



# **Board Meeting Packet**

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

## **August 17, 2026**

# Mountain West Montessori Academy Board of Directors Meeting Agenda Monday, August 17, 2026

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



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

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## **AGENDA**

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### **2026-2027 BOARD PRIORITIES**

Strengthen Mathematics Instruction  
Advance Artificial Intelligence Integration

#### **6:00 PM – INTRODUCTORY ITEMS**

- Call to Order – Steve Barnes (2 minutes)
- School Mission (1 minute)
- Montessori Mastery (5 minutes)

#### **6:08 PM – PUBLIC COMMENT (Items Not on the Agenda – Limit 3 Minutes)**

#### **6:08 PM – REPORTS**

- Administration
  - [State of the School](#) – Angie Johnson (40 minutes)
- Board of Director
  - Financial Update – Cathie Hurst (2 minutes)

#### **6:50 PM – BOARD TRAINING**

- [Annual Open & Public Meetings Act Training](#) – Brandon Fairbanks (10 minutes)

#### **7:00 PM – CONSENT ITEMS**

- [June 29, 2026 Annual Board Meeting Minutes](#)

#### **7:01 PM – VOTING ITEMS**

- [Strategica Marketing Agreement](#) – Angie Johnson (2 minutes)
- [LEA-Specific Educator License\(s\)](#) – Angie Johnson (2 minutes)
- [Amend Bullying & Hazing Policy](#) – Angie Johnson (2 minutes)
- [Amend Electronic Resources Policy & Procedures](#) – Angie Johnson (2 minutes)

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

- [Amend Paid Parental & Postpartum Leave Policy](#) – Angie Johnson (2 minutes)
- [Amend Sex Education Instruction Policy & Procedures](#) – Angie Johnson (2 minutes)

### 7:13 PM – DISCUSSION ITEMS

- Calendaring – ALL (5 minutes)
  - Reschedule June 21<sup>st</sup> Board Meeting
  - Next Pre-Board Meeting on October 14<sup>th</sup> @ 5 p.m.
  - Next Board Meeting on October 26<sup>th</sup>

**7:18 PM – CLOSED SESSION** to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a) [IF NEEDED]

### 7:18 PM – ADJOURN

#### UPCOMING CALENDAR ITEMS

##### **October**

Amend TSSA Framework  
 SLT Committee Membership (Due Oct 20)  
 Club Trip Expense  
 Winter Bonus  
*Sex Ed/Maturation Curriculum [if changing]*

##### **November**

Bond Investor Call Notice

##### **January**

Audit Review  
 2026-2027 School Calendar  
 2026-2027 School Fees (1<sup>st</sup> Public Comment Period)  
*Gifted & Talented Grant Report*  
 Review Final FY25 SLT Plan

##### **February**

9<sup>th</sup> Grade Trip Expense [if needed]  
 SLT Training Assurances  
 Review FY25 SLT Final Report before March 1<sup>st</sup> (Can be emailed)  
 Board Vacancies  
 Curriculum Purchases (2 Public Comment Periods)

##### **March**

2026-2027 School LAND Trust Plan  
 2026-2027 School Fees (2<sup>nd</sup> Public Comment Period)  
 Annual Open Meetings Act Training

##### **April**

2026-2027 Parent Handbook  
 Annual Comprehensive Guidance Data Review  
 Review Positive Behavior Plan [Can email board or reapprove if changes]  
*Title IX Athletics Reporting [if you have athletics in your Jr. High]*

##### **May**

Eide Bailly Statement of Work Letter  
 2026-2027 Strategic Planning  
 2026-2027 TSSA Plan  
 Property & Liability Insurance Renewal  
 Director Bonus/Salary  
 Director Evaluation

##### **June**

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

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[Back to Agenda](#)



## Director's Report

8.17.26



### 2026-27 Board Goals & Priorities:

- ★ **Strengthen Mathematics Instruction** – Refine curriculum alignment and implementation of data-driven interventions to improve targeted essential mathematics skills.
- ★ **Advance Artificial Intelligence Integration** – Expand AI guidance, professional learning, and implementation practices for educators while establishing developmentally appropriate expectations for student use.

**2026-27 Theme:** Continuous Daily Effort

### ACCREDITATION DATA

- ★ Domains
- ★ Data
- ★ Final Accreditation Status

### PARENT SURVEY RESULTS

- ★ Safe Environment
- ★ Comfortable & Welcoming
- ★ Response to Concerns
- ★ Clear & Timely Communication
- ★ Parent Resources
- ★ Parental Involvement
- ★ Strengths & Opportunities

### HIGHLIGHTING A STRENGTH:

- ★ Teacher Preparation Week

### HIGHLIGHTING A CHALLENGE:

- ★ Balancing Impact of Challenging Behaviors

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## Utah Open & Public Meetings Act Annual Training Materials

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### DEFINITIONS

**Public Policy:** it is the intent of the Open and Public Meetings Act (the “Act”) that public bodies take their actions *and* conduct their deliberations openly.

**“Meeting”** means a gathering:

- 1) of a public body;
- 2) with a “quorum” present; and
- 3) that is convened:
  - a) by an individual:
    - i. with authority to convene a public body; and
    - ii. following the process provided by law for convening the public body; and
  - b) for the express purpose of acting as a public body to:
    - i. receive public comment about a “relevant matter;”
    - ii. deliberate about a relevant matter; or
    - iii. take action upon a relevant matter.

*Electronic Message Transmissions.* The Act does not restrict a board member from transmitting an electronic message to other board members at a time when the board is not convened in a meeting. (Remember, electronic messages are subject to the Government Records Access Management Act and the Act’s definition of a “meeting.”)

A **“Quorum”** means a simple majority of the membership of a public body, unless otherwise defined by applicable law.

**“Relevant matter”** means a matter that is within the scope of authority of a public body.

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**NOTICE REQUIREMENTS** - Notice of public meetings must be: (i) posted at the anchor location for the meeting or the structure or other area where the meeting will be held; (ii) posted on the Utah Public Notice Website ([www.utah.gov/pmn/](http://www.utah.gov/pmn/)); and (iii) posted on the School's website.

- 1) Notice must be provided no less than 24 hours prior to the meeting.
- 2) Notice must include the meeting agenda, date, time, and place.
- 3) Annual Notice. If regular meetings are scheduled in advance over the course of a year, the board must give notice at least once each year of its annual schedule (date, time, place).
- 4) Agendas. The agenda must provide reasonable specificity of each topic that will be considered at the board meeting.

*Public Comment.* At the discretion of the board chair, a topic raised by the public can be discussed during the meeting even if it was not included on the agenda. However, the board cannot take final action on a topic unless it was included on a properly noticed agenda.

- 5) Emergency Meetings. If the board holds an “emergency meeting,” as defined by § 52-4-202(5), the notice requirements above do not apply. Emergency meetings are limited to unforeseen circumstances that require immediate consideration, and the best practicable notice is still required.

**ELECTRONIC MEETINGS** - A board can hold an electronic meeting if it has adopted a resolution/rule/ordinance governing the use of electronic meetings (satisfied by adopting Electronic Meetings Policy).

- 1) Electronic Meeting Notice Requirements. In addition to the public notice requirements for a regular meeting, notice for an electronic meeting must also include: (i) written notice at the anchor location (unless no anchor location exists in accordance with the exceptions below); and (ii) 24 hr. minimum notice to board members with a description of how to connect to the meeting.
- 2) Anchor Location Requirements. When holding an electronic meeting, the board must identify an “anchor location” and provide space where members of the public can attend the open portions of the meeting. The anchor location must be in the building/location where the board would normally meet if they were not holding an electronic meeting or another building/location that is reasonably as accessible to the public.
- 3) Exceptions to Anchor Location Requirement.
  - a) No anchor location is required if the board chair determines: (i) that having an anchor location presents a substantial risk to the health or safety of those present or who would

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otherwise be present at the anchor location; or (ii) the location where the board would normally meet has been ordered closed to the public for health or safety reasons. If no anchor location will be made available under this exception, the public notice for the meeting must include a statement of the chair's risk determination, a summary of the facts supporting the determination, and information on how the public may attend the meeting electronically. The determination is valid for 30 days.

- b) No anchor location is required if all board members attend the electronic meeting remotely through electronic means and the board has not received a written request, at least twelve (12) hours before the scheduled meeting time, to provide an anchor location for members of the public to attend in person the open portions of the electronic meeting.

**REQUIRED OPEN MEETING RECORDS** - Written minutes and a recording shall be kept for all open meetings.

1) Written Minutes. Minutes must include the following:

- a) the date, time and place of the meeting;
- b) the names of members present and absent;
- c) the substance of all matters proposed, discussed or decided (or audio link);
- d) a record, by individual member, of each vote taken;
- e) the name of any person who provides comments to the board, as well as a brief summary (or audio link) of their comment; and
- f) any information that a board member asks to be entered in the minutes.

Note: Pending minutes must indicate they are not approved or that they are subject to change until they are approved.

2) Audio Recording. The board must maintain a complete and unedited recording of all open portions of each meeting.

Note: members of the public can record the meeting so long as it does not interfere with the meeting.

3) Public Availability of Records:

- a) *Pending Minutes*: must be made available within a reasonable time after the meeting.

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- b) *Approved Minutes & Meeting Materials*: within three (3) business days after approving written minutes, the board must: (i) post the approved minutes *and* meeting materials distributed at the meeting to the Public Notice Website; and (ii) make both available at the primary office.

Note: If an individual presents or provides electronic information related to an agenda item, the board shall require a copy to be included in the public record.

- c) *Recording*: within three (3) business days after the meeting, make the audio recording available to the public.

**CLOSED SESSION REQUIREMENTS** - A meeting is open to the public unless closed under §52-4-204, -205, -206.

- 1) A meeting may be closed to the public by a 2/3 majority vote to close.
- 2) Closed Session Voting. No vote can be taken in a closed meeting, except for a vote to end the closed meeting and return to an open meeting (requires a majority vote).
- 3) Permissible Reasons for Closed Session. Discussions regarding: an individual's character, competence, mental health; collective bargaining; pending or imminent litigation; sale/purchase of real property; security personnel, devices or system discussions; investigative proceedings for criminal misconduct; or when acting as the evaluation committee, protest officer, or appeals committee under the procurement code.
- 4) Public Record of Closed Session. The public minutes and recording must include: (i) the reason(s) for holding the closed session; (ii) the location; and (iii) the vote, by name, of all members for or against closing the meeting.
- 5) Closed Session Records:
  - a) *Recording Requirement*. Closed meetings must be recorded in their entirety *unless* the meeting was closed to discuss: (i) the character, professional competence or physical/mental health of an individual; or (ii) to discuss security personnel, devices or systems.

The closed session recording must include: (i) the date, time and place of the closed meeting; (ii) the names of members present and absent; and (iii) the names of all others present in the closed session unless disclosure infringes on the confidentiality purposes of the closed meeting.

Note: if the meeting was not recorded under the exceptions noted above, the board chair/president must sign a sworn statement affirming that the sole purpose for closing the closed meeting was to discuss one of the exempt purposes.

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- b) Closed session minutes are optional.
- c) Closed session recordings and minutes are “protected records” under Utah’s Government Records Access Management Act.

