



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.

October 12, 2026

Mountain West Montessori Academy Board of Directors Meeting Agenda Monday, October 12, 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

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 – Rebecca Akester (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 (20 minutes)
 - ✓ Amended Religion & Education Administrative Procedures
- Board of Director
 - [Financial Update](#) – Cathie Hurst (2 minutes)

6:30 PM – BOARD TRAINING

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

6:40 PM – CONSENT ITEMS

- [August 17, 2026 Board Meeting Minutes](#)

6:41 PM – VOTING ITEMS

- [Updated 401\(k\) Participation Agreement](#) – Angie Johnson (2 minutes)
- [Amend TSSA Framework](#) – Angie Johnson (2 minutes)
- [Amend Attendance Policy \(Administrative Procedures\)](#) – 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 Enrollment & Lottery Policy](#) – Angie Johnson (2 minutes)
- [Amend Fee Waiver Policy](#) – Angie Johnson (2 minutes)
- [Amend Capitalization & Expense Policy](#) – Brandon Fairbanks (2 minutes)
- [Amend Financial Reporting Policy](#) – Brandon Fairbanks (2 minutes)
- [Amend Financial, Debt & Risk Management Plan](#) – Brandon Fairbanks (2 minutes)
- [Amend Procurement Policy](#) – Brandon Fairbanks (2 minutes)
- [Amend Student Conduct & Discipline Policy](#) – Brandon Fairbanks (2 minutes)

6:59 PM – DISCUSSION ITEMS

- Calendaring – ALL (5 minutes)
 - Next Pre-Board Meeting on November 18th @ 5 p.m.
 - Next Board Meeting on November 30th [*Electronic – IF NEEDED*]
 - Holiday Social on December 14th @ 6 p.m. @ The Wild Rose
 - NCSC27 June 28-30 in Columbus, OH

7:04 PM – CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual and to discuss the purchase, exchange, or lease of real property pursuant to Utah Code 52-4-205(1)(a) & (d) (30 minutes)

7:34 PM – ADJOURN

UPCOMING CALENDAR ITEMS

November

Bond Investor Call Notice
Sex Ed/Maturation Curriculum [if changing]

January

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

February

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

March

2026-2027 School LAND Trust Plan
 2026-2027 School Fees (2nd 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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Director's Report

10.12.26



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

STRENGTHEN MATHEMATICS INSTRUCTION

- ★ Deepening student thinking
- ★ RTI Essential Standards
- ★ Math Intervention Team

ARTIFICIAL INTELLIGENCE INTEGRATION

- ★ Professional Development
- ★ UEN AI Cohort

HIGHLIGHTING A STRENGTH:

- ★ Schoolwide Events

HIGHLIGHTING A CHALLENGE:

- ★ Concrete to Abstract Work

Amended Religion and Education Administrative Procedures:

- ★ As a result of the passage of SB 260, the school's Religion and Education Administrative Procedures have been revised to ensure that students may express their religious beliefs in schoolwork without discrimination, that schoolwork is neither penalized nor rewarded based on a student's religious perspective, and that the school provides employees and students with notice of the constitutional rights and freedoms addressed in these procedures.

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Religion & Education Administrative Procedures

Purpose

Mountain West Montessori Academy (the “School”) recognizes, protects, and accommodates the rights of religious practice and expression guaranteed by state and federal laws and by the constitutions of Utah and the United States.

The purpose of this procedure is to help School personnel protect and accommodate individual religious belief and rights of conscience in the School.

General Rules Regarding Religion and Education

The School expects School personnel to foster mutual understanding and respect for all individuals and beliefs. Study about religion is an important part of a complete education and is necessary to achieving an understanding of history, societies, and cultures throughout the world. School curricula – including activities, discussions, assignments, displays, and performances – may refer to religious thought and expression, provided such references are designed to achieve specific educational objectives.

School personnel should neither promote nor disparage any religious, agnostic or atheistic belief or religion in general. Teaching about religion should be objective, thus avoiding any implication that religious doctrines have the endorsement of school authority. School personnel should recognize that religious holidays are observed in various ways, or not observed at all, based upon the influence of ethnic tradition, family style, or religious conviction.

The School shall ensure that:

- a. a student may express the student's beliefs about religion in homework, artwork, and other written or oral assignments free from discrimination based on the religious perspective of the student's submissions;
- b. home and classroom work is:
 - i. not penalized or rewarded on the basis of religious perspective; and
 - ii. judged by ordinary academic standards of substance, relevance, and other legitimate pedagogical objectives; and
- c. notification of the constitutional freedoms described in these procedures are provided to school officials, employees, and students.

Students may refrain from participation in any aspect of school that violates a religious belief or right of conscience of the student or of the student's parent or guardian.

The School shall not, in any aspect of school:

- a. require or incentivize a student to affirm or deny the student's or the student's parent or guardian's religious belief or right of conscience;
- b. engage a student in a practice that violates or is contrary to the student's or the student's parent or guardian's religious belief or right of conscience; or
- c. penalize or discriminate against a student for refraining from participation due to the student's or the student's parent or guardian's religious belief or right of conscience.

A student's parent or guardian may waive the student's participation in any aspect of school (e.g., activities, discussions, and assignments) that the parent or guardian feels would violate the parent or guardian's or student's rights of conscience or religious belief. Such waivers must be communicated in a timely manner to the appropriate School authorities.

Procedures for Implementation

1. The Director will periodically review these procedures with teachers and staff. This review will stress the School's expectation that School personnel will recognize, protect, and accommodate religious belief and individual rights of conscience in the operation of the School, while fostering mutual understanding and respect for all individuals and beliefs.
2. The School encourages teachers and employees at the School to discuss, equitably and with civility, and, if possible, resolve with students, parents, and guardians, any concerns regarding curricular content, activities, or student participation.
3. Students, parents, and legal guardians will be provided with a copy of these procedures annually through the posting of these procedures on the School's website.
4. A student or parent or legal guardian of any student may make a complaint to the Director that a portion of the curriculum, a School activity, or the conduct of a School employee violates state or federal law insofar as it "endorses[s], promote[s], or disparage[s] a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint." See Utah Code § 53G-10-202(4).
5. The Director may discuss annually with the Board any requests for accommodation, or complaints about religion in the curriculum, made within the last year in order to determine how the School can more effectively recognize, protect, and accommodate religious belief and individual rights of conscience in the operation of the School. In discussing these matters with the Board, the Director will take care to protect the privacy rights of those who made complaints or requests. The Director may also submit the written record of each complaint received and any decisions made regarding such complaints to the Board President.

Waivers of Participation

1. When a student refrains from participating in any aspect of school that violates the student's or the student's parent or guardian's religious belief or right of conscience, the School:

- a. Shall promptly notify the student's parent or guardian;
- b. May offer an alternative that does not violate the student's or the student's parent or guardian's religious belief or right of conscience; and
- c. May not require the student or the student's parent to explain, defend, or justify the student's or the student's parent or guardian's religious belief or right of conscience.

2. In addition, if a student refrains from a portion of a course or to a course in its entirety under Utah Code § 53G-10-205, the parent and School may work together to establish an alternate academic accommodation, which allows the student to demonstrate mastery of Core Standards or alternate standard, consistent with Utah Code § 53G-6-803(7) and Utah Code § 53G-10-205(2)(b).

3. When a student's parent or guardian waives the student's participation in any aspect of school that the parent or guardian feels would violate the student's or the student's parent or guardian's religious belief or right of conscience, the waiver shall be communicated (preferably in writing) as soon as possible to the Director so that an appropriate alternative for the student can be considered.

4. The School will keep, for a reasonable time, a written record of every waiver of participation based on religious belief or right of conscience.

Complaints Alleging Violation of Law

If a complaint is made by a minor student, the Director will give written notice to the student's parent or legal guardian by email addressed to the parent or legal guardian's last known email address.

The Director, student, the student's parent or legal guardian, and the teacher or employee responsible for the program in question will meet to discuss the complaint, and the Director will arrive at a decision, consistent with state and federal law, whether to alter the curriculum or activity, substitute another activity, or deny that the curriculum or activity is in violation of law. The Director will give a written decision as soon as practical under the circumstances.

The Director will keep, for a reasonable time, a written record of every complaint and any decisions made regarding each complaint.

Appeals Process

A student, parent, or legal guardian who is dissatisfied with a Director's decision regarding complaints about curricula and activities perceived to be in violation of law, may appeal that decision within ten (10) days to the Board President.

