

Hawthorn Academy

Board of Directors Meeting

Date: February 11, 2026

Time: 8:45AM

Location: 9062 S 2200 W West Jordan, UT 84088



Our mission is to provide an exciting and enabling learning environment where students will develop a desire to explore and understand the world around them; be inspired to set and reach personal goals and become lifelong seekers of knowledge. We will provide challenging academics utilizing a proven methodology that will foster students who are responsible citizens, intellectually capable, and competitive in every aspect of society. Students will develop self-respect and self-discipline in a safe and supportive environment.

AGENDA

CALL TO ORDER – 8:45AM

PUBLIC COMMENT – 8:45AM – 8:50AM

- 2026/2027 Fee Schedule

CONSENT ITEMS – 8:50AM – 8:55AM

- 01.14.2026 Board Meeting and Closed Session Minutes

REPORTS – 8:55AM – 9:25AM

- Director's Report
 - 2024/2025 School LAND Trust Report
- Finance Report

VOTING ITEMS & DISCUSSION ITEMS – 9:25AM – 9:50AM

- Policies:
 - Student Conduct & Discipline Policy
 - Fee Waiver Policy
 - Electronic Resource Policy
 - Dress Code Policy
- Conference Discussion

CALENDARING

- Next Meeting March 11, 2026—South Jordan Campus

ADJOURN – 9:50AM



EXECUTIVE SUMMARY

DIRECTORS REPORT

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

Action: No action needed

FINANCE REPORT

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

Action: No action needed

ELECTRONIC RESOURCES POLICY

Administration would like to propose a few clarifying changes to the electronic resources policy regarding cell phone usage of middle schoolers.

Action: Board vote may be needed

DRESS CODE POLICY

Administration wants to address the potential inclusion of certain coats and jackets in the dress code policy. This change ensures students maintain a professional and cohesive look.

Action: Board vote may be needed

STUDENT CONDUCT & DISCIPLINE POLICY

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

Action: Board vote needed

FEE WAIVER POLICY

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

Action: Board vote needed

Hawthorn Academy

Board of Directors Meeting

Date: January 14, 2026

Location: 1437 W. 11400 S. South Jordan, UT 84095

In Attendance: Tori Williams, Donald McNeill, Tammi Wright, Meggen

Pettit, Jamie Dickinson, Heidi Scott, Janielle Edwards

Others In Attendance: Floyd Stensrud, Priscilla Stringfellow, Kim McVey, Hannah Dorius, Ken Jeppesen, Brittany Garcia, Platte Nielsen



MINUTES

CALL TO ORDER

Tori Williams called the meeting to order at 8:49AM.

PUBLIC COMMENT

There were no public comments.

AUDIT PRESENTATION & TRAINING

Ken Jeppesen presented the SY 24/25 audit & training. Boring audit. An unmodified and clean opinion. and each of the tests. Each of the notes were reviewed with the board. There are no findings.

Janielle Edwards joined the meeting at 8:52AM.

Ken Jeppesen left the meeting at 9:06AM.

CONSENT ITEMS

- 11.12.2025 Board Meeting and Closed Session Minutes

Heidi Scott made a motion to approve the 11.12.2025 Board Meeting and Closed Session Minutes with one correction as discussed. Meggen Pettit seconded. Motion passed unanimously. Votes were as follows: Tori Williams, Aye; Donald McNeill, Aye; Tammi Wright, Aye; Jamie Dickinson, Aye; Meggen Pettit, Aye; Heidi Scott, Aye; Janielle Edwards, Aye.

REPORTS

- Director Report

Floyd Stensrud presented the Director Report to the board. Middle of year testing is underway, and additional information will be made known at the next board meeting in February.

- Finance Report

Kim McVey presented the Finance Report to the board. Kim reviewed a few changes that need to be made to the budget. These changes will take place at a later board meeting. The

board inquired about the October 1 count. There are about 1330 students as of October 1st.

VOTING AND DISCUSSION ITEMS

- **Electronic Resource Policy**

Brittany Garcia suggested a change to the Electronic Resource Policy. Cell phones would not be permitted during the school day at all for elementary students. For middle school students, cell phone usage would be allowed between class time. The revised policy will be a voting item at the next board meeting.

- **Dress Code Policy**

Brittany Garcia presented the Dress Code Policy changes. Brittany is suggesting adding nice looking quarter zips to the dress code. Big logos are not allowed, and the colors must be neutral and/or school colors. The revised policy will be a voting item at the next board meeting.

- **Middle School Schedule**

Brittany Garcia presented 2 options to the board for the middle school schedule. The differences between the schedules were reviewed. With either schedule, students will be on track to graduate high school. A drop schedule was suggested to the board where 6 classes rotate each day during 5 periods. Both schedules offer more total minutes of academic time.

CLOSED SESSION – 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).

At 10:11AM. Tammi Wright made a motion to move into 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) at Hawthorn Academy West Jordan Campus.

Heidi Scott seconded. Motion passed unanimously. Votes were as follows: Tori Williams, Aye; Donald McNeill, Aye; Tammi Wright, Aye; Jamie Dickinson, Aye; Meggen Pettit, Aye; Heidi Scott, Aye; Janielle Edwards, Aye.

At 10:48AM. Meggen Pettit made a motion to move into open session. Heidi Scott seconded. Motion passed unanimously. Votes were as follows: Tori Williams, Aye; Donald McNeill, Aye; Tammi Wright, Aye; Jamie Dickinson, Aye; Meggen Pettit, Aye; Heidi Scott, Aye; Janielle Edwards, Aye.

- **Instructional Materials Policy**

Priscilla Stringfellow presented the Instructional Materials Policy to the board. This policy is being updated solely to reflect revised code citations resulting from HB 21 (2025 Legislative Session). Definitions of “objective sensitive material” and “subjective sensitive materials” were added to the policy. There were no substantive changes to policy content are proposed.

- Paid Parental & Postpartum Recovery Leave Policy

Priscilla Stringfellow presented the Paid Parental & Postpartum Recovery Leave Policy to the board. The policy is being revised to clarify leave limits and administration, including a maximum of 15 contract days for paid postpartum recovery leave and 3 calendar weeks for paid parental leave, as well as how non-contracted workdays are counted within each leave period.

- Employee Handbook Update

The employee handbook is proposed for update to reflect revisions to the Paid Parental and Postpartum Recovery Leave Policy and to clarify how these benefits interact with paid FMLA leave, ensuring consistency and compliance.

