



Board Meeting Packet

Founded upon Montessori philosophy, the mission of Mountain West Montessori Academy is to facilitate student-centered learning and intellectual curiosity through an individualized and interdisciplinary curriculum, hands-on experience, and community involvement.

January 26, 2026

**Mountain West Montessori Academy
Board of Directors Meeting Agenda
Monday, January 26, 2026**

Location: MWMA Library, 4125 W. Foxview Drive, South Jordan, UT 84009



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

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AGENDA

2025-2026 BOARD PRIORITIES

Expand Mathematics, Pedagogy & Fidelity
Educate Stakeholders and Community about Montessori education
Develop Artificial Intelligence Policies & Procedures

6:00 PM – INTRODUCTORY ITEMS

- Call to Order – Steve Barnes (2 minutes)
- School Mission (1 minute)

6:03 PM – PUBLIC COMMENT (Items Not on the Agenda – Limit 3 Minutes)

- [2026-2027 School Fee Schedule](#)
- [Fee Waiver Policy](#)

6:04 PM – REPORTS

- Eide Bailly
 - [Present FY25 Financial Statement](#) – Ken Jeppesen (10 minutes)
- Administration
 - [State of the School](#) – Angie Johnson (20 minutes)
 - ✓ [Wellness Policy Triennial Progress Report](#)
 - ✓ [SLT FY25 Final Report](#)
- Board of Directors
 - SLT Training Assurances – Steve Barnes (2 minutes)

6:36 PM – CONSENT ITEMS

- [October 13, 2025 Board Meeting Minutes](#)

6:37 PM – VOTING ITEMS

- [Sound System for the Gym](#) – Angie Johnson (2 minutes)

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

- [2026-2027 School Calendar](#) – Angie Johnson (2 minutes)
- [Re-Approve Wellness Policy](#) – Angie Johnson (2 minutes)
- [Amend Instructional Materials Policy](#) – Angie Johnson (2 minutes)
- [Amend Paid Parental & Postpartum Recovery Leave Policy](#) – Angie Johnson (2 minutes)
- [Amend Student Conduct & Discipline Policy](#) – Angie Johnson (2 minutes)

6:49 PM – DISCUSSION ITEMS

- **Calendaring – ALL (5 minutes)**
 - Next Pre-Board Meeting – March 11th @ 5:00 p.m.
 - Next Board Meeting – Tuesday, March 24th @ 6 p.m.
 - Reschedule Annual Board Meeting (currently June 22nd) to June 29th
 - NCSC26 New Orleans, LA June 24-26 (Wed-Fri) – Early Registration has opened

6:54 PM – CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual and/or to discuss deployment of security personnel, devices, or systems pursuant to Utah Code 52-4-205(1)(a) & (f) [IF NEEDED]

6:54 PM – ADJOURN

UPCOMING CALENDAR ITEMS

March

Curriculum Purchases (2 Public Comment Periods)
 2026-2027 School Fees (2nd Public Comment Period)
 SLT Training Assurances
 2026-2027 School LAND Trust Plan
 Annual Open Meetings Act Training
 Board Vacancies
Sex Ed/Maturation Curriculum [if changing]

April

2026-2027 Parent Handbook
 Annual Comprehensive Guidance Data Review
 Review Positive Behavior Plan
New Application for 3-yr Mental Health Grant (Due May 31st)

May

Audit Engagement Letter
 2026-2027 Strategic Planning
 2026-2027 TSSA Plan
 Property & Liability Insurance Renewal
 Director Bonus/Salary
 Director Evaluation

June

2026-2027 Annual Budget
 2025-2026 Final Amended Budget
 2026-2027 Sex Ed Instruction Committee
 Ratify Board Members & Terms
 Ratify Board Officers
 2026-2027 Board Meeting Schedule
 Mental Health Screening Determination (if changes)
 Annual Policies Review
 Annual Fraud Risk Assessment/Ethical Behavior
 Additional Contracted Services (SL a la Carte)

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~~2025~~2026-~~2026~~2027 School Fee Schedule

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

REQUIRED FEES (for all fully and partially enrolled students in grades 7-9)		
FEE DESCRIPTION	EXPENDITURES FUNDED BY FEE (SPEND PLAN)	TOTAL FEE
7-9 Middle School Fees	☆ Field Trips	\$120

FEES FOR OPTIONAL COURSES, PROGRAMS, AND ACTIVITIES (for participating students enrolled in grades 7-9)		
FEE DESCRIPTION	EXPENDITURES FUNDED BY FEE (SPEND PLAN)	TOTAL FEE
Sculpture Course	☆ Sculpture supplies, firing fees	\$40
World Cuisines Course	☆ Food supplies	\$45
Art Foundations Course	☆ Art supplies	\$15
Theatre/Music Course	☆ Supplies for costumes & props	\$15
Yearbook Course	☆ Supplies ☆ T-Shirts	\$30
<u>AP Human Geography</u>	☆ <u>AP Examination Fee</u>	<u>\$90</u>
Dance/P.E. Electives	☆ Supplies & costumes	\$15
Digital/Business Electives	☆ Supplies	\$25

FEES FOR OPTIONAL AFTER-SCHOOL CLUBS, ACTIVITIES, AND SPORTS
(for participating students in grades identified below)

FEE DESCRIPTION	EXPENDITURES FUNDED BY FEE (SPEND PLAN)	TOTAL FEE
Travel (Travel Club for grades 6-9 and 9 th Grade Trip)	☆ Transportation, lodging, food ☆ Activities ☆ Supplies	\$350-\$2,500
Choir Club (grades 4-9)	☆ Stipend for instructor	\$50
After School Clubs (K-9), per club	☆ Stipend for supervision ☆ Snacks, supplies	\$25-\$50
Summer Reading/Math Workshop No-Show Fee (K-9)	☆ Supplies, snacks	\$5 per no show (max of \$120)
<u>FBLA - (Future Business Leaders of America (grades 6-9))</u>	☆ <u>Dues, registration fees, competition fees, travel, snacks, team uniform</u>	<u>\$75</u>

PER STUDENT (GRADES 7-9) ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL
YEAR: \$3,075~~200~~

This amount reflects the total student fees any student in grades 7-9 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 grades 7-9 for the year.

PER STUDENT (GRADE 6) ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL
YEAR: \$2,770~~845~~

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 courses, programs, and activities provided, sponsored, or supported by the School for students in grade 6 for the year.

PER STUDENT (GRADES K-5) ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL
YEAR: \$270

This amount reflects the total student fees any student in regular Kindergarten through grade 5 would be required to pay if the student participated in all after-school courses, programs, and activities provided, sponsored, or supported by the School for students in Kindergarten through grade 5 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's website (School Fees Notices, Fee Waiver Policy, Fee Waiver Applications, Fee Waiver Decision and Appeal Form, etc.). If your student files a fee waiver request with the School and the request is denied, you may appeal the School's decision.

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Mountain West Montessori Academy Fee Waiver Policy

Adopted: January 27, 2014

Amended: December 3, 2018

Amended: February 24, 2020

Amended: August 24, 2020

Re-Approved: March 22, 2021

Amended: March 28, 2022

Re-Approved: February 27, 2023

Amended: August 28, 2023

Re-Approved: February 21, 2024

Amended: October 26, 2024



PURPOSE

Mountain West Montessori Academy (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. 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

"Co-curricular activity" means an activity, course, or program that:

- (a) is an extension of a curricular activity;
- (b) is included in an instructional plan and supervised or conducted by a teacher or educational professional;
- (c) is conducted outside of regular School hours;
- (d) is provided, sponsored, or supported by the School; and
- (e) includes a required regular School day activity, course, or program.

“Curricular activity” means an activity, course, or program that is:

- (a) intended to deliver instruction;
- (b) provided, sponsored, or supported by the School; and
- (c) conducted only during School hours.

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"Extracurricular activity"

- (a) means an activity, a course, or a program that is:
 - (i) not directly related to delivering required instruction;
 - (ii) not a curricular activity or co-curricular activity; and
 - (iii) provided, sponsored, or supported by the School.
- (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 charge, expense, deposit, rental, or payment is termed, described, requested, or required 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 an activity, course, or program that is provided, sponsored, or supported by an LEA.

"Fee" includes:

- (a) charges or expenditures for a School field trip or activity trip, including related transportation, food, lodging, and admission charges;
- (b) payments made to a third party that provides a part of a School activity, class, or program;
- (c) charges or expenditures for classroom instructional equipment or supplies;
- (d) charges or expenditures for School activity clothing; and
- (e) a fine other than a fine described below.

"Fee" does not include:

- (a) a student fine specifically approved by an LEA for:
 - (i) failing to return School property;
 - (ii) losing, wasting, or damaging private or School property through intentional, careless, or irresponsible behavior, or 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 is:
 - (i) a pledge securing the return of School property; and
 - (ii) refunded 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 raised by a student or the student's family through fundraising.

"Instructional equipment or supplies"

- (a) means an activity-, course-, or program-related supply or tool that:
 - (i) a student is required to use as part of an activity, course, or program in a secondary school;
 - (ii) becomes the property of the student upon exiting the activity, course, or program, and

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- (iii) is subject to a fee waiver;
- (b) does not include School equipment.

"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 related to the successful completion of:
 - (A) a concurrent enrollment class; or
 - (B) an advanced placement examination; 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.

"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:

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- (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:

- (a) that meets specific requirements, including requesting a specific brand, fabric, or imprint; that the School requires a student to provide; and that become the property of the student upon exiting the activity, course, or program; and
- (b) that are required to be worn by a student for an activity-, course-, or a program-related activity.

“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) is consumable;
- (d) is owned by a secondary school; and
- (e) 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.

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“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 instructional equipment or instructional supplies.

“Waiver” means a full release from the requirement of payment of a fee and from any provision in lieu of fee payment.

General School Fees Provisions

The School may only collect a fee for an activity, class, or program provided, sponsored, or supported by the School consistent with School policies and state law.

If the School imposes a fee:

- (a) the fee shall be equal to or less than the expense incurred by the School in providing for a student the activity, course, or program for which the School imposes a fee; and
- (b) the School may not impose an additional fee or increase a fee to supplant or subsidize another fee, including a fee to supplant or subsidize an expense that the School incurs for:
 - (i) a curricular activity; or
 - (ii) an expense for the portion of a co-curricular activity that occurs during regular school hours.

Beginning with the 2024-25 school year, the School may not sell textbooks or otherwise charge a fee for textbooks as provided in Section 53G-7-506, 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, except as set forth in this policy with respect to fees for life-cycle replacement costs for School equipment, the School may not charge a fee for School equipment.

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

Fees for Classes & Activities During the Regular School Day

Fees for Students in Kindergarten through Sixth Grade

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The School may not charge a fee in kindergarten through sixth grade for materials, textbooks, supplies (except as provided below), or for any class or regular school day activity, 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 and be preceded by the following language:

"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 curricular activity or a co-curricular activity that is not required for the instruction of established core standards as described in Utah Code § 53E-4-202 or § 53E-4-204 and that is an elective. However, beginning with the 2025-26 school year, the School may not charge students in grades 7-9 a fee for a curricular activity or a co-curricular activity that is required for the instruction of established core standards as described in Utah Code § 53E-4-202 or § 53E-4-204, and that is not an elective, unless the fee is for the following:

- (a) instructional equipment or supplies;

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- (b) a driver education course described in Utah Code § 53G-10-503;
- (c) charter school application processing in accordance with Utah Code § 53G-6-503; or
- (d) competency remediation programs in accordance with Utah Code § 53G-9-803;
- (e) the life-cycle replacement costs for School equipment directly related to the co-curricular activity;
- (f) a music instrument rental; or
- (g) school activity clothing.

If the School charges a fee for a co-curricular activity as set forth above, a fee for the portion of the co-curricular activity that is during the regular school day is limited to the fees described in subsections (a)-(g) above.

Fees for Adult Education and Advanced Courses

The School may charge students in grades 7-9 fees for an adult education course or for tuition, college credit, an exam, or a textbook for an Advanced Placement course, an International Baccalaureate course, or a concurrent enrollment course, as described in Utah Code § 53G-7-503(4).

Fees for Remediation Programs

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

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.

A fee related to a co-curricular or extracurricular activity may not exceed the maximum fee amounts for the co-curricular or extracurricular activity adopted by the Board, as provided below.

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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.