The Board President will review the complaint of the student, parent, or legal guardian and the decision of the Director and may modify the Director's decision.

At the sole discretion of the Board President, a committee of his or her choosing may be formed to review the complaint and the decision of the Director. If the Board President decides to form a committee to consider the appeal, the student and student's parent or guardian will be notified.

The Board will keep, for a reasonable time, a written record of every appeal and any decisions made regarding each appeal.

The decision of the Board President will be final.

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MWMA Board Mtg 10.12.2026

September financials are included, since the books closed on Oct. 10, 2026. September is reporting at 25% of the way through the year.

Profit and Loss –

Revenue is 26.1% overall and 26.5% for State. These are right on track for percent through the year, even though Local is high from PTIF interest and collecting fees at the beginning of the year, Federal is low since no revenue has yet been recorded.

Typically, we will have Federal income from Food but haven't yet received any. We are still working on applications, and no requests have been started.

Local revenue is still high from PTIF interest (rates remain higher), and the BOY collection of fees, along with lunch money.

Expenses are at 15.1% overall so tracking under budget on amount of year that has passed, mostly due to year end wage accruals. The only areas that are tracking ahead of budget are:

- *Purchased Prof & Tech Services

- *Purchased Property Services

- 0423 Custodial Services 48.4% - YE strip and wax floors

- *Other Purchased Services

- 0522 Liability Insurance 67.9%, since paid once a year and have already paid most (if not all)

- *Supplies & Materials

- 0641 Textbooks 55%, 0642 E-Textbooks 39.3%, 0644 Library Books 44.9% since more bought at BOY

Balance Sheet –

- Investments (PTIF) increased \$632K over the PY
- Operating Cash is a little higher than we typically keep for PR and monthly expenses, but always assess after audits and move excess to PTIF
- Everything else looks very good and what we would expect

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Mountain West Montessori Academy
Board Profit and Loss
7/1/2026 - 9/30/2026

	Annual	Year-to-Date	
	June 30, 2027	September 30, 2026	
	Budget	Actual	% of Budget
Net Income			
Income			
Revenue From Local Sources	310,000	111,791	36.1 %
Revenue From State Sources	5,452,674	1,447,511	26.5 %
Revenue From Federal Sources	201,146	0	0.0 %
Total Income	5,963,820	1,559,302	26.1 %
Expenses			
Instruction/Salaries	2,993,211	435,878	14.6 %
Employee Benefits	774,950	108,575	14.0 %
Purchased Prof & Tech Serv	565,950	113,817	20.1 %
Purchased Property Services	245,149	49,595	20.2 %
Other Purchased Services	183,619	34,780	18.9 %
Supplies & Materials	495,593	133,077	26.9 %
Property	15,000	0	0.0 %
Debt Services & Miscellaneous	565,563	7,688	1.4 %
Total Expenses	5,839,035	883,410	15.1 %
Total Net Income	124,785	675,892	541.6 %

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Mountain West Montessori Academy
Board Balance Sheet
As of 9/30/2026

	Period Ending 09/30/2026	Period Ending 09/30/2025
	Actual	Actual
Assets & Other Debits		
Current Assets		
Operating Cash		
Cash	1,209,123	1,243,644
Investments	3,429,687	2,797,696
Operating Cash	4,638,810	4,041,340
Accounts Receivables	860	1,128
Total Current Assets	4,639,670	4,042,468
Restricted Cash	883,468	882,514
Net Assets		
Fixed Assets	9,356,792	9,315,699
Depreciation	(2,111,102)	(1,857,083)
Total Net Assets	7,245,690	7,458,616
Other Debits	(402,379)	(430,929)
Total Assets & Other Debits	12,366,449	11,952,669
Liabilities & Fund Equity		
Current Liabilities	19,855	38,335
Long-Term Liabilities	7,225,000	7,405,000
Fund Balance	4,445,702	4,098,216
Net Income	675,892	411,118
Total Liabilities & Fund Equity	12,366,449	11,952,669

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Utah Open & Public Meetings Act Annual Training Materials

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/); 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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Mountain West Montessori Academy Board of Directors Meeting Minutes Monday, August 17, 2026

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



In Attendance: Steve Barnes, Corbin White, Robin Strup Koski, Tabitha Hemperly,

Excused: Gimenia Palmer, Nelson Altamirano,

Others in Attendance: Angie Johnson, Collen Dolan, Cathie Hurst, Dawn Kawaguchi,

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MINUTES

2026-2027 BOARD PRIORITIES

Strengthen Mathematics Instruction
Advance Artificial Intelligence Integration

6:09 PM – INTRODUCTORY ITEMS

- Call to Order – Steve Barnes
- School Mission – Corbin White
- Montessori Mastery – Angie Johnson led a Montessori grammar lesson focusing on parts of speech, specifically covering nouns, adjectives, adverbs, articles, and conjunctions. She provided examples and had participants practice creating sentences using these elements, emphasizing the importance of including a verb to form a complete sentence rather than just a phrase. The session concluded with participants sharing their sentence examples.

REPORTS

➤ **Administration**

- State of the School – Angie Johnson presented the board's priorities for the year, which include strengthening mathematics instruction, curriculum alignment, data-driven interventions, and AI integration. She then discussed the importance of accreditation, explaining that it is a voluntary quality assurance process conducted by Cognia, a nonprofit organization. Angie outlined the extensive accreditation process, which includes writing an executive summary, completing standards self-assessment, conducting stakeholder feedback analysis, analyzing student performance data, and compiling numerous supporting documents. She shared that Coleen and she spent significant time last year working on the accreditation process, which occurs every five years and involves extensive data compilation and

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documentation. Angie presented the process for evaluating a few of the standards, how they rated themselves, and the detailed evidence collected. The team's self-rated performance exceeded both their institution's and network's averages for each standard. A large portion of the evidence shared by Angie was student assessment data showing the school outperformed 19 of 20 comparable charter schools in English language arts, math, and science, with particular improvement in reading scores following implementation of the science of reading approach. Angie also presented longitudinal data tracking student progress from kindergarten through sixth grade, showing increasing percentages of students meeting benchmark reading scores and overall positive trends in math performance. Angie presented the school's recent accreditation results, highlighting high scores in math and literacy goals, stakeholder feedback analysis, and learning environment observations. The school received accreditation with merit, earning the right to display a silver seal. Angie also mentioned the possibility of pursuing board governance certification as a next step, noting that with two new board members, this could be appropriate to consider next year. Angie presented end-of-year parent survey results showing overall positive feedback about school safety, communication, and staff care, though some parents suggested improvements including better discipline and bullying prevention. She highlighted a successful preparation week that replaced traditional PowerPoint training with hands-on work cycles and mastery assessments, allowing veteran teachers to complete training more efficiently. Angie also discussed challenges with managing challenging student behaviors in general education classrooms and announced plans to move forward with purchasing two-way radios with wearable panic buttons, as previously approved by the Board.

➤ **Board of Director**

- Financial Update – Cathie Hurst explained that board reports are currently missing from the packet due to the School starting the audit process and preparing trial balances. She noted that financial statements are being reconciled monthly from the 1st to 7th, with accountants reviewing from the 7th to 10th, and that some prior year entries appeared incorrectly on the recent statements. Cathie confirmed that by November 30th, audits will be completed and submitted to USBE and the State Auditor's Office, after which accurate financial statements will be available.

BOARD TRAINING

- Annual Open & Public Meetings Act Training – Steve explained that the training would be postponed until the next meeting due to Brandon's excused absence.

CONSENT ITEMS

- June 29, 2026 Annual Board Meeting Minutes – There was no further discussion. **Steve Barnes made a motion to approve the consent items. Robin Strup Koski seconded the motion. The votes were as follows:**
- Steve Barnes – Aye**
Corbin White – Aye
Robin Strup Koski – Aye

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Tabitha Hemperly – Aye
Motion passed unanimously.

VOTING ITEMS

- *Strategica Marketing Agreement* – Angie Johnson presented Strategica’s Marketing Agreement. She reported that the School is having significant success including a thousand percent increase in Instagram engagement and successful targeted ads at \$30 per campaign. Angie noted that the company has provided valuable services including free work for almost a year and hands-on implementation support. **Tabitha Hemperly made a motion to approve the Strategica Marketing Agreement and allow the Principal to execute the agreement on behalf of the School. Steve Barnes seconded the motion. The votes were as follows:**

Steve Barnes – Aye
Corbin White – Aye
Robin Strup Koski – Aye
Tabitha Hemperly – Aye

Motion passed unanimously.

