AMOUNT DUE	\$12,500.00

**HighMark Charter School
Policy: Fee Waiver Policy
Approved:**

Purpose

HighMark Charter School (the “School”) must abide by the Utah State Board of Education rules which direct the School’s Board of Directors (the “Board”) to implement a policy regarding student fees in the event the School elects to charge such fees. The purpose of this policy is to provide educational opportunities for all students. This allows the School to establish a reasonable system of fees, while prohibiting practices that would exclude those unable to pay from participation in School-sponsored activities.

Policy

Under the direction of the Board, the School’s Director (the “Director”) is authorized to administer this policy and is directed to do so fairly, objectively, and without delay, and in a manner that avoids stigma and unreasonable burdens on students or parents/guardians.

Definitions

“Common education expense”

- (a) means an expense the School incurs that is related to the delivery of instruction for all courses, unrelated to a specific course, program, or activity; and
- (b) includes the employment of educators and staff, the provision of capital facilities, and operation and maintenance costs.

“Course” or “class”

- (a) means an activity, a course, or a program that the School:
 - (i) intends to deliver instruction;
 - (ii) provides, sponsors, or supports; and
 - (iii) conducts primarily during school hours.
- (b) includes a course in which a student is required to enroll as a condition of participation in a separate extracurricular activity.

“Discretionary project” means a project that a student completes in lieu of or in addition to a required classroom project in accordance with Section 53G-7-503.

“Extracurricular activity”

- (a) means an activity or a program that:
 - (i) is not a course; and
 - (ii) the School provides, sponsors, or supports.

(b) does not include a noncurricular club as defined in Section 53G-7-701.

"Fee" means a charge, expense, deposit, rental, or payment:

- (a) regardless of how the School terms, describes, requests, or requires the charge, expense, deposit, rental, or payment, directly or indirectly;
- (b) in the form of money, goods, or services; and
- (c) that is a condition to a student's full participation in or admission to an activity, course, or program that the School provides, sponsors, or supports.

"Fee" includes:

- (a) payments to a third party that provides a part of a School activity, class, or program; and
- (b) a fine other than a fine described below.

"Fee" does not include:

- (a) a student fine that the School approves for:
 - (i) failing to return School property;
 - (ii) losing, wasting, or damaging private or School property through intentional, careless, or irresponsible behavior, including defacing or damaging School property as described in Utah Code 53G-8-212; or
 - (iii) improper use of School property, including a parking violation;
- (b) a payment for School breakfast or lunch;
- (c) a deposit that:
 - (i) is a pledge securing the return of School property; and
 - (ii) the School refunds upon the return of School property;
- (d) a charge for insurance, unless the insurance is required for a student to participate in an activity, course, or program; or
- (e) money or another item of monetary value that a student or the student's family raises through fundraising.

"Fee course" means a course that is not a non-fee course.

"Instructional equipment"

- (a) means an activity-, course-, or program-related tool that:
 - (i) a student is required to use as part of an activity, course, or program in a secondary school; and
 - (ii) becomes the property of the student upon exiting the activity, course, or program.
- (b) does not include School equipment, an instructional supply, or a personal student supply for a secondary student.

"Instructional supply"

- (a) means a non-reusable or a consumable material or supply that is necessary to use, expend, or deplete as a component or element of an activity, course, or program in a secondary school.

(b) does not include a personal student supply for a secondary student.

"Non-fee course" means a course that results in course credit or a course grade within the core standards the USBE establishes under Section 53E-4-202 and other statutory requirements for:

- (a) English language arts;
- (b) health education;
- (c) mathematics;
- (d) science; and
- (e) social studies

"Non-waivable charge" means a cost, payment, or expenditure that:

- (a) is a personal discretionary charge or purchase, including:
 - (i) a charge for insurance, unless the insurance is required for a student to participate in an activity, class, or program;
 - (ii) a charge for college credit:
 - (A) from an institution of higher education; or
 - (B) for post-secondary related courses; or
 - (iii) except when requested or required by the School, a charge for a personal consumable item such as a yearbook, class ring, letterman jacket or sweater, or other similar item;
- (b) is subject to sales tax as described in Utah State Tax Commission Publication 35, Sales Tax Information for Public and Private Elementary and Secondary Schools; or
- (c) by Utah Code, federal law, or State Board of Education rule is designated not to be a fee, including:
 - (i) a school uniform as provided in Utah Code § 53G-7-801;
 - (ii) a school lunch; or
 - (iii) a charge for a replacement for damaged or lost School equipment or supplies.

"Personal student supply"

- (a) means, for a secondary student, an object, tool, material, or supply that:
 - (i) is the personal property of the student;
 - (ii) regardless of the use of the supply in the instructional process, individuals not enrolled in the course or activity also commonly purchase and use; and
 - (iii) has a high probability of regular use in activities other than School-sponsored activities.
- (b) includes pencils, papers, notebooks, crayons, scissors, and basic clothing.

"Provided, sponsored, or supported by the School"

- (a) means an activity, class, program, club, camp, clinic, or other event that:
 - (i) is authorized by the School; or
 - (ii) satisfies at least one of the following conditions:

- (A) the activity, class, program, club, camp, clinic, or other event is managed or supervised by the School, or a School employee in the employees School employment capacity;
 - (B) the activity, class, program, club, camp, clinic, or other event uses, more than inconsequentially, the School's facilities, equipment, or other School resources; or
 - (C) the activity, class, program, club, camp, clinic, or other event is supported or subsidized, more than inconsequentially, by public funds, including the School's activity funds or minimum school program dollars.
- (b) does not include an activity, class, or program that meets the criteria of a noncurricular club as described in Title 53G, Chapter 7, Part 7, Student Clubs.

“Provision in lieu of fee”

- (a) means an alternative to fee payment; and
- (b) may include a plan under which fees are paid in installments or under some other delayed payment arrangement or a service in lieu of fee payment agreement.

“Requested or required by the School as a condition to a student's participation” means something of monetary value that is impliedly or explicitly mandated or necessary for a student, parent, or family to provide so that a student may:

- (a) fully participate in school or in a School activity, class, or program;
- (b) successfully complete a School class for the highest grade; or
- (c) avoid a direct or indirect limitation on full participation in a School activity, class, or program, including limitations created by:
 - (i) peer pressure, shaming, stigmatizing, bullying, or the like; or
 - (ii) withholding or curtailing any privilege that is otherwise provided to any other student.

“School activity clothing” means special shoes or items of clothing that:

- (a) meet specific requirements, including requesting a specific brand, fabric, or imprint;
- (b) the School requires a student to provide and to wear for an activity-, course-, or program-related activity; and
- (c) that the student rents while participating in the activity, or become the property of the student upon exiting the activity, course, or program.

“School activity clothing” does not include:

- (a) a school uniform; or
- (b) clothing that is commonly found in students' homes.

“School equipment” means a machine, equipment, facility, or tool that:

- (a) is durable;

- (b) is reusable;
- (c) a secondary school owns; and
- (d) a student uses as part of an activity, course, or program in a secondary school.

"Something of monetary value"

- (a) means a charge, expense, deposit, rental, fine, or payment, regardless of how the payment is termed, described, requested or required directly or indirectly, in the form of money, goods or services; and
- (b) includes:
 - (i) charges or expenditures for a School field trip or activity trip, including related transportation, food, lodging, and admission charges;
 - (ii) payments made to a third party that provide a part of a School activity, class, or program;
 - (iii) classroom textbooks, supplies or materials;
 - (iv) charges or expenditures for school activity clothing; and
 - (v) a fine, except for a student fine specifically approved the School for:
 - (A) failing to return School property;
 - (B) losing, wasting, or damaging private or School property through intentional, careless, or irresponsible behavior; or
 - (C) improper use of School property, including a parking violation.
- (c) does not include a payment or charge for damages, which may reasonably be attributed to normal wear and tear.

"Textbook"

- (a) means instructional material necessary for participation in an activity, course, or program, regardless of the format of the material;
- (b) includes:
 - (i) a hardcopy book or printed pages of instructional material, including a consumable workbook; or
 - (ii) computer hardware, software, or digital content; and
- (c) does not include School equipment, instructional equipment, or instructional supplies.

"Waiver" means a full release from:

- (a) a requirement to pay a fee; and
- (b) any provision in lieu of fee payment.

General School Fees Provisions

The School may only charge a fee for an activity, class, or program provided, sponsored, or supported by the School that is noticed and authorized by School policies and state law.

If the School imposes a fee:

- (a) the fee shall be directly related to the expense incurred by the School in providing for a student the activity, course, or program for which the School imposes a fee;
- (b) the fee shall be equal to or less than the expense described immediately above; and
- (c) the School may not impose an additional fee or increase a fee to supplant or subsidize another fee that the School is prohibited from charging, including the normal expense of delivering instruction in a course.

The School may not sell textbooks or otherwise charge a fee for textbooks, except for a textbook used for a concurrent enrollment, International Baccalaureate, or Advanced Placement course.

All fees are subject to the fee waiver requirements of this policy.

The School shall not charge a fee that is general in nature and for a service or good that does not have a direct benefit to the student paying the fee. In addition, the School may not charge a fee for a common education expense.

Beginning for the 2026-2027 school year, the School shall, with respect to awarding secondary students credit toward graduation, ensure that it has at least one option for each graduation requirement that:

- (a) fulfills the graduation requirement; and
- (b) does not require the payment or waiver of any fee.

However, the restriction above does not apply to the School if the School only offers one of the following for a given graduation requirement:

- (a) an Advanced Placement course;
- (b) an International Baccalaureate course; or
- (c) a concurrent enrollment course, as described in Section 53E-10-302.

Fees for Classes & Activities During the Regular School Day

Fees for Students in Kindergarten through Sixth Grade

The School may not charge a fee in kindergarten through sixth grade for materials, textbooks, supplies, or for any class or regular school day activity (except for discretionary projects), including assemblies and field trips.

Elementary students cannot be required to provide their own student supplies. However, the School or teacher may provide to a student's parent a suggested list of student supplies for use during the regular school day so that a parent or guardian may furnish, only on a voluntary basis, those supplies for student use. The list provided to a student's parent or guardian must include the following language before identifying the supplies:

"NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS, OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL."

The School may charge a fee to a student in grade six if all of the following are true:

- (a) the School has students in any of the grades seven through twelve;
- (b) the School follows a secondary model of delivering instruction to the School's grade six students; and
- (c) The School annually provides notice to parents that the School will collect fees from grade six students and that the fees are subject to waiver.

Fees for Students in Seventh through Ninth Grade

Fees may be charged in grades 7-9 in connection with an activity, class, or program provided, sponsored, or supported by the School that takes place during the regular school day if the fee is noticed and approved as provided in R277-407 and is allowed to be charged by state law. All such fees are subject to waiver. In addition, if an established or approved class requires payment of fees or purchase of items in order for students to fully participate and to have the opportunity to acquire skills and knowledge required for full credit and highest grades, the fees or costs for the class are subject to waiver.

In project related courses, projects required for course completion will be included in the course fee.

Secondary students may be required to provide their own student supplies, subject to the fee waiver requirements of this policy.

The School may charge students in grades 7-9 a fee for:

- (a) relating to a non-fee course or a fee course, for:
 - (i) instructional equipment;
 - (ii) a School field trip or activity trip or performance, including related transportation, food, lodging, and admission charges or participation fees;
 - (iii) School activity clothing;
 - (iv) a discretionary project as described herein; or
 - (v) a competency remediation program in accordance with Section 53G-9-803;
- (b) an expense related to a course, activity, or program that is a fee course, including:
 - (i) instructional supplies;
 - (ii) the life-cycle replacement costs for School equipment directed related to the fee course;
 - (iii) a music instrument rental;
 - (iv) licensing fees for fine arts intellectual property; or

- (v) participating in a driver education course described in Section 53G-10-503;
- (c) an expense related to the following post-secondary-related courses, including tuition, college credit, an exam, or a textbook:
 - (i) an Advanced Placement course;
 - (ii) an International Baccalaureate course; or
 - (iii) a concurrent enrollment course, as described in Section 53E-10-302.

If the School charges fees for a fee course or a non-fee course, such fees are limited to those described above.

Fees for Optional Projects

The School may require students at any grade level to provide materials or pay for an additional discretionary project if the student chooses a project in lieu of, or in addition to a required classroom project. A student may not be required to select an additional project as a condition to enrolling, completing, or receiving the highest possible grade for a course. The School will avoid allowing high cost additional projects, particularly when authorizing an additional discretionary project results in pressure on a student by teachers or peers to also complete a similar high cost project.

Fees for Activities Outside of the Regular School Day

Fees may be charged in all grades for any School-sponsored activity that does not take place during the regular school day if the fee is approved as provided in this policy and is allowed by state law and if participation in the activity is voluntary and does not affect the student's grade or ability to participate fully in any course taught during the regular school day. Fee waivers are available for such fees.

Activities that use the School facilities outside the regular school day but are not provided, sponsored, or supported by the School (e.g., programs sponsored by the parent organization and/or an outside organization) may charge for participation, and fee waivers are not available for these charges.

An activity, class, or program that is provided, sponsored, or supported by the School outside of the regular School day or School year calendar is subject to this policy and state law regardless of the time or season of the activity, class, or program.

Fees for Extracurricular Activities

The School may charge students in grades 7-9 fees for an extracurricular activity. The School may also charge students in grades K-6 fees for an extracurricular activity if it takes place outside of the regular school day and meets the other requirements described above. A fee for an extracurricular activity for students in grades 7-9 may

include the life-cycle replacement costs for School equipment directly related to the extracurricular activity.