Fee Schedule

The Board will approve a Fee Schedule at least once each year on or before April 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 curricular, co-curricular 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.

In connection with approving a fee schedule, the Board shall authorize each fee individually as required in Utah Code § 53G-7-503.

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

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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 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,

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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.

Beginning with the 2020-2021 school year, 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.

Beginning in the 2020-21 school year, 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

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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. 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;

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- (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 Director 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 and in registration materials each year.

The Director 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.

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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.

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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.

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



November 24, 2025

To the Board of Directors
Mountain West Montessori Academy
Bluffdale, Utah

We have audited the financial statements of Mountain West Montessori Academy as of and for the year ended June 30, 2025, and have issued our report thereon dated November 24, 2025. Professional standards require that we advise you of the following matters relating to our audit.

Our Responsibility in Relation to the Financial Statement Audit under Generally Accepted Auditing Standards and *Government Auditing Standards*

As communicated in our letter dated May 20, 2025, our responsibility, as described by professional standards, is to form and express an opinion about whether the financial statements that have been prepared by management with your oversight are presented fairly, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit of the financial statements does not relieve you or management of your respective responsibilities.

Our responsibility, as prescribed by professional standards, is to plan and perform our audit to obtain reasonable, rather than absolute, assurance about whether the financial statements are free of material misstatement. An audit of financial statements includes consideration of the system of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control over financial reporting. Accordingly, as part of our audit, we considered the system of internal control of Mountain West Montessori Academy solely for the purpose of determining our audit procedures and not to provide any assurance concerning such internal control.

We are also responsible for communicating significant matters related to the audit that are, in our professional judgment, relevant to your responsibilities in overseeing the financial reporting process. However, we are not required to design procedures for the purpose of identifying other matters to communicate to you.

We have provided our 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* dated November 24, 2025.

Planned Scope and Timing of the Audit

We conducted our audit consistent with the planned scope and timing we previously communicated to you.

Compliance with All Ethics Requirements Regarding Independence

The engagement team, others in our firm, as appropriate, our firm, and other firms utilized in the engagement, if applicable, have complied with all relevant ethical requirements regarding independence.

Qualitative Aspects of the Entity's Significant Accounting Practices

Significant Accounting Policies

Management has the responsibility to select and use appropriate accounting policies. A summary of the significant accounting policies adopted by Mountain West Montessori Academy is included in Note 1 to the financial statements. There have been no initial selection of accounting policies and no changes in significant accounting policies or their application during 2025. No matters have come to our attention that would require us, under professional standards, to inform you about (1) the methods used to account for significant unusual transactions and (2) the effect of significant accounting policies in controversial or emerging areas for which there is a lack of authoritative guidance or consensus.

Accounting Estimates and Related Disclosures

Accounting estimates and related disclosures are an integral part of the financial statements prepared by management and are based on management's current judgments. Those judgments are normally based on knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ markedly from management's current judgments. No such sensitive accounting estimates were identified.

Financial Statement Disclosures

There were no financial statement disclosures that we consider to be particularly sensitive or involve significant judgment.

Significant Difficulties Encountered during the Audit

We encountered no significant difficulties in dealing with management relating to the performance of the audit.

Uncorrected and Corrected Misstatements

For purposes of this communication, professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that we believe are trivial, and communicate them to the appropriate level of management. Further, professional standards require us to also communicate the effect of uncorrected misstatements related to prior periods on the relevant classes of transactions, account balances or disclosures, and the financial statements as a whole. Uncorrected misstatements or matters underlying those uncorrected misstatements could potentially cause future-period financial statements to be materially misstated, even though the uncorrected misstatements are immaterial to the financial statements currently under audit. There were no uncorrected or corrected misstatements identified as a result of our audit procedures.

Disagreements with Management

For purposes of this letter, professional standards define a disagreement with management as a matter, whether or not resolved to our satisfaction, concerning a financial accounting, reporting, or auditing matter, which could be significant to Mountain West Montessori Academy's financial statements or the auditor's report. No such disagreements arose during the course of the audit.

Circumstances that Affect the Form and Content of the Auditor's Report

For purposes of this letter, professional standards require that we communicate any circumstances that affect the form and content of our auditor's report. We did not identify any circumstances that affect the form and content of the auditor's report.

Representations Requested from Management

We have requested certain written representations from management which are included in the management representation letter dated November 24, 2025.

Management's Consultations with Other Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters. Management informed us that, and to our knowledge, there were no consultations with other accountants regarding auditing and accounting matters.

Other Significant Matters, Findings, or Issues

In the normal course of our professional association with Mountain West Montessori Academy, we generally discuss a variety of matters, including the application of accounting principles and auditing standards, significant events or transactions that occurred during the year, operating and regulatory conditions affecting the entity, and operational plans and strategies that may affect the risks of material misstatement. None of the matters discussed resulted in a condition to our retention as Mountain West Montessori Academy's auditors.

This report is intended solely for the information and use of the Board of Directors and management of Mountain West Montessori Academy and is not intended to be, and should not be, used by anyone other than these specified parties.

A handwritten signature in black ink that reads "Eide Bailly LLP". The signature is written in a cursive, flowing style.

Ogden, Utah

Financial Statements
June 30, 2025

Mountain West Montessori Academy

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Independent Auditor's Report

The Board of Directors
Mountain West Montessori Academy
South Jordan, 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 Mountain West Montessori Academy (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, 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 November 24, 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, 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.

The image shows a handwritten signature in cursive script that reads "Eide Sully LLP". The signature is written in black ink and is positioned above the typed name and date.

Ogden, Utah
November 24, 2025

The discussion and analysis of the Mountain West Montessori Academy's (the School) financial performance provides an overall review of financial activities for the fiscal year.

FINANCIAL HIGHLIGHTS

The School's enrollment has increased or remained relatively consistent for the last number of years. Following the completion of an addition to its building in fiscal year 2025, accommodating all-day kindergarten, the School has not undertaken any major construction projects but continues to invest in repair and maintenance of the building, extending the life of the building and keeping it fully functional.

In fiscal year 2025, the School saw further increases in the Weighted Pupil Unit (WPU) and Local Replacement Funding (LRF) which helped offset employee salary adjustments. For the last few years, the School has also benefited from favorable interest rates on funds held in the Public Treasurer's Investment Fund (PTIF). While COVID-related funding has ended, the School now receives Safety Grant funding to reimburse expenses associated with compliance with new safety requirements. The Principal and Board of Directors (Board) of the School continue to monitor needs and resources, spending wisely, which has contributed to a positive increase in net position.

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.

	2025	2024
Assets		
Current and other assets	\$ 4,808,536	\$ 4,292,642
Capital assets	7,458,615	7,561,115
Total assets	\$ 12,267,151	\$ 11,853,757
Liabilities		
Current and other liabilities	\$ 333,005	\$ 301,981
Long-term liabilities	7,835,929	8,034,906
Total liabilities	8,168,934	8,336,887
Net Position		
Net investment in capital assets	(377,314)	(473,791)
Restricted	946,869	990,151
Unrestricted	3,528,662	3,000,510
Total net position	\$ 4,098,217	\$ 3,516,870

A portion of the School’s net position is the investments in capital assets (i.e., building, land, furniture and equipment, computers, and capital improvements) 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. The negative net investment in capital assets is due to cumulative depreciation of the respective capital assets exceeding the cumulative principal repayments on the related long-term debt. 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 93% of its governmental activities for the year ended June 30, 2025. The School had total revenue of \$5,671,899 and total expenses of \$5,090,552 during the year ended June 30, 2025. The School had an increase in net position of \$581,347 during the year ended June 30, 2025. The increase in net position in fiscal year 2025 was partially attributable to continued high interest rates in the PTIF, which generated beneficial investment income. Additional contributing factors included the receipt of Safety Grant funds and the ongoing efficient and effective budgeting and financial oversight by the Principal and Board of Directors.

Mountain West Montessori Academy
Management's Discussion and Analysis
June 30, 2025

	<u>2025</u>	<u>2024</u>	<u>Change</u>
Revenue			
Program revenue			
State and federal aid	\$ 5,248,473	\$ 5,200,077	\$ 48,396
Charges for services	118,594	108,922	9,672
Operating grants and contributions	34,582	18,600	15,982
Interest earnings	188,040	174,197	13,843
Other local revenue	82,210	87,351	(5,141)
	<u>5,671,899</u>	<u>5,589,147</u>	<u>82,752</u>
Expenses			
Instructional	2,615,673	2,518,923	96,750
Support services			
Students	345,665	341,208	4,457
Staff assistance	180,415	156,332	24,083
General	14,980	14,300	680
School administration	473,256	432,694	40,562
Central services	329,099	236,429	92,670
Operation and maintenance of facilities	476,637	421,721	54,916
Transportation	17,457	32,907	(15,450)
School food services	297,363	255,182	42,181
Facilities acquisition and construction services	1,345	-	1,345
Interest and other costs	338,662	339,224	(562)
	<u>5,090,552</u>	<u>4,748,920</u>	<u>341,632</u>
Change in Net Position	<u>\$ 581,347</u>	<u>\$ 840,227</u>	<u>\$ (258,880)</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 \$4,490,372, which is an increase of \$484,498 from the prior year. The increase in fund balance in fiscal year 2025 was primarily due to increases in state and federal funding and a decrease in capital outlay expenditures compared to the prior year.

Expenditures for general School purposes totaled \$5,187,401, which is an increase of \$86,302 from the prior year. This increase was primarily driven by increased wages and benefits in fiscal year 2025, along with increased advertising, rising costs due to inflation, and expenditures associated with the new Safety Grant and its related requirements.

General fund salaries totaled \$2,563,628, while the associated fringe benefits of retirement, social security, unemployment, workers compensation, health, dental, and vision added \$720,141, to arrive at 63% 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 \$215,401 less than the amended budget. This resulted from careful monitoring during the budget amendment process, while allowing flexibility for any unforeseen expenses.

Capital Assets

The School has invested \$9,315,698 in a wide range of capital assets, but primarily in land, building, and capital improvements. The total accumulated depreciation on these assets amounts to \$1,857,083. There were capital asset additions for fiscal year 2025 totaling \$148,614. 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 outstanding bonds, net of unamortized premium, totaling \$7,835,929, with rates ranging from 3.0% to 5.0%. The bonds mature in June 2049. The School is required to meet certain covenants including debt coverage and cash available as defined in the bond 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 4125 West Foxview Drive, South Jordan, Utah 84095, or by phone at 801-566-6962.

Mountain West Montessori Academy

Statement of Net Position

June 30, 2025

	Governmental Activities
Assets	
Cash and investments	\$ 3,851,651
Restricted cash and investments	738,601
State receivables	104,523
Federal receivables	94,230
Other receivables	3,076
Prepaid expenses	16,455
Capital assets (not subject to depreciation)	1,365,000
Capital assets (net of accumulated depreciation)	6,093,615
Total assets	12,267,151
Liabilities	
Accounts payable	29,874
Accrued liabilities	288,290
Accrued interest	14,841
Long-term liabilities	
Due within one year - bonds payable	180,000
Due in more than one year - bonds payable	7,655,929
Total liabilities	8,168,934
Net Position	
Net investment in capital assets	(377,314)
Restricted for	
Special education	2,904
Food service	163,199
Professional learning	895
Educator professional time	37,164
College and career awareness	4,106
Debt service	738,601
Unrestricted	3,528,662
Total net position	\$ 4,098,217

Mountain West Montessori Academy

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	\$ 2,615,673	\$ -	\$ 2,946,256	\$ 330,583
Support services				
Students	345,665	-	-	(345,665)
Staff assistance	180,415	-	-	(180,415)
General	14,980	-	-	(14,980)
School administration	473,256	-	-	(473,256)
Central services	329,099	-	-	(329,099)
Operation and maintenance of facilities	476,637	-	-	(476,637)
Transportation	17,457	-	-	(17,457)
School food services	297,363	118,594	76,497	(102,272)
Facilities acquisition and construction services	1,345	-	-	(1,345)
Interest and other costs	338,662	-	-	(338,662)
Total governmental activities	\$ 5,090,552	\$ 118,594	\$ 3,022,753	(1,949,205)
General Revenue				
Grants and contributions not restricted to specific programs				
State aid				2,260,302
Local revenue				31,317
Interest earnings				188,040
Miscellaneous				50,893
Total general revenue				2,530,552
Change in Net Position				581,347
Net Position, Beginning of Year				3,516,870
Net Position, End of Year				\$ 4,098,217