- *LEA-Specific Educator License(s)* – Angie Johnson reviewed the MWMA-specific educator licenses for four teachers. Ms. Saskia requires a license renewal, which will be completed this year. Ms. Nicole may not need the license because the course code may have been entered incorrectly. Mr. Dave may not need the Financial Literacy endorsement but will require the CTE/General endorsement. Ms. Hilary did not complete an educator program; therefore, she requires a secondary license with a Visual Arts endorsement while she completes the program. These licenses are granted by the Board for on-site instruction only and only for the approved class. **Robin Sstrup Koski made a motion to approve of an MWMA-specific educator license for *Saskia Opperman* for an elementary license; *Nicole Napoliski* 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. Tabitha Hemperly seconded the motion. The votes were as follows:**

Steve Barnes – Aye
Corbin White – Aye
Robin Strup Koski – Aye
Tabitha Hemperly – Aye

Motion passed unanimously.

- *Amend Bullying & Hazing Policy* – Angie Johnson reviewed the amended Bullying and Hazing Policy which was already largely aligned with the model. The revisions strengthen and clarify the policy by adding definitions for key practices, enhancing parent notification requirements, ensuring disciplinary decisions consider student-specific factors such as age and maturity, and expanding provisions related to annual reporting, employee training, and bullying incident reporting. **Robin Strup Koski made a motion to approve the Amended Bullying & Hazing Policy. Steve Barnes seconded the motion. The votes were as follows:**

Steve Barnes – Aye

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

Corbin White – Aye
Robin Strup Koski – Aye
Tabitha Hemperly – Aye

Motion passed unanimously.

- *Amend Electronic Resources Policy & Procedures* – Angie Johnson reviewed the amended Electronic Resources Policy and Procedures to comply with recent legal changes, including SB 88 (2026). Key revisions include updated review requirements, expanded electronic device definitions, parent-requested student device access during non-instructional time, clarified content standards, and enhanced transparency regarding the school's technology monitoring and protection measures. Angie confirmed that devices are prohibited from bell to bell for middle school students, though initial concerns about student reactions proved unfounded. **Tabitha Hemperly made a motion to approve the Amended Electronic Resources Policy. Corbin White seconded the motion. The votes were as follows:**

Steve Barnes – Aye
Corbin White – Aye
Robin Strup Koski – Aye
Tabitha Hemperly – Aye

Motion passed unanimously.

- *Amend Paid Parental & Postpartum Leave Policy* – Angie Johnson reviewed the amended Paid Parental and Postpartum Leave Policy which was updated to comply with HB 329 (2026), expanding paid leave benefits by adding additional adoption leave, creating a separate foster leave benefit, and clarifying that summer non-contract days count toward leave periods. The policy title was also updated to reflect the expanded leave categories. The Board raised questions about why foster leave provides 20 days of paid leave while adoption leave provides only 15 days. To allow time for clarification, the Board chose to table the policy. Dawn subsequently contacted Platte, who explained that the leave amounts are established by statute and reflect the Legislature's decision. Platte also clarified that an employee who adopts a child under six years of age is entitled to a total of six weeks of paid leave, consisting of three weeks of parental leave and an additional three weeks of adoption leave. Employees who adopt a child age six or older receive three weeks of paid leave. Platte's clarification addressed the Board's concerns, and the Board subsequently approved the policy. **Robin Strup Koski made a motion to approve the Amended Paid Parental & Postpartum Leave Policy and changing its title to Paid Parental, Postpartum Recovery, Adoption, & Foster Leave Policy. Corbin White seconded the motion. The votes were as follows:**

Steve Barnes – Aye
Corbin White – Aye
Robin Strup Koski – Aye
Tabitha Hemperly – Aye

Motion passed unanimously.

- *Amend Sex Education Instruction Policy & Procedures* – Angie Johnson reviewed the amended Sex Education Instruction Policy and Procedures that were updated to comply with HB 281, including revised definitions, new curriculum requirements, and expanded restrictions on sex education topics. The updates also clarify that concerns about instructional materials should be addressed through the school's grievance process. **Corbin**

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

White made a motion to approve the Amended Sex Education Instruction Policy. Tabitha Hemperly seconded the motion. The votes were as follows:

Steve Barnes – Aye

Corbin White – Aye

Robin Strup Koski – Aye

Tabitha Hemperly – Aye

Motion passed unanimously.

DISCUSSION ITEMS

➤ Calendaring – ALL

- Reschedule June 21st Board Meeting to June 7th and schedule an Electronic Board Meeting on June 30th to approve the budgets. Dawn will send out updated calendar invite to everyone.
- Next Pre-Board Meeting on September 30th @ 5 p.m.
- Next Board Meeting on October 12th

There was no PUBLIC COMMENT.

7:52 PM – Corbin White made a motion to ADJOURN.

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

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

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Updating 401(k) Participation Agreement*

Issue:

When considering a change to the 401(k) plan for employees, the decision must have full board approval.

Background:

The School's existing 401(k) plan agreement includes a provision requiring an annual employer match true-up. The administration would like to remove this plan provision so an annual true-up is no longer required. Operationally, removing the true-up provision would mean:

- The employer match would be determined solely according to the plan's regular payroll-period formula.
- The school would no longer need annual corrective match calculations.
- Future unexpected year-end funding obligations would be less likely.

Making this change requires the Board to approve a new participation agreement.

Recommendation:

It is recommended that the Board approve the updated 401(k) Participation Agreement, and allow the Board President to sign on behalf of the school.

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

B. **Safe harbor contribution.** The Employer will make the following "ADP test safe harbor contribution" for the Plan Year:

NOTE: The "ACP test safe harbor" is automatically satisfied if the only matching contribution made to the Plan is either, as described below, (1) a basic matching contribution (traditional or QACA) or (2) an enhanced matching contribution (traditional or QACA) that does not provide a match on Elective Deferrals in excess of 6% of Compensation.

c. ☒ **Safe harbor matching contribution** (select one of 1. - 4. **AND** one of 5. - 9.). The Employer will make matching "ADP test safe harbor contributions" to the Account of each "eligible Participant" as elected below.

1. ☐ **Traditional basic matching contribution** (may not be selected if a QACA). The Employer will contribute an amount equal to the sum of 100% of the amount of the Participant's Elective Deferrals that do not exceed 3% of the Participant's Compensation, plus 50% of the amount of the Participant's Elective Deferrals that exceed 3% of the Participant's Compensation but do not exceed 5% of the Participant's Compensation.

2. ☒ **Traditional enhanced matching contribution** (may not be selected if a QACA). The Employer will contribute an amount equal to the sum of:

a. ☒ 100 % (may not be less than 100%) of the Participant's Elective Deferrals that do not exceed 4 % (may not be less than 3% or may be less than 3% provided the rate of match will result in a matching contribution of at least 100% on Elective Deferrals up to 3%; if over 6% or if left blank, the ACP test will still apply) of the Participant's Compensation, plus

b. ☐ _____ % of the Participant's Elective Deferrals that exceed _____ % (must be the same % entered at a.) of the Participant's Compensation but do not exceed _____ % (if over 6% or if left blank, the ACP test will still apply) of the Participant's Compensation, plus

c. ☐ _____ % of the Participant's Elective Deferrals that exceed _____ % (must be the same % entered at b.) of the Participant's Compensation but do not exceed _____ % (if over 6% or if left blank, the ACP test will still apply) of the Participant's Compensation.

NOTE: a., b. and c. must be completed so that, at any rate of Elective Deferrals, the matching contribution is at least equal to what the matching contribution would be if the Employer were making basic matching contributions (as defined in 28.c.1. above), but the rate of match cannot increase as Elective Deferrals increase. For example, if a. is completed to provide a matching contribution equal to 100% of Elective Deferrals up to 4% of Compensation, then b. and c. need not be completed.

3. ☐ **QACA basic matching contribution.** The Employer will contribute an amount equal to the sum of 100% of a Participant's Elective Deferrals that do not exceed 1% of Participant's Compensation, plus 50% of the Participant's Elective Deferrals that exceed 1% of the Participant's Compensation but do not exceed 6% of the Participant's Compensation.

