

UTAH STATE BOARD OF EDUCATION

Waiver of Administrative Rule - Application Cover Sheet

LEA: Utah Charter Academies

SCHOOL(S): American Preparatory Academy – Eagle Mountain Satellite

RULE REQUESTING TO BE WAIVED: R277-552-3(1) - Charter School Timelines and Approvals.

REASONING/JUSTIFICATION FOR REQUESTED WAIVER:

Utah Charter Academies (UCA) was authorized by the State Charter School Board in February 2026 to open an Eagle Mountain satellite for the 2027-2028 school year. However, the Alpine School District's recent unanimous vote to close Cedar Valley Elementary in Cedar Fort has created an immediate emergency for approximately 130 local students and their families.

This waiver is requested to accelerate our opening to **Fall 2026**. This timeline shift allows APA to lease and operate the vacant Cedar Valley facility, preventing student displacement, ensuring educational continuity, and eliminating the need for long-distance commutes to overcrowded district schools. Since the standard October 1st deadline for 2026 openings has passed, this waiver is essential to providing a collaborative, community-based solution for the Cedar Fort community.

☒ **THIS IS A NEW WAIVER**

☐ **THIS IS A REQUEST TO RENEW AN EXISTING WAIVER**

DATE WAIVER WAS FIRST GRANTED: N/A

ATTACH DATA TO SUPPORT THE REQUEST

☒ **STUDENT ACHIEVEMENT DATA** (APA ROGL and Acadience)

☐ **COMMUNITY, STAFF, OR STUDENT SURVEY DATA**

☒ **STUDENT ENROLLMENT DATA** (Cedar Valley displacement counts and growth projections)

☐ **FOR RENEWALS:** DOCUMENTATION THAT OUTLINES HOW THE WAIVER WAS UTILIZED

ATTACH VERIFICATION OF THE FOLLOWING

[X] LEA GOVERNING BOARD VOTE APPROVING REQUEST FOR WAIVER IN OPEN MEETING

[X] RECOMMENDATION FROM THE BOARD OF THE SCHOOL'S AUTHORIZER (SCSB) ---

ATTACH THE FOLLOWING WRITTEN AGREEMENT

The proposed agreement includes:

[X] EFFECTIVE DATE OF WAIVER: July 1, 2026

[X] HOW LEA OR SCHOOL WILL PROVIDE FOR PUBLIC REVIEW AND ACCOUNTABILITY:

- Daily tours for parents at APA - Draper campus
- "School Transition Town Halls" held virtually or on-site or near the Cedar Valley campus.
- Annual parent satisfaction surveys delivered to the local school board upon request.
- Monthly open and public board meetings reporting on enrollment.
- Open enrollment transparency through the APA website and local outreach.

[X] ACKNOWLEDGEMENT OF THE BOARD'S ABILITY TO REQUIRE ANNUAL UPDATES:

* Utah Charter Academies acknowledges and agrees that the USBE may require annual academic and financial updates regarding the status and impact of this waiver.

[X] A SUNSET DATE FOR THE WAIVER: June 30, 2027 (APA is already authorized to begin operations Fall of 2027).

2025 Reading On Grade Level Comparative Results - LEA - School (Acadience)

For the second year in a row, American Prep ranked 4th out of all Charter LEAs and Districts in the state (out of 155) for percentage of 3rd grade students reading on grade level. APA accomplished this despite significantly higher enrollment numbers and ELL percentages than other top LEAs. APA's West Valley 2 campus, a Title I Schoolwide school, ranked 13th out of 677 public elementary schools in the state, demonstrating that reading outcomes can be achieved across multiple schools and demographic subgroups.

The Utah State Board of Education has extended their congratulations to APA's 3rd grade staff for the remarkable achievement of having 70% or more of your 3rd-grade students reading at or above grade level during the 2024-2025 school year.