Mountain West Montessori Academy

Balance Sheet – Governmental Funds

June 30, 2025

	<u>General</u>
Assets	
Cash and investments	\$ 3,851,651
Restricted cash and investments	738,601
State receivables	104,523
Federal receivables	94,230
Other receivables	3,076
Prepaid expenses	<u>16,455</u>
 Total assets	 <u><u>\$ 4,808,536</u></u>
Liabilities and Fund Balance	
Liabilities	
Accounts payable	\$ 29,874
Accrued liabilities	<u>288,290</u>
 Total liabilities	 <u><u>318,164</u></u>
Fund Balance	
Nonspendable	
Prepaid expenses	16,455
Restricted for	
Special education	2,904
Food service	163,199
Professional learning	895
Educator professional time	37,164
College and career awareness	4,106
Debt service	738,601
Unassigned	<u>3,527,048</u>
 Total fund balance	 <u><u>4,490,372</u></u>
	 <u><u>\$ 4,808,536</u></u>

Mountain West Montessori Academy
 Reconciliation for Governmental Funds Balance Sheet to the Statement of Net Position
 June 30, 2025

Total Fund Balance - Governmental Funds \$ 4,490,372

The cost of capital assets (land, building, furniture and equipment, computers 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	9,315,698	
Depreciation expense to date	<u>(1,857,083)</u>	
		7,458,615

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		
Bonds payable	(7,835,929)	
Accrued interest	<u>(14,841)</u>	
		<u>(7,850,770)</u>

Net Position \$ 4,098,217

Mountain West Montessori Academy
Statement of Revenue, Expenditures, and Changes in Fund Balance – Governmental Funds
Year Ended June 30, 2025

	General
Revenue	
State aid	\$ 5,061,750
Federal aid	186,723
Earnings on investments	188,040
School fees	26,040
School lunch sales	118,594
Other local sources	90,752
Total revenue	5,671,899
Expenditures	
Instructional	2,615,673
Support services	
Students	345,665
Staff assistance	180,415
General	14,980
School administration	473,256
Central services	329,099
Operation and maintenance of facilities	225,523
Transportation	17,457
Facilities acquisition and construction services	1,345
Total support services	1,587,740
Non-instructional	
School lunch program	297,363
Capital outlay	148,614
Total non-instructional	445,977
Debt service	
Principal	170,000
Interest and other costs	368,011
Total debt service	538,011
Total expenditures	5,187,401
Net Change in Fund Balance	484,498
Fund Balance, Beginning of Year	4,005,874
Fund Balance, End of Year	\$ 4,490,372

Mountain West Montessori Academy
 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 \$ 484,498

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 depreciation expense exceeded capital outlay during the fiscal year:

Capital outlay	148,614	
Depreciation expense	(251,114)	
	(102,500)	(102,500)

The governmental funds report repayment of long-term liability payments as expenditures and the effect of premiums/discounts when debt is first issued, whereas these amounts are deferred and amortized in the statement of activities. 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 bonds and related items is as follows:

Repayment of bonds payable principal	170,000	
Amortization of bond premium	28,977	
Change in accrued interest	372	
	199,349	199,349

Change in Net Position of Governmental Activities \$ 581,347

Note 1 - Summary of Significant Accounting Policies

Mountain West Montessori Academy (the School) was formed in 2013 and is a nonprofit institution which was organized under the nonprofit corporation laws of the State of Utah. Founded upon Montessori philosophy, the mission of the School is to facilitate student-centered learning and intellectual curiosity through an individualized and interdisciplinary curriculum, hands-on experience, and community involvement. 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 School's 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 \$5,000. 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:

Building	40 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.

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 Balance 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 Principal or their 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/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		\$	273,690
Uninsured and not collateralized			835,032
Total balance of deposits		\$	<u>1,108,722</u>
	<u>Rating</u>	<u>Fair Value</u>	<u>Investment Maturities</u>
Investments			
PTIF	Unrated	\$	3,481,530
			Less than 1 year
Total cash and investments		\$	<u>4,590,252</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 the 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:

	Total	Quoted Prices in Active Markets (Level 1)	Other Observable Inputs (Level 2)	Unobservable Inputs (Level 3)
June 30, 2025				
PTIF	\$ 3,481,530	\$ -	\$ 3,481,530	\$ -

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:

	<u>June 30, 2024</u>	<u>Additions</u>	<u>Deletions</u>	<u>June 30, 2025</u>
Capital assets, not subject to depreciation				
Land	\$ 1,365,000	\$ -	\$ -	\$ 1,365,000
Capital assets being depreciated				
Building	6,885,000	-	-	6,885,000
Furniture and equipment	119,386	123,831	(1,505)	241,712
Computers	33,349	-	-	33,349
Capital improvements	765,854	24,783	-	790,637
Total capital assets being depreciated	<u>7,803,589</u>	<u>148,614</u>	<u>(1,505)</u>	<u>7,950,698</u>
Less accumulated depreciation				
Building	(1,514,482)	(176,539)	-	(1,691,021)
Furniture and equipment	(31,240)	(25,336)	1,505	(55,071)
Computers	(20,008)	(10,843)	-	(30,851)
Capital improvements	(41,745)	(38,396)	-	(80,141)
Total accumulated depreciation	<u>(1,607,474)</u>	<u>(251,114)</u>	<u>1,505</u>	<u>(1,857,083)</u>
Total capital assets, subject to depreciation	<u>6,196,115</u>	<u>(102,500)</u>	<u>-</u>	<u>6,093,615</u>
Total capital assets, net	<u>\$ 7,561,115</u>	<u>\$ (102,500)</u>	<u>\$ -</u>	<u>\$ 7,458,615</u>

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:

	Balance at June 30, 2024	Additions	Retirements	Balance at June 30, 2025	Due Within One Year
Bonds payable	\$ 7,575,000	\$ -	\$ (170,000)	\$ 7,405,000	\$ 180,000
Bond premium	459,906	-	(28,977)	430,929	-
	<u>\$ 8,034,906</u>	<u>\$ -</u>	<u>\$ (198,977)</u>	<u>\$ 7,835,929</u>	<u>\$ 180,000</u>

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

Series 2020 Bonds have rates between 3.00% and 5.00% and were issued during fiscal year 2019 for \$8,280,000. Variable annual payments of principal and interest are required through June 2049. The bonds were sold at a premium which is being amortized using the straight-line method over the life of the bonds. The proceeds were used to purchase a school building. The School is required to meet certain covenants including debt coverage and cash available as defined by their bonds payable agreement.	\$ 7,405,000
Bond premium, net	<u>430,929</u>
	<u>\$ 7,835,929</u>

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	\$ 180,000	\$ 356,188	\$ 536,188
2027	185,000	350,563	535,563
2028	190,000	344,781	534,781
2029	195,000	338,844	533,844
2030	200,000	332,750	532,750
2031-2035	1,165,000	1,503,000	2,668,000
2036-2040	1,490,000	1,180,750	2,670,750
2041-2045	1,905,000	769,000	2,674,000
2046-2049	1,895,000	242,750	2,137,750
Total	<u>\$ 7,405,000</u>	<u>\$ 5,418,625</u>	<u>\$ 12,823,625</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, these funding sources accounted for approximately 93% 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 \$59,693.

Required Supplementary Information
June 30, 2025

Mountain West Montessori Academy

Mountain West Montessori Academy

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	\$ 4,832,429	\$ 4,881,429	\$ 5,061,750	\$ 180,321
Federal aid	172,138	172,138	186,723	14,585
Earnings on investments	95,000	165,000	188,040	23,040
School fees	37,000	39,000	26,040	(12,960)
School lunch sales	96,000	106,000	118,594	12,594
Other local sources	34,000	64,000	90,752	26,752
Total revenue	5,266,567	5,427,567	5,671,899	244,332
Expenditures				
Instructional	2,683,485	2,698,785	2,615,673	83,112
Support services				
Students	364,291	395,291	345,665	49,626
Staff assistance	253,766	269,266	180,415	88,851
General	14,885	14,885	14,980	(95)
School administration	410,200	417,200	473,256	(56,056)
Central services	271,000	309,000	329,099	(20,099)
Operation and maintenance of facilities	330,887	304,056	225,523	78,533
Transportation	30,000	30,000	17,457	12,543
Facilities acquisition and construction services	-	-	1,345	1,345
Total support services	1,675,029	1,739,698	1,587,740	151,958
Non-instructional				
School lunch program	286,489	308,989	297,363	11,626
Capital outlay	-	123,830	148,614	(24,784)
Total non-instructional	286,489	432,819	445,977	(13,158)
Debt service				
Principal	170,000	170,000	170,000	-
Interest and other costs	361,500	361,500	368,011	(6,511)
Total debt service	531,500	531,500	538,011	(6,511)
Total expenditures	5,176,503	5,402,802	5,187,401	215,401
Net Change in Fund Balance	\$ 90,064	\$ 24,765	\$ 484,498	\$ 459,733

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 tentative 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

Mountain West Montessori Academy



**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
Mountain West Montessori Academy
South Jordan, 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 Mountain West Montessori Academy (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 November 24, 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 of 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 "Erin Sully LLP". The signature is written in a cursive, flowing style.

Ogden, Utah
November 24, 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
Mountain West Montessori Academy
South Jordan, Utah

Report on Compliance

We have audited Mountain West Montessori Academy'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
- Cash Management
- Crime Insurance for Public Treasurers
- Open and Public Meetings Act
- 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 the 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 the 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.



Ogden, Utah
November 24, 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.

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Director's Report

1.26.26

2025-26 Board Goals & Priorities:

- ★ Expand mathematics pedagogy & fidelity
- ★ Educate stakeholders and the community about Montessori education, particularly about building independence and resilience in students
- ★ Develop Artificial Intelligence policies and procedures and incorporate appropriate AI usage into teacher work and student learning

MONTESSORI

- ★ Binderly: "Learn About Montessori" group
- ★ Newsletter: Podcast episodes
- ★ Maria Montessori, The Musical

WELLNESS POLICY TRIENNIAL PROGRESS REPORT

STUDENT PERFORMANCE ANALYSIS

- ★ Data sources
- ★ Noteworthy achievement
- ★ Areas in need of improvement

HIGHLIGHTING A STRENGTH:

- ★ Accreditation Progress

HIGHLIGHTING A CHALLENGE:

- ★ Emotional Regulation Skill-Building

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

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



Wellness Policy Triennial Progress Report December 2025

Every three years, Mountain West Montessori Academy assesses school compliance with our Wellness Policy, which can be found on our website under Policies and Guidelines, Policies and Procedures Manual, on page 386, here:

https://mwmacademy.org/policies_and_guidelines

Following is an analysis of compliance and progress toward the goals of the policy for each area it addresses:

Area	Compliance	Progress
Nutrition: School Meals	Compliant	Chef Rick does an excellent job of preparing food from real ingredients, varying menus, and enticing students toward healthy options.
Nutrition: Water	Compliant	The school has drinking fountains with water bottle filling capacity readily available to students.
Nutrition: Competitive Foods & Beverages	Compliant	The school does not promote unhealthy foods that compete with nutritious school lunch options.
Nutrition: Celebrations & Rewards	Compliant	Elementary classrooms are solid on birthday walks and celebrations that preclude treats (aside from the 3 “treat inclusive” holidays). [Note: there are occasional problems in MS with teachers not holding the boundary.]
Nutrition Promotion	Compliant	The school promotes healthy food and beverage choices and encourages participation in school meal programs.
Nutrition Education	Compliant	Feedback indicates that teachers are covering nutrition topics in elementary classes.
Nutrition Topics in Health Education	Compliant	MS Health class covers more than 10 of the topics listed.
Nutrition: Food & Beverage Marketing in the School	Compliant	We have set a boundary on not having vending machines at the school and do not base activities/advertise around unhealthy foods.
Physical Activity: PE	Approaching compliant	Compliant except that in the winter, indoor space is limited and gym time is a constraint. Currently, elementary classes have a 30-minute period in the gym each week for PE, not 40-60 minutes.
Physical Activity Topics in Health	Compliant	MS Health class covers more than 10 of these topics; additional topics are also covered in Middle School PE classes.