4. ☐ **QACA enhanced matching contribution.** The Employer will contribute an amount equal to the sum of:

a. ☐ _____ % (may not be less than 100%) of the Participant's Elective Deferrals that do not exceed _____ % (may not be less than 1%; if over 6% or if left blank, the ACP test will still apply) of the Participant's Compensation, plus

b. ☐ _____ % of the Participant's Elective Deferrals that exceed _____ % (must be the same % entered at a.) of the Participant's Compensation but do not exceed _____ % (if over 6% or if left blank, the ACP test will still apply) of the Participant's Compensation, plus

c. ☐ _____ % of the Participant's Elective Deferrals that exceed _____ % (must be the same % entered at b.) of the Participant's Compensation but do not exceed _____ % (if over 6% or if left blank, the ACP test will still apply) of the Participant's Compensation.

NOTE: a., b. and c. must be completed so that, at any rate of Elective Deferrals, the matching contribution is at least equal to what the matching contribution would be if the Employer were making QACA basic matching contributions (as defined in 28.c.3. above), but the rate of match cannot increase as Elective Deferrals increase. For example, if a. is completed to provide a matching contribution equal to 100% of Elective Deferrals up to 4% of Compensation, then b. and c. need not be completed.

Determination period. The matching "ADP test safe harbor contribution" above will be applied on the following basis (and Elective Deferrals and any Compensation or dollar limitation used in determining the matching contribution will be based on the applicable period):

5. ☐ the Plan Year (potential annual true-up required)

6. ☒ each payroll period (no true-up)

7. ☐ all payroll periods ending within each month (potential monthly true-up contribution required)

8. ☐ all payroll periods ending within each Plan Year quarter (potential quarterly true-up required)

9. ☐ each payroll unit (e.g., hour) (no true-up)

d. ☐ **Safe harbor nonelective contributions** (select one)

1. ☐ **3% contribution.** The Employer will make a nonelective "ADP test safe harbor contribution" for the Plan Year to the Account of each "eligible Participant" in an amount equal to 3% of each Participant's Compensation.

2. ☐ **Stated contribution.** The Employer will make a nonelective "ADP test safe harbor contribution" to the Account of each "eligible Participant" in an amount equal to _____ % (may not be less than 3%) of each Participant's Compensation.

3. ☐ **"Maybe" election.** The Employer may elect to make a nonelective "ADP test safe harbor contribution" after a Plan Year has commenced in accordance with the provisions of Plan Section 12.8(h). If this option

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Teacher Student Success Act Framework*

Issue:

Mountain West Montessori Academy's Board of Directors must approve any changes made to the TSSA Framework.

Background:

The TSSA framework is required to be updated to include a Literacy Achievement in accordance with SB 241 (2026) and State Rule R277-927. The Plan has been updated to address the school's progress toward statewide literacy proficiency goals and if the school fails to meet statewide literacy goals, the school must dedicate at least 50% of TSSA funds toward evidence-based literacy interventions and practices as described in 53G-7-921304(2)(e).

Considerations:

The administration recommends the Board's consideration and approval of the Amended Teacher Student Success Act Framework.

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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.



Student Success Framework

Pursuant to UCA 53G-7-1304, Mountain West Montessori Academy's Board of Directors adopts the following framework to provide guidelines and processes for the development of a Teacher and Student Success Plan ("Plan"). The school's Director will develop a Plan in accordance with this framework and submit the Plan to the Board for approval. The Plan will be developed by integrating school-specific goals and criteria for improving the school's performance within the state accountability system.

The goal of the school's Plan shall be to improve school performance and student academic achievement. The Plan may contain any of the following strategies:

1. school personnel stipends for taking on additional responsibility outside of a typical work assignment;
2. professional learning;
3. additional school employees, including counselors, social workers, mental health workers, tutors, media specialists, information technology specialists, or other specialists;
4. technology;
5. before- or after-school programs;
6. summer school programs;
7. community support programs or partnerships;
8. early childhood education;
9. class size reduction strategies;
10. augmentation of existing programs; or
11. any other strategy reasonably designed to improve school performance or student academic achievement.

Funding received pursuant to the school Plan may not be used:

1. to supplant funding for existing education programs;
2. for administrative costs;
3. for capital expenditures.

Literacy Achievement Requirement

1. The Plan shall address the school's progress toward statewide literacy proficiency goals in accordance with SB 241 (2026) and State Rule R277-927.
2. If the school fails to meet statewide literacy goals, the school must dedicate at least 50% of TSSA funds toward evidence based literacy interventions and practices as described in 53G-7-921304(2)(e).

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Attendance Policy*

Issue:

Amending the School's Attendance Policy.

Background:

The school's Attendance Policy and administrative procedures have been revised to reflect several bills enacted during the 2026 legislative session. HB 145 amended the definition of a “valid excuse.” HB 502 authorizes schools to include attendance as up to twenty percent (20%) of a student's final course grade for students in grades 7 through 12. SB 58 revised several attendance-related definitions, including “instructional hours” and “chronic absenteeism,” and established additional requirements for schools and governing boards. Among other things, SB 58 requires schools to regularly review attendance data to identify students at risk of chronic absenteeism, train relevant staff on the school's attendance policies and procedures, and implement attendance monitoring and intervention practices. It also requires governing boards to annually review attendance data, evaluate the effectiveness of attendance interventions, and ensure that the school has adequate resources to support attendance monitoring and intervention programs.

Considerations:

The administration recommends the Board's consideration and approval of the Amended Attendance Policy.

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

Mountain West Montessori Academy Attendance Policy

Adopted: January 28, 2014

Amended: December 3, 2018

Amended: October 26, 2020

Amended: October 2, 2023



POLICY

Mountain West Montessori Academy (the “School”) is committed to providing a quality education for every student. The School firmly believes that consistent attendance teaches students responsibility. Students learn the value of being punctual and prepared. Frequent absences and tardiness result in a loss of continuity of instruction. Also, frequent absences and tardiness prove disruptive for students, teachers, and staff. Excessive unexcused absences may lead to a student’s permanent dismissal from the School.

Parents are expected to take a proactive role in ensuring their children attend school. We recommend families plan their vacation schedule around the existing School calendar. When possible, medical and dental appointments should take place outside of school hours and parents should notify the School in advance of any absence. Parents and students are responsible for obtaining homework or assignments for the time period that the student is absent.

The School intends for this policy to be consistent with the provisions of Utah’s compulsory education laws, Utah Code Ann. §§ 53G-6-201 through 53G-6-215~~+~~, as well as Utah Administrative Code Rule R277-607.

The Director will establish attendance procedures consistent with this policy and applicable law and will ensure that the policy and procedures are implemented consistently at the School and are publicized and distributed to parents annually.

Review and Evaluation

The School’s Board of Directors shall review this policy in an open and public meeting at least every five years ~~regularly~~.

On an annual basis, the Board shall also review relevant School attendance data, evaluate the effectiveness of the School’s attendance interventions, and ensure that adequate resources are allocated to support the School’s attendance monitoring and intervention programs and efforts.



Attendance Administrative Procedures

These procedures are established in accordance with the Attendance Policy established by the School's Board of Directors.

Definitions

"**Absence**" or "**absent**" means the failure of a school-age child assigned to a class or class period to attend at the class or class period for a given day or class period. ~~"Absence" or "absent" does not mean multiple tardies used to calculate an absence for the sake of a truancy.~~

"**Chronic absenteeism**" or "**chronically absent**" means a student who:

1. was enrolled in an LEA for at least 60 calendar days; and
2. has been absent for at least ~~misses~~ 10% of days of instruction, whether the absence was excused or not excused or more of days enrolled, for any reason, and makes a school aware that a beginning of tiered supports may be needed.

"**Instructional day**" means a school day on which an LEA provides educational services through scheduled periods with direct teacher interaction. "Instructional day" does not include:

1. days where educational services are not actively provided to students; or
2. any day in a program that an LEA designated as learner validated solely to avoid providing direct educational services that would otherwise be required for an attendance validated program.

"**Valid excuse**" or "excused absence" means an absence resulting from:

1. an illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
2. a death of a family member or close friend;
3. a scheduled family event or a scheduled proactive visit to a health care provider in accordance with Section 53G-6-803(5);
4. a family emergency;
5. an approved school activity or suspension;
6. a preapproved extended absence for a family activity or travel, consistent with school policy;
7. an absence permitted by an individualized education program or accommodation plan, developed pursuant to relevant law; ~~or~~
8. mental or behavioral health of the school-age child;
9. a waiver of participation in accordance with Section 53G-10-205;

10. competition in a rodeo sanctioned by an international, non-profit organization dedicated to the development of sportsmanship, horsemanship, and character in youth through the sport of rodeo; or
11. any reason a parent provides to justify a student's absence if the student maintains a cumulative grade point average of at least 2.0, including an event related to participation in the following clubs:
 - a. mountain biking;
 - b. shooting sports; or
 - c. a youth development program Utah State University administers, which provides educational experience in areas including agriculture, science, technology, engineering, mathematics, civic engagement, leadership, and healthy living through hands-on learning, mentoring, and community-based clubs or activities.