Donald McNeill made a motion to approve the Instructional Materials Policy, Paid Parental & Instructional Leave Policy, and the Employee Handbook Update. Tammi Wright seconded.

Motion passed unanimously. Votes were as follows: Tori Williams, Aye; Donald McNeill, Aye; Tammi Wright, Aye; Jamie Dickinson, Aye; Meggen Pettit, Aye; Heidi Scott, Aye; Janielle Edwards, Aye.

CALENDARING

- Next Meeting February 11, 2026—West Jordan Campus

ADJOURN

At 10:53AM Meggen Pettit made a motion to adjourn. Jamie Dickinson seconded. Motion passed. unanimously. Votes were as follows: Tori Williams, Aye; Donald McNeill, Aye; Tammi Wright, Aye; Jamie Dickinson, Aye; Meggen Pettit, Aye; Heidi Scott, Aye; Janielle Edwards, Aye.

**Hawthorn Academy
Closed Session Statement**

Meeting Date: 01.14.2026

Location: 1437 W. 11400 S.
South Jordan, UT 84095



CLOSED SESSION SWORN STATEMENT:

At a duly noticed public meeting held on the date listed above, the board of directors for Hawthorn Academy entered into 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 14th day of January, 2026, at 1437 W. 11400 S.
South Jordan, UT 84095, Utah.



Tori Williams, Board Chair

2026-2027 FEE SCHEDULE

****proposed****



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 your school administrator for details.

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

REQUIRED FEES		
(Enrolled 7th-9th Grade Full or Part-time Students)		
FEE DESCRIPTION	EXPENSES FUNDED BY FEE (Spending Plan)	TOTAL FEE
Middle School Registration Fees - 7th Grade	7th Grade Activities Fee	\$15.00
Middle School Registration Fees - 8th Grade	8th Grade Activities Fee	\$15.00
Middle School Registration Fees - 9th Grade	9th Grade Activities Fee	\$15.00

OPTIONAL COURSES, PROGRAMS AND ACTIVITIES FEES		
(For Participating Students Enrolled in Grades 7-9th Grade)		
FEE DESCRIPTION	EXPENSES FUNDED BY FEE (Spending Plan)	TOTAL FEE
Art Foundations II Course	Art projects and supplies	\$10.00
Instrument Rental Fee - Music Courses	Instrument repair / refurbishment (per semester)	\$50.00
Music Courses (per course)	Class Supplies:	\$10.00
	Choir	
	Band	
	Orchestra	
	General Art Classes	

OPTIONAL AFTER-SCHOOL CLUBS, ACTIVITIES AND SPORTS FEES		
(For Participating Students Enrolled in Grades Identified Below)		
FEE DESCRIPTION	EXPENSES FUNDED BY FEE (Spending Plan)	TOTAL FEE
Art Club (1st-9th)	Art Supplies and Instructor Stipend	\$15.00
Ballroom (5-6th)	Costumes; Competition Registration Fees; Instructor Stipend and Additional Supplies	\$150.00
Ballroom (4th)	Costumes; Competition Registration Fees; Instructor Stipend and Additional Supplies	\$70.00
Band (1st-6th)	Instructor Stipend; Supplies	\$50.00
Cheer (6th-9th)	Uniform; Coach Stipend; Transportation; Supplies	\$350.00
Cheer Competition (6th-9th)	Competition registration fees and supplies	\$200.00

OPTIONAL AFTER-SCHOOL CLUBS, ACTIVITIES AND SPORTS FEES (CONT'd)

(For Participating Students Enrolled in Grades Identified Below)

Chess Club (1st-6th)	Competition registration fees and supplies	\$10.00
Choir (1st-6th)	Instructor Stipend; Supplies	\$25.00
Drama Club (K-6th)	Supplies	\$15.00
Karate (K-6th)	Instructor Stipend; Supplies	\$30.00
Orchestra (1st-6th)	Costumes; Sets; Props; Royalties/Licensing; Lighting	\$50.00
School Musical (1st-9th)	Costumes; Sets; Props; Royalties/Licensing; Lighting	\$40.00
Music Festival Trip (7th-9th)	Transportation; Hotel; Excursion expenses; Registration Fees; Meals; T-shirt; Food	\$775.00
Sports Teams (6th-9th)	Includes Team Registration; Referees; Uniforms; Athlete Transportation; Coach Stipend and Supplies:	\$185.00
	Basketball	
	Cross Country	
	Soccer	
	Volleyball	

PER STUDENT GRADES (7-9) ANNUAL MAXIMUM FEE AMOUNT FOR SCHOOL YEAR:

This amount reflects the total student fees any student in grades 7-9 would be required to pay if the student participated in all courses, programs, and activities provided, sponsored, or supported by the School for students in grades 7-9th for the school year.	\$2,300.00

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

This amount reflects the total student fees any student in grades 6 would be required to pay if the student participated in all courses, programs, and activities provided, sponsored, or supported by the School for students in 6th Grade for the school year.	\$1,740.00

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

This amount reflects the total student fees any student in grades K-5 would be required to pay if the student participated in all courses, programs, and activities provided, sponsored, or supported by the School for students in grades K-5 for the school year.	\$365.00

Month End Report (Prior vs Current)

