

## **Scholar Academy Board of Directors Meeting**

**Date:** 01.29.2026

**Time:** 5:00 PM

**Location:** <https://us02web.zoom.us/j/85086026933>

*Scholar Academy is committed to creating a learning environment that fosters in students the development of divergent thinking and problem-solving skills, providing opportunities which enable all students to develop a sense of civic responsibility and achieve their highest potential.*

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### **AGENDA**

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#### **CALL TO ORDER**

#### **BOARD TRAINING**

- Audit Presentation- Eide Bailly

#### **PUBLIC COMMENT** (limited to three minutes)

- 2026-2027 Fee Schedule (1st Public comment Period)

**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).

#### **REPORTS**

- Director's Report
- Budget Report

#### **CONSENT ITEMS**

- November 20<sup>th</sup> Board Meeting & Closed Session Minutes

#### **VOTING & DISCUSSION ITEMS**

- Flooring Services Quote
- LEA Licenses
- 2026-2027 School Calendar
- Legislative Updates
- Amended Student Conduct and Discipline Policy
- Amended Wellness Policy

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call 801-444-9378. One or more board members may participate electronically or telephonically pursuant to UCA 52-4-207.

## **CALENDARING**

- Next board meeting is March 26th, 2026 @ 5:00 PM.

## **ADJOURN**

In compliance with the Americans with Disabilities Act, persons needing auxiliary communicative aids and services for these meetings should call 801-444-9378. One or more board members may participate electronically or telephonically pursuant to UCA 52-4-207.

## EXECUTIVE SUMMARY

### **AUDIT PRESENTATION**

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

**Action:** *No action needed*

### **FEE SCHEDULE**

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

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

**Action:** *Public Comment Opportunity*

### **DIRECTORS REPORT**

See board documentation for most up to date report.

**Action:** *No action needed*

### **FINANCE REPORT**

See board documentation for most up to date report.

**Action:** *No action needed*

### **FLOORING SERVICES QUOTE**

Flooring Services Inc. is proposed to complete the flooring replacement throughout the school, focusing on new carpeting in designated areas. The company is an approved vendor on a State of Utah contract, meaning pricing

has been pre-negotiated and vetted through the Utah State Board of Education (USBE) to ensure fair, competitive, and compliant rates. Approval is requested for a total project cost of \$111,509.

**Action:** *Board Vote*

### **LEA SPECIFIC LICENSE**

The license areas, and endorsements shall be valid for three (3) academic years as indicated on the attached spreadsheet which contains the associated educator information and rationale for the request. All LEA-Specific licenses will expire on June 30th of the final academic year approved. The Wallace Stegner Academy Board of Directors additionally acknowledges that LEA-Specific educator licenses, license areas, or endorsements may be renewed by the Utah State Board of Education (USBE). These renewals will be approved or denied on a case-by-case basis.

**Action:** *Board Vote*

### **SCHOOL YEAR CALENDAR**

The Board must approve the annual school calendar that meets the state requirements of 180 days.

**Action:** *Board Vote*

### **LEGISLATIVE UPDATES**

Please see board documentation for the most recent legislative updates.

**Action:** *No action needed*

### **POLICIES**

#### *Amending Student Conduct and Discipline Policy*

HB 344 deleted a variety of school fee related definitions (such as “curricular activity” and “co-curricular activity”) and added a number of newly defined terms (such as “common education expense” and “course”). It also specified that schools cannot charge students for common education expenses. In addition, HB 344 extended the annual deadline by which schools must approve their fee schedules for the following school year, changing it from April 1 to June 1. The school’s Fee Waiver Policy has been revised to reflect these changes from HB 344 as well as updates to R277-407 (which was last revised in December 2025).

**Action:** *Board Vote*

#### *Amending Wellness Policy*

The Wellness policy was updated to reflect the frequency of the required meeting from every 3 years, to once a year. There were no other changes to the policy.

**Action:** *Board Vote*



October 27, 2025

To the Board of Directors  
Scholar Academy  
928 N 100 E  
Tooele, UT 84074

We have audited the financial statements of Scholar Academy as of and for the year ended June 30, 2025, and have issued our report thereon dated October 27, 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 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 internal control of Scholar 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 October 27, 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 Scholar 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**

Accounting estimates 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 judgement.

## **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 the 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 and circumstances that affect the form and content of the auditor's report.

### **Representations Requested from Management**

We have requested certain written representations from management that are included in the management representation letter dated October 27, 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 Scholar 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 Scholar Academy's auditors.

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



Ogden, Utah

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June 30, 2025  
**Scholar Academy**

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## Independent Auditor's Report

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

### **Other Reporting Required by *Government Auditing Standards***

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

A handwritten signature in cursive script that reads "Eide Bailly LLP".

Ogden, Utah  
October 27, 2025

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

## **FINANCIAL HIGHLIGHTS**

The School had another strong financial year in fiscal year 2025, continuing to build on its solid foundation and demonstrating sustained growth and stability.

The financial landscape for the School was positively influenced by many different factors.

Local funds increased modestly, primarily due to the increase in interest income from the School's Public Treasurers' Investment Fund (PTIF) and Operating accounts. Stable interest rates in the PTIF and the School's operating account, resulted in an increase in earnings of approximately \$34,000 year-over-year.

The State of Utah continues to invest in education. The Weight Pupil Unit (WPU) increased by 5% and the Charter Local Replacement Funding (LRF) increased by 7.9%. Overall, year over year, the School's revenues from state sources increased more than 13%. This increase was due to the increases in the WPU and LRF mentioned earlier, along with an enrollment increase of more than 45 students in fiscal year 2025. Federal funding decreased approximately 7% in fiscal year 2025 due to COVID-19 related funding being exhausted and other federal programs being funded at a slightly lower amount. The vast majority of the School's funding is from the State, so the increase in State funding more than offset the decline in federal funding.

While the enrollment increase of more than 45 students is noted, it is essential to understand that fluctuations in enrollment are not uncommon and can be attributed to various external factors. The Board remains focused on strategic recruitment and retention efforts to stabilize and grow the student population in the coming years.

In summary, the School effectively managed its finances in fiscal year 2025, leveraging state and federal funding. The Board and administration remain committed to prudent fiscal management and strategic planning, that will ensure the school is able to provide a high-quality education to students.

## **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) provides 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 10-11 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 12-15 of this report.

## Notes

The notes to the financial statements starting on page 16 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. The School continues to receive and utilize funds from federal and state sources which helps fulfill the School's educational mission and vision. The following had significant, positive impacts on the School's net position:

- A 5% increase in the WPU
- A 7.9% increase in the Charter Local Replacement funding
- A significant increase in enrollment
- An increase in interest income in both the PTIF and operating accounts
- Sound fiscal management

	2025	2024
<b>Assets</b>		
Current and other assets	\$ 6,370,073	\$ 4,972,654
Capital assets	9,651,636	9,947,833
<b>Total assets</b>	<b>\$ 16,021,709</b>	<b>\$ 14,920,487</b>
<b>Liabilities</b>		
Current and other liabilities	\$ 532,997	\$ 486,387
Long-term liabilities	10,208,364	10,428,655
<b>Total liabilities</b>	<b>10,741,361</b>	<b>10,915,042</b>
<b>Net Position</b>		
Net investment in capital assets	(556,728)	(480,572)
Restricted	1,301,153	1,347,397
Unrestricted	4,535,923	3,138,620
<b>Total net position</b>	<b>\$ 5,280,348</b>	<b>\$ 4,005,445</b>

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 96% of its governmental activities for the year ended June 30, 2025. The School had total revenue of \$8,242,343 and total expenses of \$6,967,440 during the year ended June 30, 2025. The School had an increase in net position of \$1,274,903 during the year ended June 30, 2025. The increase in net position was primarily due to an increase in State funding, an increase in enrollment, and to a lesser extent, interest income generated from the PTIF and operating accounts. Sound fiscal management also played a role in the positive change in net position.

	2025	2024	Change
Revenue			
Program revenue			
State and federal aid	\$ 7,887,312	\$ 7,070,483	\$ 816,829
Charges for services	86,094	82,013	4,081
Operating grants and contributions	156	8,084	(7,928)
Earnings on investments	215,464	181,441	34,023
Other local revenue	53,317	31,559	21,758
Total revenue	<u>8,242,343</u>	<u>7,373,580</u>	<u>868,763</u>
Expenses			
Instructional	3,794,448	3,855,307	(60,859)
Support services			
Students	417,789	263,016	154,773
Staff assistance	291,991	276,200	15,791
General	14,980	-	14,980
School administration	464,491	428,702	35,789
Central services	383,156	335,484	47,672
Operation and maintenance of facilities	603,542	555,413	48,129
Transportation	16,914	11,670	5,244
School food services	369,885	411,536	(41,651)
Interest and other costs	610,244	626,867	(16,623)
Total expenses	<u>6,967,440</u>	<u>6,764,195</u>	<u>203,245</u>
Change in Net Position	<u>\$ 1,274,903</u>	<u>\$ 609,385</u>	<u>\$ 665,518</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 \$5,960,478, which is an increase of \$1,349,809 from the prior year. There were several factors that played a role in the increase of the general fund balance.

- There was a solid increase in the WPU of 5% as well as a 7.9% increase in LRF.
- Additional State funds were made available to fund mandated initiatives.
- The School experienced significant enrollment growth.
- The Board and administration utilized a conservative budgeting approach and made sound and responsible fiscal decisions throughout the year.
- PTIF Interest income increased due to strong and stable interest rates.