The Director has the discretion to consider other absences as "valid excuses."

"Valid excuse" or "excused absence" does not mean a parent acknowledgement of an absence for a reason other than those described above.

"Habitual truant" means a school-age child who:

1. is in grade 7 or above and at least 12 years old;
2. is subject to the requirements of Section 53G-6-202; and
3. is truant at least 20 days during one school year; or fails to cooperate with efforts on the part of school authorities to resolve the minor's attendance problem as required under Section 53G-6-206.

"School-age child" means a minor who is at least six years old but younger than 18 years old and who is not emancipated.

"School day" means the portion of a day that school is in session in which a school-age child is required to be in school for purposes of receiving instruction.

"Truant" means a condition by which a school-age child, without a valid excuse, is absent for at least half of the ~~school~~instructional day. A school-age child may not be considered truant under this policy more than one time during one day.

Attendance Requirements: Students are expected to have no more than five (5) unexcused absences per year.

Attendance-Based Grading: For students in grade 7 or above, a teacher may base up to 10% of a student's final course grade on the student's attendance in the course.

Excused Absences: An oral or written communication documenting a valid excuse must be received from the student's parents/guardian within one (1) business day of the absence in order for the absence to be excused. In the event of multiple consecutive absences, written communication must be received within one (1) business day of the student's return to school.

In the event of an unforeseeable illness or emergency, the School should be notified as soon as reasonably possible.

Excused absences may become unexcused if the Director determines that absences have reached an excessive level and are adversely impacting the student's education

Preapproved Extended Absence: A parent/guardian may request approval from the Director prior to a student's extended absence of up to ten (10) days per school year. The Director will approve the absence if the Director determines that the extended absence will not adversely impact the student's education.

Medical Documentation: The School may not require documentation from a medical professional to substantiate a valid excuse that is a mental or physical illness.

Make-up Work: Make-up work is permitted for students who have excused absences. The teacher will provide the student or the parent/guardian with any make-up work upon request. Make-up work must be completed within a reasonable time-frame as determined by the teacher.

Tardiness: A student is tardy if he or she is not in the assigned classroom when the late bell rings. In general, tardiness will be handled on an individual basis with the teacher. If a student is chronically tardy, then the student may be referred to the administration. Elementary students are allowed five (5) tardies per quarter. Middle school students are allowed a total of nine (9) tardies each quarter.

Notification of Absences and Tardies: In the event a student is absent, parents/guardians will be notified by phone on the day of the absence. The School will notify parents within two instructional days of a student's unexcused absence, including the total number for the school year. The School will maintain accurate and timely attendance records in the School's student information system. Parents and students are responsible for tracking the total number of absences and tardies. Parents will be notified when their student reaches the 4th unexcused absence of the year. If the maximum limit for unexcused absences or tardiness is reached, the Director will attempt to schedule a meeting with the parents to review the situation and will outline the appropriate corrective action. Middle school students with excessive absences and tardies may be required to come to Attendance School (outside of regular school hours) where they will make up instructional time with their teachers.

Notice of Compulsory Education Violation (For Students in Grades 1-6)

Consistent with Section 53G-6-202, ~~F~~the School may issue a "notice of compulsory education violation" to a parent/guardian of a school-age child who is in grades 1 through 6 if the student is truant at least five (5) times during the school year.

This notice shall:

1. Direct the parent/guardian to meet with School authorities to discuss the student's attendance problem and cooperate with the Director and Board to secure regular attendance by the student;

2. Designate the School authorities with whom the parent/guardian is required to meet;
3. State that it is a class B misdemeanor for the student's parent/guardian to intentionally or recklessly fail to meet with the designated school authorities to discuss the student's attendance problems, or fail to prevent the student from being truant an additional five (5) or more times during the remainder of the school year; and
4. Be served on the parent/guardian by personal service or certified mail.

If School personnel have reason to believe that, after a notice of compulsory education violation is issued, the parent or guardian has failed to make a good faith effort to ensure that the child receives an appropriate education, the issuer of the compulsory education violation shall submit to the Division of Child and Family Services the report required by Utah Code Subsection 53G-6-202(8) (also in accordance with the School's Child Abuse and Neglect Reporting Policy). The School shall maintain records of each notice of compulsory violation issued and any resulting referrals and general outcomes.

Chronic Absenteeism Prevention and Intervention Program

The School's Chronic Absenteeism Prevention and Intervention Program is established to encourage good attendance, improve academic outcomes, and reduce negative behaviors. Through this program, the School hopes to create a trusting relationship between teachers, students, and parents/guardians.

The School's efforts to prevent chronic absenteeism include, but are not limited to:

- Regularly reviewing student attendance data to identify students at risk of chronic absenteeism.
- Serving students breakfast and lunch at the School each school day.
- Providing classroom and/or schoolwide rewards and/or incentives to students for good attendance.
- Notifying parents/guardians by phone each time a student is absent, and making such notification on the day of the absence.
- Contacting parents/guardians of students who reach four (4) and/or five (5) unexcused absences to try to resolve the students' attendance problems.
- Providing parents/guardians with notices of compulsory education violations or notices of truancy, as appropriate and as outlined herein.
- Making habitual truancy referrals, as appropriate and as outlined herein.
- Providing parents/guardians with the School's attendance policies and procedures each year at the time of registration.

The School will seek to help students struggling with absenteeism (including chronically absent students) through implementing a tiered system of research or evidence-based absenteeism and dropout prevention interventions. Those efforts will include documented earnest and persistent efforts to resolve a student's attendance problems through the following interventions:

- When a student's attendance is negatively affecting the student's learning, the classroom teacher will notify the student and/or the student's parent/guardian of the concern. The teacher will set up a conference with the student and/or the student's parent/guardian to identify and resolve any problems that prevent the student from attending school. The student's progress will be monitored.

- If meeting with the student and parent/guardian does not adequately address the problems and the student's learning continues to suffer, then the School counselor or Director will work with the teacher and parent/guardian in finding a solution to the problems that are preventing the student from attending to his/her learning. Efforts to resolve the problems may include, but are not limited to, the following: making adjustments to the curriculum or the schedule; counseling of the student by School authorities; mentoring the student; providing the student with increased academic support; teaching the student executive function skills such as planning, goal setting, understanding and following multi-step directions, and self-regulation; considering alternatives proposed by the parent/guardian; or providing the parent/guardian with a list of community resources to help the family.
- The Director may consult with a parent/guardian to determine if mitigating circumstances such as medical or psychological problems indicate the use of intervention methods for resolving the attendance problems.
- In the event that the preceding interventions fail, the Director will contact the parent/guardian and request a formal meeting to discuss and resolve the attendance problems. A copy of the communication (letter, email, etc.) will be kept by the School.
- The Director will notify the student and a parent/guardian of the actions the School may take should the student be truant in the future.

Notice of Truancy (For Students in Grade 7 or Above)

Consistent with Section 53G-6-203, the School may issue a notice of truancy to a school-age child who is in grade 7 or above, at least 12 years old, and is truant at least five (5) times during the school year.

A notice of truancy will only be issued after the School has made earnest and persistent efforts to resolve student attendance problems, which efforts may include those set forth above.

A notice of truancy will:

1. Direct the school-age child who receives the notice of truancy, and the parent/guardian of the school-age child, to meet with School authorities to discuss the student's attendance problem and cooperate with the Director and Board to secure regular attendance by the student; and
2. Designate the School authorities with whom the school-age child and parent/guardian is required to meet.

A notice of truancy will be served on the parent/guardian by personal service or regular mail. ~~The parent/guardian will have the right to appeal a notice of truancy in writing to the Director within ten (10) days of being issued.~~ The School shall maintain records of each notice of truancy and any resulting referrals and general outcomes.

The School may impose administrative penalties on a school-age child who is in grade 7 or above, at least 12 years old, and is truant.

Referrals for Habitual Truancy (For Students in Grade 7 or Above)

In accordance with Utah Code § 53G-8-211, the School shall refer a student who is a habitual truant to an evidence-based alternative intervention described in Utah Code § 53G-8-211(3), including:

- a mobile crisis outreach team;
- a youth services center, as defined in Section ~~80-6-901~~80-5-102;
- a certified youth court, as defined in Section 80-6-901, or comparable restorative justice program;
- an evidence-based intervention created and developed by the School or other governmental entities as set forth in Section 53G-8-211(a); or
- truancy mediation.