Account	Category Type	Prior YTD	Current YTD	Budget	% of Budget	Forecast	% of Forecast
Revenue - 1000 Local Revenue 65% (12 Account records)							
1510 Interest on Investments	Revenue	518,101	449,803	700,000	64%	700,000	64%
1610 Sales to Students	Revenue	138,300	147,697	250,000	59%	250,000	59%
1620 Sales to Adults	Revenue	836	440	1,600	28%	1,600	28%
1740 Fees	Revenue	28		0	0%	0	0%
1743 Curricular Activity Fees	Revenue	9,165	6,005	7,000	86%	7,000	86%
1747 Extra-Curricular Activity Fees	Revenue	16,191	19,154	25,000	77%	25,000	77%
1760 Fines	Revenue	5	2	0	0%	0	0%
1910 Rentals	Revenue	58,499	64,254	90,000	71%	90,000	71%
1920 Contributions and Donations From Private Sources	Revenue	75,073	5,603	25,000	22%	25,000	22%
1960 Misc. Revenue from Other Local Governments	Revenue	26,600		0	0%	0	0%
1990 Miscellaneous	Revenue	12,334	72,695	15,000	485%	76,750	95%
1990-001 Field Trips	Revenue	1,057	697	37,000	2%	2,000	35%
TOT		856,189	766,350	1,150,600		1,177,350	
Revenue - 3000 State Revenue 59% (10 Account records)							
3005 Regular School Programs K	Revenue	405,662	392,152	664,195	59%	672,261	58%
3010 Regular School Programs 1-12	Revenue	2,492,950	2,980,106	5,109,725	58%	5,109,542	58%
3020 Professional Staff	Revenue	199,032		0	0%	0	0%
3100 Restricted Basic School Programs	Revenue	1,362,040	1,609,277	2,834,278	57%	2,692,774	60%
3200 Related to the Basic Programs	Revenue	2,373,344	3,257,880	5,656,828	58%	5,564,235	59%
3400 Other Programs	Revenue	718,860	1,010,153	1,426,121	71%	1,527,693	66%
3500 One-time Funding	Revenue	448,826	540,951	825,738	66%	987,543	55%
3800 Non-MSP State Revenues (via USBE)	Revenue	91,041	69,627	0	0%	361,414	19%
3810 School Meal Program Reimb	Revenue		1,160	0	0%	0	0%
3990 REVENUE OTHER STATE AGENCIES	Revenue		66,792	0	0%	0	0%
TOT		8,091,756	9,928,098	16,516,885		16,915,462	
Revenue - 4000 Federal Revenue 26% (5 Account records)							
4200 Unrestricted Revenue Received From Federal Government Through The State	Revenue	194,008		194,008	0%	0	0%
4522 IDEA - B -- Pre-School Disabled (Sec 619)	Revenue		0	4,963	0%	4,899	0%
4524 IDEA - B -- Disabled (PL 101-476)	Revenue	0	0	240,939	0%	240,939	0%
4560 Federal Child Nutrition Programs	Revenue	114,983	153,275	200,000	77%	200,000	77%
4800 Federal No Child Left Behind	Revenue		0	151,829	0%	151,829	0%
TOT		308,992	153,275	791,740		597,667	
Revenue - 5000 Other Financing Sources 0% (1 Account)							
5600 Insurance Recoveries	Revenue		21,332	0	0%	0	0%
TOT			21,332	0		0	
Expense - 100 Salaries 51% (13 Account records)							
0121 Salaries - Principals and Assistants	Expense	-327,671	-410,344	-691,404	59%	-691,404	59%
0131 Salaries - Teachers	Expense	-2,329,691	-3,248,571	-6,545,085	50%	-6,527,057	50%
0132 Salaries - Substitute Teachers	Expense	-887	-607	-15,000	4%	-15,000	4%
0141 Salaries - Attendance and Social Work Personnel	Expense	-20,425	-26,210	-53,380	49%	-53,380	49%
0142 Salaries - Guidance Personnel	Expense	-84,536	-107,648	-217,250	50%	-217,250	50%
0144 Salaries - Psychological Personnel	Expense	-24,053	-27,398	-63,960	43%	-63,960	43%
0151 Salaries - Professional Office Personnel	Expense		-30,971	-62,290	50%	-62,290	50%
0152 Salaries - Secretarial and Clerical Personnel	Expense	-130,875	-163,229	-269,900	60%	-269,900	60%
0161 Salaries - Teacher Aides and Para-Professionals	Expense	-445,560	-656,336	-1,232,650	53%	-1,232,650	53%
0162 Salaries - Media Personnel – Non-Licensed	Expense	-19,503	-31,401	-52,800	59%	-52,800	59%
0182 Salaries - Custodial & Maintenance Personnel	Expense	-47,494	-66,091	-130,260	51%	-130,260	51%