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Physical Activity: Recess	Compliant	An extra 10 minutes was added to elementary recess schedule this year. [One item of note is to check on hand sanitizer refilling in the lunch room.]
Physical Activity: Classroom Breaks	Compliant	Teachers implement yoga breaks as well as “brain breaks” for movement or sensory input.
Physical Activity: Active Academics	Compliant	Teachers use instructional activities such as “choose a corner of the room” for your answer. Kindergarteners learn letter shapes with their bodies, etc.
Physical Activity: Before & After School Activities	Compliant	The aftercare program focuses on movement, utilizing outdoor spaces and the gym and minimizing screen time.
Physical Activity: After-School Clubs	Compliant	Clubs and activities include active options such as Soccer Shots, TaeKwonDo, and yoga.
Physical Activity: Active Transport	Compliant	The school encourages walking and biking to school with a walk list, bike rack, and a SNAP (Student Neighborhood Access Program) plan is posted on the school website.

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11.21.25 SIGN-IN
Triennial Wellness Policy Review
12:35-1:35 pm Angie Johnson

Participant	Role	Signature
Karen Sanders	Nurse	[Handwritten Signature]
Ivy Butler	Parent	[Handwritten Signature]
Kelie Escobar	parent	[Handwritten Signature]
Marianne Nolda	Student Counselor	[Handwritten Signature]
Keli Brotherson	Health Teacher	[Handwritten Signature]
Jabina Hampson	parent	[Handwritten Signature]
Ashley Loyan	parent	[Handwritten Signature]
Colleen Dolan	asst. Director	[Handwritten Signature]
Rick Pettigill	Chet	[Handwritten Signature]

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

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Mountain West Montessori Academy Final Report 2024-2025

2024 - 2025 ▼

Financial Proposal and Report

This report is automatically generated from the approved School Plan (entered in spring of 2024), Amendments, and the LEA's data entry of the School LAND Trust expenditures coming from the Utah Public Education Finance System (UPEFS).

Description	Planned Expenditures (entered by the school)	Amended Expenditures (entered by the school)	Actual Expenditures (entered by the LEA)
Carry-Over from 2023-2024	\$0.00	\$0.00	\$0.00
Distribution for 2024-2025	\$68,845.91	\$0.00	\$68,845.91
Total Available for Expenditure in 2024-2025	\$68,845.91	\$0.00	\$68,845.91
Salaries and Benefits	\$48,000.00	\$0.00	\$48,436.79
Contracted Services	\$0.00	\$0.00	\$0.00
Professional Development	\$20,845.91	\$0.00	\$20,409.12
Student Transportation Field Trips	\$0.00	\$0.00	\$0.00
Books Curriculum Subscriptions	\$0.00	\$0.00	\$0.00
Technology Related Supplies	\$0.00	\$0.00	\$0.00
Hardware, etc.	\$0.00	\$0.00	\$0.00
Remaining Funds (Carry-Over to 2025-2026)	\$0.00		\$0.00

Description	Planned Expenditures (entered by the school)	Amended Expenditures (entered by the school)	Actual Expenditures (entered by the LEA)
Software	\$0.00	\$0.00	\$0.00
Technology Device Rental	\$0.00	\$0.00	\$0.00
Video Communication Services	\$0.00	\$0.00	\$0.00
Repair Maintenance	\$0.00	\$0.00	\$0.00
General Supplies	\$0.00	\$0.00	\$0.00
Services Goods Fees	\$0.00	\$0.00	\$0.00
Other Needs Explanation	\$0.00	\$0.00	\$0.00
Non Allowable Expenditures	\$0.00	\$0.00	\$0.00
Total Expenditures	\$68,845.91	\$0.00	\$68,845.91
Remaining Funds (Carry-Over to 2025-2026)	\$0.00		\$0.00

Goal #1

close

Goal Statement

close

Students in grades K-6 will increase literacy proficiency by 2% by June 2025.

Academic Area

close

- English/Language Arts

Measurements

close

Measurements

This is the measurement identified in the plan to determine if the goal was reached.

Analysis of longitudinal literacy assessment proficiency data indicates the area of elementary literacy as a critical academic need at MWMA. We will use the Acadience Reading Assessment composite score outcomes to measure the percentage of K-6th grade students who are at or above benchmark; our goal is a 2% gain from the 2023-24 to the 2024-25 school year.

Please choose one of the following two options to complete the Measurements section:

1. Explain how academic performance was improved or not, and describe how the before and after measurement data supports the improvement.
2. Explain how academic performance was improved or not, and attach measurement data from before and after plan implementation in the Attachments Section below. (If you choose this option, please put a note in your explanation to "see attached document").

Action Plan Steps and Expenditures

close

These are the Action Steps identified in the plan to reach the goal:

1. We will retain or increase qualified staff member hours--specialist teacher and paraeducator(s)--to provide literacy interventions for students whose needs are not being met through Tier 1 instruction in the classroom. (\$26,000)
2. The teacher will train and supervise paraeducator(s).
3. The teacher and paraeducator(s) will provide small group, evidence-based interventions targeting identified skills for students.
4. We will provide rigorous Montessori professional development to teachers through participation in high quality coursework and/or conferences as well as provide Montessori certification training and other

literacy-based professional development to teachers. (\$20,845.91)

Were the Action Steps (including any approved Funding Changes described below) implemented and associated expenditures spent as described?

Yes

Digital Citizenship/Safety Principles Component

close

No

Goal #2

close

Goal Statement

close

Students in grades 3-8 will increase math proficiency by 1% by June 2025.

Academic Area

close

- Mathematics

Measurements

close

Measurements

This is the measurement identified in the plan to determine if the goal was reached.

Analysis of longitudinal RISE assessment proficiency data indicates mathematics as a critical academic need area at MWMA. We will use the RISE Math Assessment score outcomes to measure the percentage of 3rd-8th grade students who are at or above benchmark; our goal is a 1% gain from the 2023-24 to the 2024-25 school year.

Please choose one of the following two options to complete the Measurements section:

1. Explain how academic performance was improved or not, and describe how the before and after measurement data supports the improvement.
2. Explain how academic performance was improved or not, and attach measurement data from before and after plan implementation in the Attachments Section below. (If you choose this option, please put a note in your explanation to "see attached document").

Action Plan Steps and Expenditures

close

These are the Action Steps identified in the plan to reach the goal:

1. We will retain or increase qualified staff member hours--contracted math specialist and paraeducator--to provide math interventions for students whose needs are not being met through Tier 1 instruction in the classroom. (\$22,000)
2. The contracted specialist will train and supervise the paraeducator.
3. The contracted specialist and paraeducator will provide small group, evidence-based interventions targeting identified math skills for students.

Were the Action Steps (including any approved Funding Changes described below) implemented and associated expenditures spent as described?

Yes

Digital Citizenship/Safety Principles Component

close

No

Summary of Estimated Expenditures

Category	Estimated Cost (entered by the school)
Professional development requiring an overnight stay (travel, meals, hotel, registration, per-diem)	\$20,845.91
Salaries and Benefits (teachers, aides, specialists, productivity, substitutes)	\$48,000.00
Total:	\$68,845.91

Council Plan Approvals

Number Approved	Number Not Approved	Number Absent	Vote Date
4	0	3	2024-02-13

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Mountain West Montessori Academy Board of Directors Meeting Minutes Monday, October 13, 2025

Location: MWMA Library, 4125 W. Foxview Drive, South Jordan, UT 84009



In Attendance: Steve Barnes, Corbin White, Nelson Altamirano, Sheri Ebert, Andrew Marx (6:12 p.m.),

Excused: Gimenia Palmer,

Others in Attendance: Coleen Dolan, Angie Johnson, Cathie Hurst, Dawn Kawaguchi, Brandon Fairbanks,

Founded upon Montessori philosophy, the mission of Mountain West Montessori Academy is to facilitate student-centered learning and intellectual curiosity through an individualized and interdisciplinary curriculum, hands-on experience, and community involvement.

MINUTES

2025-2026 BOARD PRIORITIES

Expand Mathematics, Pedagogy & Fidelity
Educate Stakeholders and Community about Montessori education
Develop Artificial Intelligence Policies & Procedures

6:05 PM – INTRODUCTORY ITEMS

- Call to Order – Steve Barnes
- School Mission – Corbin White
- Montessori Mastery – Rebecca Akester delivered a presentation on student-led clubs, marking her second year as a mentor for these initiatives. She outlined the process by which clubs are proposed, reviewed, and approved. Of the 13 applications submitted this year, eight clubs received approval.

There was no PUBLIC COMMENT.

REPORTS

➤ **Administration**

- State of the School – Angie Johnson provided an overview of this year’s goals and priorities. She began by highlighting the Let Them Grow program, featuring a student named Elijah who successfully prepared a meal independently. Angie announced that she will spotlight one student at each board meeting throughout the remainder of the year. She then addressed the Jog-A-Thon fundraiser, with Coleen reporting that the school is on track to surpass last year’s fundraising total. Angie also presented the school’s five-minute “All-Access” segment with Andy Garcia, which offered a compelling national showcase of the school’s programs and culture. Following that, Angie reviewed the beginning-of-year composite math

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scores for grades K–6. She shared key updates from the first Land Trust Council meeting, including the approval of the sex education instructional curriculum. Additional topics included a review of the newly implemented Toilet Training Administrative Procedures and an outline of staff social events planned for the year. Angie concluded by addressing a concerning trend: an increase in suspension data, including in-school suspensions.

➤ **Board of Directors**

- *Financial Update* – Andrew Marx turned the time over to Cathie Hurst, who provided a financial overview as of September 30, 2025—marking approximately 25% completion of the fiscal year. She identified line items that may appear elevated and explained upcoming adjustments, including the relocation of the technology section and the reclassification of electronic curriculum expenses to the e-tech category. Cathie informed the board of a transfer of \$500,000 from the operating account to the Public Treasurers’ Investment Fund (PTIF) to generate interest income for the school. She affirmed that the school remains in strong financial health. Additionally, Cathie reviewed the Liabilities & Fund Equity section of the balance sheet, detailing components such as current and long-term liabilities, fund balance, and net income. The board engaged in a discussion regarding attendance at the National Charter Schools Conference (NCSC) and which academic year the associated expenses would apply to. Other topics included interest earnings from the PTIF and sweep accounts, the impact of recent rate cuts, and the importance of remaining fiscally responsive to those changes.

CONSENT ITEMS

- *August 25, 2025 Board Meeting Minutes* – There was no further discussion. **Steve Barnes made a motion to approve the consent items. Corbin White seconded the motion.**

The votes were as follows:

- Steve Barnes – Aye**
- Corbin White – Aye**
- Andrew Marx – Aye**
- Nelson Altamirano – Aye**
- Sheri Ebert – Aye**

Motion passed unanimously.

VOTING ITEMS

- *Amend SLT Membership & Election Procedures* – Angie Johnson presented updates to the School Land Trust Council Membership and Election Procedures, outlining changes mandated by the School Land Trust (SLT) program. **Corbin White made a motion to approve the Amended School LAND Trust Council Membership & Election Procedures. Nelson Altamirano seconded the motion. The votes were as follows:**

- Steve Barnes – Aye**
- Corbin White – Aye**
- Andrew Marx – Aye**
- Nelson Altamirano – Aye**
- Sheri Ebert – Aye**

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

Motion passed unanimously.

- Hotline Complaint Policy – Brandon Fairbanks presented the newly implemented Hotline Complaint Policy, developed in accordance with Administrative Rule R277-123, which mandates that each school prominently display the hotline on its website. The policy outlines the procedures the school will follow in response to complaints received through the hotline. Additionally, it includes a required training component for both board members and school administrators. **Andrew Marx made a motion to approve the Hotline Complaint Policy. Sheri Ebert seconded the motion. The votes were as follows:**

**Steve Barnes – Aye
Corbin White – Aye
Andrew Marx – Aye
Nelson Altamirano – Aye
Sheri Ebert – Aye**

Motion passed unanimously.

- Amend Bullying & Hazing Policy – Brandon Fairbanks presented the revised Bullying and Hazing Policy, updated to reflect legislative changes introduced through Senate Bill 223. The primary amendment includes the formal definition of both student bullying and staff bullying, ensuring greater clarity and alignment with current legal standards. **Corbin White made a motion to approve the Amended Bullying & Hazing Policy. Steve Barnes seconded the motion. The votes were as follows:**

**Steve Barnes – Aye
Corbin White – Aye
Andrew Marx – Aye
Nelson Altamirano – Aye
Sheri Ebert – Aye**

Motion passed unanimously.