If the student who is a habitual truant refuses to participate in an evidence-based alternative intervention described above, the School shall refer the student for prevention and early intervention youth services, as described in Section 80-5-201, by the Division of Juvenile Justice and Youth Services.

The School may only refer a student who is a habitual truant to a law enforcement officer or agency or a court if:

- The student was previously alleged of being a habitual truant at least twice during the same school year; and
- The student was referred to an evidence-based alternative intervention, or for prevention and early intervention youth services, as described above for at least two of the previous habitual trancies.

If the School refers a student who is a habitual truant to a law enforcement officer or agency or a court, the School shall appoint a School representative to continue to engage with the student and the student's family through the court process. The School shall include the following in its referral to a law enforcement officer or agency or a court:

- Attendance records for the student;
- A report of evidence-based alternative interventions used by the School before the referral, including outcomes;
- The name and contact information of the School representative assigned to actively participate in the court process with the student and the student's family;
- If the student was referred to prevention or early intervention youth services, a report from the Division of Juvenile Justice and Youth Services that demonstrates the student's failure to complete or participate in prevention and early intervention youth services; and
- Any other information that the School considers relevant.

Appeals Process

Parents/guardians who believe that all or part of their student's absences and/or tardies should be considered excused, or if they want to contest a notice of truancy, notice of compulsory education, habitual truancy referral, or any disciplinary action taken against their student pursuant to the School's Attendance Policy or these procedures, shall follow the School's Parent Grievance Policy.

Students with Qualified Disabilities

If students with disabilities under the Individuals with Disabilities Education Act, or students protected under either Section 504 of the Rehabilitation Act or the Americans with Disabilities Act, have excessive absences, including but not limited to absences for mental or behavioral health reasons, and fall within the criteria of these procedures, the School will ensure that these procedures are applied in a manner consistent with all applicable state and federal laws and regulations. Excused absences for known mental or behavioral health reasons do not absolve the School of FAPE responsibilities.

Attendance Data Quality and Review

The School shall ensure that its student information system accurately captures and reports student enrollment, attendance, and membership data. The School shall meet the minimum standards for LEA attendance data quality established by the Utah State Board of Education.

The School shall, under the direction of the Director, conduct an annual internal review of attendance data accuracy.

Annual Report

The School shall annually report the following data separately to the State Board of Education:

1. absences with a valid excuse; and
2. absences without a valid excuse.

Training

All relevant School staff shall be trained on the School's Attendance Policy and these procedures annually.

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Enrollment & Lottery Policy*

Issue:

Amending the School's Enrollment & Lottery Policy.

Background:

The changes to this policy are intended to bring the policy into compliance with current law and the School's charter and Schedule A (if applicable) regarding enrollment preferences, and to reflect current law governing the denial of student admission based on prior disciplinary issues and misconduct (see SB 131 and SB 167 from 2026 legislative session). Additional revisions clarify the school's procedures for addressing material misrepresentations or omissions in lottery applications that are discovered after a student has been enrolled.

Considerations:

The administration recommends the Board's consideration and approval of the Amended Enrollment & Lottery 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
Enrollment and Lottery Policy
Adopted: December 2, 2013
Amended: May 23, 2017



PURPOSE

To provide guidelines on appropriate procedures on enrollment and lottery processes for Mountain West Montessori Academy (the “School”).

POLICY

In regards to applications, enrollment, and lottery procedures, ~~Mountain West Montessori Academy~~ (the “School”) will follow all state and federal laws ~~and guidelines~~.

General Information

Notice of the opportunity to submit an application and procedures for enrollment at the School will be published on the School’s website beginning no later than sixty (60) days before the School’s initial open enrollment period. The School’s website will also provide the following enrollment information: (i) a description of the procedures for applying for admission to the School; (ii) the opening date or the School’s calendar; and (iii) a description of how a student may transfer from the School to another charter school or district school.

The School shall follow the provisions of Utah Code § 53G-6-503, Utah Administrative Code Rule R277-551, and Utah Administrative Code Rule R277-472, each of which include requirements related to admissions, enrollment, withdrawals, and transfers.

Lottery

For each enrollment period, if there are more applications for admission in any grade than there are available openings in that grade, the School will conduct a lottery to determine which students will be admitted to the School. The School will conduct its lottery electronically and notify accepted students via e-mail or via telephone.

In accordance with Utah Code § 53G-6-502, ~~T~~the following students will receive preference in the School’s lottery in the following order: children or grandchildren of “founders”; children of full time School employees (individuals employed by the School who work more than twenty hours per week for the School; children of independent contractors are not eligible for preference); siblings of children enrolled in the School; and children or grandchildren of a member of the School’s ~~g~~Governing ~~b~~Board of Directors (the “Board”). Such students will not, however, be given priority notice or guaranteed admission to the School. No more than 5% of the total student population will be enrolled as a result of priority based on founder or employment status of the student’s parent(s).

Individuals who played a significant role in the development of the School are eligible to receive “Founder” status. The School’s ~~Governing Board of Directors~~ has approved each Founder. Inasmuch as preferential enrollment will be extended to no more than 5% of enrolled students, each Founder, employee, and ~~b~~Board member is allotted preferential enrollment for one child.

The School will not give preference to any student and will not make any enrollment decision on any basis prohibited by state or federal law, including Utah Code § 53G-6-403(3)(a), federal civil rights laws, and the Individuals with Disabilities Education Improvement Act of 2004 (“IDEA”) 2004. ~~Specifically, the School will not request any data of applicants other than their name, grade level, and parent contact information prior to the lottery.~~

~~The School will follow the provisions of Utah Code § 53A-1a-506.5 and R277-470-5 regarding notifying prospective students and parents and enrolling students.~~

For each enrollment period during which the School accepts applications from students, the School will publicize that it is accepting applications on the School website.

The School’s lottery will be held in approximately January or February of each year with additional lotteries held periodically as needed until the desired enrollment numbers are reached. The School may, at the discretion of the School’s Director, continue to enroll students from the lottery throughout the school year to fill spots left open when students withdraw.

Past Disciplinary Issues

Any student seeking enrollment in the School who was previously suspended or expelled from another school for serious misconduct may not be admitted to the School until a thorough review of the student’s prior conduct is evaluated by the School’s administration and the School’s administration approves the student to be admitted. In addition, the School may not enroll a student from another school unless the student record from the previous school, including the discipline file (if applicable), is received or the School’s administration reviews the data gateway for any safe-school violation, reintegration, or threat assessment.

In accordance with Utah Code § 53G-8-205(3), the School may deny admission to the School to students who were expelled from the School or any other school during the preceding twelve (12) months.

Consistent with Utah Administrative Code Rule R277-472-7, the School may deny admission to the School to students who have disciplinary procedures pending at their previous school until previous allegations have been resolved. The School generally recognizes and honors disciplinary actions imposed on a student by another school. Accordingly, the School may deny admission to a student who is currently under suspension or expulsion from another school.

In accordance with Utah Code § 53G-6-403(3)(b), the School may deny admission to students who (i) have committed serious infractions of the law or school policies, including policies of the School; (ii) have been guilty of chronic misbehavior which would, if it were to continue after the

student was admitted to the School, endanger persons or property, cause serious disruptions in the School, or place unreasonable burdens on School staff; or (iii) have any school safety incidents or safe-school violations.

Parents of students seeking admission to the School must disclose in their application to the School information about their student's past serious disciplinary actions and criminal convictions. If this information is not disclosed, if materially false or misleading information is provided in the application, or if information that would have been relevant to the School's enrollment decision is omitted, and the School discovers the omission or misrepresentation after the student has been enrolled in the School, the School may place the student's enrollment under review while the School investigates the matter. Following the investigation, the School may take appropriate action in accordance with this and other School policy, which may include but is not limited to continued enrollment, continued enrollment subject to conditions, or rescission of the student's enrollment if the School determines that the undisclosed information would have provided a lawful basis to deny admission at the time of the application. Parents of students whose enrollment has been rescinded consistent with this paragraph may appeal the decision in accordance with the School's Parent Grievance Policy.

During the investigation process mentioned above, the School may restrict a student's attendance at the School if deemed necessary by the School to protect student safety or facilitate the review.

Situations involving students receiving special education and related services under the IDEA shall be handled in a manner consistent with applicable laws and School policy.

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Fee Waiver Policy*

Issue:

Amending the School's Fee Waiver Policy.