Account	Category Type	Prior YTD	Current YTD	Budget	% of Budget	Forecast	% of Forecast
0184 Salaries – Administrative Technology Personnel	Expense	-19,505	-31,723	-67,470	47%	-67,470	47%
0191 Salaries - Food Services Personnel	Expense	-150,828	-246,998	-476,000	52%	-476,000	52%
TOT		-3,601,029	-5,047,525	-9,877,449		-9,859,421	
Expense - 200 Employee Benefits 52% (7 Account records)							
0220 Social Security	Expense	-304,535	-421,877	-839,583	50%	-839,511	50%
0230 Local Retirement	Expense	-66,458	-84,835	-175,000	48%	-174,997	48%
0240 Group Insurance	Expense	-185,859	-258,010	-500,000	52%	-500,000	52%
0250 Tuition Reimbursement	Expense		-48	0	0%	0	0%
0270 Industrial Insurance	Expense	-14,455	-18,055	-35,000	52%	-35,000	52%
0280 Unemployment Insurance	Expense	-16,414	-46,449	-90,000	52%	-89,999	52%
0290 Other Employee Benefits	Expense	-487,160	-616,908	-1,200,000	51%	-1,200,000	51%
TOT		-1,074,880	-1,446,183	-2,839,583		-2,839,507	
Expense - 300 Professional & Tech Services 50% (7 Account records)							
0320 Professional - Educational Services	Expense	-159,366	-216,181	-550,000	39%	-544,338	40%
0330 Professional Employee Training and Development	Expense	-12,120	-58,708	-70,000	84%	-70,000	84%
0340 Other Professional Services	Expense	-22,915	-62,868	-87,000	72%	-87,000	72%
0345 Business Services	Expense	-324,391	-319,217	-580,000	55%	-580,000	55%
0349 Purchased Legal Services	Expense	0	-199	-20,000	1%	-20,000	1%
0350 Technical Services	Expense	-43,216	-96,784	-95,000	102%	-113,000	86%
0353 School Resource Officer and Other Police Personnel	Expense			-113,000	0%	-113,000	0%
TOT		-562,009	-753,956	-1,515,000		-1,527,338	
Expense - 400 Property Services 52% (10 Account records)							
0410 Utility Services	Expense	-24,859	-225	0	0%	0	0%
0411 Water/Sewage	Expense		-22,970	-35,500	65%	-46,000	50%
0412 Disposal Service	Expense		-8,253	-13,000	63%	-13,000	63%
0422 Snow Removal Services	Expense		-2,035	0	0%	0	0%
0423 Custodial Services	Expense	-2,946	-3,478	-5,000	70%	-5,000	70%
0424 Lawn Care Services	Expense	-22,850	-34,607	-60,000	58%	-60,000	58%
0430 Repairs & Maintenance Services	Expense	-26,470	-33,735	-100,000	34%	-100,000	34%
0442 Rental of Equipment & Vehicles	Expense		-168	-3,000	6%	-3,000	6%
0450 Construction Services	Expense	-12,400	-35,045	-20,000	175%	-44,600	79%
0490 Other Purchased Property Services	Expense	-1,160	-7,595	-5,000	152%	-17,500	43%
TOT		-90,685	-148,112	-241,500		-289,100	
Expense - 500 Other Services 54% (8 Account records)							
0513 Student Transportation Services - Commercial	Expense	-7,390	-12,146	-15,000	81%	-23,000	53%
0517 Student Overnight Trips/Field Trips	Expense	-1,125	-1,530	-75,000	2%	-4,000	38%
0518 Student Day Trips/Field Trips (includes Admission Charges)	Expense	-1,526	-1,722	-15,000	11%	-15,000	11%
0521 Property Insurance	Expense	-59,189	-64,854	-66,000	98%	-66,000	98%
0522 Liability Insurance	Expense	-3,867	-14,090	-4,500	313%	-14,100	100%
0530 Communication (Telephone & Other)	Expense	-11,841	-11,367	-22,000	52%	-22,000	52%
0540 Advertising	Expense	-7,931	-9,106	-20,000	46%	-20,000	46%
0580 Travel/Per Diem	Expense	-32,378	-40,341	-125,000	32%	-124,000	33%
TOT		-125,248	-155,156	-342,500		-288,100	
Expense - 600 Supplies & Materials 65% (12 Account records)							
0610 General Supplies	Expense	-132,998	-145,661	-300,000	49%	-300,000	49%
0610-001 Furniture and Fixtures (not capitalized)	Expense	-11,221	-21,501	-20,000	108%	-25,000	86%
0610-002 Other Food Purchases	Expense	-3,007	-30,573	-20,000	153%	-40,000	76%
0621 Natural Gas	Expense	-6,010	-10,930	-30,000	36%	-30,000	36%
0622 Electricity	Expense	-52,766	-63,003	-95,000	66%	-95,000	66%
0630 Food	Expense	-162,522	-189,549	-325,000	58%	-325,000	58%
0641 Textbooks	Expense	-15,905	-38,529	-30,000	128%	-60,500	64%
0642 E-Textbooks / Online Curriculum	Expense	-85,526	-196,943	-105,000	188%	-217,000	91%
0644 Library Books	Expense	-4,900	-3,480	-7,000	50%	-7,000	50%
0650 Supplies - Technology Related	Expense	-10,057	-65,609	-130,000	50%	-130,000	50%
0670 Software	Expense	-89,870	-160,364	-100,000	160%	-177,514	90%
0680 Maintenance Supplies and Materials	Expense	-20,167	-25,127	-50,000	50%	-50,000	50%

Account	Category Type	Prior YTD	Current YTD	Budget	% of Budget	Forecast	% of Forecast
TOT		-594,947	-951,270	-1,212,000		-1,457,014	
Expense - 700 Property 77% (2 Account records)							
0730 Equipment	Expense	-174,250	-261,555	-290,000	90%	-333,400	78%
0733 Capitalized Furniture and Fixtures	Expense	-5,433		-5,500	0%	-5,500	0%
TOT		-179,683	-261,555	-295,500		-338,900	
Expense - 800 Debt Service and Misc. 68% (4 Account records)							
0810 Dues and Fees	Expense	-88,221	-80,589	-120,000	67%	-120,000	67%
0820 Judgments Against the LEA	Expense			-10,000	0%	-10,000	0%
0830 Interest	Expense	-571,928	-557,828	-1,100,000	51%	-1,100,000	51%
0840 Redemption of Principal	Expense	-640,000	-665,000	-680,000	98%	-680,000	98%
TOT		-1,300,150	-1,303,417	-1,910,000		-1,910,000	
TOT		1,728,307	801,880	225,693		181,099	



Budget Summary

1/31/2026
58% of the Year

Month End Report

Category	Type	YTD Actual	Budget	% of Budget	Forecast	% of Forecast
Revenue (4 Category records)						
1000 Local Revenue	Revenue	766,350	1,150,600	67%	1,177,350	65%
3000 State Revenue	Revenue	9,928,098	16,516,885	60%	16,915,462	59%
4000 Federal Revenue	Revenue	153,275	791,740	19%	597,667	26%
5000 Other Financing Sources	Revenue	21,332	0		0	
TOT		10,869,055	18,459,225		18,690,479	
Expense (8 Category records)						
100 Salaries	Expense	-5,047,525	-9,877,449	51%	-9,859,421	51%
200 Employee Benefits	Expense	-1,446,183	-2,839,583	51%	-2,839,507	51%
300 Professional & Tech Services	Expense	-753,956	-1,515,000	50%	-1,527,338	49%
400 Property Services	Expense	-148,112	-241,500	61%	-289,100	51%
500 Other Services	Expense	-155,156	-342,500	45%	-288,100	54%
600 Supplies & Materials	Expense	-951,270	-1,212,000	78%	-1,457,014	65%
700 Property	Expense	-261,555	-295,500	89%	-338,900	77%
800 Debt Service and Misc.	Expense	-1,303,417	-1,910,000	68%	-1,910,000	68%
TOT		-10,067,175	-18,233,532		-18,509,380	
TOT		801,880	225,693		181,099	

Financial Ratios

Bond Ratio	Covenant	Forecast
Debt Service Ratio	>1.10	1.31
Days Cash	>30 Days	323

Budget Analysis

Cash Balance Down due to one-time large payments:
Skyward (\$87,000), SpEd Services contract (\$30,500)

Forecast Adjustments

Local Revenue

1990-001: Overnight Field Trip - WorldStrides trip cancelled.