DISCUSSION ITEMS

- Calendaring – ALL
- Next Pre-Board Meeting – November 5th @ 5:00 p.m.
 - Electronic Board Meeting – November 17th @ 5:30 p.m.
 - Holiday Social on December 1st @ 6 p.m. @ Wild Rose

6:56 PM – Steve Barnes made a motion to enter into a CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a) in the library. Andrew Marx seconded the motion. The roll call votes were as follows:

**Steve Barnes – Aye
Corbin White – Aye
Nelson Altamirano – Aye
Andrew Marx – Aye
Sheri Ebert – Aye**

Motion passed unanimously.

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7:08 PM – Steve Barnes made a motion to exit the CLOSED SESSION and ADJOURN. Corbin White seconded the motion. The votes were as follows:

Steve Barnes – Aye

Corbin White – Aye

Andrew Marx – Aye

Nelson Altamirano – Aye

Sheri Ebert – Aye

Motion passed unanimously.

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

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

**Mountain West Montessori Academy
Board of Directors
Closed Session Statement
Monday, October 13, 2025**

Location: 4125 W. Foxview Drive, South Jordan, UT 84009



CLOSED SESSION SWORN STATEMENT:

*At a duly noticed public meeting held on the date listed above, the board of directors for **MOUNTAIN WEST MONTESSORI ACADEMY** entered into a closed session for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual and/or to discuss deployment of security personnel, devices, or systems in accordance with Utah Code Ann. 52-4-205(1)(a) & (f).*

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

Signed on the 13th day of October, 2025.



Steve Barnes
Board Chair

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

MWMA Board of Director's Meeting Monday, January 26, 2026

Action Item: *Gym Sound System Purchase*

Issue

In accordance with MWMA's Purchasing Policy, all purchases about \$25,000 must be approved by a majority vote of the Board of Directors. This includes all purchases from a single vendor in a 30-day period.

Background

MWMA would like to more effectively host assemblies, guest speakers, and school performances such as plays and choir concerts. Our current stand-alone sound equipment is inadequate for these purposes. Upgrading to a user-friendly, integrated sound system would significantly improve the quality and reliability of school events and performances.

Recommendation

It is recommended that the board approve the Gym Sound System Purchase not to exceed \$40,000.

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

BILL TO		JOB LOCATION	
Company: Mountain West Montessori School	Company: Mountain West Montessori School	Date: 2025-09-09	
Address: 4125 Foxview Dr South Jordan, UT 84009	Address: 4125 Foxview Dr South Jordan, UT 84009	Sales Rep: Ethan McKendrick	
Contact: Angie Johnson	Contact:	Phone: (801) 885 8731	
Phone: (801) 580 4972	Phone: (801) 566 6962	Email: emckendrick@gencomminc.com	

TITLE
Gym Audio System
SCOPE OF WORK

Gym/Multipurpose Room:

Overview

The Gym will be upgraded with a distributed ceiling speaker sound system to provide sound reinforcement to support various activities that take place in the space such as presentations, assemblies, dances, etc. This system will include a wireless microphone system with (2) handheld microphones. These microphones will come with a charging dock that can be kept in any location with an available power outlet. An audio input wall plate will be provided in a convenient location that will allow the user to connect an audio source to the system via bluetooth. An HDMI wall plate will also be provided to give the client a usable connection to the existing overhead projector. Gencomm will also run an audio line from the existing projector to the new sound system so that media being played over the projector can be heard through the new sound system. A touch screen control panel will be provided to give the user control over the sound system volume and wireless microphones.

A new equipment rack will also be provided to safely house the new sound system equipment.

Audio

- (6) Ceiling pendant speakers will be installed throughout the room in between the ceiling trusses
- (2) Handheld wireless microphones will be provided
- (1) Charging station will be provided for the 2 handheld microphones
- (1) Bluetooth Input Plate

Video

- (1) HDMI wall plate with a new high speed HDMI cable will be provided for the existing projector

Control

- (1) 5" touch screen controller will be provided for control over the sound system
 - Touch screen has the ability to be upgraded to provide additional control over the projector and screen in the future
 - A protective lockable cover will be provided to protect the touch screen controller
- The touch panel will provide the following control functions.
 - System Power On/Off
 - Audio Source Selection
 - Projector Audio

- Bluetooth
- Microphone Level & Mute Control
- Audio Volume Control
 - Volume Up/Down
 - Mute

Exclusions

- Client is responsible for providing a 15amp high voltage outlet needed for the AV equipment rack.

PART NUMBER	MANUFACTURER	DESCRIPTION	QTY
Equipment			
GSM4210PD-100NAS	Netgear	AV Line M4250-9G1F-PoE+	1.00
TSC-50-G3	QSC	Q-SYS 5 PoE Touch Screen Controller for In-Wall Mounting. Color - Black only	1.00
WB-TSC-SM-7	FSR	Touchscreen Locking Cover with Window - White	1.00
MISC-EXPENSE		1-Gang Cover for RDL Bluetooth Plate	1.00
D-BTN21	Radio Design Labs	Wall-Mounted Bluetooth® Dante Interface - White	1.00
1GB	Communa	Custom Plate, 1-Gang, Black - (1) HDMI W/ PIGTAIL LABELED "HDMI INPUT"	1.00
26-650-50	Extron	4K High Speed HDMI Pro Cable - 50' (15.2 m)	1.00
CORE 8 FLEX	QSC	Unified Core with 8 local audio I/O channels, 64x64 network I/O channels with 8x8 Software-based Dante license included, USB AV bridging, dual LAN ports, VoIP telephony, 8x8 GPIO, 8 AEC processors, Ha	1.00
MXWAPX4=-Z10	Shure	4-Channel Access Point Charger with DSP	1.00
MXWNDX4	Shure	Networked Dock - 4 Bay	1.00
MXW2X/SM58=-Z10	Shure	Microphone - Handheld - SM58 Cartridge	2.00
DCI2X300-U-USFX	Crown	2x300W Power Amplifier	1.00
JBL-C68HP	JBL	8" HIGH-POWER PENDANT SPKR W CD, BLK	6.00
RLNK-P915R-SP	Middle Atlantic	Premium+ PDU with RackLink	1.00
EWR-10-22SD	Middle Atlantic	10SP/22D ECONO WLRK,BK,DR	1.00
DWR-RR10	Middle Atlantic	10SP REAR RL KIT DWR/EWR	1.00
LBP-1A	Middle Atlantic	10 PACK L LACER BAR	1.00
U2V	Middle Atlantic	2SP VENTED UTILITY SHELF	1.00
MISC-EXPENSE		Speaker Rigging - Unistrut, clamps, etc.	6.00
MISC-EXPENSE		Wiremold and 1-Gang Surface mount box for HDMI Plate	1.00
225GY0500	West Penn Wire	1P 16G STRD USHLD PVC JKT	1.00
454BK0500	West Penn Wire	1P 22G STR B/SHLD PVC-BLK	1.00
4246EZBL1000	West Penn Wire	4P 23G SLD CAT 6 PVC	1.00
Equipment Total:			\$18,306.30
Labor			
LABOR		Installation Services	1.00
Labor Total:			\$17,093.32
Freight & Misc. Costs			
FREIGHT-IN		Freight Charges	1.00



General Communications, Inc.
 12393 S Gateway Park Place, Suite 400
 Draper, UT 84020

QUOTE
9001

PART NUMBER	MANUFACTURER	DESCRIPTION	QTY
CONSUMABLES		Consumable Materials	1.00
EQUIPMENTAL		Equipment Rental	1.00
PRELIEN		Prelien	1.00
MISC-EXPENSE		1 Year Warranty Costs	1.00
Freight & Misc. Costs Total: \$2,533.16			
WARRANTY		Workmanship Warranty	1.00
Subtotal:			\$37,932.78
Tax:			\$1,497.88
Total:			\$39,430.66

IF YOU WISH TO ACCEPT THIS PROPOSAL AND RELATED STATEMENT OF WORK, PLEASE SIGN AND RETURN

BUYER: _____ (Print Name) SIGNATURE: _____ DATE: _____

MWMA Board of Director's Meeting Monday, January 26, 2026

Action Item: *2026-2027 School Calendar*

Issue

The Board must approve the annual school calendar that meets the state requirements of 180 days and 990 hours of instruction. (A school day must have a minimum of 4 instructional hours.)

Background

The format of the 2026-2027 school calendar is very similar to the current year's calendar. School starts on Monday, August 10th. Jordan School District (JSD) starts on Wednesday, August 19th. It's easier to get kids if you start before the district especially if you are still accepting students the week that school starts. Below are some dates of interest and/or comparison with JSD.

- MWMA's Fall Recess is October 19-23. JSD's is the same.
- MWMA's Thanksgiving Break is November 23-27. JSD's is November 25-27.
- MWMA's Winter Break is December 21 – January 1. JSD's is the same.
- MWMA's Spring Break is March 29 – April 2. JSD's is March 26 – April 2.
- MWMA's Last Day of School is May 27th. JSD's June 4th.

This calendar meets the required 180 days and is well over the required 990 hours with a total of 1,048.67 hours for the elementary and 995.17 for the middle school.

Recommendation

It is recommended that the Board approve the 2026-2027 School Calendar.

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



Mountain West Montessori Academy
School Year 2026-2027

4125 West Foxview Drive
South Jordan, UT 84009
(801) 566-6962 office • (801) 727-7109 fax
www.MWMAcademy.org

Half-Day Kindergarten
Mon – Thurs: 8:40 AM to 11:25 AM
Fridays: 8:40 AM to 10:45 AM

Grades K-9
Mon – Thurs: 8:40 AM to 3:15 PM
Fri: 8:40 AM to 1:35PM

AUGUST 2026							SEPTEMBER 2026							OCTOBER 2026						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
						1			1	2	3	4	5					1	2	3
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31
30	31																			

NOVEMBER 2026							DECEMBER 2026							JANUARY 2027						
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S
1	2	3	4	5	6	7			1	2	3	4	5						1	2
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
29	30						27	28	29	30	31			24	25	26	27	28	29	30
														31						

FEBRUARY 2027							MARCH 2027							APRIL 2027							
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	
	1	2	3	4	5	6		1	2	3	4	5	6						1	2	3
7	8	9	10	11	12	13	7	8	9	10	11	12	13	4	5	6	7	8	9	10	
14	15	16	17	18	19	20	14	15	16	17	18	19	20	11	12	13	14	15	16	17	
21	22	23	24	25	26	27	21	22	23	24	25	26	27	18	19	20	21	22	23	24	
28							28	29	30	31				25	26	27	28	29	30		

MAY 2027							JUNE 2027							JULY 2027							
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	
						1			1	2	3	4	5						1	2	3
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10	
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17	
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24	
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31	
30	31																				

YEAR AT A GLANCE		
August 3 - 7	No Students	Teacher Work Day
August 10	1st Term	First Day of School 1-9/New Term
August 10 - 14	Kinder Only	Kinder Assessments - By Appointment
August 17	Kinder Only	First Day of Kindergarten
September 7	No School	Labor Day
September 18	No Students	Professional Development for Teachers
September 23 - 24	Early Release	Parent Teacher Conference 2-8 pm
September 25	No School	Teacher Comp Day
October 13	2nd Term	New Term Begins
October 19 - 23	No School	Fall Recess
November 23 - 27	No School	Thanksgiving Recess
December 21 - January 1	No School	Winter Recess
January 12	3rd Term	New Term Begins
January 18	No School	Martin Luther King Jr. Day
February 15	No School	Presidents' Day
February 26	No Students	Professional Development for Teachers
March 3 - 4	Early Release	Parent Teacher Conference 2-8 pm
March 5	No School	Teacher Comp Day
March 11 - 12	No Students	Professional Development for Teachers
March 15	No Students	Teacher Work Day
March 19	4th Term	New Term Begins
March 29 - April 2	No School	Spring Break
May 27	Early Release	Last Day of School for K-9 (Early Out)
May 28	No Students	Teacher Work Day
May 31	No School	Memorial Day
June 1	No Students	Teacher Work Day

Semesters	Days
1st Term: August 10 - October 12	45 Days
2nd Term: October 13 - January 11	45 Days
3rd Term: January 12 - March 18	45 Days
4th Term: March 19 - May 27	45 Days
Total	180 Days