USBE staff is so impressed by our commitment to the Science of Reading and the success it has brought to our students. To understand this milestone, USBE spent a morning visiting APA's West Valley 2 Title I campus that made the top 15 schools in the state!

COLOR KEY	
BLUE	AMERICAN PREPARATORY ACADEMY
GREEN	CHARTER SCHOOLS
PINK	DISTRICT SCHOOLS

2025 End of Year - 3rd Grade Students Meeting ROGL (LEA)						
Rank	LEA Type	LEA Name	3rd G. Enroll.	ELL %	SpEd %	Meeting ROGL
1	Charter	Bear River Charter School	22	3.7%	15.4%	>=90%
2	Charter	Jefferson Academy	75	0.0%	14.1%	82.1%
3	Charter	Odyssey Charter School	65	4.5%	6.9%	79.0%
4	Charter	American Preparatory Academy	470	28.1%	9.6%	74.8%
5	Charter	Thomas Edison	145	7.7%	18.6%	74.1%
6	Charter	Beehive Science & Technology Academy	69	10.9%	9.3%	71.7%
7	District	Park City District	291	9.2%	9.8%	70.1%
8	Charter	North Star Academy	50	3.1%	8.2%	69.6%
9	Charter	Mountainville Academy	103	0.3%	11.8%	68.6%
10	Charter	Edith Bowen Laboratory School	52	1.7%	16.7%	66.7%
11	Charter	Early Light Academy at Daybreak	108	7.5%	15.2%	64.7%
12	Charter	Highmark Charter School	53	0.4%	16.2%	64.0%
13	Charter	Lakeview Academy	106	1.9%	13.0%	63.6%
13	District	South Summit District	111	7.7%	10.7%	63.6%
15	District	Morgan District	219	0.0%	11.4%	62.7%
16	Charter	George Washington Academy	135	5.1%	13.1%	62.5%
17	District	Kane District	124	1.5%	12.9%	61.9%
18	Charter	Channing Hall	66	12.3%	11.6%	61.0%
18	District	Rich District	40	0.6%	16.8%	61.0%
18	Charter	Summit Academy	225	6.7%	13.9%	61.0%

3rd Grade State Reading on Grade Level ROGL - Acadience End of 2025 School Year Test

2025 End of Year - 3rd Grade Students Meeting ROGL (School)						
Rank	LEA Type	School Name	3rd G. Enroll.	ELL %	SpEd %	Meeting ROGL
1	Charter	Bear River Charter School	22	3.70%	15.43%	>=90%
2	Charter	American Preparatory Academy - Salem	65	7.02%	11.58%	88.9%
3	Charter	Thomas Edison - South	89	3.72%	16.45%	85.5%
4	Charter	American Preparatory Academy - Draper 1	88	13.30%	8.33%	84.7%
5	District	Howard R. Driggs School	93	3.43%	8.24%	83.5%
6	Charter	Jefferson Academy	75	0.00%	14.06%	82.1%
7	District	Silver Summit School	12	7.27%	12.73%	>=80%
8	District	Stewart School	74	1.72%	11.69%	79.5%
8	District	Crimson View School	78	2.88%	13.46%	79.5%
10	District	Crestview School	93	5.78%	12.63%	79.1%
11	District	Odyssey Charter School	65	4.52%	6.90%	79.0%
12	Charter	American Preparatory Academy - Draper 2	146	28.32%	9.72%	78.8%
13	Charter	American Preparatory Academy - WV2	91	39.68%	10.64%	78.4%
14	District	Kay's Creek Elementary	100	0.97%	17.13%	77.1%
15	District	Bonneville School	68	1.45%	11.11%	76.9%
16	District	Tolman School	47	2.66%	13.31%	76.6%
17	District	Peruvian Park School	101	6.96%	10.71%	75.8%
18	District	Sunrise School	112	1.26%	10.80%	75.0%
18	District	Morningside School	117	3.18%	10.07%	75.0%
18	District	Lakeview School	98	15.58%	10.97%	75.0%
18	District	Ensign School	58	6.37%	10.25%	75.0%