1990: \$40,000 HOPE Donation

Expenses

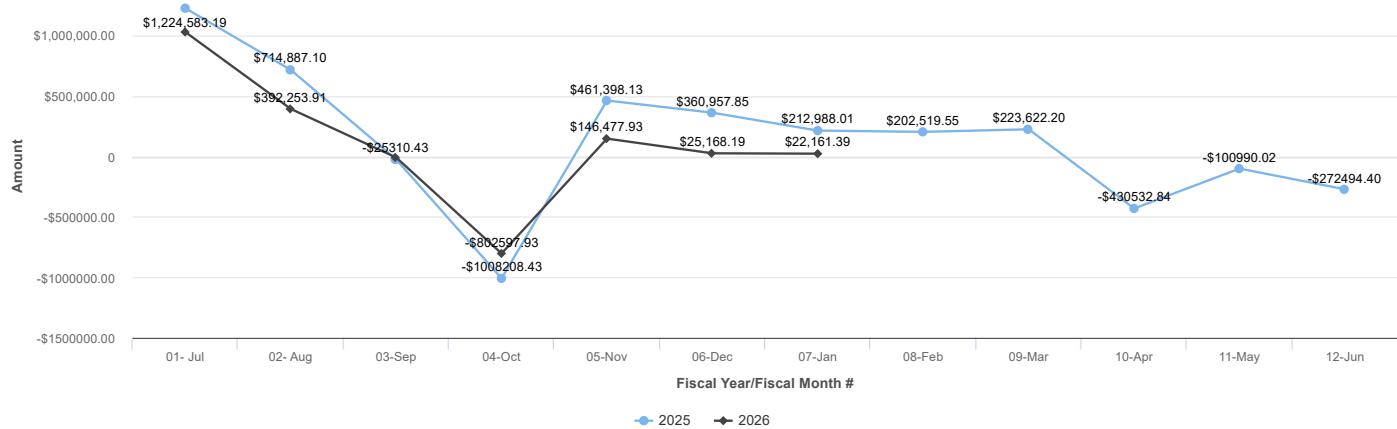
411 - Water/Sewer

513 - Student Transportation - Field Trips

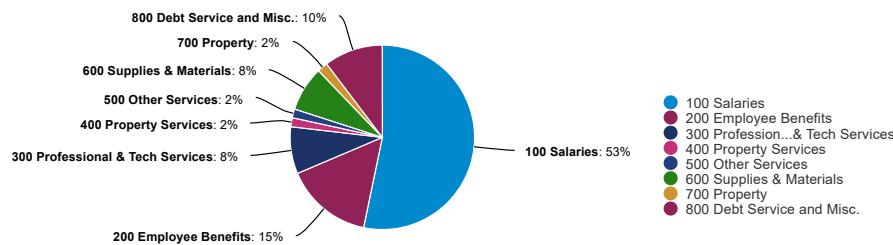
610-001 - Furniture - 47 Middle school chairs

610-002 - Other Food Purchases (separated this year from 610)

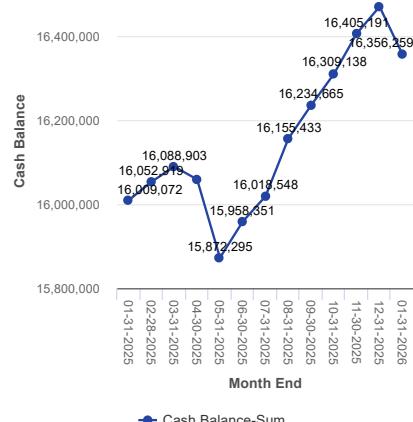
Monthly Change in Net Position



Forecast by Category



Unrestricted Cash Balance





Purpose

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

Policy

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

Definitions

"Common education expense"

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

"Course" or "class"

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

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

"Extracurricular activity"

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

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

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

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

"Fee" includes:

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

"Fee" does not include:

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

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

"Instructional equipment"

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

"Instructional supply"

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

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

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

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

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

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

"Personal student supply"

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

"Provided, sponsored, or supported by the School"

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

- (A) the activity, class, program, club, camp, clinic, or other event is managed or supervised by the School, or a School employee in the employees School employment capacity;
- (B) the activity, class, program, club, camp, clinic, or other event uses, more than inconsequentially, the School's facilities, equipment, or other School resources; or
- (C) the activity, class, program, club, camp, clinic, or other event is supported or subsidized, more than inconsequentially, by public funds, including the School's activity funds or minimum school program dollars.

(b) does not include an activity, class, or program that meets the criteria of a noncurricular club as described in Title 53G, Chapter 7, Part 7, Student Clubs.

“Provision in lieu of fee”

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

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

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

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

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

“School activity clothing” does not include:

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

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

- (a) is durable;

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

"Something of monetary value"

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

"Textbook"

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

"Waiver" means a full release from:

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

General School Fees Provisions

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

If the School imposes a fee:

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

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

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

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

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

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

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

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

Fees for Classes & Activities During the Regular School Day

Fees for Students in Kindergarten through Sixth Grade

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

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

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

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

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

Fees for Students in Seventh through Ninth Grade

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

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

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

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

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

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

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

Fees for Optional Projects

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

Fees for Activities Outside of the Regular School Day

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

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

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

Fees for Extracurricular Activities

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

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

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

Other Miscellaneous Fees

Fees for Adult Education

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

Fees for Remediation Programs

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

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

Fees for Charter School Application Processing

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

Fee Schedule

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

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

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

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

Maximum Fee Amounts

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

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

Notice to Parents

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

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

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

Donations

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

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

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

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

Fee Collection

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

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

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

A reasonable charge may be imposed by the School to cover the cost of duplicating, mailing, or transmitting transcripts and other school records. No charge may be imposed for duplicating, mailing, or transmitting copies of school records to an elementary or secondary school in which the student is enrolled or intends to enroll. Consistent with Utah Code § 53G-6-604, the School will forward a certified copy of a transferring student's record to a new school within 30 days of the request, regardless of whether the student owes fees or fines to the School.

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

Fee Refunds

Student fees are non-refundable.

Budgeting and Spending Revenue Collected Through Fees

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

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

The School will establish a procedure to identify and address potential inequities due to the impact of the number of students who receive fee waivers at each campus.

The School will distribute the impact of fee waivers across the School's campuses so that no campus carries a disproportionate share of the School's total fee waiver burden.

School Fee Collections & Accounting Procedures

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

Fees must be received and deposited in a timely manner.

Money may only be collected by staff authorized by the Lead Director or Campus Principal. Students may not collect fees.

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

Fee Waiver Provisions

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

All fees are subject to waiver.

Non-waivable charges are not subject to waiver.

Fee Waiver Administration

The Lead Director will administer this policy and either the Lead Director, Campus Principal, or a designee will review and grant fee waiver requests. The process for

obtaining waivers or pursuing alternatives will be administered in accordance with this policy, fairly, objectively, and without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.