Board Approved:

2026-2027 MWMA - Elementary (K-6)

MONTH	STUDENT DAYS PER MONTH	FULL DAYS	EARLY RELEASE DAYS	TEACHER COMP DAYS	LEGISLATIVE PD DAYS	NEW TEACHERS ONLY WORK DAYS	ALL TEACHERS ONLY WORK DAYS	TEACHER DAYS PER MONTH
August	16	13	3				5	21
September	21	15	4	1	1			21
October	17	13	4					17
November	16	13	3					16
December	14	11	3					14
January	19	15	4					19
February	19	15	3		1			19
March	19	12	4	1	2		1	20
April	20	16	4					20
May	19	15	4				1	20
June	0						1	1
Total Days	180	138	36	2	4	0	8	188
Total Hours	1048.67	851.00	162.00	11.00	24.67	N/A	N/A	N/A

STUDENT HOUR CALCULATIONS	STUDENT FULL DAYS	STUDENT EARLY RELEASE DAYS
Start	8:40 AM	8:40 AM
End	3:15 PM	1:35 PM
Elapsed Time	395.00	295.00
Passing Time		
Lunch	25	25
Total Minutes	370.00	270.00
EMPLOYMENT AGREEMENT INFORMATION		
DAYS	NEW TEACHERS	RETURNING TEACHERS
Start Date	8/3/26	8/3/26
End Date	6/1/27	6/1/27
25-26 Work Days	188	188
26-27 Work Days	188	188
Difference	0	0

2026-2027 MWMA - Jr. High (7-9)

MONTH	STUDENT DAYS PER MONTH	FULL DAYS	EARLY RELEASE DAYS	TEACHER COMP DAYS	LEGISLATIVE PD DAYS	NEW TEACHERS ONLY WORK DAYS	ALL TEACHERS ONLY WORK DAYS	TEACHER DAYS PER MONTH
August	16	13	3				5	21
September	21	15	4	1	1			21
October	17	13	4					17
November	16	13	3					16
December	14	11	3					14
January	19	15	4					19
February	19	15	3		1			19
March	19	12	4	1	2		1	20
April	20	16	4					20
May	19	15	4				1	20
June	0						1	1
Total Days	180	138	36	2	4	0	8	188
Total Hours	995.17	816.50	144.00	11.00	23.67	N/A	N/A	N/A

STUDENT HOUR CALCULATIONS	STUDENT FULL DAYS	STUDENT EARLY RELEASE DAYS
Start	8:40 AM	8:40 AM
End	3:15 PM	1:35 PM
Elapsed Time	395.00	295.00
Passing Time	15	25
Lunch	25	30
Total Minutes	355.00	240.00
EMPLOYMENT AGREEMENT INFORMATION		
DAYS	NEW TEACHERS	RETURNING TEACHERS
Start Date	8/3/26	8/3/26
End Date	6/1/27	6/1/27
25-26 Work Days	188	188
26-27 Work Days	188	188
Difference	0	0

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

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

MWMA Board of Director's Meeting Monday, January 26, 2026

Action Item: *Re-Approve Wellness Policy*

Issue:

The Board should re-approve the Wellness Policy once every three years.

Background:

At least once every three years the School is required to evaluate compliance with its Wellness Policy with a triennial progress assessment to measure the implementation of the policy and include:

- The extent to which the School is in compliance with the Wellness Policy;
- The extent to which the Wellness Policy compares to the Alliance for a Healthier Generation's Model Wellness Policy; and
- A description of the progress made in attaining the goals of the School's Wellness Policy.

On November 21, 2025, the School's Director and Wellness Committee met to conduct their triennial progress assessment which was reviewed in the State of the School. After reviewing the policy, the Wellness committee recommends re-approving the School's Wellness Policy as-is.

Recommendation:

It is recommended that the Board re-approve the Wellness Policy.

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Mountain West Montessori Academy Wellness Policy

Adopted: May 27, 2017

Amended: June 20, 2017

Amended: August 23, 2017



Preamble

Mountain West Montessori Academy (the “School”) is committed to the optimal development of every student. The School believes that for students to have the opportunity to achieve personal, academic, developmental and social success, it needs to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture’s (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students. In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities do better academically. Finally, there is evidence that adequate hydration is associated with better cognitive performance.

This policy outlines the School’s approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the School have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school – in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school;
- The School engages in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the School in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and

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- The School establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all School students and staff. Specific measureable goals and outcomes are identified within each section below.

School Wellness Committee

Committee Role and Membership

The School will convene a wellness committee (the “Committee”) that meets at least one time per year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this wellness policy (the “wellness policy”).

The Committee membership will include, to the extent possible, but not be limited to stakeholders such as: parents and caregivers; students; representatives of the School nutrition program (e.g., School nutrition director); physical education teachers; health education teachers; School health professionals (e.g., health education teachers, School health services staff, and mental health and social services staff); School administrators; School board members; health professionals (e.g., dietitians, doctors, nurses, dentists); and the general public.

Leadership

The Director or designee(s) will convene the Committee and facilitate development of and updates to the wellness policy, and will ensure compliance with the policy.

The Director will make available to the School community each Committee member’s name, contact information, and role on the Committee.

The Director will designate a wellness policy coordinator who will ensure compliance with the policy.

Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

The School will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the School campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. The School and/or the Committee will periodically assess the implementation

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of this policy and create an action plan that helps ensure implementation of the policy based on the results of the assessments. The School may generate progress reports.

This wellness policy and any progress reports will be provided on the School's website.

Recordkeeping

The School will retain records to document compliance with the requirements of the wellness policy at the School's main office and/or on the School's central computer network. Documentation maintained in this location(s) will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the wellness policy; including an indication of who is involved in the update and methods the School uses to make stakeholders aware of their ability to participate on the Committee;
- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the wellness policy; and
- Documentation demonstrating the most recent assessment on the implementation of the wellness policy has been made available to the public.

Annual Notification of Policy

The School will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The School will make this information available via the School website and/or School-wide communications such as email, newsletter, etc. The School will provide information about the school nutrition environment, which may include summaries of the School's events or activities related to wellness policy implementation. Annually, the School will also provide notice via email of the name and contact information of the School personnel leading and coordinating the Committee, as well as information on how the public can get involved with the School wellness committee.

Triennial Progress Assessments

At least once every three years, the School will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which the School is in compliance with the wellness policy;
- The extent to which the wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the School's wellness policy.

The Director is responsible for managing the triennial assessment.

The Committee will monitor compliance with this wellness policy.

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The School will notify households/families of the availability of the triennial progress report via email.

Revisions and Updating the Policy

The Committee will update or modify the wellness policy based on the results of the School wellness survey questions and triennial assessments and/or as School priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. **The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.**

Community Involvement, Outreach and Communications

The School is committed to being responsive to community input, which begins with awareness of the wellness policy. The School will actively communicate, through electronic and non-electronic means, ways in which representatives of Committee and others can participate in the development, implementation and periodic review and update of the wellness policy, such as by participating in or attending wellness committee meetings, providing feedback on wellness survey questions, and communicating with school administration.

The School will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The School will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

Nutrition

School Meals

The School is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams *trans* fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

The School participates in USDA child nutrition programs, including the National School Lunch Program (NSLP). The School is committed to offering school meals through the NSLP program that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The School offers reimbursable school meals that meet USDA

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nutrition standards (<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>);

- Fruit options are available daily;
- Daily fruit options are displayed in a location in the line of sight and reach of students;
- Creative or descriptive names may be given to vegetable or other healthy options;
- Grab-n-go meals which include vegetables are available to students;
- Staff members, especially those serving, have been trained to politely prompt students to select and consume the daily fruit and vegetable options with their meal;
- White milk is placed in front of other beverages in drink coolers;
- Alternative entrée options (e.g., salad bar, sandwich wraps, etc.) are communicated to students via website, school calendar, classroom calendars, teachers, etc.;
- A reimbursable meal can be created in any service area available to students; and
- Taste testing opportunities are used to inform menu development by tracking student consumption of trial items.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day. The School will make drinking water available where school meals are served during mealtimes. Students will be allowed to bring and carry water bottles filled with only water with them throughout the school day.

Competitive Foods and Beverages

The School is committed to ensuring that all foods and beverages available to students on School property during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, in-school fundraisers, School stores and snack or food carts.

Celebrations and Rewards

In the interest of fostering good nutrition habits, soda, caffeinated beverages, and candy are not permitted at school. Student birthday celebrations will focus on activities such as a “Celebration of Life”, appreciation circle, or other community activity. Students may not bring treats or sweets for birthday celebrations; however, elementary parents are welcome to sign up to provide snack

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the week of their child's birthday and bring a special (healthy) snack that week. The donation of the child's favorite book to the library is also encouraged to celebrate a birthday. Classroom holiday celebrations that involve treats will be allowed 3 times per year at the Administration's discretion (generally Halloween, Valentine's Day, and either winter holidays or the last day of school). Although sweet treats are acceptable at these celebrations, healthy options should also be available. Faculty, staff, and parents will be encouraged to make healthy and fun activities the focus of the celebration rather than food.

All foods offered, but not sold, on School property will meet or exceed the following requirements:

1. Celebrations and parties. The School will provide a list of healthy snack ideas for activities and parties to parents and teachers, including non-food celebration ideas.
2. Classroom snacks brought by parents. The School will provide to parents a list of foods and beverages that meet school nutrition standards.
3. Rewards and incentives. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for behavior.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout School buildings, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by School staff, teachers, parents, students and the community.

The School will promote healthy food and beverage choices for all students, as well as encourage participation in school meal programs. This promotion will occur by ensuring that 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the School may use are available at <http://www.foodplanner.healthiergeneration.org/>.

Nutrition Education

The School will teach, model, encourage and support healthy eating by all students. The School will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, and healthy food preparation methods;
- Promotes physical activity/exercise and provides elementary students with opportunities for "movement works" during their work cycle; and

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- May include nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The School will include in the Health and College & Career Awareness education curriculum a minimum of 10 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention;
- Food guidance from MyPlate (<https://www.choosemyplate.gov>);
- Reading and using FDA's nutrition fact labels;
- Eating a variety of foods every day;
- Balancing food intake and physical activity;
- Eating more fruits, vegetables and whole grain products;
- Choosing foods and beverages with little added sugars;
- Eating more calcium-rich foods;
- Preparing healthy meals and snacks;
- Risks of unhealthy weight control practices;
- Accepting body size differences;
- Food safety;
- Importance of water consumption;
- Importance of eating breakfast;
- Making healthy choices when eating at restaurants;
- Eating disorders;
- The Dietary Guidelines for Americans (<https://www.choosemyplate.gov/dietary-guidelines>);
- Reducing sodium intake;
- Social influences on healthy eating, including media, family, peers and culture;
- How to find valid information or services related to nutrition and dietary behavior;
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully;
- Resisting peer pressure related to unhealthy dietary behavior; and
- Influencing, supporting, or advocating for others' healthy dietary behavior.

Food and Beverage Marketing in the School

The School is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The School strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on School property that contains messages inconsistent with the health information the School is imparting through nutrition education and health promotion efforts. It is the intent of the School to protect and promote students' health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the School campus, consistent with the School's wellness policy.

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

Any foods and beverages marketed or promoted to students on School property during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards.

Food and beverage marketing is defined as advertising and other promotions. Food and beverage marketing often includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name or trademark on School equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, the School will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the School.
- Advertisements in School publications or School mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. Physical activity can be provided through a school physical activity program based on quality physical education as the foundation; encouragement of physical activity before, during and after school; staff involvement and family engagement. The School is committed to providing varied physical and movement opportunities which are in addition to, and not as a substitute for, physical education. The School may participate in *Let's Move! Active Schools* (www.letsmoveschools.org) in order to successfully address all areas of physical activity for students.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) **will not be withheld** as punishment. The School will provide teachers and other School staff with ideas for alternative ways to discipline students. Students may, however, be provided with alternate forms of physical movement as needed.

To the extent practicable, the School will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The School will conduct necessary inspections and repairs.

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Physical Education

The School will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the “*Essential Physical Activity Topics in Health Education*” subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The School will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

Elementary students will receive physical education for at least 40-60 minutes per week throughout the school year as well as have access to individual movement work in classrooms (e.g. jump rope, hula-hoops, jogging, yoga, strength-building, and conditioning exercises).