Background:

HB 142 permits students to receive fee waivers for no more than two (2) school-sponsored trips per school year. To qualify for a fee waiver for a second school-sponsored trip during the same school year, a student must request the waiver and, in coordination with school administration, complete an action plan describing how the student or the student's family will contribute to the School or the community through work or other service in lieu of paying the trip fees. The School's Fee Waiver Policy has been revised to reflect these statutory changes.

Considerations:

The administration recommends the Board's consideration and approval of the Amended Fee Waiver 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 Fee Waiver Policy

Adopted: January 27, 2014

Amended: December 3, 2018

Amended: February 24, 2020

Amended: August 24, 2020

Re-Approved: March 22, 2021

Amended: March 28, 2022

Re-Approved: February 27, 2023

Amended: August 28, 2023

Re-Approved: February 21, 2024

Amended: October 26, 2024

Amended: March 24, 2026



PURPOSE

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

POLICY

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

Definitions

“Common education expense”

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

“Course” or “class”

- (a) means an activity, a course, or a program that the School:
 - (i) intends to deliver instruction;
 - (ii) provides, sponsors, or supports; and
 - (iii) conducts primarily during school hours.

- (b) includes a course in which a student is required to enroll as a condition of participation in a separate extracurricular activity.

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

"Extracurricular activity"

- (a) means an activity or a program that:
 - (i) is not a course; and
 - (ii) the School provides, sponsors, or supports.
- (b) does not include a noncurricular club as defined in Section 53G-7-701.

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

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

“Fee” includes:

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

“Fee” does not include:

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

“Fee course” means a course that is not a non-fee course.

“Instructional equipment”

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

- (ii) becomes the property of the student upon exiting the activity, course, or program.
- (b) does not include School equipment, an instructional supply, or a personal student supply for a secondary student.

“Instructional supply”

- (a) means a non-reusable or a consumable material or supply that is necessary to use, expend, or deplete as a component or element of an activity, course, or program in a secondary school.
- (b) does not include a personal student supply for a secondary student.

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

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

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

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

“Personal student supply”

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

"Provided, sponsored, or supported by the School"

- (a) means an activity, class, program, club, camp, clinic, or other event that:
 - (i) is authorized by the School; or
 - (ii) satisfies at least one of the following conditions:
 - (A) the activity, class, program, club, camp, clinic, or other event is managed or supervised by the School, or a School employee in the employees School employment capacity;
 - (B) the activity, class, program, club, camp, clinic, or other event uses, more than inconsequentially, the School's facilities, equipment, or other School resources; or
 - (C) the activity, class, program, club, camp, clinic, or other event is supported or subsidized, more than inconsequentially, by public funds, including the School's activity funds or minimum school program dollars.
- (b) does not include an activity, class, or program that meets the criteria of a noncurricular club as described in Title 53G, Chapter 7, Part 7, Student Clubs.

“Provision in lieu of fee”

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

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

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

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

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

“School activity clothing” does not include:

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

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

- (a) is durable;
- (b) is reusable;
- (c) a secondary school owns; and

(d) a student uses as part of an activity, course, or program in a secondary school.

"Something of monetary value"

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

"Textbook"

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

"Waiver" means a full release from:

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

General School Fees Provisions

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

If the School imposes a fee:

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

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

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

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

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

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

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

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

Fees for Classes & Activities During the Regular School Day

Fees for Students in Kindergarten through Sixth Grade

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

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

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

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

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

Fees for Students in Seventh through Ninth Grade

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

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

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

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

- (a) relating to a non-fee course or a fee course, for:
 - (i) instructional equipment;
 - (ii) a School field trip or activity trip or performance, including related transportation, food, lodging, and admission charges or participation fees;
 - (iii) School activity clothing;
 - (iv) a discretionary project as described herein; or
 - (v) a competency remediation program in accordance with Section 53G-9-803;
- (b) an expense related to a course, activity, or program that is a fee course, including:
 - (i) instructional supplies;
 - (ii) the life-cycle replacement costs for School equipment directed related to the fee course;
 - (iii) a music instrument rental;
 - (iv) licensing fees for fine arts intellectual property; or
 - (v) participating in a driver education course described in Section 53G-10-503;
- (c) an expense related to the following post-secondary-related courses, including tuition, college credit, an exam, or a textbook:
 - (i) an Advanced Placement course;
 - (ii) an International Baccalaureate course; or
 - (iii) a concurrent enrollment course, as described in Section 53E-10-302.

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

Fees for Optional Projects

The School may require students at any grade level to provide materials or pay for an additional discretionary project if the student chooses a project in lieu of, or in addition to a required classroom project. A student may not be required to select an additional project as a condition to enrolling, completing, or receiving the highest possible grade for a course. The School will avoid

allowing high cost additional projects, particularly when authorizing an additional discretionary project results in pressure on a student by teachers or peers to also complete a similar high cost project.

Fees for Activities Outside of the Regular School Day

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

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

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

Fees for Extracurricular Activities

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

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

Other Miscellaneous Fees

Fees for Adult Education

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

Fees for Remediation Programs

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

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

Fees for Charter School Application Processing

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

Fee Schedule

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

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

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

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

Maximum Fee Amounts

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

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

Notice to Parents

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

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

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

Donations

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

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

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

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

Fee Collection

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

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

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

A reasonable charge may be imposed by the School to cover the cost of duplicating, mailing, or transmitting transcripts and other school records. No charge may be imposed for duplicating, mailing, or transmitting copies of school records to an elementary or secondary school in which the student is enrolled or intends to enroll.

Consistent with Utah Code § 53G-6-604, the School will forward a certified copy of a transferring student's record to a new school within 30 days of the request, regardless of whether the student owes fees or fines to the School.

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

Fee Refunds

Student fees are non-refundable.

Budgeting and Spending Revenue Collected Through Fees

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

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

School Fee Collections & Accounting Procedures

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

Fees must be received and deposited in a timely manner.

Money may only be collected by staff authorized by the Director. Students may not collect fees.

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

Fee Waiver Provisions

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

All fees are subject to waiver.

Non-waivable charges are not subject to waiver.

Fee Waiver Administration

The Director will administer this policy and will review and grant fee waiver requests or designate another staff member to do so. The process for obtaining waivers or pursuing alternatives will be administered in accordance with this policy, fairly, objectively, and without delay, and in a manner that avoids stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.

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

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

Fee Waiver Eligibility

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

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

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

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

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

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

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

Fee Waiver Approval Process

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

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

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

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

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

Appeal Process

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

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

Alternatives to Fees and Fee Waivers

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

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

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

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

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

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

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

Students may be granted a fee waiver for no more than two School-sponsored trips per school year. A student who has been granted a fee waiver for one School-sponsored trip may request a fee waiver for a second School-sponsored trip during the same school year. The fee waiver request for a second School-sponsored trip shall be accompanied by an action plan, developed in consultation with and approved by the Director, that addresses how the student or family will contribute to the School or community through one or more of: (a) participation in approved fundraising; (b) approved custodial work or service in lieu of fees consistent with R277-407 and the Fair Labor Standards Act; (c) installment-payment arrangements for ancillary trip costs not covered by waiver; or (d) other contributions specified in the action plan.

The fee waiver request for a second School-sponsored trip shall be granted upon Director approval of the action plan unless documentation establishes the student's participation would impose an undue financial burden on the School beyond fee-waiver expectations.

For purposes of this section, “trip” and “action plan” have the meanings assigned to those terms in Utah Code § 53G-7-504.

Annual Review, Approval, and Training

The Board will review and approve this policy annually.

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

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Capitalization & Expense Policy*

Issue:

Amending the School's Capitalization and Expense Policy.

Background:

Federal regulations (2 CFR § 200.313) and the Utah Division of Finance's Capital Assets Policy 9-1 were amended to increase the capitalization threshold from \$5,000 to \$10,000. The school's Capitalization and Expense Policy has been revised accordingly. The school's accountant supports this policy change.

Considerations:

The administration recommends the Board's consideration and approval of the Amended Capitalization and Expense 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
Capitalization & Expense Policy
Adopted: October 22, 2013
Amended: September 27, 2021



PURPOSE

The purpose of this policy is to allow for accounting to depreciate rather than expense qualified inventory items.

POLICY

Items, including associated components necessary to use the item, which (a) have a fair market value over ~~\$5,000.00~~ \$10,000.00 and (b) have a useful life of more than three (3) years shall be depreciated rather than expensed. The period of time items will be depreciated will be based on the length of the item's useful life.