A fee related to an extracurricular activity may not exceed the maximum fee amounts for the extracurricular activity adopted by the Board, as provided below.

Other Miscellaneous Fees

Fees for Adult Education

The School may charge students in grades 7-9 fees for an adult education course in accordance with Section 53E-10-202.

Fees for Remediation Programs

The School may charge students in grades 7-9 fees to participate in the School's remediation programs.

The School may not charge students in grades K-6 fees to participate in the School's remediation programs.

Fees for Charter School Application Processing

The School may charge students in grades 7-9 a fee for charter school application processing in accordance with Section 53G-6-503.

Fee Schedule

The Board will approve a Fee Schedule at least once each year on or before June 1. The Fee Schedule will establish the maximum fee amount per student for each activity and the maximum total aggregate fee amount per student per school year. No fee may be charged or assessed related to an activity, class, or program provided, sponsored, or supported by the School, including for a course or extracurricular activity, unless the fee has been set and approved by the Board, is equal to or less than the established maximum fee amount for the activity, and is included in the approved Fee Schedule.

The School will encourage public participation in the development of the Fee Schedule and related policies.

Before approving the School's Fee Schedule, the School will provide an opportunity for the public to comment on the proposed Fee Schedule during a minimum of two public Board meetings. In addition to the standard notice of Board meetings under the Open and Public Meetings Act, the School will provide notice of these Board meetings using the same form of communication regularly used by the administration to communicate with parents.

After the Fee Schedule is adopted, the Board may amend the Fee Schedule using the same process.

Maximum Fee Amounts

In connection with establishing the Fee Schedule, the Board will establish a per student annual maximum fee amount that the School may charge a student for the student's participation in all courses, programs, and activities provided, sponsored, or supported by the School for the year. This is a maximum total aggregate fee amount per student per School year.

The Board may establish a reasonable number of activities, courses, or programs that will be covered by the annual maximum fee amount.

Notice to Parents

The Director will annually provide written notice of the School's Fee Schedule and Fee Waiver Policy to the parent or guardian of each student in the School by ensuring that a written copy of the School's Fee Schedule and Fee Waiver Policy is included with all registration materials provided to potential or continuing students each year. The Fee Schedule shall clearly identify any fee for each activity, course, or program alongside the description of the activity, course, or program.

The School will also post the following on its website each school year:

- (a) The School's Fee Schedule, including maximum fee amounts, and Fee Waiver Policy;
- (b) The School's fee waiver application;
- (c) The School's fee waiver decision and appeals form; and
- (d) The School's fee notice(s) for families.

Donations

The School may not request or accept a donation in lieu of a fee from a student or parent unless the activity, class, or program for which the donation is solicited will otherwise be fully funded by the School and receipt of the donation will not affect participation by an individual student.

A donation is a fee if a student or parent is required to make the donation as a condition to the student's participation in an activity, class, or program.

The School may solicit and accept a donation or contribution in accordance with the School's policies, including the Donation and Fundraising Policy, but such requests must clearly state that donations and contributions by a student or parent are voluntary.

If the School solicits donations, the School: (a) shall solicit and handle donations in accordance with policies and procedures established by the School; and (b) may not place any undue burden on a student or family in relation to a donation.

Fee Collection

The School may pursue reasonable methods for obtaining payment for fees and for charges assessed in connection with a student losing or willfully damaging school property.

The School may not exclude students from school, an activity, a class, or a program that is provided, sponsored, or supported by the School during the regular school day; refuse to issue a course grade; or withhold official student records, including written or electronic grade reports, class schedules, diplomas, or transcripts, as a result of unpaid fees.

The School may withhold the official student records of a student responsible for lost or damaged School property consistent with Utah Code § 53G-8-212 until the student or the student's parent has paid for the damages, but may not withhold a student's records required for student enrollment or placement in a subsequent school.

A reasonable charge may be imposed by the School to cover the cost of duplicating, mailing, or transmitting transcripts and other school records. No charge may be imposed for duplicating, mailing, or transmitting copies of school records to an elementary or secondary school in which the student is enrolled or intends to enroll.

Consistent with Utah Code § 53G-6-604, the School will forward a certified copy of a transferring student's record to a new school within 30 days of the request, regardless of whether the student owes fees or fines to the School.

Students shall be given notice and an opportunity to pay fines prior to withholding issuance of official written grade reports, diplomas and transcripts. If the student and the student's parent or guardian are unable to pay for damages or if it is determined by the School in consultation with the student's parents that the student's interests would not be served if the parents were to pay for the damages, then the School may provide for a program of voluntary work for the student in lieu of the payment. A general breakage fee levied against all students in a class or school is not permitted.

Fee Refunds

Student fees are non-refundable.

Budgeting and Spending Revenue Collected Through Fees

The School will follow the general accounting standards described in Rule R277-113 for treatment of fee revenue.

The School will establish a spend plan for the revenue collected from each fee charged. The spend plan will (a) provide students, parents, and employees transparency by identifying a fee's funding uses; (b) identify the needs of the activity, course, or program for the fee being charged and include a list or description of the anticipated types of expenditures, for the current fiscal year or as carryover for use in a future fiscal year, funded by the fee charged.

School Fee Collections & Accounting Procedures

It is the responsibility of the Director to ensure that all student fees collected are in compliance with the Fee Schedule and applicable financial policies and procedures.

Fees must be received and deposited in a timely manner.

Money may only be collected by staff authorized by the Director. Students may not collect fees.

The School may not use revenue collected through fees to offset the cost of fee waivers by requiring students and families who do not qualify for fee waivers to pay an increased fee amount to cover the costs of students and families who qualify for fee waivers. However, the School may notify students and families that the students and families may voluntarily pay an increased fee amount or provide a donation to cover the costs of other students and families.

Fee Waiver Provisions

To ensure that no student is denied the opportunity to participate in a class or activity that is provided, sponsored, or supported by the School because of an inability to pay a fee, the School provides fee waivers or other provisions in lieu of a fee. Fee waivers or other provisions in lieu of a fee payment will be available to any student whose parent cannot pay a fee.

All fees are subject to waiver.

Non-waivable charges are not subject to waiver.

Fee Waiver Administration

The Director will administer this policy and will review and grant fee waiver requests or designate another staff member to do so. The process for obtaining waivers or pursuing alternatives will be administered in accordance with this policy, fairly, objectively, and without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.

The School will not treat a student receiving a fee waiver or provision in lieu of a fee waiver differently from other students. The process for obtaining waivers or pursuing alternatives will create no visible indicators that could lead to identification of fee waiver applicants.

The process for obtaining waivers or pursuing alternatives will comply with the privacy requirements of The Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (FERPA). The School may not identify a student on fee waiver to students, staff members, or other persons who do not need to know. As a general rule, teachers and coaches do not need to know which students receive fee waivers. Students may not assist in the fee waiver approval process.

Fee Waiver Eligibility

A student is eligible for a fee waiver if the School receives verification that:

- (a) In accordance with Utah Code § 53G-7-504(4), family income falls within levels established annually by the State Superintendent and published on the Utah State Board of Education website;
- (b) The student to whom the fee applies receives Supplemental Security Income (SSI). If a student receives SSI, the School may require a benefit verification letter from the Social Security Administration;
- (c) The family receives TANF or SNAP funding. If a student's family receives TANF or SNAP, the School may require the student's family to provide the School an electronic copy or screenshot of the student's family's eligibility determination or eligibility status covering the period for which the fee waiver is sought from the Utah Department of Workforce Services;
- (d) The student is in foster care through the Division of Child and Family Services or is in state care. If a student is in state care or foster care, the School may rely on the youth in care required intake form or school enrollment letter provided by a caseworker from the Utah Division of Child and Family Services or the Utah Juvenile Justice Department; or
- (e) The student qualifies for McKinney-Vento Homeless Assistance Act assistance. If a student qualifies for McKinney-Vento, verification is obtained through the School's McKinney-Vento liaison.

The School will not maintain copies of any documentation provided to verify eligibility for a fee waiver.

The School will not subject a family to unreasonable demands for re-qualification.

The School may grant a fee waiver to a student, on a case by case basis, who does not qualify for a fee waiver under the foregoing provisions but who, because of extenuating circumstances, is not reasonably capable of paying the fee.

The School may charge a proportional share of a fee or a reduced fee if circumstances change for a student or family so that fee waiver eligibility no longer exists.

The School may retroactively waive fees if eligibility can be determined to exist before the date of the fee waiver application.

Fee Waiver Approval Process

The School will inform patrons of the process for obtaining waivers and will provide a copy of the standard fee waiver application on the School's website.

The Director or a designee will review fee waiver applications within five (5) school days of receipt. If the School denies a request for a fee waiver, the School will provide the decision to deny a waiver in writing and will provide notice of the procedure for appeal in the form approved by the Utah State Board of Education.

Any requirement that a student pay a fee will be suspended during any period in which the student's eligibility for a waiver is being determined or during the time a denial of waiver is being appealed.

Each year the School will maintain documentation regarding the number of School students who were given fee waivers, the number of School students who worked in lieu of fee waivers, the number of School students who were denied fee waivers, the total dollar value of student fees waived by the School, and the total dollar amount of all fees charged to students at the School, as this information may be requested by the Utah State Board of Education as part of its monitoring of the School's school fees practices.

The School shall also submit school fee revenue information in the Utah Public Education Financial System as provided in R277-113.

Appeal Process

Denial of eligibility for a waiver may be appealed in writing to the Director within ten (10) school days of receiving notice of denial. The School shall contact the parent within two (2) weeks after receiving the appeal and schedule a meeting with the Director to discuss the parent's concerns. If, after meeting with the Director, the waiver is still denied, the parent may appeal, in writing, within ten (10) school days of receiving notice of denial to the Board.

In order to protect privacy and confidentiality, the School will not retain information or documentation provided to verify eligibility for fee waivers.

Alternatives to Fees and Fee Waivers

The School may allow a student to perform service or another approved task (as described in Utah Code § 53G-7-504(2)) in lieu of paying a fee or, in the case of an eligible student, in lieu receiving a fee waiver, but such alternatives may not be required. If the School allows an alternative to satisfy a fee requirement, the Director will explore with the interested student and his or her parent/guardian the alternatives available for satisfying the fee requirement, and parents will be given the opportunity to review proposed alternatives to fees and fee waivers. However, if a student is eligible for a waiver, textbook fees must be waived, and no alternative in lieu of a fee waiver is permissible for such fees.

The School may allow a student to perform service in lieu of paying a fee or receiving a fee waiver if: (a) the School establishes a service policy or procedure that ensure that a service assignment is appropriate to the age, physical condition, and maturity of the student; (b) the School's service policy or procedure is consistent with state and federal laws, including Section 53G-7-504 regarding the waiver of fees and the federal Fair Labor Standards Act, 29 U.S.C. 201; (c) the service can be performed within a reasonable period of time; and (d) the service is at least equal to the minimum wage for each hour or service.

A student who performs service may not be treated differently than other students who pay a fee.

The service may not create an unreasonable burden for a student or parent and may not be of such a nature as to demean or stigmatize the student.

The School will transfer the student's service credit to another LEA upon request of the student.

The School may make an installment payment plan available for the payment of a fee. Such a payment plan may not be required in lieu of a fee waiver.

The School may provide optional individual fundraising opportunities for students to raise money to offset the cost of the student's fees as provided in R277-408.

Annual Review, Approval, and Training

The Board will review and approve this policy annually.

The School will develop a plan for at least annual training of School employees on fee-related policies specific to each employee's job functions.



HighMark Charter School
Policy: Instructional Materials Policy
Amended:

Purpose

The purpose of this policy is to establish the parameters by which HighMark Charter School (the "School") will select, approve, and purchase instructional materials. The purpose of this policy and accompanying procedures is to also set forth the School's process for reviewing challenges to instructional materials.

Definitions

"Instructional materials" are the resources used by educators to deliver curriculum or support student learning. These materials may be commercially available or School-created and include such materials as textbooks, reading materials, videos, digital materials, websites, online applications, and live presentations. "Instructional materials" do not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class, or another class with required instructional material that is not subject to selection by the School.

"Sensitive material" means an instructional material that constitutes objective sensitive material or subjective sensitive material. "Sensitive material" does not include the instructional material outlined in Utah Code § 53G-10-103(1)(h)(ii).

"Objective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code § 76-5c-208, under the non-discretionary standards described in Utah Code § 76-5c-207(1)(a)(i), or (ii), or (iii).

"Subjective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code § 76-5c-208, under the following factor-balancing standards:

- (a) material that is harmful to minors under Utah Code § 76-5c-101;
- (b) material that is pornographic under Utah Code § 76-5c-101; or
- (c) material that includes certain fondling or other erotic touching under Utah Code § 76-5c-207(1)(a)(i)(C)-(D).

"School community parent" means a parent who has a student currently attending the School, or will have a student enrolled in the School within one year, where the challenged instructional material is being reviewed in accordance with this policy and Utah Code § 53G-10-103(4).

"School setting" means the School's classrooms, library, and property. "School setting" also includes School-sponsored or required activities, including assemblies, guest lectures, live presentations, or other events.

"Stakeholder" for purposes of this policy means:

- (a) an employee of the School;
- (b) a student who is enrolled in the School;
- (c) a parent of a child who is enrolled in the School; or
- (d) a member of the School's Board of Directors.