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

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

Fee Waiver Eligibility

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

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

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

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

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

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

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

Fee Waiver Approval Process

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

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

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

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

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

Appeal Process

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

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

Alternatives to Fees and Fee Waivers

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

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

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

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

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

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

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

Annual Review, Approval, and Training

The Board will review and approve this policy annually.

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

Hawthorn Academy

Policy: Student Conduct and Discipline Policy (Amended)

Approved: July 22, 2020

Amended:



1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 Purpose

The purpose of Hawthorn 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.

The School will promote and require:

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

1.2 Beliefs and Expectations

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

Beliefs:

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

Expectations:

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

1.3 Procedural Philosophy

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

Procedures:

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

- 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, when appropriate:

- 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.
- Parents will be notified when students are involved in situations that are deemed to be serious.
- Parents and students will be notified of the expectations, possible consequences, and the procedures involved in this policy at the beginning of each school year.

2. ENVIRONMENT

2.1 Safe School Environment

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

2.2 Discrimination Prohibited

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

3. DEFINITIONS

3.1 Suspension

For purposes of this policy, suspension 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 may, at the Campus Director's discretion, have access to homework, tests, and other schoolwork through a home study program but will not be allowed to attend classes or participate in any School activities during the period of suspension.

3.2 Expulsion

For purposes of this policy, expulsion means the formal process of dismissing a student from School. Recognizing that students who commit violent or disruptive acts may pose safety problems, the School will work with parents to provide alternative educational placement and programs for the student where appropriate and feasible. However, the Campus Director retains the authority to exclude the student from all programs or activities for the period of expulsion.

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

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

3.4 Disruptive Student Behavior

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

3.5 Parent

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

3.6 Qualifying Minor

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

3.7 School Year

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

3.8 Campus Director

For purposes of this policy, "Campus Director" is synonymous with Campus Principal.

3.9 School-age Child

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

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

4.1 Suspension

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

- [a] frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including, but not limited to: fighting; gang activity; noncompliance with School dress code; harassment, including sexual, racial, or religious harassment; the use of foul, profane, vulgar or abusive language; or other unreasonable and substantial disruption of a class, activity, or other function of the School;
- [b] willful damage to or defacement of School property;
- [c] behavior or threatened behavior that poses an immediate and significant threat to the welfare, safety, or morals of other students or School personnel or to the operation of the School;
- [d] possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah Code Ann. § 32B-1-102;
- [e] possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, electronic cigarettes, or tobacco, as defined by Utah Code Ann. § 76-10-101;
- [f] possession, distribution, control, use, sale, or arranging for the sale of contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs and controlled substances, drug paraphernalia, or any other material or item that has caused or will imminently cause substantial disruption to school operations;
- [g] inappropriate use or possession of electronic devices in class or in any other way that substantially disrupts the educational environment;
- [h] any criminal activity;
- [i] any serious violation involving weapons, drugs, or the use of force, including those actions prohibited in Section 4.1.2 below, that threatens harm or causes harm to the School or School property, to a person associated with the School, or property associated with any such person, regardless of where it occurs; or
- [j] bullying or hazing as defined in Utah Code Ann. § 53G-9-601 and/or the School's Bullying and Hazing Policy.

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

- [a] a serious violation affecting another student or a staff member, or a serious violation occurring in a School building, in or on School property, or in conjunction with a School-sponsored activity, including:
 - (i) the possession, control, or actual or threatened use of a real weapon, explosive, or noxious or

flammable material;

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

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

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

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

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

4.2 Expulsion

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

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

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

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

[b] The CMT shall determine:

(i) what conditions must be met by the student and the student's parent for the student to return to School;

(ii) if the student should be placed on probation in a regular school setting consistent with Utah Code Ann. § 53G-8-208, and what conditions must be met by the student in order to ensure the safety of students and faculty at the School; and

(iii) if it would be in the best interest of both the School and the student to modify the expulsion term to less than a year, conditioned on approval by the Board and giving highest priority to providing a safe school environment for all students.

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

4.3.2 Students with Disabilities under IDEA and Section 504

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

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

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

- [a] use, control, possession, distribution, sale, or arranging for the sale of an illegal drug or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in a School building, in a School vehicle, on School property, or in conjunction with any School-sponsored activity;
- [b] misuse or abuse, distribution, sale or arranging for the sale of prescription medication at School or a School-sponsored activity; or
- [c] misuse or abuse of over-the-counter remedies, or sharing, distribution, sale, or arranging for the sale of over-the-counter remedies. A student may possess and use over-the-counter remedies at School only in amounts not to exceed the recommended daily dose including, but not limited to: aspirin, ibuprofen, Tylenol (acetaminophen), cough drops, allergy medication, cough syrup and mouthwash.

4.4.2 Students with Disabilities under Section 504

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

4.4.3 Drug Testing

- [a] Any student who is reasonably suspected of violating Section 4.4 may be subject to a drug test for cause, arranged and paid for by the School.
- [b] Any student who has been suspended or expelled for a violation of Section 4.4 may be required to provide a clean drug test and evidence of completion of drug assessment and/or drug counseling programs as a condition of readmission to School. Testing and counseling required as a condition of readmission rather than for the purpose of providing justification for the initial suspension or expulsion shall be arranged and paid for by the student's parent.
- [c] Students who refuse to submit to required drug testing and counseling programs or to cooperate with School officials with respect to the sharing of appropriate information, may be expelled from the School.
- [d] Any student who is suspended or expelled for violation of Section 4.4 may be subject to random drug testing, at any time and for any reason, for a period of one year from the date of offense. If the student tests positive, he/she may be expelled from all School programs or activities. Any student who refuses consent for random drug testing under these conditions shall be expelled from all School programs or activities.

4.4.4 Students with Disabilities under IDEA

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

4.5 Gangs

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

4.5.1 Gang Activity and Apparel Prohibited

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

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

4.5.2 Confiscation of Gang Items

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

4.5.3 Consultation with Law Enforcement Authorities

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

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

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

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

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

4.7 Possession or Use of Electronic Cigarette Products

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

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

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

5. AUTHORITY TO SUSPEND OR EXPEL

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

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

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

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

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

Subject to the requirements for due process set forth in Section 9, below, the Lead Director may suspend a regular education student for longer than ten (10) school days or expel a regular education student.