Expenditures for general School purposes totaled \$6,892,534, which is a decrease of \$117,499 from the prior year. The most significant contributing factor to this decrease is an approximate \$328,000 reduction in construction expense. A remodeling project was funded in the previous year, and no construction projects were funded in fiscal year 2025. There were also modest decreases in supplies and materials and property expenditures.

General fund salaries totaled \$3,600,460, while the associated fringe benefits of retirement, social security, unemployment, workers compensation, health, dental, and vision added \$1,010,208 to arrive at 67% 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 \$608,089 less than the amended budget. The amended budget was prepared with a conservative approach. Additionally, there were some anticipated expenditures that were not made and others that were pushed to fiscal year 2026 for logistical reasons.

## **Capital Assets**

The School has invested \$11,624,837 in a wide range of capital assets, but primarily in land, building and capital improvements. The total accumulated depreciation on these assets amounts to \$1,973,201. There were capital asset additions of \$31,860 for fiscal year 2025. Additional information regarding the School's capital assets can be found in Note 3 to the basic financial statements.

### **Long-Term Debt**

Long-term debt consists of outstanding bonds with the finance authority totaling \$10,208,364, net of a bond discount totaling \$191,636 with rates ranging from 4.00% to 5.00%. The bonds mature in April 2048. The School is required to meet certain covenants including debt coverage and cash available as defined by their note and bond agreements. See Note 4 to the 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 928 North 100 East, Tooele, Utah 84074, or by phone at 435-566-6957.

Scholar Academy  
Statement of Net Position  
June 30, 2025

	<u>Governmental Activities</u>
Assets	
Cash and investments	\$ 5,054,113
Restricted cash and investments	1,148,311
State receivables	123,798
Federal receivables	41,455
Other receivables	2,396
Capital assets (not subject to depreciation)	1,290,000
Capital assets (net of accumulated depreciation)	<u>8,361,636</u>
Total assets	<u>16,021,709</u>
Liabilities	
Accounts payable	19,562
Accrued liabilities	390,033
Accrued interest	123,402
Long-term liabilities	
Due within one year - bonds payable	245,000
Due in more than one year - bonds payable	<u>9,963,364</u>
Total liabilities	<u>10,741,361</u>
Net Position	
Net investment in capital assets	(556,728)
Restricted for	
Public education capital and technology	23,447
Educator professional time	11,281
Other state	8,000
Title I	546
Food lunch program	109,568
Debt service	1,148,311
Unrestricted	<u>4,535,923</u>
Total net position	<u><u>\$ 5,280,348</u></u>

Scholar 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	\$ 3,794,448	\$ -	\$ 4,313,836	\$ 519,388
Support services				
Students	417,789	-	-	(417,789)
Staff assistance	291,991	-	-	(291,991)
General	14,980	-	-	(14,980)
School administration	464,491	-	-	(464,491)
Central services	383,156	-	-	(383,156)
Operation and maintenance of facilities	603,542	-	-	(603,542)
Transportation	16,914	-	-	(16,914)
School food services	369,885	86,094	145,432	(138,359)
Interest and other costs	610,244	-	-	(610,244)
Total Governmental Activities	<u>\$ 6,967,440</u>	<u>\$ 86,094</u>	<u>\$ 4,459,268</u>	<u>(2,422,078)</u>
General Revenue				
Grants and contributions not restricted to specific programs				
State aid				3,428,200
Local revenue				23,988
Interest earnings				215,464
Miscellaneous				29,329
Total general revenue				<u>3,696,981</u>
Change in Net Position				1,274,903
Net Position, Beginning of Year				<u>4,005,445</u>
Net Position, End of Year				<u>\$ 5,280,348</u>

Scholar Academy  
Balance Sheet – Governmental Funds  
June 30, 2025

	<u>General</u>
Assets	
Cash and investments	\$ 5,054,113
Restricted cash and investments	1,148,311
State receivables	123,798
Federal receivables	41,455
Other receivables	<u>2,396</u>
Total assets	<u><u>\$ 6,370,073</u></u>
Liabilities and Fund Balance	
Liabilities	
Accounts payable	\$ 19,562
Accrued liabilities	<u>390,033</u>
Total liabilities	<u>409,595</u>
Fund Balance	
Restricted for	
Public education capital and technology	23,447
Educator professional time	11,281
Other state	8,000
Title I	546
Food lunch program	109,568
Debt service	1,148,311
Unassigned	<u>4,659,325</u>
Total fund balance	<u>5,960,478</u>
	<u><u>\$ 6,370,073</u></u>

Scholar Academy

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

June 30, 2025

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Total Fund Balance - Governmental Funds		\$ 5,960,478
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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	11,624,837		
Depreciation expense to date	(1,973,201)		
			9,651,636

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	(10,208,364)		
Accrued interest	(123,402)		
			(10,331,766)

Net Position		\$ 5,280,348
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Scholar Academy

Statement of Revenue, Expenditures, and Changes in Fund Balance – Governmental Funds

Year Ended June 30, 2025

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	General
Revenue	
State aid	\$ 7,286,985
Federal aid	600,327
Earnings on investments	215,464
School fees	15,923
School lunch sales	86,094
Other local sources	37,550
Total revenue	<u>8,242,343</u>
Expenditures	
Instructional	<u>3,794,448</u>
Support services	
Students	417,789
Staff assistance	291,991
General	14,980
School administration	464,491
Central services	383,156
Operation and maintenance of facilities	275,485
Transportation	16,914
Total support services	<u>1,864,806</u>
Non-instructional	
School food services program	369,885
Capital outlay	31,860
Total non-instructional	<u>401,745</u>
Debt service	
Principal	235,250
Interest and other costs	596,285
Total debt service	<u>831,535</u>
Total expenditures	<u>6,892,534</u>
Net Change in Fund Balance	1,349,809
Fund Balance, Beginning of Year	<u>4,610,669</u>
Fund Balance, End of Year	<u><u>\$ 5,960,478</u></u>

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

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Total Net Change in Fund Balance - Governmental Funds \$ 1,349,809

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	31,860	
Depreciation expense	(328,057)	
		(296,197)

The governmental funds report repayment of long-term liability payments as expenditures and the effect of premiums and 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 note and bonds payable principal	235,250	
Amortization of bond discount	(14,959)	
Change in accrued interest	1,000	
		221,291

Change in Net Position of Governmental Activities	\$ <u><u>1,274,903</u></u>
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## **Note 1 - Summary of Significant Accounting Policies**

Scholar Academy (the School) was formed in 2012 and is a nonprofit institution which was organized under the nonprofit corporation laws of the State of Utah. The School was organized by a group of parents, teachers, and business professionals to provide an educational opportunity in Tooele, Utah that was not governed by the local school district. The School is committed to creating a learning environment that fosters in students the development of divergent thinking and problem solving skills, providing opportunities which enable all students to develop a sense of civic responsibility and achieve their highest potential. 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 \$1,500. The cost of normal maintenance and repairs not adding to the value of the asset or materially extending asset lives are not capitalized.

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

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 Balances of Fund Financial Statements

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

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

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

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

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

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

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

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

### **Grants and Other Intergovernmental Revenue**

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

**Note 2 - Cash and Investments**

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

Cash			
Insured		\$	319,383
Uninsured and not collateralized			<u>1,123,328</u>
Total balance of deposits		\$	<u><u>1,442,711</u></u>
	<u>Rating</u>	<u>Fair Value</u>	<u>Investment Maturities</u>
Investments			
PTIF	Unrated	\$ <u>4,759,713</u>	Less than 1 year
Total cash and investments		\$ <u><u>6,202,424</u></u>	

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

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

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

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

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

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

#### *Fair Value of Investments*

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

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

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

	Total	Quoted Prices in Active Markets (Level 1)	Other Observable Inputs (Level 2)	Unobservable Inputs (Level 3)
June 30, 2025				
PTIF	\$ 4,759,713	\$ -	\$ 4,759,713	\$ -

#### **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	\$ 1,290,000	\$ -	\$ -	\$ 1,290,000
Capital assets being depreciated				
Building	9,410,000	-	-	9,410,000
Furniture and equipment	308,625	-	(8,340)	300,285
Computers	106,286	31,860	(1,784)	136,362
Capital improvements	488,190	-	-	488,190
Total capital assets being depreciated	<u>10,313,101</u>	<u>31,860</u>	<u>(10,124)</u>	<u>10,334,837</u>
Less accumulated depreciation for				
Building	(1,390,562)	(241,282)	-	(1,631,844)
Furniture and equipment	(186,803)	(37,928)	8,340	(216,391)
Computers	(55,752)	(24,438)	1,784	(78,406)
Capital improvements	(22,148)	(24,409)	-	(46,557)
Total accumulated depreciation	<u>(1,655,268)</u>	<u>(328,057)</u>	<u>10,124</u>	<u>(1,973,201)</u>
Total capital assets, subject to depreciation	<u>8,657,833</u>	<u>(296,197)</u>	<u>-</u>	<u>8,361,636</u>
Total capital assets, net	<u>\$ 9,947,833</u>	<u>\$ (296,197)</u>	<u>\$ -</u>	<u>\$ 9,651,636</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
Note payable	\$ 250	\$ -	\$ (250)	\$ -	\$ -
Bonds payable	10,635,000	-	(235,000)	10,400,000	245,000
Bond discount	(206,595)	-	14,959	(191,636)	-
	<u>\$ 10,428,655</u>	<u>\$ -</u>	<u>\$ (220,291)</u>	<u>\$ 10,208,364</u>	<u>\$ 245,000</u>

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

Series 2018 Revenue Bonds have rates between 4.00% - 5.00%, and were issued during fiscal year 2018 for \$11,920,000. Variable semi-annual payments of interest and annual principal payments are required through April 2048. The bonds were sold at a discount which is being amortized over the life of the bonds using the straight-line method. The proceeds were used to purchase a school building.