Policy

The School shall comply with the requirements of Utah law and Utah State Board of Education (“USBE”) rule regarding the selection, approval, purchase, and review of instructional materials, including but not limited to Utah Administrative Code R277-468 and R277-469, Utah Code § 53G-10-103 and, when applicable, Utah Code § 53G-5-404.

The School’s purpose in managing the selection, approval, purchase, and review of instructional materials is to implement, enrich, and support the School’s educational program. It is also to prioritize protecting students from the harmful effects of illicit pornography over other considerations in evaluating instructional materials.

Criteria for Instructional Materials

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

- (a) be consistent with the Utah Core standards;
- (b) be consistent with the principles of individual freedom as defined in Utah Code § 53G-10-206;
- (c) not constitute sensitive material as defined in Utah Code § 53G-10-103;
- (d) not be prohibited discriminatory practice as described in Utah Code § 53B-1-118; and
- (e) comply with all other applicable state laws and USBE rules.

Selection and Approval of Instructional Materials by the Principal

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

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

The Principal shall involve School community parents and instructional staff in the consideration of instructional materials. The Principal has discretion as to how to involve such parents and instructional staff in this process.

Selection and Approval of Instructional Materials by the Board

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

- (a) post the recommended instructional materials online to allow for public review or, for copyrighted material, make the instructional materials available at the School for public review; and

- (b) hold at least two Board meetings where the recommended instructional materials is on the agenda and allow an opportunity at those Board meetings for School educators and parents of students enrolled in the School to express views and opinions on the recommended instructional material.

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

In accordance with Utah Code § 53G-5-404(13), the requirements in this section apply only if the Board is approving instructional materials. The requirements do not apply if the Board is not approving instructional materials and instead only the Principal is selecting and approving instructional materials (which Utah Code § 53G-5-404(13) refers to as “learning material”). In addition, the requirements in this section do not apply to educators’ selection of supplemental materials or resources.

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

Purchase of Instructional Materials

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

Educator Selection of Additional Supplemental Materials or Resources

Despite the foregoing, educators at the School may select and use supplemental materials or resources in their classroom to augment instructional materials already selected and approved by the Principal or the Board so long as each of the following are satisfied:

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

Contract Requirements

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

Sensitive Material Review Procedures

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

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

Administrative Procedures Sensitive Material Review

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

Sensitive Material Review Process

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

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

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

Step One – Initial Review

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

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

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

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

- (c) If, and only if, the School determines that the challenged instructional material does not constitute objective sensitive material, the School shall:

- (i) Review the allegations and the challenged instructional material under the subjective material standards to determine if an instructional material is subjective sensitive material. The Principal shall designate three or more individuals to conduct this review, but at least two of the individuals must be School community parents (the individuals who conducted the objective sensitive material standards review may also be designated to conduct this review, but at least two of the individuals must be School community parents);
- (ii) Allow student access to the challenged instructional material during the School's subjective sensitive material review if the student's parent gives consent regarding the specific challenged instructional material; and
- (iii) If the School determines that the challenged instructional material constitutes subjective sensitive material, ensure that the material is inaccessible to students in any School setting, including the termination of the parent consent option described above.

Miscellaneous Review Rules

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

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

Communication

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

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

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

Appeal

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

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

Removing Instructional Materials That Constitute Sensitive Material

Removing Instructional Material if State Threshold is Met

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

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

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

Removing Instructional Material After Sensitive Material Review

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

Disposal of Instructional Material

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

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

Sensitive Material Review Request Form

Information about Instructional Material Requested to be Reviewed:

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

Information about Requestor:

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

Information about Review Request:

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

Requestor's Signature: _____ Date: _____

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

Board Approved:

Sensitive Material Appeal Request Form

Instructions:

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

Information about Requestor:

- 1) Name:
- 2) Phone:
- 3) Address:
- 4) Email:
- 5) Date you received the School's written decision on your sensitive material review request:

- 6) Are you a student of HighMark Charter School? Yes No
- 7) Are you a parent of a student of HighMark Charter School? Yes No
- 8) Are you an employee of HighMark Charter School? Yes No
- 9) Are you a board member of HighMark Charter School? Yes No

Information about Challenged Instructional Material:

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

Requestor's Signature: _____ Date: _____

After you submit this Form, you will receive an acknowledgment of receipt and an estimated timeline for when a decision will be made by the Board in a public board meeting. The Board generally tries to make its decision at a public board meeting between thirty to sixty (30-60) days after its receipt of an appeal.

Paid Parental and Postpartum Recovery Leave

In accordance with Utah Code § 53G-11-209, the School offers qualified employees paid parental and postpartum recovery leave to enable employees to care for and bond with their new child and to recover from childbirth. This policy is effective July 1, 2025.

Definitions

For purposes of this policy:

“Parental leave” means leave hours the School provides to a parental leave eligible employee.

“Parental leave eligible employee” means a School employee who receives regular paid personal time off (PTO) benefits from the School and is:

- (a) a birth parent as defined in Utah Code § 78B-6-103;
- (b) legally adopting a minor child, unless the individual is the spouse of the pre-existing parent;
- (c) the intended parent of a child born under a validated gestational agreement in accordance with Title 81, Chapter 5, Part 8, Gestational Agreement;
- (d) appointed the legal guardian of a minor child or incapacitated adult; or
- (e) a foster parent of a minor child.

“Postpartum recovery leave” means leave hours the School provides to a postpartum recovery leave eligible employee to recover from childbirth that occurs at 20 weeks or greater gestation.

“Postpartum recovery leave eligible employee” means an employee:

- (a) who receives regular paid personal time off (PTO) benefits from the School; and
- (b) who gives birth to a child.

“Qualified employee” means:

- (a) a parental leave eligible employee; or
- (b) a postpartum recovery leave eligible employee.

“Retaliatory action” means to do any of the following regarding an employee:

- (a) dismiss the employee;
- (b) reduce the employee’s compensation;
- (c) fail to increase the employee’s compensation by an amount to which the employee is otherwise entitled to or was promised;
- (d) fail to promote the employee if the employee would have otherwise been promoted; or
- (e) threaten to take an action described immediately above.

Paid Parental Leave

The School allows a parental leave eligible employee to use up to three calendar weeks of paid parental leave for:

- (a) the birth of the parental leave eligible employee’s child;
- (b) the adoption of a child;
- (c) the appointment of legal guardianship of a child or incapacitated adult; or

- (d) the placement of a foster child in the parental leave eligible employee's care.

Parental leave as described above:

- (a) may not be used before the day on which:
 - (1) the parental leave eligible employee's child is born;
 - (2) the parental leave eligible employee adopts a child;
 - (3) the parental leave eligible employee is appointed legal guardian of a child or incapacitated adult; or
 - (4) a foster child is placed in the parental leave eligible employee's care;
- (b) may not be used more than six months after the date described immediately above;
- (c) shall be used in a single continuous period, unless
 - (1) by mutual written agreement between the School and the parental leave eligible employee; or
 - (2) a health care provider certifies that intermittent leave is medically necessary due to a serious health condition of the child;
- (d) runs concurrently with FMLA leave, if applicable to the parental leave eligible employee; and
- (e) runs consecutively to postpartum recovery leave, if applicable to the parental leave eligible employee.

A parental leave eligible employee's paid parental leave does not increase if the parental leave eligible employee:

- (a) has more than one child born from the same pregnancy;
- (b) adopts more than one child;
- (c) has more than one foster child placed in the parental leave eligible employee's care; or
- (d) is appointed legal guardian of more than one child or incapacitated adult.

A parental leave eligible employee may not use more than three calendar weeks of paid parental leave within a single 12-month period, regardless of whether during that 12-month period the parental leave eligible employee:

- (a) becomes the parent of more than one child;
- (b) adopts more than one child;
- (c) has more than one foster child placed in the parental leave eligible employee's care; or
- (d) is appointed legal guardian of more than one child or incapacitated adult.

Paid Postpartum Recovery Leave

The School allows a postpartum recovery leave eligible employee to use up to three calendar weeks of paid postpartum recovery leave for recovery from childbirth that occurs at 20 weeks or greater gestation.

Postpartum recovery leave as described above:

- (a) shall be used starting on the day on which the postpartum recovery leave eligible employee gives birth, unless a health care provider certifies that an earlier start date is medically necessary;
- (b) shall be used in a single continuous period, unless otherwise authorized in writing by the Principal;

- (c) runs concurrently with FMLA leave, if applicable to the postpartum recovery leave eligible employee; and
- (d) runs consecutively to parental leave.

A postpartum recovery leave eligible employee's paid postpartum recovery leave does not increase if the postpartum recovery leave eligible employee has more than one child born from the same pregnancy.

Leave Period

The maximum amount of paid postpartum recovery leave available to qualified employees under this policy is three calendar weeks.

The maximum amount of paid parental leave available to qualified employees under this policy is three calendar weeks.

Any non-contracted workdays (such as holidays, days during summer break, etc.) that occur during a qualified employee's paid parental leave or paid postpartum recovery leave count toward the applicable three-calendar week leave period.

Notice of Plan to Take Leave

Qualified employees shall give the School's Principal notice at least 30 days before the day on which the qualified employee plans to:

- (a) begin using parental leave or postpartum recovery leave; and
- (b) stop using postpartum recovery leave.

If circumstances beyond the qualified employee's control prevent the qualified employee from giving notice as described above, the qualified employee shall give the School each notice described above as soon as reasonably practicable.

All such notices shall be reviewed by the Principal. If the employee providing notice does not meet the definition of a qualified employee under this policy (and is therefore not entitled to paid parental or postpartum recovery leave), the Principal shall inform the employee. Employees may be required to provide documentation supporting the need for parental or postpartum recovery leave.

Other Leave

Except with respect to FMLA leave, the School may not charge parental leave or postpartum recovery leave against a qualified employee's regular paid personal time off (PTO) or any other leave a qualified employee is entitled to under the School's leave policies.

Employee Benefits During Leave

During the time a qualified employee uses parental leave or postpartum recovery leave, the qualified employee shall continue to receive all employment related benefits and payments at the same level that the qualified employee received immediately before beginning the parental leave

or postpartum recovery leave, provided that the qualified employee pays any required employee contributions.

Employee Position after Leave

Following the expiration of a qualified employee's parental leave or postpartum recovery leave, the School shall ensure that the qualified employee may return to:

- (a) the position that the qualified employee held before using parental leave or postpartum recovery leave; or
- (b) a position within the School that is equivalent in seniority, status, benefits, and pay to the position that the qualified employee held before using parental leave or postpartum recovery leave.

Despite the foregoing, if during the time a qualified employee uses parental leave or postpartum recovery leave the School experiences a reduction in force and, as part of the reduction in force, the qualified employee's employment would have been terminated had the qualified employee not been using the parental leave or postpartum recovery leave, the School may terminate the qualified employee's employment in accordance with any applicable process or procedure as if the qualified employee were not using the parental leave or postpartum recovery leave. In addition, upon termination of a qualified employee's employment (for any reason), the employee is not entitled to be paid for any unused parental leave or postpartum recovery leave.

Retaliatory Action

The School may not interfere with or otherwise restrain a qualified employee from using parental leave or postpartum recovery leave in accordance with this policy. In addition, the School may not take retaliatory action against a qualified employee for using parental leave or postpartum recovery leave in accordance with Utah Code § 53G-11-209.

Part-Time Qualified Employees

In the event a qualified employee of the School is also a part-time employee, the employee shall be allowed to use the amount of parental leave or postpartum recovery leave available to the qualified employee under this policy on a pro rata basis.

Student Conduct and Discipline Policy

HighMark Charter School

Policy: Student Conduct and Discipline Policy

Amended:

1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 Purpose

The purpose of HighMark Charter School's (the "School") Student Conduct and Discipline Policy is to help all students develop positive relationships with other students and adults, take responsibility for their actions and learning, and develop the self-discipline necessary to create an environment that is characterized by physical and emotional safety in order to enhance learning for everyone.

The School will foster a School and community-wide expectation of good citizenship for students and a sense of responsibility in the School community for rules and standards of behavior.

The School will promote and require:

- student responsibility for learning and behavior in all grades;
- student conduct that produces a proper learning environment and respect for the personal, civil, and property rights of all members of the School community;
- parents of all students to assume proper responsibility for their students' behavior and to cooperate with School authorities in encouraging student self-discipline and discouraging behavior that is disruptive to the School's educational program.

1.2 Beliefs and Expectations

The School's beliefs and expectations set a positive and inviting culture for dealing with student behavior issues.