2025 End of Year - 3rd Grade Students Meeting ROGL					
Rank (out of 550)	School Name	3rd G. Enroll.	ELL %	SpEd %	Meeting ROGL
2	American Preparatory Academy - Salem	65	7.02%	11.58%	88.9%
4	American Preparatory Academy - Draper #1	88	13.30%	8.33%	84.7%
12	American Preparatory Academy - Draper #2	146	28.32%	9.72%	78.8%
13	American Preparatory Academy - West Valley 2	91	39.68%	10.64%	78.4%
437	American Preparatory Academy - West Valley 1	80	50.23%	9.95%	36.8%

2024 Reading On Grade Level Comparative Results (Acadience)

2024 End of Year - 3rd Grade Students Meeting ROGL (LEA)						
Rank	LEA Type	LEA Name	3rd G. Enroll.	Econ. Disadv.	ELL %	Meeting ROGL
1	Charter	Jefferson Academy	86	18.00%	0.00%	85.20%
2	Charter	Edith Bowen Laboratory School	52	21.50%	1.40%	74.50%
3	Charter	Thomas Edison	131	24.90%	6.30%	74.40%
4	Charter	American Preparatory Academy	515	34.20%	29.80%	72.80%
5	Charter	Mountainville Academy	102	6.10%	0.30%	72.50%
6	Charter	Legacy Preparatory Academy	101	20.70%	5.70%	70.70%
7	District	North Summit District	78	22.50%	4.90%	70.30%
8	Charter	Odyssey Charter School	59	19.50%	6.30%	69.00%
9	Charter	George Washington Academy	135	23.20%	2.70%	67.40%
10	District	Park City District	267	18.70%	9.60%	67.20%

2025 Students Meeting Math Benchmark (Acadience Math)

For the second year in a row, American Prep ranked in the top 5 out of all Charter LEAs and Districts in the state (out of 155) for percentage of 3rd grade students meeting math grade level benchmark proficiency. APA accomplished this despite significantly higher enrollment numbers and ELL percentages than other top LEAs. APA's West Valley 2 campus, a Title I Schoolwide school, ranked 18th out of 677 public elementary schools in the state, demonstrating that early math outcomes can be achieved across multiple schools and demographic subgroups.

COLOR KEY	
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GREEN	CHARTER SCHOOLS
PINK	DISTRICT SCHOOLS

2025 End of Year - 3rd Grade Students Meeting Math Benchmark (LEA)						
Rank	LEA Type	LEA Name	3rd G. Enroll.	ELL %	SpEd %	Meeting Benchmark
1	Charter	Mountainville Academy	103	0.3%	11.8%	94.1%
2	District	Rich District	40	0.6%	16.8%	92.7%
3	Charter	Thomas Edison	145	7.7%	18.6%	92.6%
4	Charter	American Preparatory Academy	470	28.1%	9.6%	89.3%
5	District	North Summit District	68	7.3%	17.0%	89.3%
5	District	Beaver District	119	1.6%	16.0%	86.7%
7	District	Morgan District	219	0.0%	11.4%	86.7%
7	Charter	Renaissance Academy	75	0.8%	10.5%	84.0%
9	District	South Summit District	111	7.7%	10.7%	82.7%
10	Charter	Monticello Academy	150	21.2%	13.8%	82.4%
11	District	Emery District	134	2.6%	19.9%	82.3%
12	Charter	North Star Academy	50	3.1%	8.2%	81.8%
13	Charter	Navigator Pointe Academy	52	1.3%	17.3%	81.3%
14	District	Juab District	217	1.7%	12.6%	81.0%
15	Charter	Good Foundations Academy	73	5.0%	15.3%	80.6%
16	District	Tintic District	16	0.0%	13.7%	>=80%
17	Charter	Odyssey Charter School	65	4.5%	6.9%	80.0%
17	District	Park City District	291	9.2%	9.8%	78.3%
19	Charter	Lincoln Academy	80	3.0%	10.3%	78.0%