	\$ 10,400,000
Bond discount, net	<u>(191,636)</u>
	<u>\$ 10,208,364</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	\$ 245,000	\$ 579,376	\$ 824,376
2027	255,000	568,189	823,189
2028	270,000	556,490	826,490
2029	280,000	544,065	824,065
2030	295,000	530,957	825,957
2031-2035	1,680,000	2,429,630	4,109,630
2036-2040	2,215,000	1,894,014	4,109,014
2041-2045	2,945,000	1,153,348	4,098,348
2046-2048	2,215,000	238,146	2,453,146
Total	<u>\$ 10,400,000</u>	<u>\$ 8,494,215</u>	<u>\$ 18,894,215</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 96% of all revenue.

**Note 6 - Benefit Plan**

The School has a defined contribution retirement plan covering substantially all employees. The plan provides that employees who have attained the age of 21 can voluntarily contribute 100% of their compensation to the plan. Contributions are subject to certain Internal Revenue Code limitations. Employer contributions are discretionary and are determined and authorized by the Board each plan year. For the year ended June 30, 2025, the School made matching contributions of \$65,841.

Required Supplementary Information  
June 30, 2025

## Scholar Academy

Scholar Academy

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

	Budgeted Amounts		Actual	Variance with
	Original	Final	Amounts	Final Budget- Positive (Negative)
Revenue				
State aid	\$ 6,621,271	\$ 7,182,113	\$ 7,286,985	\$ 104,872
Federal aid	510,347	601,179	600,327	(852)
Earnings on investments	175,309	212,500	215,464	2,964
School fees	20,670	24,870	15,923	(8,947)
School lunch sales	76,500	80,550	86,094	5,544
Other local sources	12,490	29,665	37,550	7,885
Total revenue	7,416,587	8,130,877	8,242,343	111,466
Expenditures				
Instructional	4,039,815	4,046,486	3,794,448	252,038
Support services				
Students	369,948	420,145	417,789	2,356
Staff assistance	274,686	323,149	291,991	31,158
General	-	-	14,980	(14,980)
School administration	422,192	493,308	464,491	28,817
Central services	439,715	447,324	383,156	64,168
Operation and maintenance of facilities	258,808	339,941	275,485	64,456
Transportation	45,682	53,799	16,914	36,885
Facilities acquisition and construction services	6,250	6,250	-	6,250
Total support services	1,817,281	2,083,916	1,864,806	219,110
Non instructional				
School food services program	451,215	507,520	369,885	137,635
Capital outlay	-	31,860	31,860	-
Total non instructional	451,215	539,380	401,745	137,635
Debt service				
Principal	220,382	238,500	235,250	3,250
Interest and other costs	583,861	592,341	596,285	(3,944)
Total debt service	804,243	830,841	831,535	(694)
Total expenditures	7,112,554	7,500,623	6,892,534	608,089
Net Change in Fund Balance	\$ 304,033	\$ 630,254	\$ 1,349,809	\$ 719,555

**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  
**Scholar 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  
Scholar Academy  
Tooele, 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 Scholar 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 October 27, 2025.

**Report on Internal Control Over Financial Reporting**

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

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

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

## Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the School's financial statements are free 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 "Eide Bailly LLP". The signature is written in a cursive, flowing style.

Ogden, Utah  
October 27, 2025



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

The Board of Directors  
Scholar Academy  
Tooele, Utah

**Report on Compliance**

We have audited Scholar 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  
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.

## Report on Internal Control over Compliance

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

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

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

#### Purpose of this Report

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

A handwritten signature in cursive script that reads "Erik Bailly LLP".

Ogden, Utah  
October 27, 2025



## 2025-2026 Student Fee Schedule

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

REQUIRED FEES (for all fully and partially enrolled students in grades 6-8)		
FEE DESCRIPTION	EXPENDITURES FUNDED BY FEE (SPEND PLAN)	TOTAL FEE
6 <sup>th</sup> , 7 <sup>th</sup> , 8 <sup>th</sup> Grade Sports	• Basketball -----	\$75
	• Soccer -----	\$75
	• Volleyball -----	\$75
	• Flag Football -----	\$75
	• Cross Country -----	\$75
FEES FOR OPTIONAL COURSES, PROGRAMS, AND ACTIVITIES (for participating students enrolled in grades 6-8)		
FEE DESCRIPTION	EXPENDITURES FUNDED BY FEE (SPEND PLAN)	TOTAL FEE
Teton Science Trip (grade 8 only)	• Teton Science Camp, transportation, activities (A large portion is funded by title 1 funds)	\$400 camp/transporta tion
FACS exploration Class	• Course supplies	\$25/semester
Robotics	• Supplies, robots, board, yearly challenge	\$25/semester
Orchestra/Band/Drumline	• Instrument rental (from Murdock or Summerhays)	\$17-50/month
	• Drumsticks, can, dampener	\$25.00 Semester
FEES FOR OPTIONAL AFTER-SCHOOL CLUBS AND ACTIVITIES (for participating students in grades identified below)		
FEE DESCRIPTION	EXPENDITURES FUNDED (SPEND PLAN)	TOTAL FEE
After School Clubs (K-8)	• Chess-----	\$20 / Sem
	• Board games -----	\$20 / Sem
	• Robotics -----	\$20 / Sem
	• Choir -----	\$20 / Sem
	• E Sports -----	\$20 / Sem
	• Tuesday after school (6 weeks)	\$0-\$30 depending on class and supplies
School Play (grades 3-8)	• Costumes, sets, props, royalties-	\$30
PER STUDENT Grade 8 ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL YEAR: \$1015		

This amount reflects the total student fees any student in grade 8 would be required to pay if the student participated in all courses, programs, sports, and activities provided, sponsored, or supported by the School for students in grade 8 for the year, including the optional Teton Science Trip.

**PER STUDENT Grade 7 ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL YEAR: \$615**

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

**PER STUDENT Grade 6 ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL YEAR: \$615**

This amount reflects the total student fees any student in grade 6 would be required to pay if the student participated in all courses, programs, sports, 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: \$120**

This amount reflects the total student fees any student in 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 Posters and Notices, Fee Waiver Policy, Fee Waiver Applications, Fee Waiver Decision and Appeal Form, etc.). If you file a fee waiver request with the School and the request is denied, you may appeal the School's decision.

## Director's Report – Draft Talking Points (Board Meeting)

### 1) 2026–2027 School Calendar (Aligned with Tooele District)

- **Overall alignment:** Calendar matches Tooele District closely, which helps with parent and student consistency.
  - **Key difference #1 – Christmas break adjustment (teacher workday swap):**
    - Instead of having a teacher workday **before** break and returning to students **immediately after**, we swapped it so the **teacher workday is after the break**.
    - **Staff response:** Teachers strongly supported this change.
  - **Key difference #2 – Added February break day:**
    - Added **one additional day in February** to support staff during the long “dry spell” with minimal holidays.
    - Supports morale, retention, and overall effectiveness.
- 

### 2) Fee Schedule (No Changes from Last Year)

- **Decision:** Fee schedule remains the same as last year.
  - **State direction:** The state is encouraging schools to reduce fees, especially for “extras.”
  - **Our approach:** We’ve gone “all in” on reducing additional fees.
    - We only charge **non-curricular / outside-school fees**, when necessary.
    - Even then, the school has helped cover costs (example below).
- 

### 3) Field Trips & Funding Support (Trust Lands)

- This past year, activities like:
  - **Tetons trip**
  - **Physics Day at Lagoon**
- Were supported using **School Trust Lands funding**, reducing burden on families.

---

#### 4) Lunch Policy Revision (Per State Audit)

- **Policy updated as required** through the audit process.
- **Main change:**
  - Previously reviewed **three times per year** (even auditors noted this was redundant).
  - Now reviewed **once annually**.

---

#### 5) Site-Specific Licenses / Staffing Compliance

- Board concern noted: one staff member identified as not yet fully qualified.
- **Update – Mr. Pratt:**
  - Submitted his application in **December** when he received the position.
  - Has also applied for the **APPEL program**.
  - Status: **In process / moving forward appropriately**.

---

#### 6) Charter Revision (Exciting Work in Progress)

- **General direction:** Much of the charter will remain intact.
- **Major discussion point – IB program:**
  - When the charter was created, it was expected Tooele High would also offer IB, but **they currently do not**.
  - **Reasons to consider removing IB from the charter:**
    1. The original feeder/alignment purpose isn't being met.
    2. IB involves **additional costs**.
    3. We already use the best instructional practices/structures inspired by IB **without paying for the label** — benefits with no added expense.