Secondary students are required to take the equivalent of one and one-half academic years of physical education and expected to take a physical education class every semester.

Essential Physical Activity Topics in Health Education

The School will require secondary students to take and pass at least one health education course. The School will include in the health education curriculum a minimum of 10 of the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity;
- How physical activity can contribute to a healthy weight;
- How physical activity can contribute to the academic learning process;
- How an inactive lifestyle contributes to chronic disease;
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition;
- Differences between physical activity, exercise and fitness;
- Phases of an exercise session, that is, warm up, workout and cool down;
- Overcoming barriers to physical activity;
- Decreasing sedentary activities, such as TV watching;
- Opportunities for physical activity in the community;
- Preventing injury during physical activity;
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active;
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity;
- Developing an individualized physical activity and fitness plan;
- Monitoring progress toward reaching goals in an individualized physical activity plan;

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- Dangers of using performance-enhancing drugs, such as steroids;
- Social influences on physical activity, including media, family, peers and culture;
- How to find valid information or services related to physical activity and fitness;
- How to influence, support, or advocate for others to engage in physical activity; and
- How to resist peer pressure that discourages physical activity.

Recess (Elementary)

The School's elementary campus will offer at least **20 minutes of recess** on all days during the school year. Because recess is offered before lunch, there will be appropriate hand-sanitizing mechanisms located just inside the cafeteria to ensure proper hygiene prior to eating. Hand-cleaning time, as well as time to put away coats/hats/gloves, will be built into the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather is feasible for outdoor play. In the event that the School must conduct **indoor recess**, teachers and staff will follow the indoor recess guidelines established by the administration that promote physical activity for students, to the extent practicable.

Recess will complement, not substitute, physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible. Recess monitors will be provided with a comprehensive *Playworks* curriculum of games and activities that encourage movement.

Classroom Physical Activity Breaks (Elementary and Secondary)

The School recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered **periodic opportunities** to be active or to stretch throughout the day on all or most days during a typical school week. The School recommends teachers periodically provide short movement work breaks to students during and between classroom time. These physical activity breaks will complement, not substitute, for physical education class and class transition periods.

The School will encourage the use of resources, tools, and technology with ideas for classroom physical activity breaks (such as resources and ideas available through USDA or physically engaging programs such as "Go Noodle").

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into "core" subject instruction when possible (e.g., science, math, language arts, social studies and others) and do their part to limit sedentary behavior during the school day. In elementary Montessori classes, students will be provided with the opportunity to move around the classroom and select their own work location, including working on the floor.

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The School will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing professional development opportunities and resources, making available background material on the connections between learning and movement, and providing Montessori manipulative materials in elementary classrooms which facilitate kinesthetic learning and multiple learning styles.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The School offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The School will encourage students to be physically active before and after school.

After-School Clubs

The school will offer optional after-school clubs and activities that encourage students to be physically active (e.g. basketball, dodge ball, folk dance, soccer, etc.)

Active Transport

The School will support active transport to and from school, such as walking or biking, to the extent it is safe and feasible by providing secure storage facilities for bicycles, using crosswalks and providing adult supervision and crossing guards before and after school.

Other Activities that Promote Student Wellness

The School will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The School will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Teachers are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the School or the School's curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the Committee.

All School-sponsored events will adhere to the wellness policy guidelines. All School-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

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

Community Health Promotion and Family Engagement

The School will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in School-sponsored activities such as the School's Jog-A-Thon.

As described in the "*Community Involvement, Outreach and Communications*" subsection, the School will use electronic mechanisms (e.g., email or displaying notices on the School's website), as well as non-electronic mechanisms, (e.g., newsletters, sending information home to parents, etc.), to ensure that all families are actively notified of opportunities to participate in School-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

The Committee will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

The School will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The School promotes staff member participation in health promotion programs and self-care.

Professional Learning

When feasible, the School will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help School staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing academic improvement plans/efforts.

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

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

**MWMA Board of Directors' Meeting
Monday, January 26, 2026**

Action Item: *Amending Instructional Materials Policy*

Issue:

Amending the School's Instructional Materials Policy.

Background:

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.

Recommendation:

It is recommended that the Board approve the Amended Instructional Materials Policy.

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

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

Mountain West Montessori Academy
Instructional Materials Policy
Adopted: February 27, 2023
Amended: November 27, 2023
Amended: August 26, 2024



PURPOSE

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

DEFINITIONS

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

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

“Objective sensitive material” means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code § ~~76-10-1235~~76-5C-208, under the non-discretionary standards described in Utah Code § ~~76-10-1227~~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 § ~~76-10-1235~~76-5c-208, under the following factor-balancing standards:

- (a) material that is harmful to minors under Utah Code § ~~76-10-1201~~76-5c-101;
- (b) material that is pornographic under Utah Code § ~~76-10-1203~~76-5c-101; or
- (c) material that includes certain fondling or other erotic touching under Utah Code § ~~76-10-1227(a)(iv)~~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 Director

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

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

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

Selection and Approval of Instructional Materials by the Board

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

- (a) post the recommended instructional materials online to allow for public review or, for copyrighted material, make the instructional materials available at the School for public review; and
- (b) hold at least two Board meetings where the recommended instructional materials is on the agenda and allow an opportunity at those Board meetings for School educators and parents of students enrolled in the School to express views and opinions on the recommended instructional material.

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

In accordance with Utah Code § 53G-5-404(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 Director 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 Director or by the Board. The School shall identify all costs associated with instructional materials prior to purchasing the instructional materials, including any implementation and professional development costs.

Educator Selection of Additional Supplemental Materials or Resources

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

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

Contract Requirements

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

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

**MWMA Board of Directors' Meeting
Monday, January 26, 2026**

Action Item: *Amend Paid Parental & Postpartum Recovery Leave Policy*

Issue:

Amending the School's Paid Parental & Postpartum Recovery Leave Policy.

Background:

This policy is being revised to clarify that the paid parental leave period is up to 15 contract days as opposed to three calendar weeks and the paid postpartum recovery leave is up to 20 contracted days as opposed to four calendar weeks. The revisions also clarify that the maximum amount of leave under each paid leave period is 15 contract days and 20 contracted days respectively and that any non-contract days occurring during a leave period will not count toward the three-calendar or four-calendar week leave period.

Recommendation:

It is recommended that the Board approve the Amended Paid Parental & Postpartum Recovery Leave Policy.

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

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

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 work weeks~~ (15 contracted workdays) 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~~may not be used intermittently~~, 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 work weeks (15 contracted workdays)~~ 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 ~~four work weeks (20 contracted workdays)~~ 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 Director;
- (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 20 contracted workdays.

The maximum amount of paid parental leave available to qualified employees under this policy is 15 contracted workdays.

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 do not count toward the applicable contracted workday leave period.

Notice of Plan to Take Leave

Qualified employees shall give the School's Director 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 Director. 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 Director 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.

MWMA Board of Directors' Meeting Monday, January 26, 2026

Action Item: *Amending Student Conduct & Discipline Policy*

Issue:

Amending the School's Student Conduct & Discipline Policy.

Background:

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, and state reporting requirements for suspensions and expulsions.

Recommendation:

It is recommended that the Board approve the Amended Student Conduct & Discipline Policy.

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

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

Mountain West Montessori Academy Student Conduct & Discipline Policy

Approved: April 4, 2017

Amended: December 3, 2018

Amended: August 24, 2020

Amended: October 2, 2023

Amended: June 24, 2024

Amended:



1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 PURPOSE

The purpose of Mountain West Montessori Academy'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 sSchool and community-wide expectation of good citizenship for students and a sense of responsibility in the sSchool 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 ~~and guardians~~ 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~~request a hearing with the School's Board of Directors (the "Board")~~ 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 is a temporary removal of a student from School and School-sponsored activities for a period of up to one (1) year.~~ (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 Director'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~~the formal process of dismissing a student from School. Recognizing that students who commit violent or disruptive acts may pose safety problems, the School will work with parents to provide alternative educational placement and programs for the student where appropriate and feasible. However, the Director retains the authority to~~ excluded ~~the student~~ 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 ~~destruction~~damage to or defacementing 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 Director, a Board member, and a teacher selected by them, accompanied by a parent ~~or legal guardian~~; 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 ~~or guardian~~.

[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 Director 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 Director will ensure that any surrendered or confiscated electronic cigarette product is destroyed or disposed of. However, the Director 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 Director has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the Director 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 Director 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 Director 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/~~guardian~~ 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-~~or legal guardian~~ is responsible for undertaking an alternative education plan that will ensure that the student's education continues during the period of expulsion. The parent-~~or guardian~~ 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 ~~or guardian~~.

5.3.2 The parent ~~or guardian~~ 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 ~~or guardian~~ 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/guardian 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 ~~or guardians~~ 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 Director, 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 Director or a teacher or counselor designated by the Director 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 Director 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 Director is authorized to issue notices of disruptive student behavior to ~~students who are~~ qualifying minors who.

~~**6.2.2 Criteria for Issuing Notice. The Director will issue a “notice of disruptive student behavior” to a qualifying minor who:**~~

[a] engages in “disruptive student behavior” that does not result in suspension or expulsion three times during the school year; or

[b] engages in disruptive student behavior that results in suspension or expulsion once during the school year.

6.2.23 Contents of Notice. ~~The~~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 Director 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.

6.2.34 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~~for Issuing Notice.~~ The Director 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 Director 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 Director. After receiving such a notification, the Director shall notify a law enforcement officer or agency if the Director may refer the offense to a law enforcement officer or agency as explained above in this ~~s~~Section. The Director shall also notify other School personnel if the Director 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 ~~or legal guardian~~;

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 ~~(ISS)~~;

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 ~~or guardian~~, 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 ~~or guardian~~ 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 Director shall notify the student's custodial parent ~~or guardian~~ 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 ~~or guardian~~ to meet with the Director to review the suspension.

8.2 The Director 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 Director shall document the charges, evidence, and action taken.

~~**8.4** 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.~~

8.4.5 ~~Unless one of the exceptions below applies, before a suspension begins~~ ~~If the student denies the charges,~~ 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 Director. 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.

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

8.4.27 If, in the judgment of the Director, 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 Director shall first follow the due process procedures set forth in Section 8 above. If, after following the due process procedures in Section 8, the Director believes that a student should be suspended for more than ten (10) school days or expelled, the Director may make the initial decision and shall meet with the student's parent ~~or guardian~~ 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 Director 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 Director and respond to the allegations and proposed disciplinary action.

9.2 Notice to Student and Parent/~~Guardian~~

During the meeting required in Section 9.1, the Director shall provide the student's parent-~~or guardian~~ with written notice that includes all of the following elements (or, if the student's parent ~~or guardian~~ refuses to meet, the Director shall send the notice by certified mail, return receipt requested, to the student's parent-~~or legal guardian~~ 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 Director with written notice within ten (10) school days of the parent-~~or guardian~~'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 Director'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-~~or guardian~~ agrees otherwise.