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[Back to Agenda](#)

# Mountain West Montessori Academy Annual Board of Directors Meeting Minutes Monday, June 29, 2026

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



**In Attendance:** Steve Barnes, Corbin White, Nelson Altamirano, Gimenia Palmer,

**Excused:** Sheri Ebert, Andrew Marx,

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

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## MINUTES

### 2025-2026 BOARD PRIORITIES

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

#### **6:11 PM – INTRODUCTORY ITEMS**

- Call to Order – Steve Barnes
- School Mission – Nelson

**There was no PUBLIC COMMENT.**

**6:12 PM – Steve Barnes made a motion to enter a CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a) in the library. Corbin White seconded the motion. The roll call votes were as follows:**

**Steve Barnes – Aye**  
**Nelson Altamirano – Aye**  
**Gimenia Palmer – Aye**  
**Corbin White – Aye**

**Motion passed unanimously.**

**8:17 PM – Steve Barnes made a motion to exit the CLOSED SESSION and RECONVENE the meeting. The votes were as follows:**

**Steve Barnes – Aye**  
**Nelson Altamirano – Aye**

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**Gimena Palmer – Aye**  
**Corbin White – Aye**  
**Motion passed unanimously.**

## **REPORTS**

### ➤ **Administration**

- *State of the School* – Angie Johnson stated that after the meeting where she and the board discussed the 2026-2027 Board Priorities she took the recommendations with her interpretations and came up with more refined definitions. They are the following:
  - ✓ **Strengthen Mathematics Instruction** – Refine curriculum alignment and implementation of data-driven interventions to improve targeted essential mathematics skills.
  - ✓ **Advance Artificial Intelligence Integration** – Expand AI guidance, professional learning, and implementation practices for educators while establishing developmentally appropriate expectations for student use.

She asked the board to let her know if they had any additional information that they wanted to include or feedback but there were none. Angie shared a clip of the Maria Montessori Musical which included students from the 2<sup>nd</sup> grade all the way up to some parents. Angie shared that Colleen attended a conference on RTI (Response to Intervention) best practices and identified the need to focus on essential skills, noting that teaching teams have already worked to identify key standards for each grade level in math and literacy. Angie presented updates on several initiatives including forming a guiding coalition for RCI, standardizing data collection for student assessments, and implementing AI tools in education. She outlined plans to pilot four AI applications including Gemini and ChatGPT for teachers, noting they are free until 2027-2028. Last, Angie highlighted that the staff handbook is being comprehensively revised and made digital, while expressing frustration with conflicting state security guidelines regarding school safety roles.

## **BOARD TRAINING**

- *Annual Open & Public Meetings Act Training* – This will be postponed to the next meeting in August so that we can include our new board members.
- *Review Ethics Policy/Commitment to Ethical Behavior\** – Cathie Hurst reviewed the Ethics Policy and explained that all employees, including Angie, are required to sign ethical behavior agreements as part of their contracts. Since the board members don't sign contracts, we have the Annual Commitment to Ethical Behavior sheet that all board members are asked to sign.
- *Annual Fraud Risk Assessment Review\** – Cathie Hurst presented the Fraud Risk Assessment review which the board received 275/295 points which shows very low risk. She reviewed the segregation of duties requirements, noting that while the school has good separation for most financial functions, there is a gap regarding petty checks where Angie has both access and signing authority. Cathie emphasized that they have mitigating controls in place to address this issue and confirmed that the school meets most requirements for the assessment. Cathie reviewed the school's compliance with ethical behavior

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requirements and training protocols, noting that while most requirements were met, they did not receive full points due to lacking a formal internal audit function which is not required until you have over 10,000 students. This assessment also requires both Angie and Andrew's signature which Dawn will send via Adobe Sign.

*Cathie went on to present the budget for approval, explaining that she had made minor adjustments to ensure the school stays within budget limits, particularly for upcoming bond payments from the budget that was noticed and sent out to the Board at the end of May.*

- Annual Policies, Plans, Procedures & Training Review – Brandon Fairbanks outlined annual policy reviews including the Sex Education Instruction Policy in which the county data was sent to the board in an email, SHINE policy, and Parent and Family Engagement Policy, with no recommended changes needed for most items and will be voted on later in the meeting.

## CONSENT ITEMS

- May 12, 2026 Board Meeting Minutes – There was no further discussion. **Steve Barnes made a motion to approve the consent items. Corbin White seconded the motion. The votes were as follows:**

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

**Motion passed unanimously.**

## VOTING ITEMS

- Amended & Proposed Budget – There was no further discussion. See above under Fraud Risk Assessment for discussion.
- 2026-2027 Speech & Language a la Carte [Becky Cushing] – Angie Johnson stated this is our yearly agreement with our speech pathologist with no increase in her hourly rate. She expressed her gratitude towards Becky for her contributions to the school.
- Re-Approve Parent & Family Engagement Policy – Angie Johnson reviewed the Parent and Family Engagement Policy which is recommended to be reviewed by the board every couple of years. There are no suggested changes at this time. It is reviewed annually by the Land Trust Committee.
- Amend SHiNE Policy – Angie Johnson reviewed the amended SHiNE Policy with the change of allowing the funds to be prorated if a teacher doesn't complete the year or a teacher comes after school has started.
- Amend Parent Grievance Policy – Angie Johnson explained that a recent grievance prompted a review and update of both grievance policies to strengthen them. The Staff Grievance Policy directs all concerns to the Director unless the issue is more serious, while both policies now align in language and procedure. The Parent Grievance Policy is more explicit, emphasizing that the board may choose not to take action and that any decision they make is final. The revisions also clarify the Board's limited role in resolving operational complaints, establish expectations regarding communication with parents

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during the complaint process, and explain how complaints governed by other School policies will be handled.

- Amend Staff Grievance Policy – There was no further discussion. See above under Amend Parent Grievance Policy for discussion.
- 2026-2027 Sex Education Instruction Committee – Angie Johnson provided an overview of the sex education instruction committee, noting that we are approving roles rather than individual names, and that no changes have been made to this structure.
- Insurance Coverage – Angie Johnson reviewed the whole gamut of liability insurance that the School currently has through Wright Specialty. AW has put together a group insurance plan with Arthur J. Gallagher. There is enough participation with other AW schools that we could save about \$10,000 with comparable or better coverage. Angie did ask Gabe that if another school had a catastrophic event would that effect the cost and he said that it would have to be multiple schools having those type of events to affect the cost. Angie is recommending to try this to save \$10,000.

**Steve Barnes made a motion to approve the following:**

- **Approve the 2025-2026 Final Amended Budget and approve the proposed 2026-2027 Annual Operating Budget as presented;**
- **Approve the Speech and Language a la Carte Agreement and allow the Principal to sign the Agreement on behalf of the School;**
- **Re-approve the Parent & Family Engagement Policy;**
- **Approve the Amended Salary Supplement for Highly Needed Educators Program Policy;**
- **Approve the Amended Parent Grievance Policy;**
- **Approve the Amended Staff Grievance Policy;**
- **Approve the 2026-2027 Sex Ed Instruction Committee consisting of the following positions: (1) Principal, (1) Health Educator, (1) School Counselor, (1) School Nurse and at least (4) Parents; and**
- **Approve the participation in the group insurance program through Arthur J. Gallagher & Co.**

**Gimenia Palmer seconded the motion. The votes were as follows:**

**Steve Barnes – Aye  
Corbin White – Aye  
Nelson Altamirano – Aye  
Gimenia Palmer – Aye**

**Motion passed unanimously.**

- Ratify Board Members and Their Terms – Steve Barnes reviewed the board members and their terms and appointing both Robin and Tabitha as new board members. **Steve Barnes made a motion to appoint both Tabitha Hemperley and Robin Strup Koski for a new 3-year term to expire June 2029 and ratify Corbin White and Steve Barnes with terms to expire June 2028, and Nelson Altamirano and Gimenia Palmer with terms to expire June 2027. Nelson Altamirano seconded the motion. The votes were as follows:**

**Steve Barnes – Aye  
Corbin White – Aye**

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**Nelson Altamirano – Aye**

**Gimania Palmer – Aye**

**Motion passed unanimously.**

- *Board Officers* – The board discussed the current board officers stating that the financial coordinator position is vacant due to Andrew leaving the board. Cathie explained what the financial coordinator job entails. Corbin has volunteered to be the financial coordinator. **Steve Barnes made a motion to continue with assignments as is with Steve Barnes as the Chair, Gimania Palmer as the Vice Chair, Nelson Altamirano as the Secretary, with the change of Corbin White as the Financial Coordinator replacing Andrew Marx. Gimania Palmer seconded the motion. The votes were as follows:**

**Steve Barnes – Aye**

**Corbin White – Aye**

**Nelson Altamirano – Aye**

**Gimania Palmer – Aye**

**Motion passed unanimously.**

## **DISCUSSION ITEMS**

- *Set 2026-2027 Board Meeting Calendar* – Dawn Kawaguchi presented the board meeting calendar which follows the same schedule as this year with the exception of the Holiday Social. There was discussion on if these dates will interfere with any of the school travel trips or Steve's schedule. We may need to change the October meeting date.
- *Calendaring* – ALL
- Proposed Next Pre-Board Meeting on August 12<sup>th</sup> @ 5 p.m.
  - Proposed Next Board Meeting on August 24<sup>th</sup> @ 6 p.m.
  - NCSC27 June 28-30 in Columbus, OH

**9:13 PM – Steve Barnes made a motion to ADJOURN. Nelson Altamirano seconded the motion. The votes were as follows:**

**Steve Barnes – Aye**

**Corbin White – Aye**

**Nelson Altamirano – Aye**

**Andrew Marx – Aye**

**Gimania Palmer – Aye**

**Sheri Ebert – Aye**

**Motion passed unanimously.**

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**Mountain West Montessori Academy  
Board of Directors  
Closed Session Statement  
Monday, June 29, 2026**

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



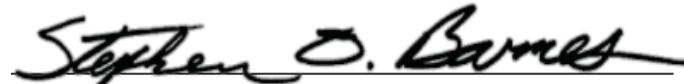
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**CLOSED SESSION SWORN STATEMENT:**

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

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

Signed on the 29th day of June, 2026.

  
**Steve Barnes**  
Board Chair

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## MWMA Board of Directors Meeting Monday, August 17, 2026

### Action Item: *Strategica Marketing Agreement*

#### Issue:

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When the School enters into an agreement with a company and the total amount incurred in one year has a potential to exceed the purchasing policy amount of \$25,000, the agreement must be approved by the Board.

#### Background:

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**Strategica Marketing** has been providing the School's marketing agency for over a year. Their service has shown tremendous growth in social media views and interactions, website click-throughs, and positive feedback from the community. We have also seen an increase in middle school student enrollment. We would like to resume using Strategica to continue a digital marketing campaign to expand awareness of Montessori education and MWMA, promote education choice, and increase applications and enrollment for 6<sup>th</sup> through 9<sup>th</sup> grade.

The monthly cost will be **\$2,000**, and the terms of the agreement will run from **August 2026 through August 2027**. Additional advertising expenses will require prior approval from the Principal and will be billed separately from the monthly cost.

#### Considerations:

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The administration recommends the Board's consideration and approval of the Strategica Marketing Agreement and allow the Principal to execute the agreement on behalf of the School.

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# STRATEGICA

MARKETING AGENCY

## SERVICE AGREEMENT

This **Service Agreement** (the "Agreement") is made and entered into as of **August 25, 2026**, by and between **Strategica Marketing Agency, LLC** ("Strategica"), located at **9406 S Meckailee Cv, Sandy, Utah 84094**, and **Mountain West Montessori Academy** ("Client"), located at **4125 Foxview Dr, South Jordan, UT 84009**.

### 1. Scope of Work

Strategica will provide digital marketing services to Mountain West Montessori Academy for the 2026–2027 school year (August 2026 – August 2027). The scope will include:

- **Social Media & Content Strategy:** Ongoing management and growth of MWMA's presence on key platforms, including a monthly content calendar and consistent posting.
- **Search Engine Optimization (SEO):** Continuous optimization of the school's website content to improve visibility in search results, with consistent reporting on organic traffic and ranking progress.
- **Targeted Digital Advertising:** Strategic management of digital ad campaigns to promote events, drive enrollment, build awareness, and increase engagement (note: ad spend to be approved separately).
- **Performance Tracking & Reporting:** Comprehensive monthly reports summarizing results, progress, and actionable insights.

This scope is intended to provide an integrated approach that builds long-term brand awareness, fosters community engagement, and supports enrollment goals, and may be expanded at any point as mutually agreed upon by both parties.