---

#### 7) Math Curriculum Plan

- **Decision:** No vote or adoption of a new math curriculum for next year.
  - **Next step:** Several teachers will **pilot** a potential new curriculum next year.
  - Purpose: Gather real classroom data and determine whether a full adoption is needed the **following year**.
- 

## 8) Academic Highlights & Data Trends (Scholar Progress)

- **School Report Card (pending release):**
    - Early indicators show **significant growth in the lowest 25% of students**.
    - Interpretation: Early intervention + targeted supports are working, especially in younger grades.
    - Big win: Strong foundation and proof our systems are producing results.
  - **Acadience / Data collection highlights:**
    - Notable success: 1 second grade class **low math group** now has **zero students off-target**.
    - **1st grade** performed extremely well.
    - **Kindergarten** showed strong results as well.
  - **Targeted improvement area:**
    - Data also surfaced a few **low-growth classes**, which helps us pinpoint:
      - What to target next year
      - Which teachers/teams may need specific professional development
    - Bottom line: Data is helping us respond more accurately and strategically.
- 

## 9) Culture & Community Highlights

- **Teachers & systems:** Strong team effort and good adjustments made this year.
  - **School play:** Strong progress, lots of community support, positive momentum, happy families.
-

**“Parking Lot” (Add Later) **

- Board approvals needed?
- Staffing updates / hiring needs
- Enrollment or growth notes
- Budget snapshots or grants
- Facilities or safety updates
- Upcoming events / PR wins

## January 29, 2026 Board Meeting Financial Summary

As of December 31<sup>st</sup>, we are 50% through fiscal year 2026. Please keep this in mind as we compare budget to actuals below.

On the Statement of financial position, you will notice that operating cash is up year over year. Both current and long-term liabilities have decreased year over year. This has led to an overall increase in the School's fund balance. If you remember, we transferred close to \$1.2 million from the Zions operating account into the PTIF account on 1/29/2025. Current operating cash consists of approximately \$1.71 million in the Zions operating account, and \$3.84 million in the PTIF. The School's cash position is very strong.

Looking at the P&L Report, Total Revenue is at 49.3%; it will begin to tick upward as we begin drawing down federal funding in the next month or two.

Total expenditures are at 43.6% of budget.

Areas of the P&L that we want to discuss are those budget categories where actual expenditure exceeds the budget by more than 5% overall:

Budget Category	Supplies & Materials	Budget	Actuals	% of Budget
Budget Sub Categories	0610 - General Supplies	250,538	116,321	46.4 %
	0610-001 - Furniture and Fixtures (not capitalized)	10,300	16,999	165.0 %
	0621 - Natural Gas	12,300	1,347	11.0 %
	0622 - Electricity	45,000	25,112	55.8 %
	0630 - Food	256,775	70,866	27.6 %
	0641 - Textbooks	50,103	122,683	244.9 %
	0642 - E-Textbooks / Online Curriculum	34,500	19,564	56.7 %
	0644 - Library Books	0	871	0.0 %
	0650 - Supplies - Technology Related	50,908	42,132	82.8 %
	0670 - Software	9,236	23,511	254.6 %
	0680 - Maintenance Supplies and Materials	40,340	14,553	36.1 %
	<b>Total Supplies &amp; Materials</b>	<b>760,000</b>	<b>453,959</b>	<b>59.7 %</b>
Budget Category	Property			
Budget Subcategories	0730 - Equipment	0	167,612	0.0 %
	0733 - Capitalized Furniture and Fixtures	0	19,720	0.0 %
	0734 - Technology Related Hardware	30,000	95,792	319.3 %
	0739 - Other Equipment	20,000	0	0.0 %
	<b>Total Property</b>	<b>50,000</b>	<b>283,124</b>	<b>566.2 %</b>

**Supplies and Materials:**

Overall, I'm not concerned about being over by 10%. It is normal to be over budget the first part of the year because you have a lot of purchases that have to be made at the beginning of school - paper, misc. supplies, new chairs, new computers, new curriculum, etc.-the expensive stuff. Spending typically tapers off during the last part of the year. We may have another medium to high \$ item here or there before the end of the year, but I'm not aware of any at this time. If necessary, the budget can be adjusted upward a little during the budget amendment process in April or May. If you would like more details on what the big ticket items were in the subcategories in red, just hover over the actual number and you will see some notes I have added.

**Property:**

We have spoken about the Property budget category in previous meetings, but I'll provide a little refresher. A lot of these purchases were expected to be made at the end of FY25, but they ended up not being made until early FY26 - so a lot of this is a timing issue. You see evidence of this because when we put the budget together in May, I didn't budget anything for Equipment or Capitalized Furniture and Fixtures for FY26. This will be remedied during the budget amendment process in April/May. The equipment expenses are related to the new playground, and the Capitalized Furniture and Fixtures expense is related to interior door locks which were paid for using School Safety Grant funds. The Technology Related Hardware expense is for items such as security cameras, the visitor management system, new Lenovo Notebooks for students, a new copy machine, and an enhanced audio system.

Questions/Concerns?

# Scholar Academy

## Statement of Activities

Created on January 10, 2026  
For Prior Month

	Annual	Year-to-Date	
	June 30, 2026	December 31,	
	Budget	2025	% of Budget
		Actual	
<b>Net Income</b>			
Income			
Revenue From Local Sources	347,585	171,648	49.4 %
Revenue From State Sources	7,759,332	3,989,272	51.4 %
Revenue From Federal Sources	356,792	10,780	3.0 %
Total Income	8,463,709	4,171,700	49.3 %
Expenses			
Instruction/Salaries	3,875,750	1,556,042	40.1 %
Employee Benefits	1,118,000	388,071	34.7 %
Purchased Prof & Tech Serv	665,000	293,297	44.1 %
Purchased Property Services	254,500	61,085	24.0 %
Other Purchased Services	113,500	40,973	36.1 %
Supplies & Materials	760,000	453,959	59.7 %
Property	50,000	283,124	566.2 %
Debt Services & Miscellaneous	924,000	309,548	33.5 %
Total Expenses	7,760,750	3,386,099	43.6 %
<b>Total Net Income</b>	<b>702,959</b>	<b>785,601</b>	<b>111.8 %</b>

**Scholar Academy**  
**Statement of Financial Position**  
**Created on January 10, 2026**  
**For Prior Month**

	Period Ending 12/31/2025 <small>Actual</small>	Period Ending 12/31/2024 <small>Actual</small>
<b>Assets &amp; Other Debits</b>		
Current Assets		
Operating Cash	5,551,262	4,630,181
Accounts Receivables	8,018	5,519
Total Current Assets	<u>5,559,280</u>	<u>4,635,700</u>
Restricted Cash	<u>1,199,051</u>	<u>1,188,700</u>
Net Assets		
Fixed Assets	11,624,837	11,603,101
Depreciation	(1,973,201)	(1,655,268)
Total Net Assets	<u>9,651,636</u>	<u>9,947,833</u>
<b>Total Assets &amp; Other Debits</b>	<u><b>16,409,967</b></u>	<u><b>15,772,233</b></u>
<b>Liabilities &amp; Fund Equity</b>		
Current Liabilities	135,655	143,773
Long-Term Liabilities	<u>10,208,364</u>	<u>10,428,405</u>
Fund Balance	<u>5,280,347</u>	<u>4,005,442</u>
Net Income	<u>785,601</u>	<u>1,194,613</u>
<b>Total Liabilities &amp; Fund Equity</b>	<u><b>16,409,967</b></u>	<u><b>15,772,233</b></u>

## Scholar Academy Board of Directors Meeting

**Date:** 11.20.2025

**Location:** 928 N 100 E Basecamp 1, Tooele, UT 84074

<https://us02web.zoom.us/j/85086026933>

**In Attendance:** Dusty Griffith, Johanna Leonelli, Jacob Howarth, Neil Garner, Collin Post

**Excused:** Traelle Gailey

**Others in Attendance:** Jeff Hall, Brandon Fairbanks, Priscilla Stringfellow, Hannah Jones

*Scholar Academy is committed to creating a learning environment that fosters in students the development of divergent thinking and problem-solving skills, providing opportunities which enable all students to develop a sense of civic responsibility and achieve their highest potential.*

### MINUTES

**CALL TO ORDER** Dusty Griffith called the meeting to order at 5:08 PM.

**PUBLIC COMMENT** There were no public comments.

#### **BOARD TRAINING**

- Governance vs. Management Training  
Brandon Fairbanks facilitated the Governance vs. Management training. The board participated in discussion and example scenarios and defined their roles as board members. The board was able to clearly define their role versus administrations role for the support of the LEA after the training was finished.

Brandon Fairbanks left the meeting at 5:46 PM.

**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).

At 5:47 PM Johanna Leonelli made a motion to enter a closed session to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a). Jacob Howarth seconded. The motion passed unanimously. The votes were as follows: Dusty Griffith, Aye; Johanna Leonelli, Aye; Jacob Howarth, Aye; Neil Garner, Aye; Collin Post, Aye.

Jeff Hall was excused at 5:48 PM.

At 5:58 PM Johanna Leonelli made a motion to leave the closed session and enter the general meeting. Collin Post seconded. The motion passed unanimously. The votes were as follows: Dusty Griffith, Aye; Johanna Leonelli, Aye; Jacob Howarth, Aye; Collin Post, Aye; Neil Garner, Aye.

Jeff Hall re-entered the meeting at 6:00 PM.

## REPORTS

- Director's Report

Jeff Hall reported on assessment data, classroom management, and technology. The biggest goal for the LEA is to increase test scores. Administration is collecting data from teachers and some of the data indicates being above the state average for scores. It has been very beneficial to have Sandy Shepard as an educational consultant at the school to support efforts of growth in targeted areas. Improving quality of instruction is another goal of the LEA, and the staff is showing very positive trajectory for improvements.