Beliefs:

- Punishment alone will not change behavior
- Much aggressive behavior is a relationship problem, not a behavior problem
- Adults must model the behaviors they expect from the students
- We expect conflicts, but we expect conflicts to be resolved and relationships mended

Expectations:

- Students will show respect for other students
- Students will show respect for adults
- Students will show respect for the building
- Adults will show respect for students
- Students will develop self-discipline

1.3 Procedural Philosophy

The School recognizes that establishing a procedural philosophy consistent with the desired positive school environment is as important as following legal and due process procedures. The School's policy sets forth appropriate legal and due process procedures and will be followed within the context of the procedural philosophy outlined below:

Procedures:

When students are involved in conflicts with other students, they will, when appropriate:

- Work together to resolve the conflict
- Work to repair the relationship and build trust
- Be subject to additional consequences if they exhibit unsafe behaviors during the conflict

When students are involved in a conflict with or feel they have been treated unfairly by a member of the staff or a volunteer, they will:

- Report their feelings to their parent or to the administrator or counselor, who will work together to set up a conference with the student, the parent, an administrator or counselor, and/or the adult involved in order to resolve the conflict and mend the relationship

When students flagrantly disregard the safety of others, show blatant disrespect to others, or consistently behave in a disrespectful or unsafe way:

- The student will be subjected to consequences and positive behavior support to ensure that the student will make better choices in the future. Consequences might include:
 - In-School Suspension
 - Out-of-School Suspension
 - Expulsion
 - Restitution
 - Repayment for damages
- The student will work to earn back the trust of the School community by actions such as:
 - Genuine apology to injured or affected parties
 - Demonstration of appropriate behaviors following the incident
 - Repair or replace any damaged items

Due process to protect the rights of students will include:

- All students will be treated with dignity and respect as they go through correction procedures. The administration will see to it that their rights are protected through the process. If parents feel their student has not been treated fairly, they may address those concerns in accordance with this policy or the School's Parent Grievance Policy, as applicable.
- Parents will be notified when students are involved in situations that are deemed to be serious.
- Parents and students will be notified of the expectations, possible consequences, and the procedures involved in this policy at the beginning of each school year.

2. ENVIRONMENT

2.1 Safe School Environment

It is the School's policy to promote a safe and orderly school environment for all students and employees. Accordingly, the School holds all students, employees, and other adults to the highest standards of behavior in the classroom, on School grounds, in School vehicles, and during School-sponsored activities. Criminal acts or disruptive behavior of any kind will not be tolerated, and any individual who engages in such activity will be subject to disciplinary action, criminal prosecution, or both.

2.2 Discrimination Prohibited

It is the School's policy to provide equal educational and employment opportunity for all individuals. Therefore, the School prohibits all discrimination on the basis of race, color, religion, sex, age, national origin, disability, or veteran status. Complaints of discrimination or unfair application of this policy should be submitted pursuant to the School's applicable Grievance Policy.

3. DEFINITIONS

3.1 Suspension

For purposes of this policy, suspension means: (a) an in-school suspension that is a temporary removal of a student from the student's regular classroom for disciplinary reasons for at least half a school day but remains under the direct supervision of School personnel; or (b) an out-of-school suspension that is the removal of a student from School grounds for disciplinary reasons unless the student removed is: (i) served solely under a Section 504 plan, where an out-of-school suspension is the excluding of the student from school for disciplinary purposes for one day or longer; or (ii) a student with disabilities under the Individuals with Disabilities Education Act, where an out-of-school suspension is the temporary removal of the student from the student's regular school for disciplinary reasons to another setting.

A student who is suspended for ten (10) or fewer school days may, at the Principal's discretion, have access to homework, tests, and other schoolwork through a home study program but will not be allowed to attend classes or participate in any School activities during the period of suspension.

A student who is suspended for more than ten (10) school days shall be provided, or at least offered, alternative education services by the School, but such students will not be allowed to attend classes or participate in any School activities during the period of suspension.

3.2 Expulsion

For purposes of this policy, expulsion means a disciplinary removal from the School for more than ten (10) school days without an offer of alternative education services. An expulsion may be for a fixed or indefinite period of time. If a student is expelled from the School, that student's status as an enrolled student of the School is terminated. Expelled students are excluded from all School programs or activities for the period of expulsion.

3.3 Change of Placement for Students with Disabilities under IDEA and Section 504

For purpose of the removal of a student with a disability from the student's current educational placement, a "change of placement" occurs if (a) the removal is for more than ten (10) consecutive school days or (b) the student is subjected to a series of removals that constitute a pattern because they total more than ten (10) school days in a school year or because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another. Any "change of placement" requires compliance with the procedures outlined in Section 10 of this policy.

3.4 Disruptive Student Behavior

For purposes of this policy, "disruptive student behavior" means the behavior identified as grounds for suspension or expulsion described in Section 4.1, below.

3.5 Parent

For purposes of this policy, "parent" means (i) a custodial parent of a school-age child; (ii) a legally appointed guardian of a school-age child; or (iii) any other person purporting to exercise any authority over the child which could be exercised by a person described above.

3.6 Qualifying Minor

For purposes of this policy, "qualifying minor" means a school-age child who: (i) is at least nine years old; or (ii) turns nine years old at any time during the school year.

3.7 School Year

For purposes of this policy, "school year" means the period of time designated as the school year by the Board of Directors (the "Board") in the calendar adopted each year.

3.8 School-age Child

For purposes of this policy, "school-age child" means a minor who: (i) is at least six years old but younger than 18 years old; and (ii) is not emancipated.

4. GROUNDS FOR SUSPENSION, EXPULSION, OR CHANGE OF PLACEMENT

4.1 Suspension

4.1.1 A student may be suspended from School for the following reasons:

[a] frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including, but not limited to: fighting; gang activity; noncompliance with School dress code; harassment, including sexual, racial, or religious harassment; the use of foul, profane, vulgar or abusive language; or other unreasonable and substantial disruption of a class, activity, or other function of the School;

[b] willful damage to or defacement of School property;

[c] behavior or threatened behavior that poses an immediate and significant threat to the

welfare, safety, or morals of other students or School personnel or to the operation of the School;

[d] possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah Code Ann. § 32B-1-102;

[e] possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, electronic cigarettes, or tobacco, as defined by Utah Code Ann. § 76-10-101;

[f] possession, distribution, control, use, sale, or arranging for the sale of contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs and controlled substances, drug paraphernalia, or any other material or item that has caused or will imminently cause substantial disruption to school operations;

[g] inappropriate use or possession of electronic devices in class or in any other way that substantially disrupts the educational environment;

[h] any criminal activity;

[i] any serious violation involving weapons, drugs, or the use of force, including those actions prohibited in Section 4.1.2 below, that threatens harm or causes harm to the School or School property, to a person associated with the School, or property associated with any such person, regardless of where it occurs; or

[j] bullying or hazing as defined in Utah Code Ann. § 53G-9-601 and/or the School's Bullying and Hazing Policy.

4.1.2 A student shall be suspended or expelled from School for the following reasons:

[a] a serious violation affecting another student or a staff member, or a serious violation occurring in a School building, in or on School property, or in conjunction with a School-sponsored activity, including:

(i) the possession, control, or actual or threatened use of a real weapon, explosive, or noxious or flammable material;

(ii) the actual use of violence or sexual misconduct, including but not limited to such violence or sexual misconduct related to hazing;

(iii) the actual or threatened use of a lookalike weapon with intent to intimidate another person or to disrupt normal School activities; or

(iv) the sale, control, or distribution of a drug or controlled substance as defined in Utah Code Ann. § 58-37-2, an imitation controlled substance defined in Utah Code Ann. § 58-37b-2, or drug paraphernalia as defined in Utah Code Ann. § 58-37a-3;

[b] the commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor; or

[c] making a false report of an emergency at the School or another school under Utah

Code Ann. § 76-9-202(2)(d).

4.2 Expulsion

A student may be expelled from School for any violation listed under Section 4.1 of this policy if the violation is serious or persistent.

4.3 Weapons – Mandatory Expulsion for One Year – Utah Code Ann. § 53G-8-205(2)(b); 20 U.S.C. § 7151

4.3.1 Any student who commits an act for which mandatory suspension or expulsion is provided under Section 4.1.2, above, involving a real or lookalike weapon, explosive, or noxious or flammable material shall be expelled from School and all School programs and activities for a period of not less than one (1) year, subject to the following:

[a] Within forty-five (45) days after the expulsion, the student shall appear before the Case Management Team (“CMT”), which shall be comprised of the Principal, a Board member, and a teacher selected by them, accompanied by a parent; and

[b] The CMT shall determine:

- (i) what conditions must be met by the student and the student's parent for the student to return to School;
- (ii) if the student should be placed on probation in a regular school setting consistent with Utah Code Ann. § 53G-8-208, and what conditions must be met by the student in order to ensure the safety of students and faculty at the School; and
- (iii) if it would be in the best interest of both the School and the student to modify the expulsion term to less than a year, conditioned on approval by the Board and giving highest priority to providing a safe school environment for all students.

[c] For purposes of this policy, the term "firearm", "explosive", and "noxious or flammable material" include but are not limited to: guns, starter pistols, cap guns, bombs, bullets and ammunition, gasoline or other flammable liquids, mace, pepper spray, matches, and lighters.

4.3.2 Students with Disabilities under IDEA and Section 504

Whenever a student receiving special education and related services under the Individuals with Disabilities Education Act (“IDEA”) or Section 504 of the Rehabilitation Act is determined to have carried a weapon to School or a School-sponsored activity, the procedures outlined in Section 10 of this policy must be followed.

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

4.4.1 A student shall be suspended or expelled from the School for any of the following reasons:

[a] use, control, possession, distribution, sale, or arranging for the sale of an illegal drug

or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in a School building, in a School vehicle, on School property, or in conjunction with any School-sponsored activity;

[b] misuse or abuse, distribution, sale or arranging for the sale of prescription medication at School or a School-sponsored activity; or

[c] misuse or abuse of over-the-counter remedies, or sharing, distribution, sale, or arranging for the sale of over-the-counter remedies. A student may possess and use over-the-counter remedies at School only in amounts not to exceed the recommended daily dose including, but not limited to: aspirin, ibuprofen, Tylenol (acetaminophen), cough drops, allergy medication, cough syrup and mouthwash.

4.4.2 Students with Disabilities under Section 504

Any student identified as being disabled under either Section 504 of the Rehabilitation Act or the Americans with Disabilities Act who currently is engaging in the illegal use of drugs or alcohol shall be suspended or expelled to the same extent as non-disabled students for the possession, use, control, distribution, sale, or arrangement of the sale of illegal drugs, alcohol, or controlled substances on School property or in conjunction with any School-sponsored activity.

4.4.3 Drug Testing

[a] Any student who is reasonably suspected of violating Section 4.4 may be subject to a drug test for cause, arranged and paid for by the School.

[b] Any student who has been suspended or expelled for a violation of Section 4.4 may be required to provide a clean drug test and evidence of completion of drug assessment and/or drug counseling programs as a condition of readmission to School. Testing and counseling required as a condition of readmission rather than for the purpose of providing justification for the initial suspension or expulsion shall be arranged and paid for by the student's parent.

[c] Students who refuse to submit to required drug testing and counseling programs or to cooperate with School officials with respect to the sharing of appropriate information, may be expelled from the School.

[d] Any student who is suspended or expelled for violation of Section 4.4 may be subject to random drug testing, at any time and for any reason, for a period of one year from the date of offense. If the student tests positive, he/she may be expelled from all School programs or activities. Any student who refuses consent for random drug testing under these conditions shall be expelled from all School programs or activities.

4.4.4 Students with Disabilities under IDEA

Whenever a student receiving special education and related services under IDEA knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at School or a School-sponsored activity, the procedures outlined in Section 10 of this policy must be followed.

4.5 Gangs

For purposes of this policy, "gang" means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one its primary activities the commission of criminal acts, which has a unique name or identifiable signs, symbols, or marks, and whose members individually or collectively engage in criminal or violent behavior to persons or property, or who create an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a school.

4.5.1 Gang Activity and Apparel Prohibited

Students who engage in any form of gang activity on or about School property, or at any School-sponsored activity may be suspended or expelled under the terms of this policy. For the purposes of this policy, "gang activities" include, but are not limited to any of the following:

- [a] Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, apparel, emblems, badges, tattoos or manner of grooming, accessories, symbols, signs, or other thing which is evidence of membership in or affiliation with any gang;
- [b] Committing any act or omission or using any speech, either verbal or nonverbal, (flashing signs, gestures, hand shakes, etc.) that demonstrates membership in or a affiliation with a gang;
- [c] Soliciting others for membership in a gang;
- [d] Requesting any person to pay for "protection", claiming "turf", or otherwise intimidating, bullying, retaliating against, threatening, abusing, or harassing any person;
- [e] Possessing a weapon, controlled substances, drug paraphernalia, or other contraband;
- [f] Committing any illegal act; or
- [g] Encouraging or inciting another person to act with physical violence upon any other person or cause damage to property.

4.5.2 Confiscation of Gang Items

Subject to the search and seizure provisions of this policy, gang paraphernalia, apparel, or weapons may be confiscated by School officials at any time.

4.5.3 Consultation with Law Enforcement Authorities

School officials shall consult with local law enforcement authorities and gang detectives whenever they have questions regarding gang-related clothing, apparel, or other gang activity.

4.6 Bullying, Cyber-Bullying, Harassment, Hazing, and Abusive Conduct

Bullying, cyber-bullying, harassment, hazing, and abusive conduct of students and

employees are against federal law, state law, and School policy, and are not tolerated by the School. It is the School's intent to respond to school-related incidents by implementing prevention efforts where victims can be identified and assessed, and perpetrators educated, in order to create a safer school that provide a positive learning environment.

School administration has the authority to discipline students and employees for off-campus speech that causes or threatens a substantial disruption on campus, at School activities, or causes or threatens a significant interference with a student's educational performance or involvement in School activities.

Additional information regarding these issues are contained in the School's Bullying and Hazing Policy, which is available on the School's website.

4.7 Possession or Use of Electronic Cigarette Products

4.7.1 Students are prohibited from possessing or using electronic cigarette products, as defined by Utah Code Ann. § 76-10-101, on School property.

4.7.2 The Principal or their designee shall request the surrender of or confiscate electronic cigarette products as provided in Section 16 of this policy.