2025 End of Year - 3rd Grade Students Meeting Math Benchmark (School)						
Rank	LEA Type	School Name	3rd G. Enroll.	ELL %	SpEd %	Meeting Benchmark
1	Charter	American Preparatory Academy - Draper #1	88	13.3%	8.3%	98.9%
2	District	Dilworth School	70	3.5%	11.8%	98.5%
3	District	Morningside School	117	3.2%	10.1%	97.4%
4	District	Oakridge School	44	1.8%	9.0%	95.4%
5	Charter	Monticello Academy	80	30.4%	13.2%	>=95%
6	District	Riverview School	137	6.1%	9.3%	94.5%
7	Charter	Mountainville Academy	103	0.3%	11.8%	94.1%
8	District	Beacon Heights School	52	12.2%	16.1%	94.0%
9	Charter	American Preparatory Academy - Draper #2	146	28.3%	9.7%	93.4%
10	District	Wasatch School	76	7.1%	9.6%	93.0%
11	District	Westfield School	79	0.2%	11.9%	92.4%
12	District	Horizon School	91	1.8%	14.2%	92.0%
13	District	Enterprise School	65	1.2%	12.6%	91.9%
14	District	Nebo View School	51	4.0%	13.6%	91.8%
15	District	Sego Lily School	100	3.3%	11.1%	91.6%
16	District	Canyon School	64	4.5%	16.5%	91.4%
17	District	Canyon Crest School	81	3.3%	9.5%	91.3%
18	Charter	American Preparatory Academy - West Valley 2	91	39.7%	10.6%	90.9%
19	District	Bonneville School	68	1.4%	11.1%	90.8%
20	District	South Mesa Elementary	101	1.2%	13.8%	90.2%

2025 End of Year - 3rd Grade Students Meeting Math Benchmark					
Rank (out of 550)	School Name	3rd G. Enroll.	ELL %	SpEd %	Meeting Benchmark
1	American Preparatory Academy - Draper #1	88	13.3%	8.3%	98.9%
9	American Preparatory Academy - Draper #2	146	28.3%	9.7%	93.4%
18	American Preparatory Academy - West Valley 2	91	39.7%	10.6%	90.9%
51	American Preparatory Academy - Salem	65	7.0%	11.6%	84.1%
174	American Preparatory Academy - West Valley 1	80	50.2%	10.0%	72.4%

2024 Students Meeting Math Benchmark (Acadience Math)

2024 End of Year - 3rd Grade Students Meeting Math Benchmark (LEA)						
Rank	LEA Type	LEA Name	3rd G. Enroll.	Econ. Disadv.	ELL %	Meeting Benchmark
1	Charter	Thomas Edison	131	24.90%	6.30%	95.80%
2	Charter	American Preparatory Academy	515	34.20%	29.80%	92.30%
3	Charter	Mountainville Academy	102	6.10%	0.30%	90.80%
4	District	Beaver District	107	50.30%	1.90%	89.30%
5	Charter	Monticello Academy	146	33.50%	21.10%	87.10%
6	District	South Summit District	102	16.70%	6.60%	84.40%
7	District	Kane District	97	37.10%	1.40%	81.70%
8	District	Morgan District	91	10.20%	0.00%	81.40%
9	Charter	George Washington Academy	135	23.20%	2.70%	79.80%
10	District	Juab District	186	25.40%	0.00%	79.80%

APPENDIX: STUDENT ENROLLMENT DATA & REGIONAL GROWTH JUSTIFICATION

LEA: Utah Charter Academies (American Preparatory Academy)

Project: Eagle Mountain Satellite (Accelerated 2026 Opening)

1. Immediate Need: Displacement Mitigation

The acceleration of this satellite opening to Fall 2026 is a direct response to the closure of Cedar Valley Elementary.