### 2. Compensation & Payment Terms

- **Monthly Fee:** Client agrees to pay Strategica **\$2,000 per month** for the services outlined in the Scope of Work.
- **Contract Term:** August 2026 – August 2027 (school calendar year).
- **Payment Schedule:** Payments of \$2,000 are due monthly on the 25th day of each month.

- **Additional Costs:** The \$2,000 monthly fee does not include paid advertising spend. Any advertising costs (e.g., Meta Ads, Google Ads) will be billed separately and paid directly by the Client, and will not exceed the amounts pre-approved by them.

### 3. Client Responsibilities

To enable successful execution, Client agrees to:

- Provide Strategica with timely access to MWMA's digital assets, including website, social media platforms, and analytics tools.
- Supply any necessary brand assets (logos, photography, video content) for campaign use.
- Review and approve proposed content, campaigns, and reports in a timely manner to ensure deadlines are met.
- Allocate a designated point of contact for approvals, feedback, and coordination.

### 4. Confidentiality

Both parties agree to maintain strict confidentiality regarding all proprietary and sensitive information exchanged during the project. Any disclosure of confidential information must be authorized in writing.

### 5. Intellectual Property

- All materials, strategies, and content developed under this agreement remain the property of Mountain West Montessori Academy upon full payment of services.
- Strategica retains the right to showcase project results in case studies or portfolios, provided that Mountain West Montessori Academy provides written approval after reviewing a final draft of the proposed showcase materials.

### 6. Termination & Cancellation

- Either party may terminate this agreement with a **30-day written notice**.
- In the event of termination, Mountain West Montessori Academy agrees to compensate Strategica for all work completed up to the termination date.

### 7. Liability & Indemnification

Strategica shall not be held liable for indirect or consequential damages arising from project implementation.

## 8. Governing Law

This Agreement shall be governed by the laws of the **State of Utah**.

## 9. Entire Agreement

This Agreement constitutes the entire understanding between both parties and supersedes all prior discussions. Any modifications must be agreed upon in writing.

## 10. Signatures

By signing below, both parties acknowledge and agree to the terms outlined in this Agreement.

**Strategica Marketing Agency, LLC**

**Mountain West Montessori Academy**

By: \_\_\_\_\_

**Nelson Altamirano**

Founder & CEO

By: \_\_\_\_\_

**Angie Johnson**

Principal

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## MWMA Board of Director's Meeting Monday, August 17, 2026

### Action Item: *MWMA-Specific Educator License(s)*

#### Issue:

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The School's administration is requesting additional candidates for MWMA-specific license(s): *Saskia Opperman, Nicole Napolski, David Powell, and Hilary Williams*

#### Background:

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Under the School's MWMA-Specific Educator License Policy, the School's administration proposes to the Board of Directors individuals the administration feels are good candidates for an MWMA-specific educator license. An MWMA-specific educator license is a temporary license that teachers may teach under while they are in the process of completing the requirements for an associate or professional license. An MWMA-specific educator license can be valid for one, two or three years.

The School's administration has followed the processes and considered the criteria outlined in the Policy with respect to proposing the candidate named above to the Board, including vetting and interviewing the candidate. The School's administration has also provided the Board with an explanation and rationale for requesting an MWMA-specific educator license for the candidate. See attached spreadsheet for rationale on each candidate.

#### Considerations:

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The administration recommends the Board's consideration and approval of an MWMA-specific educator license for **Saskia Opperman** for an elementary license; **Nicole Napolski** for an English Language Arts endorsement and Social Studies Composite endorsement; **David Powell** for a General Financial Literacy endorsement and a Marketing (CTE/General) endorsement; and **Hilary Williams** for a Secondary license with a Visual Arts endorsement; all for a period of three years.

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

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

SY26-27 LEA-S(pecific) Requests

| LEA (District or Charter) Name   | Date LEA's Board Met | CACTUS ID     | Last Name      | First Name      | Is this a RENEWAL Request from SY25-26? (Y/N) | License Area 1   | Endorsement 1              | Endorsement 2            | Endorsement 3 | Rational/Motions                                                                                                             | Is Educator's Assignment in CACTUS? (Y/N) | Has LEA Specific tab in CACTUS been completed? (Y/N) | Does Educator Have a current BACKGROUND check? (Y/N) | Does Educator Have a current ETHICS check? (Y/N) | Pedagogical Modules Completed and certificate received? (Y/N) | LEA Application Received? (Y/N) | PE ONLY: CPR Cert # |
|----------------------------------|----------------------|---------------|----------------|-----------------|-----------------------------------------------|------------------|----------------------------|--------------------------|---------------|------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|------------------------------------------------------|------------------------------------------------------|--------------------------------------------------|---------------------------------------------------------------|---------------------------------|---------------------|
| <i>Granite SD</i>                | <i>1/5/21</i>        | <i>999999</i> | <i>Example</i> | <i>Educator</i> | <i>N</i>                                      | <i>Secondary</i> | <i>Math Level 3</i>        | <i>Chemistry</i>         |               | <i>Educator is enrolling in EPP Fall 2021</i>                                                                                | <i>Y</i>                                  | <i>Y</i>                                             | <i>Y</i>                                             | <i>Y</i>                                         | <i>Y</i>                                                      | <i>Y</i>                        |                     |
| Mountain West Montessori Academy | 8/17/26              | 718831        | Napolski       | Nicole          | N                                             |                  | English Language Arts      | Social Studies Composite |               |                                                                                                                              | Y                                         | Priscilla will apply                                 | Y                                                    | Y                                                | N/A                                                           | N                               |                     |
| Mountain West Montessori Academy | 8/17/26              | 795837        | Opperman       | Saskia          | Y                                             | Elementary       |                            |                          |               | Licensed in another country and is working with USBE to determine whether she needs to do APPEL or can transfer her license. | Y                                         | Priscilla will apply                                 | Y                                                    | Y                                                | N/A                                                           | LEA Specific Renewal Form       |                     |
| Mountain West Montessori Academy | 8/17/26              | 546318        | Powell         | David           | N                                             |                  | General Financial Literacy | Marketing (CTE/General)  |               |                                                                                                                              | Y                                         | Priscilla will apply                                 | Y                                                    | Y                                                | N/A                                                           | N                               |                     |
| Mountain West Montessori Academy | 8/17/26              | 746663        | Williams       | Hilary          | Y                                             | Secondary        | Visual Art                 |                          |               | This educator is looking into pursuing AEL through APPEL.                                                                    | Y                                         | Priscilla will apply                                 | Y                                                    | N                                                | N/A                                                           | LEA Specific Renewal Form       |                     |

## MWMA Board of Director's Meeting Monday, August 17, 2026

### **Action Item:** *Amended Bullying and Hazing Policy*

#### **Issue:**

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Amending the School's Bullying and Hazing Policy.

#### **Background:**

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The USBE recently published a model Bullying Policy. Although the School's existing Bullying and Hazing Policy is already consistent with the model policy in most respects, several provisions from the model policy have been incorporated to further strengthen and clarify the School's policy. These revisions include adding definitions for "accountability practice" and "restorative justice practice," requiring the School to leave a voicemail and send an email to a parent if the parent cannot be reached by telephone regarding an incident involving the parent's child, clarifying that a student's age, development, maturity, and other relevant factors will be considered when determining appropriate discipline for a policy violation, and expanding the policy's provisions regarding annual reporting, employee training, and bullying incident reporting.

#### **Considerations:**

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The administration recommends the Board's consideration and approval of the amended Bullying and Hazing Policy.

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

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

# **Mountain West Montessori Academy Bullying & Hazing Policy**

**Adopted: January 27, 2014**

**Amended: June 20, 2017**

**Amended: December 3, 2018**

**Amended: October 26, 2020**

**Amended: October 17, 2022**

**Amended: August 28, 2023**

**Amended: October 26, 2024**

**Amended: October 13, 2025**

**Amended:**



## **PURPOSE**

The purpose of this policy is to prohibit bullying, cyber-bullying, hazing, retaliation, and abusive conduct involving Mountain West Montessori Academy (the “School”) students and employees. The School’s Board of Directors (the “Board”) has determined that a safe, civil environment in School is necessary for students to learn and achieve high academic standards and that conduct constituting bullying, cyber-bullying, hazing, retaliation, and abusive conduct disrupts both a student’s ability to learn and the School’s ability to educate its students in a safe environment.

## **POLICY**

### **Prohibited Conduct**

Bullying, cyber-bullying, hazing, retaliation, and abusive conduct towards students and employees are against federal, state, and local policy and are not tolerated by the School. The School is committed to providing all students with a safe and civil environment in which all members of the School community are treated with dignity and respect. To that end, the School has in place policies, procedures, and practices that are designed to reduce and eliminate this conduct – including, but not limited to, civil rights violations – as well as processes and procedures to deal with such incidents. Bullying, cyber-bullying, hazing, retaliation, and abusive conduct towards students and/or employees by students and/or employees will not be tolerated in the School. Likewise, abusive conduct by students or parents or guardians against School employees is prohibited by the School and will not be tolerated in the School.

In order to promote a safe, civil learning environment, the School prohibits all forms of bullying of students and School employees (a) on School property, (b) at a School-related or sponsored event, or (c) while the student or School employee is traveling to or from School property or a School-related or sponsored event.

The School prohibits all forms of bullying, cyber-bullying, hazing, abusive conduct of or retaliation against students and School employees at any time and any location.

Students and School employees are prohibited from retaliating against any student, School employee or an investigator for, or witness of, an alleged incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation.

Students and School employees are prohibited from making false allegations of bullying, cyber-bullying, hazing, abusive conduct, or retaliation against a student or School employees.

Students and School employees are prohibited from sharing a recording of an act of bullying, cyber-bullying, hazing, abusive conduct, and retaliation in order to impact or encourage future incidents. This restriction does not prevent a student or employee from sharing such a recording with a teacher or administrator as part of reporting the incident or in response to a request from a teacher or administrator for the recording.

Students and School employees are prohibited from creating or distributing sexually explicit or nonconsensual intimate images.

In addition, School employees, coaches, sponsors and volunteers shall not permit, condone or tolerate any form of hazing, bullying, cyber-bullying, or abusive conduct and shall not plan, direct, encourage, assist, engage or participate in any activity that involves hazing, bullying, cyber-bullying, or abusive conduct.

Any bullying, cyber-bullying, hazing, abusive conduct, or retaliation that is found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws and is subject to OCR compliance regulations.

### Definitions

*Abusive Conduct* – For purposes of this policy, “abusive conduct” means verbal, nonverbal, or physical conduct of a parent or guardian or student directed toward a School employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress. A single act does not constitute abusive conduct.

*Accountability Practice* – For purposes of this policy, “accountability practice” means any evidence-based practice that increases academic outcomes, decreases behavior that disrupts the learning environment, and holds students accountable for their actions by requiring them to take responsibility to repair harm and provide restitution when appropriate.

*Action Plan* – For purposes of this policy, “action plan” means a process to address an incident of bullying, cyber-bullying, hazing, or retaliation.

*Bullying* – For purposes of this policy, “bullying” means student bullying or staff bullying.

*Civil Rights Violations* – For purposes of this policy, “civil rights violations” means violations as outlined in the following federal laws:

- (1) Title VI of the Civil Rights Act of 1964 (prohibits discrimination on the basis of race, color, or national origin);
- (2) Title IX of the Education Amendments of 1972 (prohibits discrimination on the basis of sex);
- (3) Section 504 of the Rehabilitation Act of 1973 (prohibits discrimination on the basis of disability); or
- (4) Title II of the Americans with Disabilities Act (prohibits discrimination on the basis of disability).