4.7.3 The Principal will ensure that any surrendered or confiscated electronic cigarette product is destroyed or disposed of. However, the Principal may allow the release of any surrendered or confiscated electronic cigarette product to local law enforcement if School personnel have a reasonable suspicion that the electronic cigarette product contains an illegal substance and local law enforcement requests that the School release it to them as part of an investigation or action.

5. AUTHORITY TO SUSPEND OR EXPEL

5.1 Authority to Suspend for Ten (10) School Days or Less for Regular Education Students

The Principal has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the Principal shall consider all relevant factors, including but not limited to, the severity of the offense, the student's age, disability, academic status and disciplinary record, parental capabilities, and community resources.

5.2 Authority to Suspend and Duration of Suspension for Students with Disabilities

The Principal has the authority to suspend a student with disabilities (504 or IDEA) for not more than ten (10) consecutive school days, and additional removals of not more than ten (10) total school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a pattern resulting in a change of placement. The School need not provide services during periods of removal of ten (10) days cumulative or less if services are not provided to a student without disabilities who has been similarly suspended.

5.3 Authority to Suspend for Longer than Ten (10) School Days or Expel for Regular Education Students

Subject to the requirements for due process set forth in Section 9, below, the Principal may suspend a regular education student for longer than ten (10) school days and up to one (1) year or expel a regular education student.

Expulsions shall be reviewed by the CMT and the conclusions reported to the Board at least once each year if the parent of the expelled student has expressed a desire for the student to return to the School.

5.3.1 Parental Responsibility

If a student is suspended for a period longer than ten (10) days or expelled, the student's parent is responsible for undertaking an alternative education plan that will ensure that the student's education continues during the period of expulsion. The parent shall work with designated School officials to determine how the student's education will continue through private education paid for by the parents, an alternative program offered by the local school district, or other alternatives which will reasonably meet the educational needs of the student. Costs of educational services which are not provided by the School are the responsibility of the student's parent.

5.3.2 The parent and designated School officials may enlist the cooperation of the Division of Child and Family Services, the juvenile court, law enforcement, or other appropriate government agencies in determining how to meet the educational needs of the student.

5.3.3 The School shall contact the parent of each student under age 16 who has been suspended for longer than ten (10) school days or expelled from all School programs and services at least once a month to determine the student's progress if the parent of the expelled student has expressed a desire for the student to return to the School.

5.4 Authority to Institute Change of Placement for Student with Disabilities

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504, or ADA, procedures outlined in the State of Utah Special Education Rules shall be followed, including prior written notice to parents regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.

5.5 Reinstatement of Students who Have Been Suspended

In accordance with Utah Code Ann. § 53G-8-206, a suspended student may not be readmitted to the School until (a) the student and the parent have met with a designated School official to review the suspension and agreed upon a plan to avoid the recurrence of the problem; or (b) in the discretion of the Principal, the parent of the suspended student and the student have agreed to participate in such a meeting. This provision is subject to the requirements in Section 5.2 and 5.3.

6. PROCEDURES FOR ADDRESSING DISRUPTIVE STUDENT BEHAVIOR – Utah Code Ann. § 53G-8-210

6.1 Efforts to Resolve Disruptive Student Behavior Problems

6.1.1 Information About Resources. The School will provide to a parent of a student who engages in disruptive student behavior a list of resources available to assist the parent in resolving the student's disruptive behavior problem.

6.1.2 Procedures for Resolving Problems. The Principal or a teacher or counselor designated by the Principal will work with students who engage in disruptive student behavior according to the procedures identified in Section 7, below, in an attempt to help the student's behavior to improve and to prevent problems from escalating. Incidents of disruptive student behavior and attempts to resolve behavior issues will be documented. The notices of disruptive student behavior described in Section 6.2 and 6.3 below are issued at the discretion of the Principal and are not required to be issued prior to suspending or expelling a qualifying minor.

6.2 Notice of Disruptive Student Behavior

6.2.1 Authorization and Criteria. The Principal is authorized to issue notices of disruptive student behavior to qualifying minors who:

- [a] engage in "disruptive student behavior" that does not result in suspension or expulsion three times during the school year; or
- [b] engage in disruptive student behavior that results in suspension or expulsion once during the school year.

6.2.2 Contents of Notice. A notice of disruptive student behavior will:

- [a] require the qualifying minor and a parent of the qualifying minor to whom the notice is issued to (i) meet with School authorities to discuss the qualifying minor's disruptive student behavior; and (ii) cooperate with the Principal and the Board in correcting the student's disruptive student behavior; and
- [b] be mailed by certified mail to, or served in person on, a parent of the qualifying minor.

6.2.3 Contesting Notice. A qualifying minor, or a qualifying minor's parent, may contest a notice of disruptive student behavior by requesting in writing, within ten (10) business days after receipt of the notice, a meeting with the CMT at which the parent and the CMT will discuss the facts related to the student's behavior, the basis of the parent's concerns with or objections to the issuance of the notice, and efforts that have been made to address the behavior problems.

6.3 Habitual Disruptive Student Behavior Notice

6.3.1 Authorization and Criteria. The Principal may issue a "habitual disruptive student behavior notice" to a qualifying minor who:

- [a] engages in disruptive student behavior that does not result in suspension or expulsion at least six times during the school year;
- [b] (i) engages in disruptive student behavior that does not result in suspension or

expulsion at least three times during the school year; and (ii) engages in disruptive student behavior that results in suspension or expulsion at least once during the school year; or

[c] engages in disruptive student behavior that results in suspension or expulsion at least twice during the school year.

6.3.2 Notice to Parents. Within five (5) days after the day on which a habitual disruptive student behavior notice is issued, the Principal shall provide documentation to a parent of the qualifying minor who receives the notice of the efforts made by a School representative under Section 7, below.

6.4 Responses to School-Based Behavior

6.4.1 Definitions.

[a] "Mobile crisis outreach team" means a crisis intervention service for minors or families of minors experiencing behavioral health or psychiatric emergencies.

[b] "Restorative justice program" means a school-based program or a program used or adopted by a school that is designed to enhance school safety, reduce school suspensions, and limit referrals to court, and is designed to help minors take responsibility for and repair the harm of behavior that occurs in school.

[c] "Youth court" means the same as that term is defined in § 80-6-901, including that it is a diversion program that provides an alternative disposition for cases involving minors who have committed minor offenses in which youth participants, under the supervision of an adult coordinator, may serve in various capacities within the courtroom, acting in the role of jurors, lawyers, bailiffs, clerks, and judges.

6.4.2 Alternative School-Related Interventions. The Board may establish or partner with a certified youth court program or establish or partner with a comparable restorative justice program. The School may refer a student to youth court or a comparable restorative justice program in accordance with § 53G-8-211.

6.4.3 Referrals of Minors. A qualifying minor to whom a habitual disruptive student behavior notice is issued under Section 6.3.1 may not be referred to the juvenile court. The School will follow § 53G-8-211 with respect to referring a minor who is alleged to have committed an offense on School property when School is in session or during a School-sponsored activity. In accordance with § 53G-8-211:

[a] if the alleged offense on School property is a class C misdemeanor, an infraction, or a status offense, the minor shall be referred:

(i) to an evidence-based alternative intervention, including:

(1) a mobile crisis outreach team;

(2) youth services center, as defined in § 80-5-102;

(3) a certified youth court, as defined in § 80-6-901, or comparable restorative justice program;

(4) an evidence-based alternative intervention created and developed by the School or other governmental entities as set forth in § 53G-8-211(3)(a)(v); or

(5) a tobacco cessation or education program if the offense is a violation of § 76-10-105; or

(ii) for prevention and early intervention youth services, as described in § 80-5-201, by the Division of Juvenile Justice and Youth Services if the minor refuses to participate in an evidence-based alternative intervention described above.

[b] Except as provided in Subsection [c] below, if a minor is alleged to have committed an offense on School property that is a class C misdemeanor, an infraction, or a status offense, the minor may be referred directly to a law enforcement officer or agency or a court only if:

(i) the minor allegedly committed an offense on School property on a previous occasion; and

(ii) the minor was referred to an evidence-based alternative intervention, or to prevention or early intervention youth services, as described in Subsection [a] above for the previous offense.

[c] If a minor is alleged to have committed a traffic offense that is an infraction, the minor may be referred directly to a law enforcement officer or agency, a prosecuting attorney, or a court for the traffic offense.

[d] If a minor is alleged to have committed an offense on School property that is a class B misdemeanor or a class A misdemeanor, the minor may be referred directly to a court or to the evidence-based alternative interventions in Subsection [a] above.

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

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

7. ALTERNATIVES TO EXPULSION, OR CHANGE OF PLACEMENT FOR FREQUENT OR FLAGRANT DISRUPTIVE BEHAVIOR – Utah Code Ann. § 53G-8-207

A continuum of intervention strategies shall be available to help students whose behavior in School repeatedly falls short of reasonable expectations. Prior to suspending a student for more than ten (10) school days or expelling a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violent that immediate removal is warranted, good faith efforts shall be made to implement a remedial discipline plan to allow the student to remain in the School.

7.1 Before referring the student for long-term suspension, expulsion or change of placement under this Section, School staff should demonstrate that they have attempted some or all of the following interventions:

7.1.1 Talking with the student;

7.1.2 Class schedule adjustment;

7.1.3 Phone contact with the parent;

7.1.4 Informal parent/student conferences;

7.1.5 Behavioral contracts;

7.1.6 After-school make-up time;

7.1.7 Short-term in-school suspension;

7.1.8 Short-term at-home suspensions;

7.1.9 Appropriate evaluation;

7.1.10 Home study;

7.1.11 Alternative programs; or

7.1.12 Law enforcement assistance as appropriate.

7.2 Parental Attendance with Student – Utah Code Ann. § 53G-8-207(1)-(2).

As part of a remedial discipline plan for a student, the School may require the student's parent, with the consent of the student's teachers, to attend class with the student for a period of time specified by a designated School official. If the parent does not agree or fails to attend class with the student, the student shall be suspended in accordance with the provisions of this policy.

8. DUE PROCESS FOR SUSPENSIONS OF TEN (10) SCHOOL DAYS OR LESS

The following procedure shall apply to all students facing suspension of ten (10) school days or less:

8.1 The Principal shall notify the student's custodial parent of the following without delay: that the student has been suspended, the grounds for the suspension, the period of time for which the student is suspended, and the time and place for the parent to meet with the Principal to review the suspension.

8.2 The Principal shall also notify the non-custodial parent, if requested in writing, of the suspension.

8.2.1 Section 8.2 does not apply to the portion of School records which would disclose any information protected under a court order.

8.2.2 The custodial parent is responsible to provide the School a certified copy of any court order under Subsection 8.2.1.

8.3 The Principal shall document the charges, evidence, and action taken.

8.4 Unless one of the exceptions below applies, before a suspension begins the student shall be given notice of the charges, provided with an explanation of the evidence, and given an opportunity to present his/her version of the incident to the Principal. The student shall be requested to present his/her version of the incident in writing. Students with disabilities or young students who are unable to write their own statements shall be accommodated through the use of tape recorder, scribe, etc.

8.4.1 In general, the notice and informal conference described in Section 8.4 above shall precede the student's removal from the School.

8.4.2 If, in the judgment of the Principal, notice and an informal conference is not possible because the student poses a danger to a person or property or an ongoing threat of substantially disrupting the academic process, he/she may be removed immediately. However, in such cases, the necessary notice and informal conference shall follow as soon as possible.

9. DUE PROCESS FOR SUSPENSIONS OF MORE THAN TEN (10) SCHOOL DAYS AND EXPULSIONS

The following procedure shall apply to all students facing suspension of more than ten (10) school days or expulsion:

9.1 The Principal shall first follow the due process procedures set forth in Section 8 above. If, after following the due process procedures in Section 8, the Principal believes that a student should be suspended for more than ten (10) school days or expelled, the Principal may make the initial decision and shall meet with the student's parent to discuss the charges against the student and the proposed discipline within five (5) school days after the suspension or expulsion began. If requested in writing, the Principal shall also notify the non-custodial parent of the suspension or expulsion as outlined in Section 8.2 of this policy. A suspension may not extend beyond ten (10) school days unless the student and the student's parent have been given a reasonable opportunity to meet with the Principal and respond to the allegations and proposed disciplinary action.

9.2 Notice to Student and Parent

During the meeting required in Section 9.1, the Principal shall provide the student's parent with written notice that includes all of the following elements (or, if the student's parent refuses to meet, the Principal shall send the notice by certified mail, return receipt requested, to the student's parent within ten (10) school days after the suspension or expulsion began):

9.2.1 a description of the alleged violation(s) or reason(s) giving rise to disciplinary action;

9.2.2 the penalty being imposed (duration of suspension or expulsion);

9.2.3 a statement that a due process hearing may be requested by providing the Principal

with written notice within ten (10) school days of the parent's receipt of the notice;

9.2.4 a statement that, if a due process hearing is requested, the Board, even though less than a quorum, will conduct the hearing, with or without the help of a hearing officer;

9.2.5 a statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a due process hearing is requested in a timely manner and the Board (even though less than a quorum) determines otherwise;

9.2.6 the mailing date of the notice; and

9.2.7 a statement that, if a hearing is not requested within ten (10) school days after receipt of the notice, the Principal's decision to suspend or expel the student will be final, and the parent's right to oppose the decision will be waived.