- **Current Displaced Students:** Approximately 130.
- **Impact:** Without this waiver, these students face a transition to Mountain Trails Elementary (45 minute bus ride), which will quickly reach its operational capacity given the growth trends of Eagle Mountain.
- **Community Demand:** A local petition demonstrates that the vast majority of these 130 families prefer the APA neighborhood-school model over the District's busing plan.

2. Regional Growth: The Eagle Mountain Surge

Eagle Mountain is currently among the fastest-growing municipalities in the United States. The school-age population is expanding at a rate that significantly outpaces traditional district construction cycles.

- **2020 Population:** 43,623
- **2024 Estimate:** 64,036 (47% increase in 4 years)
- **2050 Projection:** 144,844 (**232% total increase**)
- **Demographic Profile:** With a median age of **24** and **93% family households**, the demand for K-6 seats is immediate and sustained.

3. The Firefly Development: A High-Density Growth Catalyst

The long-term viability of the APA Eagle Mountain satellite is anchored by the **Firefly community**, a massive residential development project where APA's permanent campus will be located.

- **Development Scope:** Firefly is designed as a high-density residential hub specifically tailored for young families.
- **Projected Impact:** The development of Firefly alone is expected to generate thousands of new residential units. The District's current infrastructure in the West side of the city cannot absorb the student yield from this development without the addition of new schools.
- **Developer Partnership:** APA has a standing interest from developers (e.g., Candlelight Homes) to integrate a K-6 campus directly into the Firefly community to meet this specific residential demand.

4. Enrollment Projections (2026–2030)

APA's phased enrollment plan captures immediate displaced demand while scaling to meet the Firefly influx.

Academic Year	Campus Location	Grades Served	Projected Enrollment
2026-27	Cedar Valley (Leased)	K-6	130 - 150
2027-28	Cedar Valley (Leased)	K-8	150 - 200
2028-29	Firefly (Permanent)	K-6	630

Conclusion

The requested waiver does not simply "move up" a timeline; it prevents a localized educational crisis. By allowing APA to begin operations in 2026, the USBE ensures that the residents of Cedar Fort and the future residents of Firefly have access to a stable, high-performing school option that scales alongside the city's projected 232% population growth.

The Minutes - Draft
Regular Governing Board Meeting
Utah Charter Academies

All meeting materials are available at links on the meeting [agenda](#).

March 5, 2026

5:00 p.m.

APS District Office: 12894 S. Pony Express Rd., Unit 400, Draper, UT 84020/Google Meet Hybrid Meeting
Board Members Present In Person: None
Board Members Present Virtually: Ruth Kellersberger, Thomas Hortin, Matt Howard
Board Members Absent: Thomas Young
Staff Present: David Sharette, Peri Daley
Public Present: None

1 Welcome

1.1 Matt Howard welcomed the board members that were present via roll call at 5:04 pm.

2 Presentation and Comments

2.1 Public Comment - Matt Howard invited public comment. None was given.

3 Board Business - 5:05 p.m.

3.1 Waiver Request

3.1.1 David Sharette presented the waiver request to begin operations at Cedar Valley Elementary beginning Fall 2026. David Sharette reviewed the information surrounding the location and opportunity details. The board brief is linked on the meeting agenda. Thomas Hortin asked for clarification regarding town hall meetings and requested an adjustment to meeting frequency. Thomas Hortin asked for the financial feasibility of a small student count. Casey Crellin is currently pulling the projections and will present them during the next board meeting.

3.1.2 Motion: To approve the waiver request to begin operations at Cedar Valley Elementary beginning Fall 2026.

3.1.2.1 Moved: Thomas Hortin

3.1.2.2 Second: Ruth Kellersberger

3.1.2.3 Vote:

	T.Y	T.Ho	M.H	R.K
Aye		X	X	X
Nay				
Abstain				

4 Agenda Items for Future Meetings - 5:17 p.m.

4.1 The next board meeting will be held March 26, 2026.

Adjournment at 5:17 p.m.