*Cyber-bullying* – For purposes of this policy, "cyber-bullying" means using the Internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

*Hazing* – For purposes of this policy, "hazing" means a School employee or student intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a School employee or student that:

- (1) (a) endangers the mental or physical health or safety of a School employee or student;  
(b) involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;  
(c) involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a School employee or student; or  
(d) involves any activity that would subject a School employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a School employee or student to extreme embarrassment, shame, or humiliation; and
- (2) (a)(i) is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in a School or School sponsored team, organization, program, club, or event; or  
(ii) is directed toward a School employee or student whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a School or School sponsored team, organization, program, club, or event in which the individual who commits the act also participates.
- (3) The conduct described above constitutes hazing, regardless of whether the School employee or student against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

*Incident* – For purposes of this policy, "incident" means a verified incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation that is prohibited in Utah Code § 53G-9-601 *et seq.*

*Restorative Justice Practice* – For purposes of this policy, “restorative justice practice” means a discipline practice that brings together students, school personnel, families, and community members to resolve conflicts, address disruptive behaviors, promote positive relationships, and healing.

*Retaliate or Retaliation* – For purposes of this policy, "retaliate or retaliation" means an act or communication intended:

- (1) as retribution against a person for reporting bullying or hazing; or
- (2) to improperly influence the investigation of, or the response to, a report of bullying or hazing.

*School Employee* – For purposes of this policy, “School employee” means an individual working in the individual’s official capacity as:

- (1) a School teacher;
- (2) a School staff member;
- (3) a School administrator; or
- (4) an individual:
  - (a) who is employed, directly or indirectly, by the School; and
  - (b) who works on the School’s campus(es).

*Staff Bullying* – For purposes of this policy, “staff bullying” means a School employee, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against a student or another School employee, or engaging in a single egregious act toward another employee involving an imbalance of power, that:

- (1) creates an environment that a reasonable person would find hostile, threatening, or humiliating; and
- (2) substantially interferes with a student’s or employee’s educational or professional performance, opportunities, or benefits.

*Student Bullying* – For purposes of this policy, “student bullying” means one or more students, with the intent to cause harm, repeatedly committing a written, verbal, or physical act against another student, or engaging in a single egregious act toward another student involving an imbalance of power, that:

- (1) creates an environment that a reasonable person would find hostile; and
- (2) interferes with a student’s educational performance, opportunities, or benefits.

“Student bullying” and “staff bullying” do not mean instances of:

- (1) ordinary teasing, horseplay, argument, or peer conflict;
- (2) reasonable correction of behavior by a School employee; or
- (3) reasonable coaching strategies and techniques by a School employee who is a coach.

*Verification* – For purposes of this policy, “verification” means that an alleged incident has been found to be substantiated through a formal investigation process done by the School as outlined in this policy.

*Volunteer* – For purposes of this policy, “volunteer” means a non-employee with significant, unsupervised access to students in connection with a School assignment.

### Reporting Prohibited Conduct

Students who have been subjected to or witnessed bullying, cyber-bullying, hazing, or retaliation, and students who have witnessed abusive conduct, ~~must~~are strongly encouraged to promptly report such prohibited conduct to any School personnel orally or in writing. School personnel who receive reports of such prohibited conduct must report them to the Director.

School employees who have been subjected to or witnessed hazing, bullying, cyber-bullying, abusive conduct, or retaliation must report such prohibited conduct to the School’s Director orally or in writing.

Each report of prohibited conduct shall include:

- (1) the name of complaining party;
- (2) the name of person subjected to the prohibited conduct (if different than complaining party);
- (3) the name of perpetrator (if known);
- (4) the date and location of the prohibited conduct; and
- (5) a statement describing the prohibited conduct, including names of witnesses (if known).

In connection with a report of prohibited conduct, students and School employees may request that their identity be kept anonymous, and reasonable steps shall be taken by the Director and others involved in the reporting and investigation to maintain the anonymity of such individuals, if possible. School employees must take strong responsive action to prevent retaliation, including assisting students who are subjected to prohibited conduct and his or her parents or guardians in reporting subsequent problems and new instances of prohibited conduct.

The Director or his/her designee shall promptly make a reasonably thorough investigation of all complaints of prohibited conduct, including, to the extent possible, anonymous reports, and shall, in accordance with the Consequences of Prohibited Behavior section below, administer appropriate discipline to all individuals who violate this policy. Formal disciplinary action is prohibited based solely on an anonymous report.

The Director may report to OCR all incidents of bullying, hazing, cyber-bullying, abusive conduct, or retaliation that he/she reasonably determines may be violations of a student’s or employee’s civil rights.

It is the School's policy, in compliance with state and federal law, that students have a limited expectation of privacy on the School's computer equipment and network system, and routine monitoring or maintenance may lead to discovery that a user has violated School policy or law. Also, individual targeted searches will be conducted if there is reasonable suspicion that a user has violated policy or law. Personal electronic devices of any student suspected of violation of this policy will be confiscated for investigation and may be turned over to law enforcement.

### Investigation of Alleged Incidents

The School will investigate all allegations of bullying, cyber-bullying, hazing, retaliation, and abusive conduct in accordance with this policy and applicable law. The Director or his/her designee will investigate such allegations, and the School shall ensure that the investigator is provided adequate training to conduct such an investigation. The Director or his/her designee will be the point person with training and expertise to assist, direct, and supervise training of other employees in the responsibilities set forth in this paragraph.

The School will investigate these alleged incidents by interviewing:

- (1) the individual who was allegedly targeted;
- (2) the individual who is alleged to have engaged in the prohibited conduct;
- (3) the parents or guardians of the students who were allegedly targeted and the individual who is alleged to have engaged in prohibited conduct;
- (4) any witnesses;
- (5) School staff familiar with the student who was allegedly targeted;
- (6) School staff familiar with the individual who is alleged to have engaged in prohibited conduct; or
- (7) Other individuals who may provide additional information.

The individual who investigates an alleged incident will inform an individual being interviewed that (1) to the extent allowed by law, the individual is required to keep all details of the interview confidential; and (2) further reports of bullying will become part of the review. However, the confidentiality requirement described in this paragraph does not apply to conversations with law enforcement, requests for information pursuant to a warrant or subpoena, a state or federal reporting requirement, or other reporting required by R277-613.

In conducting this investigation, the School may (1) review disciplinary reports of involved students; and (2) review physical evidence, including video or audio, notes, email, text messages, social media, or graffiti.

The School shall keep a written record of the date and time individuals were interviewed; which individuals were interviewed (unless the individual requests to remain anonymous); and disciplinary reports and physical evidence reviewed as part of the investigation.

The School will report alleged incidents of bullying, cyber-bullying, hazing, retaliation, and abusive conduct to law enforcement when the Director reasonably determines that the alleged incident may have violated criminal law.

The School shall follow up with the parents or guardians of all parties to:

- (1) inform parents or guardians when an investigation is concluded;
- (2) inform parents or guardians what safety measures will be in place for their child, as determined by the investigation;
- (3) provide additional information about the investigation or the resolution consistent with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g (“FERPA”); and
- (4) inform parents or guardians of the School’s Parent Grievance Policy if the parents or guardians disagree with the resolution of the investigation.

If the investigation results in a verification of an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct, the School shall create and implement an action plan for each such incident in accordance with Utah Code § 53G-9-605.5 and R277-613.

In addition, following verification of an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct, the Director may, if he/she determines it is appropriate:

- (1) use accountability practices in accordance with policies established by the School; and
- (2) provide supportive services designed to preserve the student’s access to educational opportunities and a sense of safety.

However, a student to whom an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct is directed is not required to participate in a restorative justice practice with an individual who is alleged to have engaged in prohibited conduct. If the School would like any student to participate in a restorative justice practice, the School will notify the student’s parent or guardian of the restorative justice practice and obtain consent from the student’s parent or guardian before including the student in the process.

### Parental Notification

The Director or his/her designee will timely notify a student’s parent or guardian if:

- (1) the student threatens suicide; or
- (2) the student is involved in an incident (including if the student is subjected to the incident or is the person who caused the incident) and of the action plan to address the incident.

If the Director or his/her designee believe that a situation exists which presents a serious threat to the well-being of a student, the Director or his/her designee shall notify the student's parent or guardian without delay, before the end of the school day.

The Director or his/her designee will attempt to contact the parent or guardian by telephone to provide this notification and to discuss the matter. If the parent or guardian is not available by telephone, the Director or his/her designee will leave a voicemail and then also provide the parent or guardian the required notification by email.

The Director or his/her designee will produce and maintain a record that:

- (1) verifies that the School notified each parent or guardian as required above. If an in-person meeting takes place, the Director or his/her designee may ask the parent or guardian to sign the record acknowledging that the notification was provided. If a telephone conversation takes place, the Director or his/her designee may document on the record such details as the date and time of the telephone call, who was spoken to, and brief notes regarding the notification that was provided and the content of the conversation. If an email is sent, the Director or his/her designee will retain a copy of the email; and
- (2) tracks implementation of the action plan addressing the incident, if applicable.

The School will retain the record for at least as long as the student is enrolled at the School and will provide or expunge the record in accordance with Utah Code § 53G-9-604. The School will maintain the confidentiality of the record in accordance with the state and federal student data privacy laws referenced in Utah Code § 53G-9-604.

In addition to notifying the parent or guardian as set forth above, the Director or his/her designee will provide the parent or guardian with the following:

- (1) suicide prevention materials and information as recommended by the Utah State Board of Education in accordance with Utah Code § 53G-9-604(2)(b);
- (2) information on ways to limit a student's access to fatal means, including firearms or medication; and
- (3) information and resources on the healthy use of social media and online practices as provided in R277-613.

#### Action Plan to Address Incidents

Following verification of an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct, the School shall develop and implement an action plan. The action plan shall include:

- (1) with respect to the targeted student and in direct coordination with the student's parent or guardian:
  - (a) a tailored response to the incident that addresses the student's needs;
  - (b) a mechanism to consider consequences or accommodations the student may need regarding decreased exposure or interactions with the student who caused the incident;

- (c) notification of the consequences and plan to address the behavior of the student who caused the incident, to the extent allowed by FERPA;
  - (d) support measures designed to preserve the student's access to educational services and opportunities; and
  - (e) to the extent available, access to other resources the parent requests for the student; and
- (2) with respect to the student who caused the incident and in direct coordination with the student's parent or guardian:
- (a) a range of tailored and appropriate consequences, making reasonable effort to preserve the student's access to educational services and activities;
  - (b) a process to determine and provide any needed resources related to the underlying cause of the incident;
  - (c) supportive measures designed to preserve the student's access to educational services and opportunities while protecting the safety and well-being of other students; and
  - (d) a process to remove the student from School in an emergency situation, including a description of what constitutes an emergency.

The School may not include in an action plan a requirement that the student to whom the incident was directed change the student's:

- (1) educational schedule or placement; or
- (2) participation in a School sponsored sport, club, or activity.

The School shall try to involve the parent or guardian of a student who was involved in an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct in the development and implementation of an action plan. However, if, after the School attempts to involve a parent or guardian in the development and implementation of an action plan, the parent or guardian chooses to not participate in the process, the School may develop and implement an action plan without the parent or guardian's involvement.

### Communication Plan

The School shall communicate with the parent or guardian of each student involved in an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct about the implementation of the action plan. Specifically, the School shall provide regular updates on the implementation of the action plan to each such parent or guardian. The updates shall include:

- (1) the outcome of the School's investigation (if not already provided at the conclusion of the investigation);
- (2) a discussion of safety considerations for the student who is the subject of the incident; and
- (3) an explanation of the School's process for addressing the incident.

The Director or his/her designee shall oversee the implementation of the action plan, monitor the implementation of the communication plan/requirements within the action plan, and assist the

School with case-specific needs when the School is addressing an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct.