9.3 Hearing Procedures

If a Due Process Hearing is requested in response to the notice sent pursuant to Section 9.2 of this policy, the following procedures shall apply:

9.3.1 After receipt of the request, the School shall schedule a hearing as soon as possible but not later than ten (10) school days following receipt of the request unless the student's parent agrees otherwise.

9.3.2 A written Hearing Notice shall be sent to the parent informing the parent that the Due Process Hearing will be conducted before the Board (even though less than a quorum) and of the following information:

- [a] the date, place, and time of the hearing;
- [b] the circumstances, evidence, and issues to be discussed at the hearing;
- [c] the right of all parties to have legal counsel present;
- [d] the right of all parties to present evidence;
- [e] the right of all parties to cross-examine witnesses subject to the presiding Board member's or hearing officer's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal; and
- [f] the right of all parties to examine all relevant records.

9.3.3 The Board (even though less than a quorum) shall conduct the Due Process Hearing on the record and shall:

- [a] ensure that a written record of the Hearing is made, a copy of which shall be provided to all parties upon request, with the cost borne by the School;
- [b] consider all relevant evidence presented at the Hearing;
- [c] allow the right to cross-examination of witnesses, unless the presiding Board member

or hearing officer determines that this right should be limited to protect student witnesses from ostracism, retaliation or reprisal;

- [d] allow all parties a fair opportunity to present relevant evidence; and
- [e] issue a written decision including findings of fact and conclusions.

9.3.4 Hearing Rules

Formal Rules of Evidence do not apply to the Due Process Hearing, and no discovery is permitted. However, the following rules will apply:

- [a] parties may have access to information contained in the School's files to the extent permitted by law;
- [b] hearings shall be closed to the press and the public;
- [c] documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the Board (even though less than a quorum) or hearing officer; and
- [d] the Board (even though less than a quorum) or hearing officer may excuse witnesses or parties or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the Board or hearing officer.

10. DUE PROCESS FOR CHANGE OF PLACEMENT OF STUDENTS WITH DISABILITIES

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504 or ADA, procedures outlined in the Utah State Board of Education Special Education Rules shall be followed, including prior written notice to parents regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.

10.1 Required Services

10.1.1 504 and ADA Students

When a determination is made that the conduct of a 504 or ADA student (but not a student who is disabled under IDEA) is not a manifestation of the student's disability pursuant to Section 10.5, the student shall be subject to the same disciplinary consequences as regular education students, up to and including expulsion from School; however, the School must continue to provide education services in accordance with guidelines established by the Utah State Board of Education.

10.1.2 IDEA

A school need not provide services during periods of removal to a student with a disability under IDEA who has been removed from his or her current placement for ten (10) school days or less in that school year if services are not provided to a student without disabilities who has been similarly removed.

If a student with a disability under IDEA has been removed from his or her current placement for more than ten (10) school days in the same school year, for the remainder of the removals the School shall provide services to the extent necessary to enable the student to progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP. School personnel, in consultation with the student's special education teacher, determine the extent to which services are necessary to enable the student to appropriately progress in the general curriculum and advance toward achieving the goals set out in the student's IEP.

10.2 Change of Placement for Weapons, Drugs, or Serious Bodily Injury

A student's IEP team may order a change in placement of a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than forty-five (45) school days, if:

10.2.1 The student carries a weapon to or possesses a weapon at School, on School premises, or to or at a School-sponsored activity; or

10.2.2 The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at School, on School premises, or at a School-sponsored activity; or

10.2.3 The student has inflicted serious bodily injury upon another person while at School, on School premises, or at a School-sponsored activity.

10.3 Change of Placement Due to Student's Serious Misconduct

School officials may request an expedited due process hearing in order to change the placement of a student with a disability to an appropriate interim alternative educational setting, recommended by the student's IEP team, for not more than forty-five (45) school days. A hearing officer may order such a change, if he/she:

10.3.1 Determines that School officials have demonstrated by substantial evidence that maintaining the current placement of a student is substantially likely to result in injury to the student or others;

10.3.2 Considers the appropriateness of the student's current placement;

10.3.3 Considers whether School officials have made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services; and

10.3.4 Determines that the interim alternative educational setting being recommended by School officials (1) has been selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP; and (2) includes services and modifications designed to address the behavior at issue so that it does not recur.

10.4 Parental Notice

As soon as a decision is made by School officials to remove a student with a disability from his/her current placement for more than ten (10) school days, the student's parents must be notified of that decision and of all procedural safeguards outlined by law and School policy.

10.5 IEP Meetings for Manifestation Determination

10.5.1 Immediately, if possible, but in no case later than ten (10) school days after the date on which the decision is made to remove the student from the current placement, a review must be conducted of the relationship between the student's disability and the behavior subject to the disciplinary action.

10.5.2 The manifestation review must be conducted by the student's IEP team and other qualified School personnel.

10.5.3 In conducting the manifestation review, the IEP team may determine that the behavior of the student was not a manifestation of student's disability only if the IEP team:

[a] First considers, in terms of behavior subject to disciplinary action, all relevant information, including:

- (i) Evaluation and diagnostic results, including the results or other relevant information supplied by the parents of the student;
- (ii) Observations of the student; and
- (iii) The student's IEP and placement; and

[b] Then determines whether:

- (i) The conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
- (ii) The conduct in question was the direct result of the School's failure to implement the student's IEP.

10.5.4 If the IEP team determines that either of the standards above was met, the behavior must be considered a manifestation of the student's disability.

10.5.5 Determination that Behavior was not Manifestation of Disability

If the result of the manifestation review is a determination that the behavior of a student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, except that a free appropriate public education must still be made available to the student if the student is suspended or expelled from School.

10.5.6 Determination that Behavior was Manifestation of Disability

If the result of the manifestation review is a determination that the behavior of a student with a disability was a manifestation of the student's disability, the student must remain in or be returned to the prior placement.

10.6 IEP Meetings for Functional Behavioral Assessments

10.6.1 Post-Discipline Functional Behavioral Assessments

If School officials have not conducted a Functional Behavioral Assessment and implemented a behavioral intervention plan for the student before the behavior that results in a removal from School for longer than ten (10) school days or a change of placement to an interim alternative educational setting, School officials shall convene an IEP meeting to develop an assessment plan and appropriate behavioral interventions to address that behavior.

10.6.2 Pre-Discipline Behavioral Intervention Plans

If the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it, as necessary, to address the behavior.

10.7 Placement During Appeals and Stay Put

10.7.1 If a parent requests a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student must remain subject to the disciplinary action pending the decision of the hearing officer or until the expiration of the forty-five (45) school-day period, whichever occurs first, unless the parent and School officials agree otherwise.

10.7.2 If a student is placed in an interim alternative educational setting and School personnel propose to change the student's placement after expiration of the interim alternative placement, during the pendency of any proceeding to challenge the proposed change in placement the student must remain in the current placement (the student's placement prior to the interim alternative education setting), unless School officials succeed in getting an order through an expedited hearing as described in Section 10.3.

11. ADMINISTRATIVE STUDENT CONDUCT AND DISCIPLINE PLAN(S)

11.1 Elements of Plan(s)

The Principal will develop, with input from administration, instruction and support staff, students, parents, and other community members, a Student Conduct and Discipline Plan(s). The plan(s) shall be comprehensive, clearly written, consistently enforced, and include the following elements:

11.1.1 written standards for student behavior expectations, including schoolwide and classroom management;

11.1.2 effective instructional practices for teaching student expectations;

- 11.1.3** systematic methods for reinforcing expected behaviors;
- 11.1.4** uniform and equitable methods for correcting student behavior;
- 11.1.5** procedures for re-teaching behavior expectations followed by effective, evidence-based interventions matched to student needs before suspension or court referral;
- 11.1.6** direction to determine the range of behaviors and establish the continuum of administrative procedures that may be used by School personnel to address student behavior; and
- 11.1.7** procedures for responding to reports received through the SafeUT Crisis Line under Utah Code Ann. § 53H-4-210.

11.2 Plan(s) Consistent with this Policy

The administrative Student Conduct and Discipline Plan(s) shall be consistent with this policy. It shall also be consistent with the School's Plan for Harassment and Discrimination Free Learning, which shall be developed by the Principal in accordance with § 53G-8-802 and R277-609.

12. EXTRACURRICULAR ACTIVITIES

Participation in interscholastic athletics and other extracurricular activities is not a constitutionally protected civil right. Therefore, students who are suspended or expelled may lose the privilege of participation during the period of suspension/expulsion and may not be allowed to invoke due process procedures to challenge the denial of extracurricular participation.

13. RE-ADMISSION OF EXPELLED STUDENTS AND DENIAL OF ADMISSION BASED ON PRIOR EXPULSION – Utah Code Ann. § 53G-8-205(3)

A student who is expelled from the School can only be re-admitted to the School through the School's standard lottery procedures.

A student may be denied admission to the School if he or she was expelled from the School or any other school during the preceding 12 months.

14. INVESTIGATIONS

Whenever the Principal has reason to believe that School rules or policies have been broken, he or she shall proceed with an investigation. However, if the Principal believes that laws have been broken or child abuse has occurred, he/she shall request appropriate authorities to conduct the investigation.

14.1 General Investigation Guidelines for Principal

The Principal has the authority and duty to conduct investigations and to question students pertaining to infractions of School rules, whether or not the alleged conduct is a violation of criminal law. The Principal shall conduct investigations according to the following general guidelines:

14.1.1 The Principal shall conduct investigations in a way that does not unduly interfere with School activities.

14.1.2 The Principal shall separate witnesses and offenders in an attempt to keep witnesses from collaborating their statements and have all parties provide separate statements concerning the incident under investigation; written statements are preferable, if possible.

14.1.3 The Principal shall advise students suspected of wrongdoing orally or in writing of the nature of the alleged offense.

14.1.4 Students must be provided an opportunity to give their version of the incident under investigation; however, refusals to respond or provide information should be respected.

14.1.5 When questioning students as part of an investigation, School staff should have another adult present whenever possible.

14.1.6 The Principal shall accommodate students with disabilities and young children unable to write their own statements through use of tape recorders, scribes, etc.

14.1.7 All students involved in the investigation shall be instructed that retaliation is prohibited. Any act of reprisal against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing is strictly prohibited and subject to disciplinary action.

14.1.8 When the investigation is completed and if it is determined that disciplinary action may be in order, due process requirements must be met. Specifically, the student must be given proper notice of the charges against him/her and the disciplinary action being recommended, as well as a fair opportunity to present his or her version of the facts.

14.2 Coordination with Law Enforcement

The Principal has the responsibility and the authority to determine when the help of law enforcement officers is necessary, as outlined in this policy and Utah State law.

14.2.1 The School administration may invite law enforcement officials to the School to:

- [a] conduct an investigation of alleged criminal conduct on the School premises or during a School-sponsored activity;
- [b] maintain a safe and orderly educational environment; or
- [c] maintain or restore order when the presence of such officers is necessary to prevent injury to persons or property.

14.2.2 Investigation of Criminal Conduct

During an investigation for violation of School rules, it may become evident that the incident under investigation may also be a violation of criminal law. If the School official has reason to suspect that a criminal act has been committed and, in the opinion of the Principal, law enforcement should be notified, the following procedure should be followed:

- [a] The Principal shall request that law enforcement officers conduct an investigation during school hours and question students who are potential witnesses to the alleged criminal behavior.
- [b] The School official shall inform the student's parent as soon as possible that the student may have committed a criminal act and that law enforcement authorities will be involved in the investigation.
- [c] Unless circumstances dictate otherwise, questioning of the student by School officials shall not begin or continue until the law enforcement officers arrive.
- [d] Reasonable attempts shall be made to contact the student's parents who, unless an emergency exists, shall be given the opportunity to meet with the student and to be present with the student during questioning by law enforcement authorities.
- [e] The Principal shall document the contact or attempted contact with the student's parents. If the Principal cannot contact the student's parent, or if the parent is unable to be present with the student for questioning, the Principal shall be present and document generally what occurs during the interview.
- [f] The student shall not be questioned by law enforcement unless or until he/she has received Miranda warnings from the officer.
- [g] If the parent or student refuses to consent to questioning by law enforcement authorities, the law enforcement authorities shall determine the course of action to be pursued.

14.2.3 Investigation Initiated by Law Enforcement Authorities

School officials shall cooperate with law enforcement authorities who are carrying out official duties such as investigating crimes, serving subpoenas, etc.

- [a] When law enforcement officers can show a need to do so, they shall be permitted to conduct an investigation on School grounds during School hours.
- [b] Such a need will ordinarily be shown if delay in police investigation might result in danger to a person, flight from jurisdiction by a person reasonably suspected of a crime, or destruction of evidence. In such cases:
 - (i) The officers shall be required to get prior approval of the Principal or other designated person before beginning an investigation on School premises.
 - (ii) The Principal shall document the circumstances warranting the investigation as soon as practical.
 - (iii) Alleged criminal behavior related to the School environment brought to the Principal's attention by law enforcement officers shall be dealt with under the provisions of Section 14.1.
 - (iv) Law enforcement officials (investigating School-related or student-related crimes) may not have access to student education records, aside from directory information, unless they have a subpoena or court order or permission from a parent.