9.3.2 A written Hearing Notice shall be sent to the parent-~~or guardian~~ informing the parent-~~or guardian~~ 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]~~[e] the right of all parties to cross-examine witnesses subject to the presiding Board chairman~~member~~'s or hearing officer's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal; and

~~[d]~~[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 chairman~~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 ~~or guardians~~ 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 ~~Office~~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 ~~f~~Functional ~~b~~Behavioral ~~a~~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 Director 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, ~~including:~~

~~[a] self discipline;~~

~~[b] citizenship;~~

~~[c] civic skills; and~~

~~[d] social emotional skills;~~

11.1.3 systematic methods for reinforcing ~~ment of~~ expected behaviors;

11.1.4 uniform and equitable methods for correcting ~~on of~~ 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~~consistent processes to collect student discipline data and incident or infraction data, including collection of the number of days of student suspensions and data collected from the School's climate survey as described in Rule R277-623;

~~11.1.6 uniform and equitable methods for at least annual school level data-based evaluations of efficiency and effectiveness;~~

~~11.1.7 an ongoing staff development program related to development of:~~

~~[a] student behavior expectations;~~

~~[b] effective instructional practices for teaching and reinforcing behavior expectations;~~

~~[c] effective intervention strategies; and~~

~~[d] effective strategies for evaluation of the efficiency and effectiveness of interventions;~~

~~11.1.8 procedures for ongoing training of appropriate School personnel in:~~

~~[a] crisis management;~~

~~[b] emergency safety interventions; and~~

~~[c] School policies related to emergency safety interventions consistent with evidence-based practice;~~

~~11.1.9 policies and procedures relating to the use and abuse of alcohol, controlled substances, electronic cigarette products, and other harmful trends by students;~~

~~11.1.10 policies and procedures for responding to possession or use of electronic cigarette products by a student on School property as required by § 53G-8-203(3);~~

~~11.1.11 policies and procedures, consistent with requirements of Rule R277-613 and the School's Bullying and Hazing Policy, related to:~~

~~[a] bullying;~~

~~[b] cyber-bullying;~~

~~[c] hazing;~~

~~[d] retaliation; and~~

~~[e] abusive conduct;~~

~~11.1.12 policies and procedures for the use of emergency safety interventions for all students~~

~~consistent with evidence-based practices including prohibition of:~~

~~[a] physical restraint, subject to the requirements of Section R277-609-5, except when the physical restraint is allowed as described in § 53G-8-302(2);~~

~~[b] prone, or face-down, physical restraint;~~

~~[c] supine, or face-up, physical restraint;~~

~~[d] physical restraint that obstructs the airway of a student or adversely affects a student's primary mode of communication;~~

~~[e] mechanical restraint, except:~~

~~(i) protective or stabilizing restraints;~~

~~(ii) restraints required by law, including seatbelts or any other safety equipment when used to secure students during transportation; and~~

~~(iii) any device used by a law enforcement officer in carrying out law enforcement duties;~~

~~[f] chemical restraint, except as:~~

~~(i) prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under State law, for the standard treatment of a student's medical or psychiatric condition; and~~

~~(ii) administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under state law;~~

~~[g] seclusionary time-out, subject to the requirements of Section R277-609-5, except when a student presents an immediate danger of serious physical harm to self or others; and~~

~~[h] for a student with a disability, emergency safety interventions written into a student's IEP, as a planned intervention, unless:~~

~~(i) school personnel, the family, and the IEP team agree less restrictive means have been attempted;~~

~~(ii) a FBA has been conducted; and~~

~~(iii) a positive behavior intervention, based on data analysis has been written into the plan and implemented;~~

11.1.13 ~~direction for dealing with bullying and disruptive students;~~

~~11.1.614~~ 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; including students who engage in disruptive student behaviors as described in § 53G-8-210; and

~~11.1.15~~ identification, by position, of an individual designated to issue notices of disruptive and bullying student behavior;

~~11.1.16~~ identification of individuals who shall receive notices of disruptive and bullying student behavior;

~~11.1.17~~ a requirement to provide for documentation of an alleged class B misdemeanor or a nonperson class A misdemeanor before referral of students with an alleged class B misdemeanor or a nonperson class A misdemeanor to juvenile court;

~~11.1.18~~ strategies to provide for necessary adult supervision;

~~11.1.19~~ a requirement that policies be clearly written and consistently enforced;

~~11.1.20~~ notice to employees that violation of Rule R277-609 may result in employee discipline or action;

~~11.1.21~~ gang prevention and intervention provisions in accordance with § 53E-3-509(1);

~~11.1.22~~ provisions that account for the School's unique needs or circumstances, including:

~~[a] the role of law enforcement; and~~

~~[b] emergency medical services; and~~

~~[c] a provision for publication of notice to parents and School employees of policies by reasonable means; and~~

~~[d] a plan for referral for a student with a qualifying office to alternative school-related interventions, including:~~

~~(i) a mobile crisis outreach team, as defined in Section 80-1-102;~~

~~(ii) a receiving center operated by the Division of Juvenile Justice Services in accordance with Section 80-5-102;~~

~~(iii) a youth court; or~~

~~(iv) a comparable restorative justice program; and~~

~~11.1.723~~ procedures for responding to reports received through the SafeUT Crisis Line established under Utah Code Ann. § 53B-17-1201~~53H-4-210~~ *et seq.*

11.2 Plan(s) Consistent with this Policy

The administrative Student Conduct and Discipline Plan(s) shall be consistent with this policy, ~~including without limitation the provisions in Section 6 regarding notices of disruptive student behavior and the emergency safety intervention policies and procedures set forth in Section 18.~~ It shall also be consistent with the School's Plan for Harassment and Discrimination Free Learning, which shall be developed by the Director 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 Director has reason to believe that School rules or policies have been broken, he or she shall proceed with an investigation. However, if the Director 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 Director

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

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

14.1.2 The Director 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 Director 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 Director 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 Director 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 Director, law enforcement should be notified, the following procedure should be followed:

[a] The Director 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 ~~or legal guardian~~ 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 ~~or legal guardian~~ 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 Director shall document the contact or attempted contact with the student's parents ~~or legal guardian~~. If the Director cannot contact the student's parent ~~or guardian~~, or if the parent ~~or guardian~~ is unable to be present with the student for questioning, the Director 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 Director or other designated person before beginning an investigation on School premises.

(ii) The Director shall document the circumstances warranting the investigation as soon as practical.

(iii) Alleged criminal behavior related to the School environment brought to the Director'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 ~~or guardian~~.

~~(v) Directory information is limited to a student's name, home address, date of birth, phone number, class schedules and parents' address and phone numbers for use in case of emergency.~~

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 ~~or legal guardian~~ 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 ~~or legal guardian~~ immediately except in cases of child abuse and neglect. Such effort shall be documented.

[c] The Director 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 Director and relate the circumstances necessitating such action.

[e] Whenever the need arises to make arrests or take students into custody on School premises, the Director 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 Director shall have the student summoned to the Director'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 Director, the School staff present shall encourage the law enforcement officers to tell the Director of the circumstances as quickly as possible. If the officers decline to tell the Director, the School staff members present shall immediately notify the Director.

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 Director 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 Director'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 Director, 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 Director 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 Director 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 Director, 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 Director 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 (where practical) as the student being searched (i.e., Director, 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 Director 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 Director 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 Director shall, if the student is still enrolled in the School, notify staff members who, in the Director’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 ~~or guardian~~. 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 ~~s~~Section is classified as a protected record under Utah Code Ann. § 63G-2-305. All other records of disclosures under this ~~s~~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 ~~or guardian~~ has authorized disclosure, or a FERPA exception applies.

18. EMERGENCY SAFETY INTERVENTIONS

A School employee may not ~~use~~ ~~subject a student to~~ physical restraint on a student or place a student in seclusion ~~any time out unless utilized~~ except as a necessary emergency safety intervention (“ESI”) 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 ~~An~~ “Emergency safety intervention” (“ESI”) is means the use of seclusion ~~any time out~~ or physical restraint when a student presents an immediate ~~imminent~~ danger ~~of physical violence/aggression towards~~ self or others ~~likely to cause serious physical harm~~. An ESI ~~is~~ 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 Director 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).

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

18.1.93 “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.

18.1.104 “Seclusionary time out” 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 ~~a student is placed in a safe enclosed area, isolated from adults and peers, and the student is, or reasonably believes, he or she will be prevented from leaving the area. The safe enclosed area must meet the fire and public safety requirements described in R392-200 and R710-4.~~

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 Teachers and other personnel who may work directly with students shall be trained on the use of effective alternatives to ESI as well as the safe use of ESI and a release criteria~~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 the 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.

18.2.32 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] ~~implement~~be released under the following circumstances (release criteria)~~an appropriate release criteria;~~

~~[c] (i) be discontinued~~as soon as the student is no longer an immediate~~imminent~~danger of physical harm to self or others~~has dissipated~~(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

~~[d] (ii) be discontinued~~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);

~~[e]~~never be used as punishment or discipline;

~~[f] be applied consistent with the School's administrative Student Conduct and Discipline Plan; and~~

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

~~[h]~~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 ~~Least Restrictive Behavioral Interventions (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 ~~which meet the circumstances described in R277-608-5~~ 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 ~~A~~Key Identified School ~~e~~Employees may, in accordance with Section 18.2.~~32~~ and when acting within the scope of employment, use ~~and apply~~ 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 as an ESI in self defense or as may be reasonable and necessary under the following circumstances:

[a] in self-defense;

[a**b**] to protect ~~the~~a student or another person from physical injury;

[b**c**] to remove from a situation a student who is violent;

[e**d**] to take possession of a weapon or other dangerous object in the possession or under the control of a student; or

[d**e**] to protect property from being damaged, when physical safety is at risk.

18.4.~~32~~ 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, other appropriate 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, ~~except as prescribed by a licensed physician and implemented in compliance~~

~~with a student's Health Care Plan.~~

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.

~~18.4.53 Nothing in this Section prohibits~~ Despite the foregoing, a Key Identified School Employee shall first use the least restrictive intervention available to the employee~~from using less intrusive means,~~ 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 Director and medical personnel shall be notified when warranted.

18.5 Seclusionary Time Out

18.5.1 A Key Identified School employee may, in accordance with Section 18.2.32 and when acting within the scope of employment, place a student who is in grade 1 or higher in seclusionary time out 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~~under the following circumstances:~~

~~18.5.1 the student presents an immediate danger of serious physical harm to self or others;~~

[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;

18.5.2[d] any door remains unlocked consistent with applicable fire and public safety requirements described in R392-200 and R710-4; and

18.5.3[e] the seclusion is time-limited to a maximum time of 30 minutes, per occurrence, and monitored~~student is within line sight of the employee at all times.~~

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 Director and medical personnel shall be notified when warranted.

18.5.5 The Director 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 Director 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/~~guardian~~; and

[b] School administration ~~before the student leaves the School.~~

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

~~18.6.2 In addition to providing the notice described in Section 18.6.1, if the ESI is applied for longer than fifteen minutes, the School shall immediately notify the student's parent/guardian and School administration.~~

18.6.23 Parent notifications made under this Section shall be documented in the School's student information system ~~as required by R277-609-10(3)(d)).~~

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 restraint that was used.

~~18.6.4~~**18.7.3** Within ~~24~~48 hours of using an ESI on a student, the School shall notify the parent/~~guardian~~ that ~~they~~ parent may request a copy of any notes or additional documentation taken during the use of the ESI ~~crisis situation.~~

~~18.6.5 Upon request of a parent/guardian, the School shall provide a copy of any notes or additional documentation taken during a crisis situation.~~

~~18.6.6~~**18.7.4** A parent/~~guardian~~ may request a time to meet with School staff and administration to discuss the use of an ESI ~~crisis situation.~~

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

18.87 Emergency Safety Intervention (ESI) Committee

18.87.1 The School shall establish an ESI committee that includes:

[a] at least ~~two~~one administrators ~~(if there are at least two administrators employed by the School);~~

[b] at least one parent of a student enrolled in the School, appointed by the School's Director; ~~and~~

[c] at least ~~two certified~~ one licensed educational professionals with behavior support training and knowledge in both state ~~rules~~ law and the School's conduct and discipline policies related to ESIs; and

[d] at least one other licensed educator.

18.78.2 The ESI committee shall:

[a] meet often enough to monitor the use of ESIs within the School;

[b] determine and recommend professional ~~development~~ learning needs;

[c] develop policies for ~~dispute resolution~~ processes to ~~address~~ resolve concerns regarding the use of ESIs ~~disciplinary actions~~; 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.

18.9.7.3 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.

18.9.7.24 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.

~~18.7.5 The School shall submit all required UTREx discipline incident data elements to the State Superintendent of Schools no later than June 30, 2018. Beginning in the 2018-19 school year, the School shall submit all required UTREx discipline incident data elements as part of the LEA's daily UTREx submission.~~

18.819. Corporal Punishment 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.

1920. TRAINING

1920.1 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.

1920.2 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.

1920.3 The Director 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).

220. POLICY AND PLAN DISSEMINATION AND REVIEW

~~**20.1** The School shall submit to the Board an annual report of all out-of-school suspensions of more than ten (10) days and expulsions. For each suspension or expulsion, the report shall indicate the student's race, gender, disability status, and age/grade, as well as the reason for the discipline, the length of the discipline, and a statement as to whether the student was referred to the Board.~~

~~**220.12** A summary of †This policy and the Student Conduct and Discipline Plan shall be posted in a prominent location in the School; and the policy and plan will be posted on the School's website. The policy or a summary of the policy and the plan or summary of the plan shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the Board.~~

~~**220.23** This policy and the plan 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.~~