### Consequences of Prohibited Behavior

If, after an investigation, a student is found to be in violation of this policy by participating in or encouraging conduct prohibited by this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion, pursuant to Utah Code § 53G-8-205 and School policy, removal from participation in School activities, and/or discipline in accordance with regulations of the U.S. Department of Education Office for Civil Rights (OCR). In determining the appropriate disciplinary or other responsive action for such a student, the School shall consider all relevant circumstances, including the involved students' respective ages and development and maturity levels, the nature and impact of the prohibited conduct, the surrounding circumstances, any prior incidents or patterns of behavior, the relationship between the parties involved, and the extent to which the prohibited conduct disrupted or interfered with the orderly operation of the School. Discipline may only be imposed on a student after appropriate due process has been provided.

If, after an investigation, a School employee is found to be in violation of this policy, the employee shall be disciplined by appropriate measures, which may include termination, reassignment or other appropriate action.

School officials have the authority to discipline students for off-campus or online speech that causes or threatens a substantial disruption to School operations, including violent altercations or a significant interference with a student's educational performance and involvement in School activities.

### Grievance Process for School Employees

As explained above, a School employee who has experienced abusive conduct must report the abusive conduct to the School Director orally or in writing. If the School employee is not satisfied with the Director or designee's investigation of the abusive conduct and/or the resulting disciplinary action (or recommended disciplinary action) against the perpetrator, the School employee may address/raise the issue in accordance with the School's Staff Grievance Policy.

### Grievance Process for Parents and Guardians

A parent or guardian of a student who caused an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct may appeal one or more of the consequences included in an action plan in accordance with the School's Parent Grievance Policy.

### Additional Provisions

The Director will ensure compliance with OCR regulations when civil rights violations are reported, as follows:

- (1) Once the School knows or reasonably should know of possible student-on-student bullying, cyber-bullying, or hazing, the School must take immediate and appropriate action to investigate.
- (2) If it is determined that the bullying, cyber-bullying, or hazing of a student did occur as a result of the student's membership in a protected class, the School shall take prompt and effective steps reasonably calculated to:
  - (a) end the bullying, cyber-bullying, or hazing;
  - (b) eliminate any hostile environment; and
  - (c) prevent its recurrence.
- (3) These duties are the School's responsibilities even if the misconduct is also covered by a separate anti-bullying policy and regardless of whether the student makes a complaint, asks the School to take action, or identifies the bullying, cyber-bullying, or hazing as a form of discrimination.

The Director will take reasonable steps to ensure that any person subjected to prohibited conduct will be protected from further hazing, bullying, cyber-bullying, abusive conduct, and retaliation and that any student or School employee who reports such prohibited conduct will be protected from retaliation.

If the Director believes that any person who was subjected to or who caused conduct prohibited by this policy would benefit from counseling, the Director may refer such individuals for counseling.

If the Director believes that it would be in the best interests of the individuals involved, the Director may involve the parents or guardians of a student who was subjected to or a student who caused hazing, bullying, cyber-bullying, or retaliation in the process of responding to and resolving conduct prohibited by this policy.

Incidents of bullying, cyber-bullying, hazing, and retaliation will be reported in the School's student information system as required.

### Student Assessment

The Director or his/her designee will assess the prevalence of bullying, cyber-bullying, hazing, and retaliation in the School, specifically locations where students are unsafe and additional adult supervision may be required, such as playgrounds, hallways, and lunch areas.

### Training

The Director will ensure that School students, employees, coaches, and volunteers receive training on bullying, cyber-bullying, hazing, retaliation, and abusive conduct from individuals qualified to provide such training. The training shall meet the standards established by the Utah State Board of Education's rules and include information on:

- (1) bullying, cyber-bullying, hazing, retaliation, and abusive conduct;

- (2) discrimination under the following federal laws:
  - (a) Title VI of the Civil Rights Act of 1964;
  - (b) Title IX of the Education Amendments of 1972;
  - (c) Section 504 of the Rehabilitation Act of 1973; and
  - (d) Title II of the Americans with Disabilities Act of 1990;
- (3) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are different from discrimination and may occur separately from each other or in combination;
- (4) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are prohibited based upon race, color, national origin, sex, disability, or religion;
- (5) the right of free speech and how it differs for students, employees, and parents or guardians; and
- (6) safe digital citizenship.

The training will also complement the suicide prevention program required for students under R277-620 and the suicide prevention training required for licensed educators consistent with Section 53G-9-704(1), and also include information on when issues relating to R277-613 may lead to student or employee discipline.

The training shall be offered to:

- (1) new school employees, coaches, and volunteers within the first year of employment or service;
- (2) all School employees, coaches, and volunteers at least once every three years after the initial training; and
- (3) all students (regardless of whether they are involved in athletics or extracurricular activities or clubs) at a frequency determined by the Director.

In addition to the training requirements described above, any student, employee, or volunteer coach participating in a School sponsored athletic program, both curricular and extracurricular, or extracurricular club or activity, shall, prior to participating in the athletic program or activity, participate in bullying, cyber-bullying, hazing, retaliation, and abusive conduct prevention training. This training shall be offered to new participants on an annual basis and to all participants at least once every three years. The School will inform student athletes and extracurricular club members of prohibited activities under R277-613 and potential consequences for violation of the law and the rule.

The School will maintain training participant lists or signatures and provide them to the Utah State Board of Education upon request.

### Liaison to Utah State Board of Education

The Director or his/her designee shall act as the School's liaison to the Utah State Board of Education regarding bullying, cyber-bullying, hazing, abusive conduct, and retaliation.

### Distribution of Policy and Signed Acknowledgement

The School will inform students, parents or guardians, School employees, and volunteers that hazing, bullying, cyber-bullying, abusive conduct, and retaliation are prohibited by distributing a copy of this policy to such individuals annually. A copy of this policy will also be posted on the School's website and included in any student conduct or employee handbooks issued by the School.

On an annual basis, School employees, students who are at least eight years old, and parents or guardians of students shall sign a statement indicating that they have received this policy.

### Annual Reporting

In accordance with Utah Code 53G-9-606 and R277-613, the School shall annually report the following information to the Utah State Board of Education on or before June 30:

- (1) a copy of this policy;
- (2) the School's implementation of the signed statement requirement described in Utah Code § 53G-9-605;
- (3) verification of the School's training of its employees relating to bullying, cyber-bullying, hazing, retaliation, and abusive conduct described in Utah Code § 53G-9-607;
- (4) incidents of student bullying, cyber-bullying, hazing, and retaliation; and
- (5) the number and type of incidents described in subsection (4) immediately above that include a student who was alleged bullied, cyber-bullied, hazed, or retaliated against based on the student's actual or perceived characteristics, including disability, race, national origin, religion, sex, gender identity, or sexual orientation, including the federal reporting requirements for civil rights violations.

## MWMA Board of Director's Meeting Monday, August 17, 2026

### **Action Item:** *Amending Electronic Resources Policy*

#### **Issue:**

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Amending the Electronic Resources Policy.

#### **Background:**

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This policy and the corresponding administrative procedures have been revised to comply with the changes to law, including those in SB 88 from the 2026 legislative session. The changes include specifying that the policy must be reviewed and approved at least every three years, that all rules and procedures applicable to the policy must be available for review at the school, that AI glasses are now included in the definition of “electronic device,” and that parents may request administration to allow their student to briefly use a privately-owned electronic device during non-instructional time at a specified location designated by the school. The changes also include clarifying the definition of “obscene” and “harmful to minors” and explaining that the school’s technology protection measures include a parent-accessible monitoring system that allows parents to review the activity of their children on school-owned electronic devices.

#### **Considerations:**

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The administration recommends the Board’s consideration and approval of the amended Electronic Resources Policy.

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

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

**Mountain West Montessori Academy**  
**Electronic Resources Policy**  
**Adopted: February 24, 2014**  
**Re-Approved: August 15, 2022**  
**Re-Approved: June 23, 2025**  
**Approved: August 25, 2025**



## **PURPOSE**

Mountain West Montessori Academy (the “School”) recognizes the value of computer and other electronic resources to facilitate student learning and help the School’s employees accomplish the School’s mission. The School has therefore made substantial investments to establish a network and provide various electronic resources for its students’ and employees’ use. Because of the potential harm to students and the School from misuse of these resources, the School requires the safe and responsible use of computers; computer networks, including e-mail and the Internet; and other electronic resources. This policy is intended to ensure such safe and responsible use and to comply with Utah Administrative Rule R277-495, Utah Code § 53G-7-227, Utah Code § 53G-7-1001 *et seq.*, the Children’s Internet Protection Act, and other applicable laws.

## **Electronic Devices**

The School recognizes that various forms of electronic devices are widely used by both students and employees and are important tools in today’s society. The School seeks to ensure that the use of electronic devices, both privately-owned devices and devices owned by the School, does not cause harm or otherwise interfere with the learning, safety, or security of students or employees. The Principal shall therefore establish reasonable rules and procedures regarding the use of electronic devices at School and School-sponsored activities in compliance with applicable laws.

## **Internet Safety**

It is the School’s policy to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children’s Internet Protection Act (section 254(h) of title 47, United States Code). The Principal shall establish rules and procedures to accomplish these objectives and ensure compliance with applicable laws.

## **Student Acceptable Use of School Electronic Resources**

The School makes various electronic resources available to students. These resources include computers and other electronic devices and related software and hardware as well as the School’s network and access to the Internet. The School’s goal in providing such electronic resources to

students is to enhance the educational experience and promote the accomplishment of the School's mission.

Electronic resources can provide access to a multitude of information and allow communication with people all over the world. Along with this access comes the availability of materials that may be considered inappropriate, unacceptable, of no educational value, or even illegal.

The Principal shall ensure that rules and procedures regarding students' use of the School's electronic resources are established and clearly communicated to students and their parents/guardians. The Principal will ensure that safeguards are in place to restrict access to inappropriate materials and that the use of the Internet and other electronic resources is monitored. The Principal shall ensure that students receive appropriate training regarding these rules and procedures.

### **Staff Acceptable Use of School Electronic Resources**

Improper use of the School's electronic resources by employees has the potential to negatively impact students, damage the School's image, and impair the School's electronic resources. Therefore, this policy is intended to govern employees' and volunteers' use of the School's electronic resources, and employees must agree to these terms as a condition of employment. The Principal shall establish rules and procedures regarding employees' use of the School's electronic resources.

### **Availability of Rules and Procedures**

The Principal shall ensure that all rules and procedures established pursuant to this policy are available for review at the School.

### **Review and Approval**

This policy will be reviewed and approved ~~periodically~~ at least every three years to ensure that it continues to meet the School's needs.



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## Electronic Resources Administrative Procedures

These procedures are established in order to comply with and implement the Electronic Resources Policy adopted by the School's Board of Directors.

### Electronic Devices

#### Definitions

**“Electronic device”** means a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument including but not limited to: a cellphone or smart phone, a smart or electronic watch, a tablet, ~~or~~ a virtual reality device, or AI glasses.

~~**“Instructional time”** means the hours during the School day designated by the School for class instruction.~~

**“Privately-owned electronic device”** means an electronic device that is not owned or issued by the School to a student or employee, including any emerging technology (which includes any device that has or will be able to act in place of or as an extension of an individual's cellphone).

**“School ~~day~~hours”** means the ~~hours that make up~~ time from the beginning of the School day, as designated by according to the School's bell schedule, until the end of the School day, as designated by the School's bell schedule, including all instructional time, lunch periods, recess, and transition times between classes.

**“School-owned electronic device”** means an electronic device that is owned, provided, issued, or lent by the School to a student or employee.

**“School-sponsored activities”** means field trips, curricular and extracurricular activities, and extended School-sponsored trips or activities, including School-provided transportation to and from such activities.

#### Student Use of Electronic Devices

Electronic devices may only be possessed and used by students during ~~the~~ School ~~day~~hours and during School-sponsored activities in accordance with the following standards:

- Electronic devices may not be used to view, access, download, store, or transmit pornography or other obscene or inappropriate material.