- Budget Report

The audit has been completed and will be sent out to the board for their review. The auditors will present the report to the board at their next board meeting. Financial statements including the profit and loss and balance sheet as of October thirty-first were reviewed by board members. Jon McQueary highlighted areas of the budget that are higher than usual for being 33 percent of the way through the year; including revenues from federal sources and supplies and materials. Board chair Dusty Griffith reminded the new board members that the LEA does have an outstanding bond for the building. The overall budget is healthy and consistent. There will be capital improvements made to the school as well as technology purchases that will be reflected in the budget.

## CONSENT ITEMS

- September 25, 2025, Board Meeting Minutes

- October 22, 2025, Board Meeting Minutes

The board had no concerns regarding the board meeting minutes. There were no suggestions made for edits.

*Johanna Leonelli made a motion to approve the September 25, 2025, Board Meeting Minutes and the October 22, 2025, Board Meeting and Closed Session Minutes. Jacob Howarth seconded. The motion passed unanimously. The votes were as follows: Dusty Griffith, Aye; Johanna Leonelli, Aye; Jacob Howarth, Aye; Collin Post, Aye; Neil Garner, Aye.*

## VOTING & DISCUSSION ITEMS

- **Consulting Agreement**  
 The board discussed the changes made to the contract with the contract now concluding in March instead of December. Targeted intervention was also added to the contract for behavior and instruction. There was no further discussion.  
*Jacob Howarth made a motion to approve the Consulting Agreement as discussed. Collin Post seconded. The motion passed unanimously. The votes were as follows: Dusty Griffith, Aye; Johanna Leonelli, Aye; Jacob Howarth, Aye; Collin Post, Aye; Neil Garner, Aye.*
- **Technology Purchase**  
 Jeff Hall and Dusty Griffith informed the board of the need for new laptops. There were no questions or concerns from the board.  
*Johanna Leonelli made a motion to approve the Technology Purchase not to exceed \$26,000. Jacob Howarth seconded. The motion passed unanimously. The votes were as follows: Dusty Griffith, Aye; Johanna Leonelli, Aye; Jacob Howarth, Aye; Collin Post, Aye; Neil Garner, Aye.*
- **Capital Improvement Projects**  
 The board discussed the facility maintenance plan provided by Academica West. The board discussed projects that may need to be done that are past due. Carpet in the classrooms elementary side does need replacing, so that is a project that is being considered for facility maintenance.
- **Committees (Program Audit, Capital Improvement Projects)**  
 This item was tabled.
- **Amended Paid Parental and Postpartum Recovery Leave Policy**
- **Amended Instructional Materials Policy**
- **New AI Policy**  
 Priscilla Stringfellow reviewed the amended policies and new policy with the board. The revisions of the Paid Parental and Postpartum Recovery Leave Policy specify how the leave periods work and whether non-contracted workdays occurring during the leave period count or do not count toward the applicable and allotted leave period. Revisions to the Instructional Materials Policy include updated code citations. There were no other revisions to the policy. The new AI Policy is general in nature and aligns with the AI Framework established by the Utah State Board of Education and provides basic rules with respect to AI use at the school. There were no questions or concerns regarding the policies.  
*Johanna Leonelli made a motion to approve the Amended Paid Parental and Postpartum Recovery Leave Policy, Amended Instructional Materials Policy and the AI Policy. Neil Garner seconded. The motion passed unanimously. The votes were as follows: Dusty Griffith, Aye; Johanna Leonelli, Aye; Jacob Howarth, Aye; Collin Post, Aye;*

Neil Garner, Aye

## **CALENDARING**

The next board meeting is January 29<sup>th</sup>, 2026, at 5:00 PM via zoom.

## **ADJOURN**

*At 7:30 PM Neil Garner made a motion to adjourn the meeting. Dusty Griffith seconded. The motion passed unanimously. The votes were as follows: Dusty Griffith, Aye; Johanna Leonelli, Aye; Jacob Howarth, Aye; Collin Post, Aye; Neil Garner, Aye.*

**Scholar Academy  
Board of Directors Closed Session**

**Meeting Date:** 11.20.2025

**Location:** 928 N 100 E Basecamp 1, Tooele, UT 84074

**CLOSED SESSION SWORN STATEMENT:**

At a duly noticed public meeting held on the date listed above, the board of directors for Scholar Academy entered a closed session for the sole purpose of discussing the character, professional competence, or physical or mental health of an individual in accordance with Utah Code Ann. 52-4-2(1)(a).

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

Signed on the 20th day of November, located in Tooele, UT.

  

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

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

## PROPOSAL

December 3, 2025

To: Kirk  
Academica West

RE: Scholar Academy  
928 North 100 East  
Tooele, UT

We propose to supply and install carpet tile and 4" rubber base in classrooms as outlined in blue from plans sent. Our breakdown is as follows:

Carpet tile	\$85,573.00
Demolition	11,250.00
Furniture moving	7,500.00
4" rubber base	<u>7,186.00</u>
TOTAL	\$111,509.00

We have not included to move any electronics or personal items. These will need to be removed by others.

Our proposals are good for 60 days.

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

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

Kay Hill – [khill@flooringservices.com](mailto:khill@flooringservices.com) Jeff Hill – [jhill@flooringservices.com](mailto:jhill@flooringservices.com)

December 3, 2025

Dear Superintendent,

The Scholar Academy School Board approved LEA-Specific educator license(s) to **two (2)** individual(s) in a public meeting held on **January 29, 2026**. The license areas, and endorsements shall be valid for three academic years as indicated on the attached spreadsheet which contains the associated educator information and rationale for the request. All LEA-Specific licenses will expire on June 30th of the final academic year approved.

Scholar Academy's following assurances:

- The LEA has adopted a policy, in accordance with R277-301-7, to prepare and support educators with an LEA-Specific license. This policy is posted online at <https://sites.google.com/scholarcharter.org/main/home/policies?authuser=0>.
- The educator has completed a criminal background check in accordance with Rule R277-214 and continued monitoring in accordance with Subsection 53G-11-403(1).
- The LEA will provide requisite training (educator ethics, classroom management/instruction, special education law/instruction, & Utah Effective Teaching Standards) within the 1<sup>st</sup> year of employment.
- The educators will complete the USBE Ethics Review within one (1) calendar year prior to being issued the license.
- The LEA will post all educator data, including assignments, in CACTUS no later than sixty (60) days following the date of the public governing board meeting approving the license area(s) and/or endorsement(s).
- Each LEA school employing an individual with an LEA-Specific license will prominently post the following on the school's website:
  - Disclosure that the school employs individuals holding an LEA-Specific educator license, license areas, and/or endorsements.
  - An explanation of the types of educator licenses issued by USBE (Professional, Associate, LEA-Specific):

"The following **designations or levels** apply to educator licenses, license areas (i.e.-elementary, secondary, special education), and content endorsements (i.e.-mathematics, music, Spanish, social studies):

    - **Professional:** The educator has completed an educator preparation program that includes content and pedagogical knowledge. This program may have been completed at a university or in an alternate pathway that was supported by school districts/charters and the Utah State Board of Education.
    - **Associate:** The educator is currently completing an educator preparation program but has not yet completed all requirements for a Professional Educator License, license area, or endorsement. The educator is enrolled in a university-based or Local Education Agency (LEA)-based program. When the educator completes the program, they will have a professional level.

# SCHOLAR ACADEMY

ACHIEVING EXCELLENCE TOGETHER

- **LEA-Specific:** The educator has not completed an educator preparation and is not currently enrolled in one.”
- Percentage (based on FTE) of types of licenses, license areas, and endorsements held by educators employed in the school.
- A link to the [Utah Educator Look-up Tool](#).

The Scholar Academy School Board additionally acknowledges that LEA-Specific educator licenses, license areas, or endorsements may be renewed by the Utah State Board of Education (USBE). These renewals will be approved or denied on a case-by-case basis.

Sincerely,

Dusty Griffith  
Scholar Academy Board Chair  
[dgriffith@scholaracademy.org](mailto:dgriffith@scholaracademy.org)

# SCHOLAR ACADEMY

School Year 2026-2027

WEBSITE: [scholarcharter.org](http://scholarcharter.org)