14.2.4 Release of Student to Law Enforcement Official

- [a] Students may not be released to law enforcement authorities voluntarily by School officials unless the student has been placed under arrest or unless the parent and the student agree to the release.
- [b] When students are removed from School for any reason by law enforcement authorities, every reasonable effort shall be made to contact the student's parent immediately except in cases of child abuse and neglect. Such effort shall be documented.
- [c] The Principal shall immediately notify the Board of the removal of a student from School by law enforcement authorities.
- [d] Where it is necessary to take a student into custody on School premises, the law enforcement officer shall contact the Principal and relate the circumstances necessitating such action.
- [e] Whenever the need arises to make arrests or take students into custody on School premises, the Principal shall make reasonable efforts to consult and confer with the law enforcement officers as to how an arrest is to be made.
- [f] When possible, the Principal shall have the student summoned to the Principal's office before the student is taken into custody.
- [g] When a student has been taken into custody or arrested on School premises without prior notification to the Principal, the School staff present shall encourage the law enforcement officers to tell the Principal of the circumstances as quickly as possible. If the officers decline to tell the Principal, the School staff members present shall immediately notify the Principal.

14.2.5 Quelling Disturbances of School Environment

Law enforcement officers may be requested to assist in controlling disturbances of the School environment that a Principal has found to be unmanageable by School personnel and that has the potential of causing harm to students and other persons or to property. Such circumstances include situations where a parent or member of the public exhibits undesirable or illegal conduct on or near School grounds or at a School-sponsored activity and who refuse to abide by a Principal's directive to leave the premises.

15. INVESTIGATION OF CHILD ABUSE AND NEGLECT

Utah law requires that whenever any person, including any School employee, has reason to believe that a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in such, he/she shall immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Child and Family Services.

15.1 The School shall distribute annually to all School employees copies of the School's procedures for reporting suspected child abuse or neglect.

15.2 If there is reason to believe that a child may have been subjected to abuse or neglect, an oral report shall be made immediately by the School employee reporting the abuse/neglect with a written report to follow within twenty-four (24) hours.

15.2.1 When making the oral report, always have the person you notify identify himself/herself. The notified person's name shall be entered on the written report.

15.2.2 A copy of the written report shall be put in a child abuse-neglect file to be maintained by the Principal, for all reported cases of suspected child abuse or neglect.

15.2.3 The child abuse-neglect reporting form shall not be placed in the student's personal file.

15.3 It is not the responsibility of the Principal or other School employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection.

15.3.1 Investigation by staff prior to submitting a report shall not go beyond that necessary to support a reasonable belief that a reportable problem exists.

15.3.2 To determine whether or not there is reason to believe that abuse or neglect has occurred, professional School employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.

15.3.3 Interviews with the child or suspected abuser shall not be conducted by the Principal or School employees.

15.3.4 Notes of voluntary or spontaneous statements by the child shall be made and given to the investigating agency.

15.3.5 The Principal, School employees, Division of Child and Family Services and law enforcement personnel are required to preserve the anonymity of those making the initial report and any others involved in the subsequent investigation.

15.3.6 Investigations are the responsibility of the Division of Child and Family Services.

[a] The Principal or other School employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

[b] School officials shall cooperate with social service and law enforcement agency employees authorized to investigate reports of alleged child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective diagnostic, assessment, treatment, and coordination services.

15.3.7 Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune, in accordance with state law, from any civil or criminal liability that otherwise might arise from those actions.

16. SEARCHES OF PERSON OR PROPERTY

Given the School's custodial and tutelary responsibility for children, and the Board's intent to preserve a safe environment for all students and staff, the Board recognizes that School officials must have the authority to conduct reasonable searches of students and student property. School officials engaging in searches of students and property shall abide by the following guidelines:

16.1 General Guidelines for Searches of Person or Property

16.1.1 Student Lockers

Students have no right or expectation of privacy in school lockers. While lockers are under the joint control of students and the School, lockers are solely School property and may be searched at any time by School officials with or without cause. Once a locker is opened for search, any search of student belongings contained within the locker must comply with the guidelines for searches of personal belongings in Section 16.2 of this policy.

16.1.2 Searches of Students and Student Property

Searches of a student's person, personal property (coats, hats, backpacks, bookbags, purses, wallets, notebooks, gym bags, etc.) may be conducted whenever the student's conduct creates a reasonable suspicion that a particular School rule or law has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age and sex of the student and nature of the infraction. Circumstances warranting a search include those in which School officials have a reasonable suspicion that the student or student property is concealing items including but not limited to weapons, drugs, controlled substances, electronic cigarette products, alcohol, tobacco, unsafe contraband, pornography, pagers or lost/stolen/misplaced items.

16.2 Searches of Personal Belongings

16.2.1 Personal belongings may be searched by School officials whenever School officials have a reasonable suspicion to believe a student is concealing evidence of a policy violation or criminal activity and the items being searched are capable of concealing such evidence. The student may be asked to open personal belongings and to turn over personal property for search by a School official. All searches of student property by School officials shall be witnessed by an objective third party (such as another teacher, or police officer) to observe that the search is not excessively intrusive.

16.2.2 All contraband discovered in a search by School officials shall be immediately confiscated and turned over to law enforcement officers if School officials have reason to believe the contraband is related to the commission of a criminal act.

16.3 Searches of Person

16.3.1 School officials shall make sure the search meets the following guidelines:

[a] The search shall be conducted in a private area of the School by a School official of the same sex (where practical) as the student being searched;

- [b] The search shall be observed by an objective third party of the same sex as the student being searched (i.e., Principal, teacher, police officer);
- [c] School officials may ask the student to remove his/her hat, coat, shoes and socks, turn pockets inside out, and roll up sleeves to see if the student is hiding contraband;
- [d] Under no circumstances may School officials require students to remove any other items of clothing or touch students in any way during the search.
- [e] If this limited search does not turn up suspected contraband and School officials have reasonable suspicion that the student is concealing contraband in his/her inner clothing (i.e., hiding drugs, weapons or other contraband underneath shirts, pants or underwear), law enforcement officers shall be summoned immediately to conduct further search and investigation.
- [f] In general, all questioning and searching of students conducted by law enforcement officers shall proceed according to the investigation guidelines in Section 14 of this policy.

16.4 Documentation of Searches

School officials shall thoroughly document the details of any search conducted of a student's property or person. Documentation shall be made at the time of the search, or as soon as possible thereafter, and shall include the following:

- 16.4.1** The time, place and date of the search;
- 16.4.2** The reasonable suspicion giving rise to the search (what did School officials suspect to find during the search);
- 16.4.3** The name and title of individuals conducting and observing the search;
- 16.4.4** A statement about evidence that was found or not found as a result of the search;
- 16.4.5** A statement about who took possession of contraband (i.e., police, school, etc.);
- 16.4.6** Information regarding the attempts of School officials to notify parents about the search.

17. RECORDS—INTERAGENCY COLLABORATION – 20 U.S.C. § 1232g(h)(i)-(2); Utah Code Ann. § 53G-8-402 to -405

17.1 Requirements After Receiving Notification From Juvenile Court and/or Law Enforcement Agencies of a Student's Serious Offense or Sexual Crime.

- 17.1.1** If the President of the Board is notified by the juvenile court that a current or former student of the School has been adjudicated for a serious offense or sexual crime or is notified by a law enforcement agency that a current or former student of the School has been taken into custody or detention for a serious offense or sexual crime, the President of the Board shall notify the Principal within three (3) days of receiving the notification.

“Serious offense” is defined in Utah Code Ann. § 80-6-103 and means the following: a violent felony as defined in § 76-3-203.5; an offense that is a violation of Title 76, Chapter 6, Part 4, Theft, and the property stolen is a firearm; or an offense in violation of Title 76, Chapter 10, Part 5 Weapons.

“Sexual crime” or “sexual misconduct” means any conduct described in Title 76, Chapter 5, Part 4, Sexual Offenses; Title 76 Chapter 5b, Sexual Exploitation Act; § 76-7-102, incest; § 76-9-702, lewdness; and § 76-9-702.1, sexual battery.

17.1.2 Upon receipt of the information about a student’s serious offense (whether from the President of the Board or directly from the juvenile court or law enforcement agency), the Principal shall make a notation in a secure file other than the student’s permanent file. Beginning no later than July 1, 2025, the School shall digitally maintain the secure file or, if available, the student’s related reintegration plan described below, for one year from the day the notice is received and ensure the secure file follows the student if the student transfers to a different school.

17.1.3 Upon receipt of the information about a student’s serious offense or sexual crime (whether from the President of the Board or directly from the juvenile court or law enforcement agency), the Principal shall, if the student is still enrolled in the School, notify staff members who, in the Principal’s opinion, should know of the adjudication, arrest, or detention. Staff members receiving information about a juvenile student’s adjudication, arrest or detention may only disclose the information to other persons having both a right and a current need to know.

17.2 Multidisciplinary Team and Reintegration Plan

17.2.1 In addition to complying with the requirements above, the School shall, within five (5) days after receiving a notification described in Section 17.1.1 about a student, or within a reasonable time after otherwise being notified of a student committing a serious offense or sexual crime, develop a reintegration plan for the student with a multidisciplinary team, the student, and the student’s parent. The multidisciplinary team should include the School, the juvenile court, the Division of Juvenile Justice and Youth Services, the School’s Safety and Security Specialist, the School’s Safety and Security Director, the School’s Resource Officer (if any), and any other relevant party that should be involved in a reintegration plan.

17.2.2 The reintegration plan shall address:

- [a] a behavioral intervention for the student;
- [b] a short-term mental health or counseling service for the student;
- [c] an academic intervention for the student; and
- [d] if the serious offense or sexual crime was directed at a School employee or another student within the School, notification of the reintegration plan to that School employee or student and the student’s parent.

17.2.3 The School may deny admission to the student until the School completes the reintegration plan.

17.2.4 The School's Resource Officer (if any) shall provide input for the School to consider regarding the safety risks a student may pose upon integration. The School shall also notify its Resource Officer (if any) of any student who is on probation.

17.2.5 The School shall not reintegrate a student when:

[a] a student or staff member of the School has a protective order against the student being reintegrated; or

[b] a student or staff member of the School is a victim of the serious offense or sexual crime or forcible felony (as defined in Utah Code Ann. § 76-2-402) committed by the student being reintegrated.

17.2.6 The School may elect to not integrate a student into the School if the student has committed, or allegedly committed, a forcible felony. If the School elects to not integrate such a student, the School shall provide alternative education options for the student.

17.2.7 A reintegration plan under this Section is classified as a protected record under Utah Code Ann. § 63G-2-305. All other records of disclosures under this Section are governed by the Government Records Access and Management Act and the Family Educational Rights and Privacy Act ("FERPA").

17.3 Students Committing a Serious Offense or Sexual Crime are Subject to Suspension or Expulsion

Students who commit a serious offense or sexual crime, whether on or off School property, are subject to the suspension and expulsion provisions of this policy.

17.4 Student Discipline Records/Education Records

School officials may include appropriate information in the education record of any student concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.

17.4.1 Disclosure of Discipline Records to Other Educators

School officials may disclose student discipline information described above to teachers and other School officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

17.4.2 Disclosure of Discipline Records to Other Agencies

School officials shall not release personally identifiable student discipline records to other government agencies, including law enforcement agencies, unless the agency produces a subpoena or court order (need for standing court order from juvenile court), the student's parent has authorized disclosure, or a FERPA exception applies.

18. EMERGENCY SAFETY INTERVENTIONS

A School employee may not use physical restraint on a student or place a student in seclusion except as a necessary emergency safety intervention in compliance with this

Section.

18.1 Definitions

18.1.1 “Comprehensive emergency safety intervention training” means a training required for key identified school employees that has the components described in R277-608-4(4).

18.1.2 “Chemical restraint” means the use of medication administered to a student, including medications prescribed by the student’s physician or other qualified health professional, on an as-needed basis for the sole purpose of involuntarily limiting the student’s freedom of movement.

18.1.3 “Emergency safety intervention” (“ESI”) means the use of seclusion or physical restraint when a student presents an immediate danger to self or others. An ESI may not be used for disciplinary purposes.

18.1.4 “Immediate danger” or “immediate and significant threat” means the imminent risk of physical violence toward self or others, or other physical behaviors which are likely to cause imminent risk of substantial bodily injury or serious bodily injury.

18.1.5 “Key Identified School Employee” means a School employee who has completed foundational behavior support training and comprehensive emergency safety intervention training and has been authorized by the Principal to utilize an ESI at the School when necessary.

18.1.6 “Mechanical restraint” means the use of any device or equipment to restrict a student’s freedom of movement.

18.1.7 “Foundational behavior support training” means a training required for all School employees who supervise students or may be asked to assist in managing a student’s behavior that has the components described in R277-608-4(1).

18.1.8 “Physical restraint” means a personal restriction that immobilizes or significantly reduces the ability of a student to move the student’s arms, legs, body, or head freely.

18.1.9 “Physical escort” means a temporary touching or holding of the hand, wrist, arm, shoulder, or back for the purpose of guiding a student to another location.

18.1.10 “Seclusion” means seclusionary time out that is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving, including: (i) placing a student in a locked room; or (ii) placing a student in a room where the door is blocked by furniture or held closed by staff.

18.1.11 “Serious bodily injury” means bodily injury that creates or causes serious permanent disfigurement, protracted loss or impairment of the function of any bodily member or organ, or creates a substantial risk of death.

18.1.12 “Substantial bodily injury” means bodily injury, not amounting to serious bodily injury, that creates or causes protracted physical pain, temporary disfigurement, or temporary loss or impairment of the function of any bodily member or organ.