- Electronic devices may not be used to bully, threaten, humiliate, embarrass, harass, or intimidate other students, teachers, volunteers, School guests, or School employees.
- Electronic devices may not be used in ways that violate local, state, or federal laws.
- Electronic devices may not be used during quizzes, tests, and standardized assessments except as otherwise provided herein.
- Electronic toys are not allowed in the School.
- Students may have privately-owned electronic devices at School during ~~the~~ School ~~day~~hours. However, with the exception of during the lunch period, privately-owned electronic devices must remain out of sight in a bag or locker and be turned off or set to a mode where notifications can't be received during ~~the~~ School ~~day~~hours, unless an exception provided herein applies.
- Students may use or respond to privately-owned electronic devices during the lunch period, but they may not do so during the remainder of the School ~~day~~hours unless an exception provided herein applies.

### **Exceptions**

The Principal may give permission for a student to possess and use a privately-owned electronic device at all times during ~~the~~ School ~~day~~hours and during School-sponsored activities for good cause if the device does not distract from the instructional or educational process and is not otherwise used inappropriately.

Parents may request that the Principal allow a student to possess and use a privately-owned electronic device on active mode at all times during ~~the~~ School ~~day~~hours and during School-sponsored activities, with the exception of during tests and standardized assessments, for good cause, including medical needs or unusual family situations. Parents may also request that the Principal allow a student to briefly use a privately-owned electronic device during non-instructional time in a specified location designated by the School.

Students may use a privately-owned electronic device to address a medical necessity.

A student may possess and use a privately-owned electronic device on active mode at all times during ~~the regular~~ School ~~day~~hours and during School-sponsored activities, including during assessments, if such an accommodation is specified in a written Section 504 plan, an Individualized Education Plan, or in connection with other legitimate circumstances determined by the Principal.

Privately-owned electronic devices may be possessed and used in the event of an emergency during the limited period of the emergency in order to protect the safety of a student or School employee, visitor or volunteer. This includes using a privately-owned electronic device to respond to an imminent threat to health or safety of an individual or to respond to a School-wide emergency. Students also have access to a landline phone in each classroom which may be used in case of emergency. During a school-wide emergency, teachers and administrators should communicate with emergency services and student cell phone use should not be excessive to avoid overloading the cellular network.

Students may also use a privately-owned electronic device during ~~the~~ School ~~day~~ hours and during School-sponsored activities to use the SafeUT Crisis Line.

Parents may make other individualized requests for exceptions to these procedures to the Principal.

### **Consequences for Violation**

A student will receive one warning prior to discipline for violating ~~this~~ the policy or these procedures unless the violation involves cheating or constitutes a violation of the School's Student Conduct and Discipline Policy or Bullying and Hazing Policy or at the discretion of the Principal. On the second violation of ~~this~~ the policy or these procedures, if the violation involves a privately-owned electronic device, the privately-owned electronic device will be confiscated, labeled, and held in a secure location. The Principal, teachers, and other individuals designated by the Principal may confiscate privately-owned electronic devices under ~~this~~ the policy and these procedures.

Despite the foregoing, a privately-owned electronic device may be confiscated after an initial or other violation of these procedures if the violation is deemed serious by the Principal, teacher, or another individual designated by the Principal. Serious violations include but are not limited to a student using a privately-owned electronic device to:

- Threaten, harass, bully, or intimidate another person;
- Access pornography or obscene material;
- Engage in academic dishonesty;
- Participate in criminal behavior; or
- Repeatedly or egregiously disrupt classroom or other School instruction.

An individual other than a student that finds or confiscates a privately-owned electronic device may search the device for the purpose of determining the device's owner. Students may not search privately-owned electronic devices that do not belong to them. Privately-owned electronic devices that are used inappropriately may be subject to search by the Principal or other individuals designated by the Principal if there is a reasonable suspicion that the device contains obscene or pornographic material or has been used to cheat or to threaten, embarrass, harass, or intimidate other students, teachers, volunteers, School guests, or School employees. School-owned electronic devices may be searched at any time by School officials, with or without cause.

The School is not responsible for loss, damage or theft of any privately-owned electronic devices. The School will make reasonable efforts to notify parents/guardians if the School has confiscated a student's privately-owned electronic device. Parents/guardians who show identification may retrieve confiscated electronic devices during School hours or by appointment. The School will retain un-retrieved privately-owned electronic devices until the end of the School year, at which time the devices will be disposed of in a manner that ensures that no data stored on the device may be retrieved.

The Principal may, subject to applicable law, impose additional disciplinary consequences for a student's violation of ~~this~~ the policy or these procedures, considering the nature of the violation

and other disciplinary actions in which the student has been involved. Such disciplinary actions may include:

- Loss of the privilege to possess or use electronic devices
- Disciplinary letter to the student's parent/guardian that is placed in the student's file
- Detention
- In-School suspension
- Suspension
- Expulsion
- Loss of the privilege of participating in School-sponsored activities or of receiving honor recognition

The School may contact law enforcement if School employees believe that a student has used an electronic device in connection with a violation of criminal law, and criminal penalties may arise from inappropriate use of electronic devices.

### **Notice of the Policy**

The School will make the Electronic Resources Policy and these procedures accessible on the School's website, including in the same location as the School's Data Governance Plan required in R277-487.

~~Complaints about this policy and these procedures or their enforcement, or complaints about observed behavior regarding the policy and these procedures, should be addressed in accordance with the School's grievance policies.~~

### **Creative and Innovative Uses for Electronic Devices**

Teachers and other School employees are encouraged to use electronic devices creatively in order to effectively communicate with students and parents/guardians and to enhance instruction. Creative uses might include notifying absent students of assignments, communicating with parents when students excel or if they are behind or absent, notifying students and parents of news articles or events that would enhance the learning experience, providing feedback to students on tests and assignments, parents notifying the School when students are absent or tardy.

### **Other Provisions**

Picture taking or sound or video recording by students is prohibited in School unless authorized by a teacher or the Principal. Picture taking or sound or video recording by students is prohibited in private areas of the School such as locker rooms, counseling sessions, washrooms, and dressing areas. Violations of this may subject students to discipline, and any suspected illegal activity may be reported to law enforcement.

Students bring privately-owned electronic devices on School property at their own risk. The School is not responsible for lost, stolen or damaged privately-owned electronic devices.

Students are responsible for their privately-owned electronic devices and may be subject to discipline if their device is misused by another.

Parents, guests and visitors to the School may use privately-owned electronic devices at School and at School-sponsored activities only in accordance with rules established by the Principal. Such individuals who use the School's electronic resources, including the School's equipment, services, or connectivity, whether on or off School property, may not use such resources to access inappropriate material or information.

## Internet Safety

The School has established a policy to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act (section 254(h) of title 47, United States Code).

### Definitions

Key terms are as defined in the Children's Internet Protection Act.

**"Technology Protection Measure"** means a specific technology that blocks or filters Internet access to visual depictions that are:

- 1- Obscene, which means material that is obscene under as that term is defined in section 1460 of title 18, United States Code, and applicable United States Supreme Court precedent.
- 2- Child Pornography, as that term is defined in section 2256 of title 18, United States Code; or
- 3- Harmful to minors.

**"Harmful to Minors"** means, as set forth in section 254 of title 47, United States Code, any picture, image, graphic image file, or other visual depiction that:

- 1- Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
- 2- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
- 3- Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

**"Sexual Act"** and **"Sexual Contact"** have the meanings given such terms in section 2246 of title 18, United States Code.

### Access to Inappropriate Material

~~To the extent practical, the~~ The School ~~will~~ employs technology protection measures (or "Internet filters") to block or filter Internet access to—or other forms of electronic communications

containing—inappropriate information over the School’s network or by School-owned electronic devices. These technology protection measures constitute the School’s preapproved content filtering system as described in Utah Code § 53G-7-1003, and they are employed by the School regardless of whether a parent requests them or not. The School also employs a parent-accessible monitoring system, which is a technology platform that enables a parent to review the activity of the parent’s student on School-owned electronic devices.

Specifically, as required by the Children’s Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes. Procedures for disabling or otherwise modifying any technology protection measures shall be the responsibility of the Principal or designated representatives.

### **Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of the School online computer network when using electronic mail, chat rooms, instant messaging, social media, and other forms of direct electronic communications.

Specifically, as required by the Children’s Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called “hacking” and other unlawful activities and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

### **Education, Supervision and Monitoring**

It shall be the responsibility of all School employees to educate, supervise and monitor appropriate usage of the School’s online computer network and access to the Internet in accordance with ~~this~~the policy and these procedures, the Children’s Internet Protection Act, the Neighborhood Children’s Internet Protection Act, and the Protecting Children in the 21<sup>st</sup> Century Act. This includes educating students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, as well as cyberbullying awareness and response. The School will also provide information regarding these matters to parents/guardians.

## **Student Acceptable Use of School Electronic Resources**

The School makes various electronic resources available to students. These resources include computers and other electronic devices and related software and hardware as well as the School’s network and access to the Internet. The School’s goal in providing such electronic resources to students is to enhance the educational experience and promote the accomplishment of the School’s mission.

Electronic resources can provide access to a multitude of information and allow communication with people all over the world. Along with this access comes the availability of materials that may be considered inappropriate, unacceptable, of no educational value, or even illegal. The School has initiated safeguards to restrict access to inappropriate materials, and use of the Internet and other electronic resources is monitored as well.

In order to use the School's electronic resources, students must be willing to abide by the rules of acceptable use. Use of the School's electronic resources is a privilege, and students have no expectation of privacy in connection with their use of the School's electronic resources.

Students who abuse this privilege by actions such as damaging the School's electronic resources; violating copyrights; bullying, hazing, intimidation, humiliation, harassment and threats; accessing pornography or other obscene or inappropriate material; inappropriate language; gambling; unauthorized games; hacking; invasion of the reasonable expectations of privacy of students or employees; or other unauthorized or inappropriate use, will be subject to discipline. Violation of policies and rules regarding use of the School's electronic resources may also result in confiscation of School-issued devices and denial of access to the School's electronic resources. This may result in missed assignments, inability to participate in required assignments and assessments, and possible loss of credit or academic grade consequences.

The School may contact law enforcement if School employees believe that a student has used School electronic resources in connection with a violation of criminal law, and criminal penalties may arise from inappropriate use of electronic resources. This applies to use of the School's electronic resources at any time and place, whether on or off School grounds.

Students are personally responsible for School electronic resources provided to them and the students and their parents/guardians may be held responsible for loss or damage to such electronic resources.

Parents play an important role in helping students understand what does and does not constitute acceptable use.

The School may establish agreements for students to sign acknowledging that they understand the rules for use of the School's electronic resources.

### **Staff Acceptable Use of School Electronic Resources**

These procedures apply to employees' and volunteers' use of the School's electronic resources, and employees must agree to these terms as a condition of employment.

#### **At-Will Employment**

Nothing in ~~this~~the policy or these procedures is intended to create additional rights for any employee or to otherwise alter or amend the at-will nature of the employment relationship between the School and any employee.

### **The School's Rights**

It is the School's policy to maintain an environment that promotes safe, ethical and responsible conduct in all activities involving the use of the School's electronic resources. The School recognizes its legal and moral obligation to protect the well-being of students and to preserve the integrity of its electronic resources. The School's rights in connection with its electronic resources include but are not limited to the following:

1. All data, files, programs, and materials downloaded with or used, sent, received, or stored upon the School's electronic resources are the School's property, and the School may deal with such items as it deems appropriate.
2. The School may log network use and monitor server space utilization by users and assumes no responsibility or liability for files deleted due to violation of server space allotments.
3. The School may remove a user account on the network with or without notice.
4. The School may monitor all user activities on the School's electronic resources, including but not limited to real-time monitoring of network activity and/or maintaining a log of Internet activity for later review.
5. The School may provide internal and external controls of network usage as appropriate and feasible, including but not limited to restricting online destinations through software or other means.
6. The School may limit or restrict, with or without notice, access to the School's electronic resources for those who do not abide by ~~this~~the policy, these procedures, or other direction governing the use of the School's electronic resources.
7. The School may determine, in its sole discretion, what materials, files, information, software, communications, and other content or activity are permitted or prohibited.
8. The School may delete or remove, with or without notice, any files, programs, data or other materials from any of the School's electronic resources.
9. The School may provide additional policies or guidelines regarding acceptable use of electronic resources.