Expulsions shall be reviewed by the CMT and the conclusions reported to the Board at least once each

year if the parent of the expelled student has expressed a desire for the student to return to the School.

5.3.1 Parental Responsibility

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

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

5.3.3 The School shall contact the parent of each student under age 16 who has been expelled from all School programs and services at least once a month to determine the student's progress if the parent of the expelled student has expressed a desire for the student to return to the School.

5.4 Authority to Institute Change of Placement for Student with Disabilities

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

5.5 Reinstatement of Students Who Have Been Suspended

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

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

6.1 Efforts to Resolve Disruptive Student Behavior Problems

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

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

6.2 Notice of Disruptive Student Behavior

6.2.1 Authorization and Criteria. The Campus Director 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 Campus Director and the Board in correcting the student's disruptive student behavior; and
- [b] be mailed by certified mail to, or served in person on, a parent of the qualifying minor.

6.2.3 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 Campus Director may issue a “habitual disruptive student behavior notice” to a qualifying minor who:

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

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

6.4 Responses to School-Based Behavior

6.4.1 Definitions.

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

[b] “Restorative justice program” means a school-based program or a program used or adopted by a school that is designed to enhance school safety, reduce school suspensions, and limit referrals to court,

and is designed to help minors take responsibility for and repair the harm of behavior that occurs in school.

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

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

6.4.3 Referrals of Minors. A qualifying minor to whom a habitual disruptive student behavior notice is issued under Section 6.3.1 may not be referred to the juvenile court. The School will follow § 53G-8-211 with respect to referring a minor who is alleged to be a habitual truant or 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, or a minor is alleged to be a habitual truant, the minor shall be referred:

- (i) to an evidence-based alternative intervention, including:
 - (1) a mobile crisis outreach team;
 - (2) youth services center, as defined in § 80-5-102;
 - (3) a certified youth court, as defined in § 80-6-901, or comparable restorative justice program;
 - (4) an evidence-based alternative intervention created and developed by the School or other governmental entities as set forth in § 53G-8-211(3)(a)(v);
 - (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 truancies.

[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 Campus Director. After receiving such a notification, the Campus Director shall notify a law enforcement officer or agency if the Campus Director may refer the offense to a law enforcement officer or agency as explained above in this Section. The Campus Director shall also notify the Lead Director as well as other School personnel if the Campus Director determines that other School personnel should be informed.

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

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

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

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

7.1.1 Talking with the student;

7.1.2 Class schedule adjustment;

7.1.3 Phone contact with the parent;

7.1.4 Informal parent/student conferences;

7.1.5 Behavioral contracts;

7.1.6 After-school make-up time;

7.1.7 Short-term in-school suspension (ISS);

7.1.8 Short-term at-home suspensions;

7.1.9 Appropriate evaluation;

7.1.10 Home study;

7.1.11 Alternative programs; or

7.1.12 Law enforcement assistance as appropriate.

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

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

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

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

8.1 The Campus Director 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 Campus Director to review the suspension.

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

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

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

8.3 The Campus Director 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 Campus Director. The student shall be requested to present his/her version of the incident in writing. Students with disabilities or young students who are unable to write their own statements shall be accommodated through the use of tape recorder, scribe, etc.

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

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

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

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

9.2 Notice to Student and Parent

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

- 9.2.1** a description of the alleged violation(s) or reason(s) giving rise to disciplinary action;
- 9.2.2** the penalty being imposed (duration of suspension or expulsion);
- 9.2.3** a statement that a due process hearing may be requested by providing the Lead Director with written notice within ten (10) school days of the parent's receipt of the notice;
- 9.2.4** a statement that, if a due process hearing is requested, the Board president will designate a hearing officer to conduct the hearing;
- 9.2.5** a statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a due process hearing is requested in a timely manner and the hearing officer determines otherwise;
- 9.2.6** the mailing date of the notice; and
- 9.2.7** a statement that, if a hearing is not requested within ten (10) school days after receipt of the notice, the decision to suspend or expel the student will be final, and the parent's right to oppose the decision will be waived.

9.3 Hearing Procedures

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

- 9.3.1** After receipt of the request, the School shall schedule a hearing as soon as possible but not later

than ten (10) school days following receipt of the request unless the student's parent agrees otherwise.

9.3.2 A written Hearing Notice shall be sent to the parent informing the parent that the Due Process Hearing will be conducted before a hearing officer selected by the Board and of the following information:

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

9.3.3 The hearing officer shall conduct the Due Process Hearing on the record and shall:

- [a] ensure that a written record of the Hearing is made, a copy of which shall be provided to all parties upon request, with the cost borne by the School;
- [b] consider all relevant evidence presented at the Hearing;
- [c] allow the right to cross-examination of witnesses, unless the hearing officer determines that this right should be limited to protect student witnesses from ostracism, retaliation or reprisal;
- [d] allow all parties a fair opportunity to present relevant evidence; and
- [e] issue a written decision including findings of fact and conclusions.

9.3.4 Hearing Rules

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

- [a] parties may have access to information contained in the School's files to the extent permitted by law;
- [b] hearings shall be closed to the press and the public;
- [c] documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the hearing officer; and
- [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.

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

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504 or ADA, procedures outlined in the Utah State Board of Education Special Education Rules shall be followed, including prior written notice to parents regarding their procedural due process

rights, before any long-term disciplinary action or change of placement takes place.

10.1 Required Services

10.1.1 504 and ADA Students

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

10.1.2 IDEA

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

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

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

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

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

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

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

10.3 Change of Placement Due to Student's Serious Misconduct

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

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

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

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

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

10.4 Parental Notice

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

10.5 IEP Meetings for Manifestation Determination

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

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

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

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

(i) Evaluation and diagnostic results, including the results or other relevant information supplied by the parents of the student;

(ii) Observations of the student; and

(iii) The student's IEP and placement; and

[b] Then determines whether:

(i) The conduct in question was caused by or had a direct and substantial relationship to the child's disability; or

(ii) The conduct in question was the direct result of the School's failure to implement the student's IEP.

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

10.5.5 Determination that Behavior was not Manifestation of Disability

If the result of the manifestation review is a determination that the behavior of a student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be

applied to students without disabilities, except that a free appropriate public education must still be made available to the student if the student is suspended or expelled from School.