AUGUST 2026							SEPTEMBER 2026							OCTOBER 2026							YEAR AT A GLANCE		
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	August 10	New Teacher Training Day	
							6	7	8	9	10	11	12								August 12	Opening Institute	
2	3	4	5	6	7	8	13	14	15	16	17	18	19	4	5	6	7	8	9	10	Aug 18th	Back to School Night	
9	10	11	12	13	14	15	20	21	22	23	24	25	26	11	12	13	14	15	16	17	August 19	School Starts	First Day of School
16	17	18	19	20	21	22	27	28	29	30				18	19	20	21	22	23	24	Aug 19th -24th	Early Release	Kindergarten Assessments
23	24	25	26	27	28	29								25	26	27	28	29	30	31	Aug 25th	Full Day Kindergarten	First Day of Kindergarten
30	31																				September 7	No School	Labor Day
NOVEMBER 2026							DECEMBER 2026							JANUARY 2027							Sept 17th-18th	Early Release	Parent Teacher Conferences
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	Oct 15th	Teacher Work Day/No students	Professional Development (Legislative Day)
1	2	3	4	5	6	7			1	2	3	4	5						1	2	Oct 15th - 16	No School	Fall Break
8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9	Oct 19th	Teacher Work Day/No students	Professional Development (Legislative Day)
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16	October 21	End of 1st term (42 days)	
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23	Nov 19th-20th	Early Release	Parent Teacher Conferences
29	30						27	28	29	30	31			24	25	26	27	28	29	30	Nov 25th	No School	Teacher Compensation Day
														31							Nov 26th-27th	No School	Thanksgiving Recess
FEBRUARY 2027							MARCH 2027							APRIL 2027							Dec 7th	End of 2nd Term (41)	
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	Dec 21st - Jan 4th	No School	Winter Recess Students Return 5th
	1	2	3	4	5	6		1	2	3	4	5	6					1	2	3	Jan 4th 2027	Teacher Work Day/No students	Professional Development (Legislative Day)
7	8	9	10	11	12	13	7	8	9	10	11	12	13	4	5	6	7	8	9	10	Jan 18th 2027	No School	Martin Luther King Jr. Day
14	15	16	17	18	19	20	14	15	16	17	18	19	20	11	12	13	14	15	16	17	Feb 5th	Early Release	Parent Teacher Conferences
21	22	23	24	25	26	27	21	22	23	24	25	26	27	18	19	20	21	22	23	24	February 12	No School	No School
28							28	29	30	31				25	26	27	28	29	30		February 15	No School	Presidents' Day
																					March 12	End of 3rd Term (44)	
MAY 2027							JUNE 2027							JULY 2027							March 15th	Teacher Work Day/No students	Professional Development (Legislative Day)
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	March 29th	No School	Teacher Compensation Day
						1			1	2	3	4	5					1	2	3	March 30th - April 2nd	No School	Spring Break
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10	May 25th	School Ends/End of Term 4 (45)	Last Day of School Early out
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17	May 26th	No School	Teacher Compensation Day
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24	Term 1	August 19-October 21st	
23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31	Term 2	October 22-December 18th	
30	31																				Term 3	January 4th-March 12th	
																					Term 4	March 16th-May 25th	

## **2026 Legislative Education Bills to Watch**

Cybersecurity amendments - <https://le.utah.gov/~2026/bills/static/HB0042.html>

LEA Reporting -<https://le.utah.gov/~2026/bills/static/HB0031.html>

School Safety - <https://le.utah.gov/~2026/bills/static/HB0043.html>

<https://le.utah.gov/~2026/bills/static/HB0044.html>

<https://le.utah.gov/~2026/bills/static/SB0051.html>

SPED -

<https://le.utah.gov/~2026/bills/static/HB0143.html>

<https://le.utah.gov/~2026/bills/static/HB0150.html>

Extracurricular - <https://le.utah.gov/~2026/bills/static/HB0145.html>

Vaccines - <https://le.utah.gov/~2026/bills/static/HB0152.html>

Sensitive Materials -

<https://le.utah.gov/~2026/bills/static/HB0197.html>

Digital Literacy -

<https://le.utah.gov/~2026/bills/static/HB0218.html>

Home based (online) - <https://le.utah.gov/~2026/bills/static/HB0233.html>

Assessment - <https://le.utah.gov/~2026/bills/static/HB0234.html>

Funding - <https://le.utah.gov/~2026/bills/static/SB0062.html>

Phone in Schools - <https://le.utah.gov/~2026/bills/static/SB0069.html>

Salary/School Nurses - <https://le.utah.gov/~2026/bills/static/SB0075.html>

Merit Pay -

<https://le.utah.gov/~2026/bills/static/SB0085.html>

Internet Monitoring - <https://le.utah.gov/~2026/bills/static/SB0088.html>

School Amendments - <https://le.utah.gov/~2026/bills/static/SB0119.html>

Substitute Teacher - <https://le.utah.gov/~2026/bills/static/SB0052.html>

Attendance - <https://le.utah.gov/~2026/bills/static/SB0058.html>



## SCH 01.29.2026 Policy Summary Sheet

### Amending Student Conduct and Discipline Policy

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

### Amending Wellness Policy

The frequency of the committee meeting requirement was changed to “once” per year instead of “every three years” due to state administrative review of the policy.

## Scholar Academy

### Policy: Student Conduct and Discipline Policy

Approved: August 18, 2020

Amended: January 29, 2026

Deleted: August 29, 2024

## 1. PURPOSE, BELIEFS, AND PHILOSOPHY

### 1.1 Purpose

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

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The School will promote and require:

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

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### 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

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### 1.3 Procedural Philosophy

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

#### Procedures:

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

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

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

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

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

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

**Due process to protect the rights of students will include:**

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

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## 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.

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### 2.2 Discrimination Prohibited

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

## 3. DEFINITIONS

### 3.1 Suspension

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

Deleted: is a temporary removal of a student from School and School-sponsored activities for a period of up to one (1) year....

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

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

### 3.2 Expulsion

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

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

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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.

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### 3.7 School Year

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

### 3.8 School-age Child

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

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

### 4.1 Suspension

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

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

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

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[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;

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[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

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[c] making a false report of an emergency at the School or another school under Utah Code Ann. § 76-9-202(2)(d).

#### 4.2 Expulsion

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

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

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

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

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[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:

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[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,

Deleted: 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.

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Board Approved: 08.18.2020  
Amended: 01.29.2026

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## 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

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Board Approved: 08.18.2020

Amended: 01.29.2026

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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.

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#### **4.7 Possession or Use of Electronic Cigarette Products**

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

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

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

### **5. AUTHORITY TO SUSPEND OR EXPEL**

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

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

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

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

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

Regular education students may be suspended for longer than ten (10) school days and up to one (1) year or expelled in accordance with the Due Process requirements of section 9, below.

Expulsions shall be reviewed by the CMT and the conclusions reported to the Board at least once each year if the parent of the expelled student has expressed a desire for the student to return to the School. However, this does not alter the effect of Section 13, below.

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#### 5.3.1 Parental Responsibility

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

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

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

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### 5.4 Authority to Institute Change of Placement for Student with Disabilities

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

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### 5.5 Reinstatement of Students who Have Been Suspended

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

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

### 6.1 Efforts to Resolve Disruptive Student Behavior Problems

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

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

### 6.2 Notice of Disruptive Student Behavior

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

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

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

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

[a] require the qualifying minor and a parent of the qualifying minor to whom the notice is issued to (i) meet with School authorities to discuss the qualifying minor's disruptive student behavior; and (ii) cooperate with the Principal and the Board in correcting the student's disruptive student behavior; and

[b] be mailed by certified mail to, or served in person on, a parent of the qualifying minor.

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

### 6.3 Habitual Disruptive Student Behavior Notice

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

[a] engages in disruptive student behavior that does not result in suspension or expulsion

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6.2.2 Criteria for Issuing Notice. The Principal will issue a "notice of disruptive student behavior" to a qualifying minor who

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at least six times during the school year;

[b] (i) engages in disruptive student behavior that does not result in suspension or expulsion at least three times during the school year; and (ii) engages in disruptive student behavior that results in suspension or expulsion at least once during the school year; or

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

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

## **6.4 Responses to School-Based Behavior**

### **6.4.1 Definitions.**

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

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

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

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

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

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

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

(1) a mobile crisis outreach team;

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

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(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

(6) truancy mediation; 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 is alleged to be a habitual truant, the minor may be referred to a law enforcement officer or agency or a court if:

(i) the minor was previously alleged of being a habitual truant at least twice during the same school year; and

(ii) the minor was referred to an evidence-based alternative intervention, or for prevention and early intervention youth services, as described in Subsection [a] above for at least two of the previous habitual trancies.

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

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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.

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## **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.

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**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;

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**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;

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**7.1.8** Short-term at-home suspensions;

**7.1.9** Appropriate evaluation;

**7.1.10** Home study;

**7.1.11** Alternative programs; or

**7.1.12** Law enforcement assistance as appropriate.

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

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

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

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

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

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

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

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

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

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

Moved down [1]: 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.

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

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

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

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

**9.1** The Principal shall first follow the due process procedures set forth in Section 8 above. If, after following the due process procedures in Section 8, the Principal believes that a student should be suspended for more than ten (10) school days or expelled, the Principal shall refer the matter to the CMT.

**9.2** Prior to sending the referral, but in no instance longer than ten (10) school days after the suspension began, the Principal shall meet with the parent to discuss the charges against the student and the proposed discipline. A suspension may not extend beyond ten

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(10) school days unless the student and the student's parent have been given a reasonable opportunity to meet with the Principal and respond to the allegations and proposed disciplinary action.

**9.2.1** The Principal shall also notify the non-custodial parent, if requested in writing, of the possible suspension or expulsion as outlined in section 8.2 of this policy.

**9.3** The referral to the CMT shall include all relevant documentation of the student's violation(s), including any written student statements, written witness statements, evidence of an informal school hearing, and evidence of a Principal meeting with parent and written parental input, as applicable.