Utah State Charter School Board
10008 South Creek Run Way
Sandy, UT 84070

Utah State Board of Education
250 East 500 South
Salt Lake City, UT 84111

March 18, 2026

To Whom it May Concern,

American Preparatory Academy presented a waiver recommendation request to the State Charter School Board on March 12, 2026. American Preparatory Academy was authorized a satellite location in Eagle Mountain at the February 12, 2026, Board meeting. An authorization timeline that is set for them to open in the school year of 2027-2028. They are requesting a waiver recommendation from the SCSB to Board Rule 277-552 to allow them to open fall of 2026 due to recent closure of a school in the immediate area that will affect the school population.

As the charter school authorizer, we are proud to fully recommend the Utah State Board of Education grant this waiver request.

Sincerely,

Dr. Stephanie Speicher
Board Chair
Utah State Charter School Board

MEMORANDUM OF UNDERSTANDING

Resolution # 2026-004

This Memorandum of Understanding is made and entered into by and between Utah Charter Academies (DBA "American Preparatory Academy" or "APA") and the Board of Education of Alpine School District (and its successor, the Lake Mountain School District, herein collectively referred to as the "District").

WHEREAS, the District and APA seek to ensure the continued operation of an elementary school program at the Cedar Valley Elementary facility for the benefit of the Cedar Fort and Fairfield community; and

WHEREAS, the District is transitioning certain operations to the Lake Mountain School District, which will assume oversight of the Cedar Valley Elementary facility; and

WHEREAS, APA has the capacity to provide high-quality educational services and manage the facility for the 2026-27 school year; and

WHEREAS, APA and the District have determined that a partnership will provide the most efficient use of the facility while APA prepares for the opening of its permanent Eagle Mountain satellite campus;

NOW, THEREFORE, for and in consideration of the mutual agreements and covenants herein contained, APA and the District agree with one another as follows:

1. Term and Lease Rate. APA shall use the Cedar Valley Elementary facility, including the permanent structure and all existing modular/portable classroom units, from July 1, 2026, through June 30, 2027. APA shall pay the Lake Mountain School District a monthly lease rate of \$10,000.00 (\$120,000.00 annually).

2. Operations and Maintenance. APA shall assume 100% responsibility for utilities, custodial services, and routine groundskeeping. To ensure the District bears no financial burden for the facility, APA shall manage and fund all necessary repairs. APA shall also carry adequate insurance coverage.

3. Major Facility Failure (Capital Offset). In the event of a "Major Facility Failure" (defined as any single repair exceeding \$2,500.00 related to HVAC, roofing, plumbing, or electrical systems), APA shall perform the repair and deduct the cost from subsequent monthly lease payments until the total cost is fully offset.

4. Renovations and Alterations. APA shall make no permanent renovations, alterations, or additions to the building or modular units without the express prior written consent of the Lake Mountain School District.

5. Regulatory Cooperation. The District shall support APA's application to the Utah State Board of Education (USBE) for a timeline waiver to accelerate the opening of its Eagle Mountain campus to Fall 2026. This includes co-hosting community meetings to present this partnership as the preferred solution for local families.

6. Non-Binding Nature and Formal Agreement. This MOU represents a good-faith intent to proceed and shall serve as the basis for a formal Lease Agreement to be reviewed by the State Charter School Board (SCSB) per *U.C.A. §53G-5-404*.

7. Authorization and Approval. The Board of Utah Charter Academies and the Board of Education of the District, respectively, have by vote approved this Memorandum of Understanding in open meetings and directed the authorized representatives of each board to sign and date this document as of the respective dates when each board gave its approval.

UTAH CHARTER ACADEMIES (*DBA American Preparatory Academy*)

Print: _____

Signature: _____

Date: _____

ALPINE SCHOOL DISTRICT

Print: _____

Signature: _____

Date: _____

LAKE MOUNTAIN SCHOOL DISTRICT

Print: _____

Signature: _____

Date: _____