10.5.6 Determination that Behavior was Manifestation of Disability

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

10.6 IEP Meetings for Functional Behavioral Assessments

10.6.1 Post-Discipline Functional Behavioral Assessments

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

10.6.2 Pre-Discipline Behavioral Intervention Plans

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

10.7 Placement During Appeals and Stay Put

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

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

11. ADMINISTRATIVE STUDENT CONDUCT AND DISCIPLINE PLAN(S)

11.1 Elements of Plan(s)

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

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

11.1.2 effective instructional practices for teaching student expectations;

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 School in accordance with § 53G-8-802 and R277-609.

12. EXTRACURRICULAR ACTIVITIES

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

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

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

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

14. INVESTIGATIONS

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

14.1 General Investigation Guidelines for Campus Director

The Campus Director 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 Campus Director shall conduct investigations according to the following general guidelines:

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

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

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

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

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

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

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

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

14.2 Coordination with Law Enforcement

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

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

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

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

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

14.2.2 Investigation of Criminal Conduct

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

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

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

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

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

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

[f] The student shall not be questioned by law enforcement unless or until he/she has received Miranda warnings from the officer.

[g] If the parent or student refuses to consent to questioning by law enforcement authorities, the law enforcement authorities shall determine the course of action to be pursued.

14.2.3 Investigation Initiated by Law Enforcement Authorities

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

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

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

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

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

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

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

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 Lead Director shall immediately notify the Board of the removal of a student from School by law enforcement authorities.

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

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

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

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

14.2.5 Quelling Disturbances of School Environment

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

15. 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:

15.1 General Guidelines for Searches of Person or Property

15.1.1 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 15.2 of this policy.

15.1.2 Searches of Students and Student Property

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

15.2 Searches of Personal Belongings

15.2.1 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.

15.2.2 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.

15.2.3 No contraband items that are confiscated will be returned to the student or their parents.

15.3 Searches of Person

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

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

[b] The search shall be observed by an objective third party of the same sex as the student being searched (i.e., Campus Director, teacher, police officer);

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

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

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

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

15.4 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:

15.4.1 The time, place and date of the search;

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

15.4.3 The name and title of individuals conducting and observing the search;

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

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

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

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

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

16.1.1 If the President of the Board or the Lead Director of the School 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 or Lead Director shall notify the student’s Campus Director within three (3) days of receiving the notification.

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

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

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

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

16.2 Multidisciplinary Team and Reintegration Plan

16.2.1 In addition to complying with the requirements above, the School shall, within five (5) days after receiving a notification described in Section 16.1.1 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.

16.2.2 The reintegration plan shall address:

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

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

16.2.4 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.

16.2.5 The School shall not reintegrate a student into a School campus where:

- [a] a student or staff member of the campus has a protective order against the student being reintegrated; or
- [b] a student or staff member of the campus 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.

If the circumstances above exist, the multidisciplinary team shall determine if the student is eligible to be offered placement at a different campus of the School.

16.2.6 The School may elect to not integrate a student into a School campus 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.

16.2.7 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").

16.3 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.

16.4 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.

16.4.1 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.

16.4.2 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.

17. 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.

17.1 Definitions

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

17.1.2 "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.

17.1.3 "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.

17.1.4 "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.

17.1.5 "Key Identified School Employee" means a School employee who has completed foundational behavior support training and comprehensive emergency safety intervention training and has been authorized by the Lead Director or Campus Director to utilize an ESI at the School when necessary.

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

17.1.7 "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).

17.1.8 "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.

17.1.9 "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.

17.1.10 "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.

17.1.11 "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.

17.1.12 "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.

17.2 General Procedures

17.2.1 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.

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

17.2.3 An ESI shall:

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

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

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

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

[c] never be used as punishment or discipline;

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

[e] be documented and reported, as required.

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

17.2.5 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.

17.3 Students with Disabilities Receiving Special Education Services

17.3.1 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.

17.3.2 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.

17.4 Physical Restraint

17.4.1 Key Identified School Employees may, in accordance with Section 17.2.3 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.

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

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

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

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

17.4.4 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.

17.4.5 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 17.4.1. In addition, nothing in this Section prohibits a Key Identified School Employee from subsequently using less restrictive interventions to address circumstances described in Section 17.4.1.

17.4.6 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 Lead Director or Campus Director and medical personnel shall be notified when warranted.

17.5 Seclusion

17.5.1 A Key Identified School employee may, in accordance with Section 17.2.3 and when acting within the scope of employment, place a student who is in grade 1 or higher in seclusion as an ESI when the student presents an immediate danger to self or others and when no other safe or effective intervention is available. Students in kindergarten shall not be placed in seclusion.

17.5.2 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.

17.5.3 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.

17.5.4 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 Lead Director or Campus Director and medical personnel shall be notified when warranted.

17.5.5 The Lead Director or Campus Director shall ensure that all the following individuals are debriefed at an appropriate time after a student seclusion has taken place:

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

17.5.6 The Lead Director or Campus Director shall also ensure that a proper review of the decision to use seclusion is performed as soon as reasonably possible after a student seclusion has taken place.

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

17.6 Notification of the Use of an ESI

17.6.1 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.

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

17.7 Documentation of the Use of an ESI

17.7.1 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.

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

17.7.3 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.

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

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

17.8 Emergency Safety Intervention (ESI) Committee

17.8.1 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 Lead Director;
- [c] at least one licensed educational professional with behavior support training and knowledge in both state law and the School's conduct and discipline policies related to ESIs; and
- [d] at least one other licensed educator.

17.8.2 The ESI committee shall:

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

17.9 ESI Records and Reporting

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

17.9.2 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 17.7.

18 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.

19. TRAINING

19.1 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, and the School's commitment to a safe and orderly school environment.

19.2 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.

19.3 The Campus Director shall be responsible for informing students, parents, and staff of the terms of this policy and the Student Conduct and Discipline Plan, including the procedures outlined for investigation and resolution of violations.

20. REPORTING ON SUSPENSIONS AND EXPULSIONS

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

20.2 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.

20.3 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).

21. POLICY AND PLAN DISSEMINATION AND REVIEW

21.1 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.

21.2 This policy shall be reviewed as necessary with appropriate revisions recommended to the Board. The data described in Section 20 may be used by the School to evaluate the efficiency and effectiveness of this policy.

22. Authority of Lead Director

The Lead Director may exercise any action, authority, discretion, or responsibility required of or granted to the Campus Director under this policy.

Signature:

Tori Williams, Board President

Date