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#### **9.4 Notice to Student and Parent/Guardian**

If the CMT determines, after considering the totality of the circumstances, that a student should be suspended for longer than ten (10) school days or expelled, the Principal shall send written notice by certified mail, return receipt requested, to the student's parent, which includes all of the following elements:

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

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

**9.4.3** a statement that a due process hearing may be requested in writing within ten (10) working days of receipt of the notice;

**9.4.4** a statement that, if a hearing is requested, the Board has the authority to appoint an impartial Hearing Officer(s), who may be an employee of the School;

**9.4.5** a statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a hearing is requested in a timely manner and the Hearing Officer determines otherwise;

**9.4.6** the mailing date of the notice; and

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

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#### **9.5 Hearing Procedures**

If a hearing is requested in response to the notice of suspension for longer than ten (10) school days or expulsion, the following procedures shall apply:

**9.5.1** 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

**9.5.2** A written Hearing Notice shall be sent to the parent, informing the parent of:

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[a] the name of the Hearing Officer;

[b] the date, place, and time of the hearing;

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[c] the circumstances, evidence, and issues to be discussed at the hearing;

[d] the right of all parties to present evidence;

[e] the right of all parties to cross-examine witnesses subject to the Hearing Officer's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal;

[f] the right of any party to appeal to the entire Board within ten (10) working days following the decision if the party disagree with the Hearing Officer's decision;

[g] the right of all parties to examine all relevant records; and

[h] the right of all parties to representation by counsel or otherwise at the hearing.

**9.5.3** The Hearing Officer shall conduct the 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 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.

#### **9.5.4 Hearing Rules**

Formal Rules of Evidence do not apply to the 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 Hearing Officer;

[d] the 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 Hearing Officer; and

[e] parties may be represented by counsel or otherwise.

#### **9.6 Appeals**

**9.6.1** Within ten (10) working days following receipt of the Hearing Officer's written decision, either party may appeal the decision, in writing, to the entire Board.

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**9.6.2** Within ten (10) working days following receipt of the appeal, the Board shall rule on the appeal.

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

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

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### **10.1 Required Services**

#### **10.1.1 504 and ADA Students**

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

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#### **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.

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### **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

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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;

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**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.

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### **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:

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(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

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(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.

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#### **10.5.6** Determination that Behavior was Manifestation of Disability

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

### **10.6 IEP Meetings for Functional Behavioral Assessments**

#### **10.6.1** Post-Discipline Functional Behavioral Assessments

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

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#### **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

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

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

## 11. ADMINISTRATIVE STUDENT CONDUCT AND DISCIPLINE PLAN(S)

### 11.1 Elements of Plan(s)

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

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

**11.1.2** effective instructional practices for teaching student expectations;

**11.1.3** systematic methods for reinforcing expected behaviors;

**11.1.4** uniform and equitable methods for correcting student behavior;

**11.1.5** procedures for re-teaching behavior expectations followed by effective, evidence-based interventions matched to student needs before suspension or court referral;

**11.1.6** direction to determine the range of behaviors and establish the continuum of administrative procedures that may be used by School personnel to address student behavior; and

**11.1.7** procedures for responding to reports received through the SafeUT Crisis Line under Utah Code Ann. § 53H-4-210.

### 11.2 Plan(s) Consistent with this Policy

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

## 12. EXTRACURRICULAR ACTIVITIES

Participation in interscholastic athletics and other extracurricular activities is not a constitutionally protected civil right. Therefore, students who are suspended or expelled

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[a] self-discipline;

[b] citizenship;

[c] civic skills; and

[d] social emotional skills

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**Deleted:** 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

**Deleted:** 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;

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**Deleted:** , including students who engage in disruptive student behaviors as described in § 53G-8-210

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may lose the privilege of participation during the period of suspension/expulsion and may not be allowed to invoke due process procedures to challenge the denial of extracurricular participation.

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

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

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

### 14. INVESTIGATIONS

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

#### 14.1 General Investigation Guidelines for Principal

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

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

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

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

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

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

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

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

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

#### **14.2 Coordination with Law Enforcement**

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

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

[a] conduct an investigation of alleged criminal conduct on the School premises or during a School-sponsored activity;

[b] maintain a safe and orderly educational environment; or

[c] maintain or restore order when the presence of such officers is necessary to prevent injury to persons or property.

#### **14.2.2 Investigation of Criminal Conduct**

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

[a] The Principal shall request that law enforcement officers conduct an investigation during school hours and question students who are potential witnesses to the alleged criminal behavior.

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[b] The School official shall inform the student's parent as soon as possible that the student may have committed a criminal act and that law enforcement authorities will be involved in the investigation.

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[c] Unless circumstances dictate otherwise, questioning of the student by School officials shall not begin or continue until the law enforcement officers arrive.

[d] Reasonable attempts shall be made to contact the student's parents who, unless an emergency exists, shall be given the opportunity to meet with the student and to be present with the student during questioning by law enforcement authorities.

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[e] The Principal shall document the contact or attempted contact with the student's parents. If the Principal cannot contact the student's parent, or if the parent is unable to be present with the student for questioning, the Principal shall be present and document generally what occurs during the interview.

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[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

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pursued.

#### **14.2.3 Investigation Initiated by Law Enforcement Authorities**

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

[a] When law enforcement officers can show a need to do so, they shall be permitted to conduct an investigation on School grounds during School hours.

[b] Such a need will ordinarily be shown if delay in police investigation might result in danger to a person, flight from jurisdiction by a person reasonably suspected of a crime, or destruction of evidence. In such cases:

(i) The officers shall be required to get prior approval of the Principal or other designated person before beginning an investigation on School premises.

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

(iii) Alleged criminal behavior related to the School environment brought to the Principal's attention by law enforcement officers shall be dealt with under the provisions of Section 14.1.

(iv) Law enforcement officials (investigating School-related or student-related crimes) may not have access to student education records, aside from directory information, unless they have a subpoena or court order or permission from a parent.

#### **14.2.4 Release of Student to Law Enforcement Official**

[a] Students may not be released to law enforcement authorities voluntarily by School officials unless the student has been placed under arrest or unless the parent and the student agree to the release.

[b] When students are removed from School for any reason by law enforcement authorities, every reasonable effort shall be made to contact the student's parent immediately except in cases of child abuse and neglect. Such effort shall be documented.

[c] The Principal shall immediately notify the Board of the removal of a student from School by law enforcement authorities.

[d] Where it is necessary to take a student into custody on School premises, the law enforcement officer shall contact the Principal and relate the circumstances necessitating such action.

[e] Whenever the need arises to make arrests or take students into custody on School premises, the Principal shall make reasonable efforts to consult and confer with the law enforcement officers as to how an arrest is to be made.

[f] When possible, the Principal shall have the student summoned to the Principal's office before the student is taken into custody.

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[g] When a student has been taken into custody or arrested on School premises without prior notification to the Principal, the School staff present shall encourage the law enforcement officers to tell the Principal of the circumstances as quickly as possible. If the officers decline to tell the Principal, the School staff members present shall immediately notify the Principal.

#### **14.2.5 Quelling Disturbances of School Environment**

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

### **15. INVESTIGATION OF CHILD ABUSE AND NEGLECT**

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

### **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.

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##### **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

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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., Principal, teacher, police officer);

[c] School officials may ask the student to remove his/her hat, coat, shoes and socks, turn pockets inside out, and roll up sleeves to see if the student is hiding contraband;

[d] Under no circumstances may School officials require students to remove any other items of clothing or touch students in any way during the search.

[e] If this limited search does not turn up suspected contraband and School officials have reasonable suspicion that the student is concealing contraband in his/her inner clothing (i.e., hiding drugs, weapons or other contraband underneath shirts, pants or underwear), law enforcement officers shall be summoned immediately to conduct further search and investigation.

[f] In general, all questioning and searching of students conducted by law enforcement officers shall proceed according to the investigation guidelines in Section 14 of this policy.

## 16.4 Documentation of Searches

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

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**16.4.1** The time, place and date of the search;

**16.4.2** The reasonable suspicion giving rise to the search (what did School officials suspect to find during the search);

**16.4.3** The name and title of individuals conducting and observing the search;

**16.4.4** A statement about evidence that was found or not found as a result of the search;

**16.4.5** A statement about who took possession of contraband (i.e., police, school, etc.);

**16.4.6** Information regarding the attempts of School officials to notify parents about the search.

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

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

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

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

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

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

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

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## 17.2 Multidisciplinary Team and Reintegration Plan

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

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**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;

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[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.

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

**17.2.5** The School shall not reintegrate a student when:

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

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

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

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

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

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

### 17.4 Student Discipline Records/Education Records

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

#### 17.4.1 Disclosure of Discipline Records to Other Educators

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

#### 17.4.2 Disclosure of Discipline Records to Other Agencies

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

## 18. EMERGENCY SAFETY INTERVENTIONS

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

### 18.1 Definitions

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

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

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

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

18.1.5 "Key Identified School Employee" means a School employee who has completed foundational behavior support training and comprehensive emergency safety intervention

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training and has been authorized by the Principal to utilize an ESI at the School when necessary.

**18.1.6** "Mechanical restraint" means the use of any device or equipment to restrict a student's freedom of movement.

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

**18.1.8** "Physical restraint" means a personal restriction that immobilizes or significantly reduces the ability of a student to move ~~the student's~~ arms, legs, body, or head freely.

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

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

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

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

## 18.2 General Procedures

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

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

**18.2.3** An ESI shall:

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

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

~~(i) as soon as the student is no longer an immediate danger of physical harm to self or others (e.g., student is no longer hitting, kicking, biting, throwing objects, self-harming, or making other movements that create imminent risk of physical violence; student is able to~~

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respond to staff verbally or nonverbally in a regulated way; and/or the student exhibits signs of de-escalation, such as having a relaxed body, no longer attempting to break free, or breathing slowly); or

(ii) if the student is in severe distress (e.g., student is having difficulty breathing or is vomiting, gagging, experiencing chest pain, or turning pale or blue in the face);  
[c] never be used as punishment or discipline;

[d] in no instance be imposed for more than 30 minutes, per occurrence; and  
[e] be documented and reported, as required.