### **Employees' Responsibilities Regarding Students' Use of Electronic Resources**

Employees who supervise students, control electronic resources, or otherwise have the ability to observe student use of School electronic resources are responsible for educating students on appropriate use of the School's electronic resources. Such employees shall make reasonable efforts to monitor such use to ensure that it is consistent with applicable rules. Employees should make reasonable efforts to become familiar with the Internet and the use of the School's electronic resources to help ensure effective monitoring, instruction, and assistance.

### **User Responsibilities**

Use of the School's electronic resources is a privilege intended to help employees fulfill their responsibilities and promote the School's mission. In order to maintain this privilege, users must agree to comply with ~~this~~the policy and these procedures. Users who are aware of any violation of ~~this~~the policy or these procedures by any employee must report the violation to the Principal. Employees are responsible for any School electronic resources issued to them at all times and may be held responsible for any inappropriate use, regardless of the user.

Employees may use privately-owned electronic devices at School or at School-sponsored activities in accordance with rules and procedures established by the Principal. Employees may not use privately-owned electronic devices at School or at School-sponsored activities to access inappropriate matter.

Violation of ~~this~~the policy or these procedures is grounds for discipline, up to and including termination. The School may also notify law enforcement as appropriate, and such actions may subject an employee to criminal penalties.

### **Acceptable Use**

Standards for acceptable use of the School's electronic resources include but are not limited to the following:

1. All use of the School's electronic resources, including but not limited to use of computers and other electronic devices, use of e-mail, and network and Internet access must be consistent with the School's mission.
2. Network accounts are to be used only by the authorized user of the account for the authorized purpose.
3. Users must take reasonable steps to protect the privacy of students, School employees and other members of the School community and must strictly maintain the confidentiality of information regarding such individuals.
4. Use of the School's electronic resources, whether inside or outside the School, must comply with the School's employee handbook, as established from time to time.
5. Employees must comply with applicable copyright laws, ethical rules, and other applicable laws and regulations.
6. Users must exercise appropriate professional judgment and common sense when transporting files to and from school, keeping in mind copyright and other legal issues, as well as ensuring that the non-School computers to or from which files are being transferred are employing appropriate virus-control technologies.
7. Users must exhibit professionally appropriate behavior when using the School's electronic resources in order to professionally represent and preserve the image the School.
8. Users must take reasonable precautions to protect the School's electronic resources in order to reduce repair costs, maintain the integrity of the network, and protect the School's assets. Employees who damage School electronic resources may be financially responsible for the cost of repair or replacement.

9. From time to time, the School will make determinations on whether specific uses of the School's electronic resources are consistent with the intent of ~~this~~the policy and these procedures.

### **Unacceptable Use**

The following uses of the School's electronic resources are prohibited:

1. Excessive use of the School's electronic resources for personal matters. "Excessive use" includes but is not limited to use of electronic resources in a manner that interferes with an employee's performance of work-related responsibilities or with the functioning of the School's electronic resources.
2. Use of the School's electronic resources in connection with social networking sites for non-academic purposes is prohibited.
3. Use of the School's electronic resources for commercial or for-profit purposes.
4. Use of the School's electronic resources for product advertisement or political lobbying.
5. Personal electronic devices may only be connected to the School's network with appropriate authorization.
6. Intentionally seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users, or impersonating or misrepresenting other users of the School's network.
7. Unauthorized use or disclosure of personal student information in violation of R277-487 and the Family Educational Rights and Privacy Act, 34 CFR, Part 99.
8. Use of the School's electronic resources in a manner that disrupts the use of the network by others.
9. Destroying, modifying, or abusing the School's electronic resources in any way.
10. Use of the School's electronic resources in a manner that threatens or impairs the integrity or security of the network.
11. Use of the School's electronic resources for hate mail, chain letters, harassment, discriminatory remarks, and other antisocial behaviors.
12. Downloading or installation of any software, including shareware and freeware, for use on the School's electronic resources without the approval of the Principal or designee.
13. Use of any software on the School's electronic resources in violation of the applicable license or use agreement.
14. Use of the School's electronic resources to access, process, store, send or receive pornographic, sexually explicit or otherwise inappropriate material (as determined by the Principal).
15. Use of the School's electronic resources for downloading entertainment software, files or other material not related to the mission of the School. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of the School.
16. Downloading, copying, otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner, except that duplication and/or distribution of materials for educational purposes is permitted when such

duplication and/or distribution would fall within the Fair Use Doctrine of federal copyright law.

17. Use of the School's electronic resources for any unlawful purpose.
18. Use of the School's electronic resources to intentionally access, process, store, send or receive materials containing profanity, obscenity, racist terms, or other harassing, abusive, intimidating, threatening, discriminatory or otherwise offensive language or images.
19. Use of the School's electronic resources for playing games unless it is for instructional purposes or otherwise approved by the Principal or designee.
20. Participating in activities, including but not limited to the preparation or dissemination of content, which could damage the School's professional image, reputation and/or financial stability.
21. Permitting or granting access to the School's electronic resources, including but not limited to granting use of an e-mail or network account or password, to another individual, including but not limited to someone whose access has been denied or terminated.
22. Portable data storage devices may only be used to backup or transport files and data between computers and use of such devices for the operation of unauthorized portable applications is prohibited.
23. Establishing connections to live communications, including text, voice, or video, may only be done in a manner approved by the Principal or designee.
24. Malicious use of the School's electronic resources to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system.

### **Disclaimer**

1. The School cannot be held responsible for information that is retrieved via the network.
2. Pursuant to the Electronic Communications Privacy Act of 1986 (18 U.S.C. § 2510, et seq.), notice is hereby given that there are no facilities provided by the School's system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and will monitor messages. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.
3. The School is not responsible for any damage users may suffer, including loss of data resulting from delays, non-deliveries, or service interruptions caused by the School's negligence or your errors or omissions.
4. Use of any information obtained is at the user's own risk.
5. The School makes no warranties (expressed or implied) with respect to:
  - The content of any advice or information received by a user, or any costs or charges incurred as a result of seeing or accepting any information;
  - Any costs, liability, or damages caused by the way the user chooses to use his or her access to the network.
6. The School reserves the right to change its policies and rules at any time.

### **Privacy**

Use of and access to the School's electronic resources is provided to employees as a tool for the School's business. The School reserves the right to monitor, inspect, copy, review, store or

remove, at any time, without prior notice, any and all usage of the School's electronic resources such as the network and the Internet, including but not limited to e-mail, as well as any and all materials, files, information, software, electronic communications, and other content transmitted, received or stored in connection with this usage. All such information, content, and files are the property of the School. Employees should have no expectation of privacy regarding them. Network administrators may review files and intercept communications for any reason, including but not limited to maintaining system integrity and ensuring employees are using the system consistently with ~~this~~the policy and these procedures.

## Training

The School will provide, within the first 45 days of each school year, a school-wide or in-classroom training to employees and students that covers:

- The contents of ~~this~~the policy and these procedures;
- The importance of digital citizenship;
- The School's conduct and discipline related consequences as related to a violation of ~~this~~the policy or these procedures;
- The School's general conduct and discipline policies;
- The benefits of connecting to the Internet and utilizing the School's Internet filters while on School property; and
- Any specific rules governing the permissible and restricted uses of privately-owned electronic devices while in a classroom.

Each educator who allows the use of a privately-owned electronic device in the classroom must clearly communicate to parents and students the conditions under which the use of such a device is allowed.

The School will provide an annual notice to all parents of the location of information for in-home network filtering options (<https://consumerprotection.utah.gov/edu/filtering.html>) as provided for in Utah Code § 76-5c-402.

## Complaints

Complaints about ~~this~~the policy and these procedures or their enforcement, or complaints about observed behavior regarding the policy and these procedures, should be addressed in accordance with the School's grievance policies.

## MWMA Board of Director's Meeting Monday, August 17, 2026

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

#### **Issue:**

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Amending Paid Parental and Postpartum Recovery Leave Policy.

#### **Background:**

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HB 329 from the 2026 legislative session expanded paid leave benefits for qualified LEA employees. The bill requires LEAs to provide an additional three (3) weeks of paid leave to a qualified employee who adopts a child under six (6) years of age (this leave is in addition to the three (3) weeks of parental leave already available to a qualified employee who adopts a child). The bill also creates a separate category of foster leave, requiring LEAs to provide four (4) weeks of paid leave to a qualified employee who becomes a foster parent of a child. Unlike adoption leave, foster leave is not in addition to parental leave because the bill removes foster leave from the parental leave category and establishes it as a separate leave benefit. The Paid Parental and Postpartum Recovery Leave Policy has been revised to incorporate these changes, and its title has been updated to the Paid Parental, Postpartum Recovery, Adoption, and Foster Leave Policy. Another change to the policy was made to specify that non-contract days during an employee's summer break count toward the applicable leave period.

#### **Considerations:**

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The administration recommends the Board's consideration and approval of the amended Paid Parental and Postpartum Recovery Leave Policy and changing its title to Paid Parental, Postpartum Recovery, Adoption, and Foster Leave Policy.

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

**Mountain West Montessori Academy**  
**Paid Parental, ~~& Postpartum Recovery~~, Adoption,**  
**and Foster Leave Policy**

**Adopted: May 19, 2025**

**Amended: January 26, 2026**



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

**Definitions**

For purposes of this policy:

“Adoption leave” means paid leave hours the School provides to an adoption leave eligible employee.

“Adoption leave eligible employee” means a School employee who:

- (a) receives regular paid personal time off (PTO) benefits from the School; and
- (b) is legally adopting a young child, unless the employee is the spouse of the young child’s pre-existing parent.

“Child” means an individual younger than 18 years old.

“Foster leave” means paid leave hours the School provides to a foster leave eligible employee.

“Foster leave eligible employee” means a School employee who:

- (a) receives regular paid personal time off (PTO) benefits from the School; and
- (b) is the foster parent of a child.

“Parental leave” means paid leave hours the School provides to a parental leave eligible employee to bond with a child or incapacitated adult, including a child or incapacitated adult for whom the parental leave eligible employee is appointed the legal guardian.

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

- (a) a birth parent as defined in Utah Code § ~~78B-6-103~~ 81-13-101;
- (b) legally adopting a ~~minor~~ child, unless the ~~individual~~ employee is the spouse of the child’s pre-existing parent;
- (c) the intended parent of a child born under a validated gestational agreement in accordance with Title 81, Chapter 5, Part 8, Gestational Agreement; or
- (d) appointed the legal guardian of a ~~minor~~ child or incapacitated adult; ~~or~~
- ~~(e) a foster parent of a minor child.~~

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

“Postpartum recovery leave eligible employee” means ~~an~~ School employee who:

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

“Qualified employee” means:

- (a) a parental leave eligible employee; ~~or~~
- (b) a postpartum recovery leave eligible employee;
- (c) an adoption leave eligible employee; or
- ~~(b)~~ (d) a foster leave eligible employee.

“Qualified leave” means:

- (a) parental leave;
- (b) postpartum recovery leave;
- (c) adoption leave; or
- (d) foster leave.

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

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

“Young child” means an individual younger than six years old.