18.2 General Procedures

18.2.1 All School employees who supervise students, or who may be asked to assist in managing a student's behavior, shall receive foundational behavior support training. This training must be completed within two months, or within 30 days if working directly with a student with disabilities, of employment at the School and bi-annually thereafter.

18.2.2 Key Identified School Employees shall receive comprehensive ESI training in addition to foundational behavior support training. Comprehensive ESI training shall be completed before a Key Identified School Employee may use an ESI with a student and annually thereafter.

18.2.3 An ESI shall:

[a] be applied for the minimum time necessary to ensure safety, as reasonably understood by the Key Identified School Employee using the ESI;

[b] be released under the following circumstances (release criteria):

(i) as soon as the student is no longer an immediate danger of physical harm to self or others (e.g., student is no longer hitting, kicking, biting, throwing objects, self-harming, or making other movements that create imminent risk of physical violence; student is able to respond to staff verbally or nonverbally in a regulated way; and/or the student exhibits signs of de-escalation, such as having a relaxed body, no longer attempting to break free, or breathing slowly); or

(ii) if the student is in severe distress (e.g., student is having difficulty breathing or is vomiting, gagging, experiencing chest pain, or turning pale or blue in the face);

[c] never be used as punishment or discipline;

[d] in no instance be imposed for more than 30 minutes, per occurrence; and

[e] be documented and reported, as required.

18.2.4 The School prohibits dangerous practices as defined by the School, including dangerous practices outlined in the Least Restrictive Behavioral Interventions (LRBI) Technical Assistance manual.

18.2.5 The School shall take prompt and appropriate action, including in-service training and other administrative action, upon confirming a violation related to the use of an ESI on a student. Violations of any standards for seclusion or physical restraint established by the Utah State Board of Education shall also result in a referral to local law enforcement and the Utah Professional Practices Advisory Commission.

18.3 Students with Disabilities Receiving Special Education Services

18.3.1 Use of ESI for a student with a disability receiving specialized educational services under IDEA or Section 504 shall be subject to all applicable state and federal laws, including LRBI policies and procedures for special education/504 programs.

18.3.2 Additionally, ESIs written into a student's IEP as a planned intervention are prohibited unless school personnel, the family, and the IEP team agree less restrictive means have been attempted; a Functional Behavioral Assessment has been conducted; and a positive behavior intervention plan based on data analysis has been written into the plan and implemented.

18.4 Physical Restraint

18.4.1 Key Identified School Employees may, in accordance with Section 18.2.3 and when acting within the scope of employment, use physical restraint on a student when the student presents an immediate danger to self or others and when no other safe or effective intervention is available.

18.4.2 Key Identified School Employees may use reasonable and necessary physical restraint only:

- [a] in self-defense;
- [b] to protect a student or another person from physical injury;
- [c] to remove from a situation a student who is violent;
- [d] to take possession of a weapon or other dangerous object in the possession or under the control of a student; or
- [e] to protect property from being damaged, when physical safety is at risk.

18.4.3 When an employee exercises physical restraint as an ESI on a student, the following types of physical restraint are prohibited:

- [a] prone, or face-down;
- [b] supine, or face-up;
- [c] physical restraint which obstructs the airway or adversely affects the student's primary mode of communication;
- [d] mechanical restraint, except for restraints required by law, including seatbelts or any other safety equipment used to secure students during transportation, protective or stabilizing restraints as prescribed by an appropriate medical or related services professional, and devices used by a law enforcement officer in carrying out law enforcement duties; or
- [e] chemical restraint.

18.4.4 A Key Identified School Employee may not use physical restraint on a student for more than the shortest of the following before stopping, releasing, and reassessing the intervention used:

- [a] the amount of time described in the School's ESI training program;

- [b] 30 minutes; or
- [c] when law enforcement intervenes.

18.4.5 Despite the foregoing, a Key Identified School Employee shall first use the least restrictive intervention available to the employee, including a physical escort, to address circumstances described in Section 18.4.1. In addition, nothing in this Section prohibits a Key Identified School Employee from subsequently using less restrictive interventions to address circumstances described in Section 18.4.1.

18.4.6 A student who has been physically restrained and then released shall, in addition to being promptly reassessed by the Key Identified School Employee, be monitored for a reasonable period of time to help ensure the continued safety and well-being of the student and others. Monitoring should include observation for signs of such things as injury, respiratory distress, or continued escalation, and the Principal and medical personnel shall be notified when warranted.

18.5 Seclusion

18.5.1 A Key Identified School employee may, in accordance with Section 18.2.3 and when acting within the scope of employment, place a student who is in grade 1 or higher in seclusion as an ESI when the student presents an immediate danger to self or others and when no other safe or effective intervention is available. Students in kindergarten shall not be placed in seclusion.

18.5.2 Key Identified School Employees may use seclusion only when:

- [a] other less restrictive interventions have failed;
- [b] a staff member who is familiar to the student is actively supervising the student for the duration of the seclusion;
- [c] the student is observed at all times during the seclusion by School personnel who have received the comprehensive ESI training;
- [d] any door remains unlocked consistent with applicable fire and public safety requirements described in R392-200 and R710-4; and
- [e] the seclusion is time-limited to a maximum time of 30 minutes, per occurrence, and monitored.

18.5.3 A School employee may not place a student in seclusion:

- [a] as a behavioral intervention;
- [b] as a disciplinary practice;
- [c] for coercion, retaliation, or humiliation;
- [d] due to inadequate staffing; or

[e] for the School employee's convenience.

18.5.4 A student who has been placed in seclusion and then released shall be promptly reassessed by the Key Identified School Employee and also monitored for a reasonable period of time to help ensure the continued safety and well-being of the student and others. Monitoring should include observation for signs of such things as injury, severe distress, or continued escalation, and the Principal and medical personnel shall be notified when warranted.

18.5.5 The Principal shall ensure that all the following individuals are debriefed at an appropriate time after a student seclusion has taken place:

- [a] all witnesses;
- [b] all School staff who were involved;
- [c] the student who was secluded; and
- [d] the parent of the student who was secluded.

18.5.6 The Principal shall also ensure that a proper review of the decision to use seclusion is performed as soon as reasonably possible after a student seclusion has taken place.

18.5.7 The School does not allow the designation of any enclosed area in its building for the sole purpose of seclusion.

18.6 Notification of the Use of an ESI

18.6.1 If an ESI is used on a student, the School or the employee who used the ESI shall immediately notify the following:

- [a] the student's parent; and
- [b] School administration.

This notice shall be provided no later than 15 minutes after the use of an ESI.

18.6.2 Parent notifications made under this Section shall be documented in the School's student information system.

18.7 Documentation of the Use of an ESI

18.7.1 If an ESI is used on a student, the School or the employee who used the ESI shall document the use of the ESI. This shall include a written description of the type of ESI used, the date and time the ESI was used, the location where the ESI was used, the length of time the ESI was used, the reason the ESI was used, the alternative interventions or strategies attempted before the ESI was used, and demographic information on the student (sex, gender, age, grade in school, and disability status, if any). This documentation shall be provided to the School's Emergency Safety Intervention Committee and the student's parents.

18.7.2 In addition, upon request of a student's parent, the School shall provide the parent with a copy of any notes or additional documentation taken during the use of the ESI, including a description of the physical space in which a seclusion occurred or the type of physical restrained that was used.

18.7.3 Within 48 hours of using an ESI on a student, the School shall notify the parent that the parent may request a copy of any notes or additional documentation taken during the use of the ESI.

18.7.4 A parent may request a time to meet with School staff and administration to discuss the use of an ESI.

18.7.5 The documentation of an ESI described in this Section shall be documented in the School's student information system.

18.8 Emergency Safety Intervention (ESI) Committee

18.8.1 The School shall establish an ESI committee that includes:

- [a] at least one administrator;
- [b] at least one parent of a student enrolled in the School, appointed by the School's Principal;
- [c] at least one licensed educational professional with behavior support training and knowledge in both state law and the School's conduct and discipline policies related to ESIs; and
- [d] at least one other licensed educator.

18.8.2 The ESI committee shall:

- [a] meet often enough to monitor the use of ESIs within the School;
- [b] determine and recommend professional learning needs;
- [c] develop policies for processes to resolve concerns regarding the use of ESIs; and
- [d] ensure that each emergency incident where a School employee uses an ESI is documented in the School's student information system and reported annually to the State Superintendent of Schools through UTREx.

18.9 ESI Records and Reporting

18.9.1 The School shall collect, maintain, and periodically review the documentation or records regarding the use of ESIs in the School.

18.9.2 The School shall annually provide documentation of any School use of an ESI to the State Superintendent of Schools in accordance with Utah Code Ann. § 53G-8-301(11). This includes documentation described in Section 18.7.

19. CORPORAL PUNISHMENT

“Corporal punishment” means the intentional infliction of physical pain upon the body of a student as a disciplinary measure. Corporal punishment at the School is prohibited. School employees may not inflict or cause the infliction of corporal punishment upon a student. School personnel who inflict or cause the infliction of corporal punishment on a student will be subject to discipline up to and including termination. School personnel who have been disciplined for the infliction of corporal punishment upon a student may appeal the disciplinary action in accordance with the School’s Staff Grievance Policy.

20. TRAINING

20.1 All new employees shall receive information about this policy and the administrative Student Conduct and Discipline Plan(s) at new employee orientation. All other employees shall be provided information on a regular basis regarding this policy, the Student Conduct and Discipline Plan(s), and the School’s commitment to a safe and orderly school environment.

20.2 Employees who have specific responsibilities for investigating, addressing, and resolving issues addressed in the policy shall receive annual training on this policy and related legal developments.

20.3 The Principal shall be responsible for informing students, parents, and staff of the terms of this policy and the Student Conduct and Discipline Plan(s), including the procedures outlined for investigation and resolution of violations.

21. REPORTING ON SUSPENSIONS AND EXPULSIONS

21.1 The School shall develop a consistent process to collect incident, infraction, and discipline data, including the number of days of student suspensions and expulsions.

21.2 The School shall submit all required incident, infraction, and discipline data, including suspensions and expulsions consistent with R277-484. The School shall submit any yearly and comprehensive updates no later than June 30th of each year.

21.3 The School shall compile an annual report of all out-of-school suspensions and expulsions and submit it to the Utah State Board of Education as described in Utah Code Ann. § 53G-8-205(5).

22. POLICY DISSEMINATION AND REVIEW

22.1 This policy shall be posted in a prominent location in the School and on the School’s website. The policy shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the Board.

22.2 This policy shall be reviewed as necessary with appropriate revisions recommended to the Board. The data described in Section 21 may be used by the School to evaluate the efficiency and effectiveness of this policy.



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DETERMINATION**

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N&B PAINTING
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Prepared For

Ascent Academy
2467 E South Weber Dr, South Weber, UT
84405
South Weber, Utah 84405
(801) 462-3656

N&B Painting

11908 S Hidden Valley Dr
Sandy, UT 84094
Phone: (801) 654-7340
Email: natalia_c@comcast.net

Estimate # 144
Date 12/17/2025

Description	Total
Paint gym, block walls only	\$10,580.00
Paint block walls only in 2 tones, includes primer and 2 coats of Sherwin William's finish paint in white and gray colors to be chosen by customer. Take down all posters that are currently in walls and put back on the same place once paint has dried.	
5 double Metal door frames and 1 single metal door frame	\$1,350.00
Includes 2 coats of dtm paint	
Paint theater area	\$850.00
Theater stage metal beam	\$450.00
Includes epoxy paint	

Subtotal	\$13,230.00
Total	\$13,230.00

Notes:

Includes all labor, materials, block filler primer, dtm paint, and 2 coats of Sherwin William's super paint finish paint.

Includes punch list after walk through for normal touch ups, any added patches or entire walls that need to be reprimed and/or repainted and things that need to be re-caulked after being fixed are not included and will be an extra charge.

Any additional colors/stain will be an extra charge and will also include an added fee for extra time and labor.

N&B painting is not responsible for choosing any colors or doing any color samples. The customer needs to choose their colors/sheens/stain prior to us painting. If customer decides they don't like the color/sheen/stain they have chosen once something has been painted or paint had been bought the customer will be responsible to pay for any additional paint/stain needed and for the repainting of any areas that have already been painted in the original chosen color by the customer.

By signing this document, the customer agrees to the services and conditions outlined in this document.

Ascent Academy



JOB ESTIMATE

30 West Century Park Way
Salt Lake City, UT 84115
P: (801) 865-9987
amy@mtnvalleypainting.com

TO: Kirk Blake / Highmark Charter School
Project Name: Gym
Project Address: 2467 E South Weber Dr, South Weber, UT 84405
Phone: 435.633.5107
Email: kirk.blake@awservices.com

JOB DESCRIPTION	AMOUNT
Gym: • Prep and paint walls of gym in 2 tone Sherwin Williams paint scheme. • Prep and paint 13 doors in 1 tone Sherwin Williams paint scheme. • Material and tax included	\$17,500.00
	Job Cost
	\$17,500.00

This is an estimate only, not a contract. This estimate is for completing the job described above, based on our evaluation. It does not include unforeseen price increases or additional labor and materials which may be required should problems arise.

Lance Oyler

PREPARED BY

November 23, 2025

DATE

JOSEF RAMIREZ PAINTING LLC

Estimate

5785 W.CORAL HILL CIRCLE WEST
VALLEY CITY
UT 84118

Date	Estimate #
10/28/2025	853

Name / Address
HIGHMARK CHARTER SCHOOL