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

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

### 18.3 Students with Disabilities Receiving Special Education Services

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

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

### 18.4 Physical Restraint

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

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

[a] in self-defense;

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

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

[d] to take possession of a weapon or other dangerous object in the possession or

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under the control of a student; or

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

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

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[a] prone, or face-down;

[b] supine, or face-up;

[c] physical restraint which obstructs the airway or adversely affects the student's primary mode of communication;

[d] mechanical restraint, except for restraints required by law, including seatbelts or any other safety equipment used to secure students during transportation, protective or stabilizing restraints as prescribed by an appropriate medical or related services professional, and devices used by a law enforcement officer in carrying out law enforcement duties; or

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[e] chemical restraint.

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

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

[b] 30 minutes; or

[c] when law enforcement intervenes.

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

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

## 18.5 Seclusion

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

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be placed in seclusion.

18.5.2 Key Identified School Employees may use seclusion only when:

[a] other less restrictive interventions have failed;

[b] a staff member who is familiar to the student is actively supervising the student for the duration of the seclusion;

[c] the student is observed at all times during the seclusion by School personnel who have received the comprehensive ESI training;

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

[e] the seclusion is time-limited to a maximum time of 30 minutes, per occurrence, and monitored.

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

[a] as a behavioral intervention;

[b] as a disciplinary practice;

[c] for coercion, retaliation, or humiliation;

[d] due to inadequate staffing; or

[e] for the School employee's convenience.

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

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

[a] all witnesses;

[b] all School staff who were involved;

[c] the student who was secluded; and

[d] the parent of the student who was secluded.

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

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**Deleted:** 18.5.1 the student presents an immediate danger of serious physical harm to self or others;<sup>1</sup>

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

#### **18.6 Notification of the Use of an ESI**

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

[a] the student's parent; and

[b] School administration.

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

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

#### **18.7 Documentation of the Use of an ESI**

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

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

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

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

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

#### **18.8 Emergency Safety Intervention (ESI) Committee**

18.8.1 The School shall establish an ESI committee that includes:

[a] at least one administrator;

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

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

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[d] at least one other licensed educator.

**18.8.2** The ESI committee shall:

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

[b] determine and recommend professional learning needs;

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[c] develop policies for processes to resolve concerns regarding the use of ESIs; and

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[d] ensure that each emergency incident where a School employee uses an ESI is documented in the School's student information system and reported annually to the State Superintendent of Schools through UTREx.

## **18.9 ESI Records and Reporting**

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

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

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## **19. CORPORAL PUNISHMENT**

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

Deleted: 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.¶

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## **20. TRAINING**

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**20.1** All new employees shall receive information about this policy and the administrative Student Conduct and Discipline Plan(s) at new employee orientation. All other employees shall be provided information on a regular basis regarding this policy, the Student Conduct and Discipline Plan(s), and the School's commitment to a safe and orderly school environment.

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**20.2** Employees who have specific responsibilities for investigating, addressing, and resolving issues addressed in the policy shall receive annual training on this policy and related legal developments.

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**20.3** The Principal shall be responsible for informing students, parents, and staff of the

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terms of this policy and the Student Conduct and Discipline Plan(s), including the procedures outlined for investigation and resolution of violations.

## 21. REPORTING ON SUSPENSIONS AND EXPULSIONS

21.1 The School shall develop a consistent process to collect incident, infraction, and discipline data, including the number of days of student suspensions and expulsions.

21.2 The School shall submit all required incident, infraction, and discipline data, including suspensions and expulsions consistent with R277-484. The School shall submit any yearly and comprehensive updates no later than June 30th of each year.

21.3 The School shall compile an annual report of all out-of-school suspensions and expulsions and submit it to the Utah State Board of Education as described in Utah Code Ann. § 53G-8-205(5).

## 22. POLICY DISSEMINATION AND REVIEW

22.1 This policy shall be posted in a prominent location in the School and on the School's website. The policy shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the Board.

22.2 This policy shall be reviewed as necessary with appropriate revisions recommended to the Board. The data described in Section 21 may be used by the School to evaluate the efficiency and effectiveness of this policy.

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Deleted: 20.1 The School shall compile an annual report of all out-of-school suspensions and expulsions and submit it to the Board. 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.¶

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## **Wellness Policy**

**Approved: Prospective 1-29-2026 next Board meeting**

### **Preamble**

Scholar 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.

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
- 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 measurable 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 meet once a 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 represent, 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; and mental health and social services staff; School administrators; School board members; and health professionals (e.g., dietitians, doctors, nurses, dentists).

### **Leadership**

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

The Principal 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. This wellness policy and the 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;
- 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 the bi-monthly newsletter. Annually, the School will also provide notice on the website and in the school newsletter 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 Principal is responsible for managing the triennial assessment. The Committee will monitor compliance with this wellness policy.

The School will notify households/families of the availability of the triennial progress report by e-mail and on the school website.

### ***Revisions and Updating the Policy***

The Committee will update or modify the wellness policy and triennial assessments 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.

### ***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 ways in which representatives of Committee and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means. The School will use electronic mechanisms, such as email, teacher or school website, as well as non-electronic mechanisms, such as flyers or presentations to parents to ensure that all families are actively notified of the content of, implementation of, and updates to the wellness policy. 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 nutrition standards (<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>).)

- Alternative entree options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas.
- Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas.
- Student artwork is displayed in the service and/or dining areas.
- Daily announcements are used to promote and market menu options.
- All serving staff have been trained to politely prompt students to select and consume the daily vegetable options with their meal.

### ***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 are 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. 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](http://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, a la carte options in cafeterias, vending machines, in-school fundraisers, School stores and snack or food carts.

### ***Celebrations and Rewards***

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 party ideas to parents and teachers, including non-food celebration ideas. Healthy party ideas are available from the Alliance for a Healthier Generation (<https://www.healthiergeneration.org/take-action/schools/snacks-and-beverages/celebrations/>) and from the USDA (Rewards and incentives).
2. The School will provide teachers and other relevant School staff a list of alternative ways to reward children (<https://www.healthiergeneration.org/take-action/schools/snacks-and-beverages/non-food-rewards/>).

### ***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 the school.

The School will promote healthy food and beverage choices for all students, as well as encourage participation in school meal programs. 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; is part of not only health education classes, but also integrated into other classroom instruction through subjects such as math, science, language arts, social sciences and elective subjects;

Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, promotions, and taste-testing,

- Promotes fruits, vegetables, whole-grain products, low-fat and fat-free dairy products and healthy food preparation methods;
- Emphasizes caloric balance between food intake and energy expenditure (promotes physical activity/exercise);
- Teaches media literacy with an emphasis on food and beverage marketing; and

### ***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(es), consistent with the School's wellness policy.

Any foods and beverages marketed or promoted to students on School property during the school day should 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 in 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**

The School is committed to providing physical activity opportunities and will ensure that these varied physical activity opportunities are in addition to, and not as a substitute for, physical education classes.

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.

### ***Physical Education***

The school will provide students with physical education using the Utah State Physical Education Core Standards.

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. Students will receive physical education for at least 60 minutes per week throughout the school year.

### ***Essential Physical Activity Topics in Health Education***

The School will include in the health education curriculum a minimum of 12 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;
- Monitoring progress toward reaching goals in an individualized physical activity plan;
- 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)***

Scholar Academy will offer at least two recesses daily during the school year., The school provides appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to 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. Teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible.

### ***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 provide short (3-5-minute) physical activity breaks to students during and between classroom time. These physical activity breaks will complement, not substitute, for physical education class, recess, and class transition periods.

The School will provide resources and links to resources, tools, and technology with ideas for classroom physical activity breaks. Resources and ideas are available through USDA (<https://healthymeals.fns.usda.gov/activities-and-tools-1>) and the Alliance for a Healthier Generation (<https://www.healthiergeneration.org/take-action/schools/physical-activity/physical-activities/>).

### ***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.

The School will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing annual professional development opportunities and resources, including information on leading activities, activity options, as well as making available background material on the connections between learning and movement.

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.

### ***Active Transport***

Scholar Academy is predominately a commuter school. The School will support active

transport to and from school, such as walking or biking, to the extent it is safe and feasible. The School will encourage this behavior by engaging in activities such as:

- Designate safe or preferred routes to the School;
- Promote activities such as participation in International Walk to School Week, National Walk and Bike to School Week;
- Secure storage facilities for bicycles and helmets (e.g., shed, cage, fenced area); Instruction on walking/bicycling safety provided to students;
- Promote safe routes program to students, staff, and parents via newsletters, websites, local newspaper; and
- Use crosswalks on streets leading to the School.

### **Other Activities that Promote Student Wellness**

The School will integrate wellness activities across the school setting, including the cafeteria, other food and beverage venues. 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 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.

### ***Community Partnerships***

The School will develop relationships with community partners (e.g., hospitals, universities/colleges, local health department, SNAP-Ed providers and coordinators, etc.) in support of this wellness policy's implementation. Existing and new community partnerships and sponsorships will be evaluated to ensure that they are consistent with the wellness policy and its goals.

### ***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 and will receive information about health promotion efforts.

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, presentations

to parents or sending information home to parents), 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. The School promotes staff member participation in health promotion programs and will encourage staff members to become involved in healthy eating/weight management that are accessible at no cost.

### ***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.