### **~~Paid~~ Postpartum Recovery Leave**

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

Postpartum recovery leave as described above:

- (a) shall be used starting on the day on which the postpartum recovery leave eligible employee gives birth, unless a health care provider certifies that an earlier start date is medically necessary;
- (b) shall be used in a single continuous period, unless otherwise authorized in writing by the Director; and
- (c) runs concurrently with FMLA leave, if applicable to the postpartum recovery leave eligible employee; ~~and~~
- ~~(d) runs consecutively to parental leave.~~

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

### **Paid-Parental Leave**

The School allows a parental leave eligible employee to use up to 15 contracted workdays of ~~paid~~ parental leave for:

- (a) the birth of the parental leave eligible employee's child;
- (b) the adoption of a child; or
- (c) the appointment of legal guardianship of a child or incapacitated adult; ~~or~~
- ~~(d) the placement of a foster child in the parental leave eligible employee's care.~~

Parental leave as described above:

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

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

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

A parental leave eligible employee may not use more than 15 contracted workdays of ~~paid~~ parental leave within a single 12-month period, regardless of whether during that 12-month period the parental leave eligible employee:

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

## **Adoption Leave**

The School allows an adoption leave eligible employee to use up to 15 contracted workdays of adoption leave for adopting a young child, unless the employee is the spouse of the young child's pre-existing parent.

Adoption leave as described above:

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

An adoption leave eligible employee's adoption leave does not increase if an adoption leave eligible employee adopts more than one young child. Accordingly, an adoption leave eligible employee may not use more than 15 contracted workdays of adoption leave within a single 12-month period, regardless of whether during that 12-month period the adoption leave eligible employee adopts more than one young child.

If a young child is legally adopted by two adoption leave eligible employees, the adoption leave eligible employees are entitled to use a single 15-contracted-workday period of adoption leave, which the employees may allocate between themselves. Adoption leave eligible employees who intend to allocate adoption leave as described in this paragraph shall provide notice of this intent in the manner and before the deadline described in the "Notice of Plan to Take Leave" section below.

## **Foster Leave**

The School allows a foster leave eligible employee to use up to 20 contracted workdays of foster leave for the placement of a foster child in the employee's care.

Foster leave as described above:

- (a) may not be used before the day on which a child is placed in foster care with a foster leave eligible employee;
- (b) may not be used more than six months after the date described immediately above;
- (c) may not be used after the child is no longer placed in foster care with the foster leave eligible employee;
- (d) may be used intermittently; and
- (e) runs concurrently with FMLA leave, if applicable to the foster leave eligible employee.

A foster leave eligible employee's foster leave does not increase if a foster leave eligible employee has more than one child placed in foster care with the foster leave eligible employee. Accordingly, a foster leave eligible employee may not use more than 20 contracted workdays of foster leave within a single 12-month period, regardless of whether during that 12-month period more than one child is placed in foster care with the foster leave eligible employee.

If a child is placed in foster care with two foster leave eligible employees, the foster leave eligible employees are entitled to use a single 20-contracted-workday period of foster leave, which the employees may allocate between themselves. Foster leave eligible employees who intend to allocate foster leave as described in this paragraph shall provide notice of this intent in the manner and before the deadline described in the "Notice of Plan to Take Leave" section below.

A qualified employee may not use:

- (a) both foster leave and parental leave with respect to the same child; or
- (b) both foster leave and adoption leave with respect to the same young child.

### **Leave Period**

The maximum amount of paid postpartum recovery leave available to qualified employees under this policy is 20 contracted workdays.

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

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

The maximum amount of foster leave available to qualified employees under this policy is 20 contracted workdays.

~~Any non-contracted workdays (such as~~ Weekends, holidays, and other non-contracted workdays ~~days during summer break, etc.)~~ that occur ~~during~~ after a qualified employee's ~~paid parental leave or paid postpartum recovery~~ qualified leave ~~has begun~~ do not count toward the applicable contracted workday leave period, except that non-contracted workdays (Monday through Friday) occurring during an employee's summer break count toward the applicable contracted workday leave period.

### **Notice of Plan to Take Leave**

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

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

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

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

### **Other Leave**

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

### **Employee Benefits During Leave**

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

### **Employee Position after Leave**

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

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

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

### **Retaliatory Action**

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

### **Part-Time Qualified Employees**

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

## MWMA Board of Director's Meeting Monday, August 17, 2026

### **Action Item:** *Amending Sex Education Instruction Policy*

#### **Issue:**

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Amending the Sex Education Instruction Policy.

#### **Background:**

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HB 281 from the 2025 legislative session revised the definition of “sex education instruction.” It also modified the list of sex education related topics that are not allowed to be taught in school (e.g., adding abortion or abortive methods to the list of prohibited topics). In addition, HB 281 revised health curriculum requirements for junior high and high school students (e.g., requiring instruction in “situational awareness” and the “success sequence”). The school’s Sex Education Instruction Policy and admin procedures have been revised to comply with the updated definitions and requirements from HB 281. Other proposed revisions to the policy and procedure have also been made, including specifying that parent or staff complaints about the school’s sex education instruction materials should be addressed in accordance with the school’s applicable grievance policy. Although HB 281 was passed in 2025, the changes relative to sex education instruction go into effect beginning July 1, 2026.

#### **Considerations:**

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The administration recommends the Board’s consideration and approval of the amended Sex Education Instruction Policy.

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

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

**Mountain West Montessori Academy**  
**Sex Education Instruction Policy**  
**Approved: January 28, 2014**  
**Revised: ~~December 3, 2018~~ July 14, 2026**



**POLICY PURPOSE**

The purpose of this policy is to ensure that ~~the any~~ sex education instruction or instructional program ~~Curriculum~~ taught at Mountain West Montessori Academy (the "School") is compliant with state law.

**POLICY**

The School will comply with applicable state law regarding the presentation of sex education instruction or instructional programs.

"Sex education instruction or instructional programs" means any course, unit, class, activity or presentation that provides instruction or information to students about: sexual abstinence, human ~~sexuality~~ development, including puberty and maturation; human ~~reproduction~~ reproductive processes, including conception, fetal development, pregnancy, and birth; human; reproductive anatomy and/or physiology; healthy dating practices, ~~pregnancy~~, marriage, and parenthood, in accordance with the success sequence as defined in Utah Code § 53G-10-402; ~~adoption in accordance with Utah Code § 53G-10-404; information about contraceptive methods or devices in accordance with Utah Code § 53G-10-402(2)(b) and (c); childbirth, parenthood, contraception, HIV/AIDS;~~ sexually transmitted infections and diseases; or refusal skills, as defined in Utah Code § 53G-10-402. While these topics are most likely discussed in courses such as health education, health occupations, human biology, physiology, parenting, adult roles, psychology, sociology, child development, and biology, this policy applies to any course or class in which these topics are the focus of discussion.

The Director shall establish administrative procedures to help the School comply with the requirements related to sex education instruction or instructional programs under Utah law.

**REVIEW**

Every two years the Board of Directors will (a) review this policy; and (b) review data for the county in which the School is located regarding teen pregnancy, child sexual abuse, sexually transmitted diseases and sexually transmitted infections, and the number of pornography complaints or other instances reported in the School.



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## Sex Education Instruction Administrative Procedures

These administrative procedures are established pursuant to the Sex Education Instruction Policy adopted by the School's Board of Directors.

In accordance with state law, all sex education instruction or instructional programs, which include but are not limited to all maturation education programs and all health curriculum, will comply with the requirements of Utah Code § 53G-10-402 through -403 and Utah Admin Code R277-474. ~~Specifically, the School will:~~

- ~~• teach sexual abstinence before marriage and fidelity after marriage as methods for preventing certain communicable diseases;~~
- ~~• teach personal skills that encourage individual choice of abstinence and fidelity; and~~
- ~~• obtain prior parental consent before any sex education instruction, maturation program, or other instructional program.~~

The School's health curriculum will include instruction in the following topics, as required by Utah Code § 53G-10-402(2)(a)(ii):

- (a) the success sequence;
- (b) community and personal health, including personal hygiene and the prevention of communicable disease;
- (c) physiology;
- (d) human development;
- (e) marriage and safe dating practices;
- (f) refusal skills;
- (g) resilience;
- (h) situational awareness;
- (i) the harmful effects of pornography;
- (j) the consequences of behaviors that pose a risk to individual health or of failure under the success sequence.

The School shall ensure that health curriculum instruction:

- (a) stresses the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for: maintaining mental, physical, and social health, including reducing stress; eliminating risks associated with sexual activity, including preventing pregnancy and certain communicable diseases; and achieving the success sequence; and
- (b) personal skills that encourage abstinence, the return to abstinence, and fidelity.

The Director will establish a curriculum materials review committee composed of parents, health professionals, school health educators and administrators~~school employees, and others selected by the Director. If possible, the committee will also include health professionals and school health educators.~~ The committee will have at least as many parents as school employees. The School's Board of Directors will review and approve the membership of the committee on or before August 1 each year. ~~If the School's Board of Directors is composed of a majority of parents, it may elect to act as the committee.~~

The curriculum materials review committee will meet on a regular basis, as determined by the members of the committee, select officers for the committee and designate a committee chair, and comply with the Open and Public Meetings Act. The committee will review and make recommendations to the School's Board of Directors regarding instructional materials to be used by the School in connection with sex education instruction~~or a maturation education program.~~ Program materials and guest speakers supporting instruction on these topics must also be reviewed and approved by the curriculum materials review committee.

Instructional materials used by the School in connection with sex education instruction~~or a maturation education program~~ must be approved by the School's Board of Directors. These materials will comply with the requirements of applicable law and will be available for parents to review for a reasonable period of time prior to consideration for adoption by the Board of Directors.

The following topics may not be taught in the School:

- The intricacies of ~~intercourse~~, sexual stimulation or erotic behavior;
- The advocacy of premarital or extramarital sexual activity;
- The advocacy or encouragement of the use of contraceptive methods or devices (however, instruction that includes information about contraceptive methods or devices, not including abortion or any abortive methods, that stresses effectiveness, failure rates for youth, limitations, risks, and information on state law applicable to minors obtaining contraceptive methods or devices is allowed); or
- Any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult, including as a response to a spontaneous question from a student~~The advocacy of premarital or extramarital sexual activity.~~

The School will comply with the ~~Utah Family Educational Rights and Privacy Act,~~ student privacy laws in Utah Code § 53E-9-202 through -203 and obtain parental consent prior to any sex education instruction,~~maturation education, or other instructional program.~~ At no time will a student be in the classroom during any sex education instruction,~~maturation education, or other instructional program~~ unless an approval form signed by the student's parent/guardian is on file. The parental notification form (aka the approval form) will:

- a) explain a parent's right to review proposed curriculum materials in a timely manner;
- b) request the parent's permission to instruct the parent's student in identified course material related to sex education instruction~~or maturation education;~~

- c) allow the parent to exempt the parent's student from attendance for a class period where identified course material related to sex education instruction ~~or maturation education~~ is presented and discussed;
- d) be specific enough to give parents fair notice of topics to be covered;
- e) include a brief explanation of the topics and materials to be presented and provide a time, place and contact person for review of the identified curricular materials;
- f) be retained on file with affirmative parental consent for each student prior to the student's participation in discussion of issues protected under Section 53G-10-402; and
- g) be maintained at the School for a reasonable period of time.

Instructors may not intentionally elicit comments or questions about matters subject to parental consent requirements. Additionally, instructors' responses to questions spontaneously raised by students must be brief, factual, objective and in harmony with content requirements of this policy and state law. Responses must also be age appropriate and limited in scope to that reasonably necessary under the circumstances.

The School will ensure that all educators with any responsibility for any aspect of sex education instruction will receive appropriate professional development outlining the sex education curriculum and the criteria for sex education instruction. The School will ensure that educators receive this professional development at least once every three years. Additionally, the School will ensure that such educators are familiar with the student privacy requirements of the Utah Family Educational Rights and Privacy Act Utah Code § 53E-9-202 through -203.

Any complaint or appeal concerning sex education instruction materials adopted by the School should be addressed in accordance with the School's Parent Grievance Policy or Staff Grievance Policy, as applicable.