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Financial Reporting Policy*

Issue:

Amending the School's Financial Reporting Policy.

Background:

Audits of the school's financial reporting must now be conducted in accordance with both Generally Accepted Auditing Standards (GAAS) and Generally Accepted Government Auditing Standards (GAGAS). Because the School's Financial Reporting Policy currently references only GAAS, it has been revised to also require compliance with GAGAS.

Recommendation:

It is recommended that the Board approve the Amended Financial Reporting 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
Financial Reporting Policy
Adopted: November 29, 2017



PURPOSE

The purpose of this policy is to ensure that Mountain West Montessori Academy (the “School”) practices sound financial reporting in accordance with state and federal law and applicable accounting standards.

POLICY

The School will ensure that financial reporting for the School is performed in accordance with Generally Accepted Accounting Principles (GAAP) and that audits of the School’s financial reporting are performed in accordance with Generally Accepted Auditing Standards (GAAS) and Generally Accepted Government Auditing Standards (GAGAS).

The School will provide financial reporting in a manner consistent with the basis of accounting as required by GAAP, as applicable to the School.

The School will provide reconciliation between the accrual basis of accounting and modified accrual basis of accounting, as applicable.

The School will provide data and information consistent with budgeting, accounting (including the uniform chart of accounts for LEAs), and auditing standards for Utah LEAs provided online annually by the Utah State Superintendent of Public Education.

Steve Barnes — MWMA Board President

Date

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Financial, Debt & Risk Management Plan*

Issue:

Amending the School's Financial, Debt & Risk Management Plan.

Background:

Updates to this plan include correcting its reference to "Financial Accounting Standards Board" (FASB) to "Governmental Accounting Standards Board" (GASB), as well as a couple other minor changes.

Considerations:

The administration recommends the Board's consideration and approval of the Amended Financial, Debt & Risk Management Plan.

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.



Financial, Debt & Risk Management Plan

In general, the Board of Directors and administration of Mountain West Montessori Academy (the “School”) shall manage the financial affairs of the School based on the following principles: (1) comply with all applicable laws and bond covenants; (2) provide the best educational services to the students of the School consistent with the School’s charter; and (3) get the most effective and cost efficient services possible in all areas at the School.

Financial

General Financial Management

The Board understands that the School is a steward over the financial resources and assets entrusted to it by the state of Utah. The Board recognizes the need to abide by all applicable laws and regulations, including Utah Code § 53G-5-303, including the following acknowledgements: (i) fiscal procedures will be consistent with generally accepted financial management standards; and (ii) neither the chartering entity nor the state, including an agency of the state, is liable for the debts or financial obligations of the School or persons or entities who operate the School, unless agreed to in writing with the School.

The School adheres to Generally Accepted Accounting Principles as constituted by the ~~Financial~~ Governmental Accounting Standards Board. The School also complies with all applicable areas of the Utah Money Management Act. Cash collected at the School is handled properly, as set forth in the School’s Cash Handling Policy.

In accordance with state law, the School, prior to June 30th of each fiscal year, prepares an annual operating budget for the next fiscal year. The budget is designed so that the School priorities, as established by the Board, are met. All budgets and budget amendments are approved by the Board through a vote in a public meeting in accordance with the Utah Open and Public Meetings Act.

Subject to appropriation limits with object codes and other restrictions, the School reserves the right to reallocate funds from one line item in the budget to another if purchasing practices or conservation result in an expenditure different from the budgeted amount. The Board may choose to add undistributed reserves from the School operational budget to the following year and/or may reallocate them to the current fiscal year’s budget, at its discretion. The budget and cash flow projections utilized by the School provide sufficient detail to enable reasonably accurate projections of revenues and expenses, separation of capital and operational items, cash flow, and subsequent audit trail documentation.

In addition, the School understands and complies with all applicable fiscal rules and regulations, including completion and submission of an annual financial audit of the current fiscal year

conducted by an independent certified public accounting firm by November 30th of the following fiscal year, submission of October and December student counts in accordance with state-mandated deadlines, Utah Money Management reports, wages and benefits negotiation reports, Utah Transparency Act reports and updates, October 1st AFR and APR submissions, and any other regular enrollment and financial reports as required by the State Board of Education now or in the future.

Purchases are authorized and carried out in accordance with the Purchasing and Disbursement Policy and the Procurement Policy adopted by the Board and the Utah Procurement Code.

The School tracks fixed assets in accordance with the Capitalization and Expense Policy and other applicable requirements.

All fiscal policies and procedures comply with the School's Conflict of Interest Policy.

The School assigns a representative to attend school finance and statistics training and all required finance training. The School will continue to take the measures necessary so that its representatives attend future trainings as announced or provided to ensure accounting and management of the School resources are in compliance with any revisions to applicable rules and statutes.

Minimum Reserve and Coverage Levels

The School will maintain minimum reserve and coverage levels that the Board determines are consistent with long-term financial health. The Board Financial Coordinator, administration, business manager and accounting staff will regularly monitor the status of reserve and coverage ratios and report that information to the Board.

The School will ensure that it satisfies minimum reserve and coverage levels as required by law or applicable bond covenants.

The School will take reserve and coverage levels into consideration when making budgeting, financial planning, and other financial decisions, including decisions regarding major purchases.

Financial Forecasting and Budgeting

Throughout the fiscal year, the Board Financial Coordinator, administration, business manager and accounting staff will meet regularly to discuss the budget, the School financial status, and any changes. The Board will be fully engaged in the budgetary process and informed of such issues on a regular basis.

The Board Financial Coordinator, administrator, business manager and accounting staff will meet to prepare a tentative budget. The School's budgeting philosophy will be to conservatively project both revenues and expenses while achieving the level of accuracy required by state standards. The tentative budget will be circulated to the Board for further review and discussion. The tentative

budget will be scheduled for discussion on a board meeting agenda, further discussed, and adopted at the annual board meeting.

As the October 1 count is finalized, and as the School receives new revenues, the Board will be updated on new figures. In order to account for these changes, the Board will approve revisions and amendments to the budget over the course of the fiscal year, as needed and appropriate.

Debt

The School will seek to avoid debt to the extent possible. The School's plan is to only assume debt as absolutely necessary or when the benefits of a purchase will, in the judgment of the Board, benefit the School's students for the life of such debt. The Board recognizes that the ability to take on debt will be governed by the covenants of existing indebtedness and pending indebtedness. The School's accounting staff, administration and Board Financial Coordinator will be informed of the requirements affecting the School ability to incur debt. Any debt assumed by the School will therefore comply with applicable laws and any existing bond covenants.

As economical or in its best interests, the School will seek refunding opportunities to either lower its debt profile, meet bond covenants or other advantageous benefits realized through a restructure of its debt.

Risk Management

As a nonprofit corporation and public school, the School shall actively seek to avoid unnecessary risks to the greatest extent possible. The School shall always maintain insurance at the highest amount that is either (a) required by law, (b) required by existing bond covenants, (c) is reasonable and customary for a Utah charter school, or (d) is considered prudent by the Board after consulting with qualified professionals. In the event any material risk is identified by the School's Board or administration that is not covered by existing insurance, a qualified professional shall promptly be engaged to evaluate such risk and recommend the appropriate action.

The Board will work with qualified professionals to recognize and avoid risks associated with its governance of the School. In particular, the Board will be cognizant of financial risks that are addressed by the provisions above, compliance with applicable laws, including but not limited to the Utah Open and Public Meetings Act and the Government Records Access and Management Act. The Board will periodically review the policies that it has adopted to ensure that it has all necessary policies in place and that the policies that have been adopted comply with current law, adequately address issues at which they are aimed, and cover all areas requiring board guidance. The Board may periodically request that the administration provide assurance that Board policies are being complied with. In the event the Board learns that policies are not being complied with, it will request the administration to create a plan to remedy any deficiencies and establish procedures to ensure that the policies are complied with in the future.

The administration is also directed to work with qualified professionals, including the School management company and loss control representatives of the School insurer, to recognize, manage and avoid risks associated with the operation of the School. In particular, the administration will

be cognizant of risks associated with human resources activities, student safety and security, facility matters, and state and federal legal compliance, including civil rights issues. The administration will establish procedures in order to address key issues pertaining to the School operations and will ensure that all the School employees and, to the extent necessary, students and parents, are aware of such procedures. The administration will periodically review and revise administrative procedures in order to ensure that they adequately address the pertinent issues and are consistent with the School situation and needs.

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Procurement Policy*

Issue:

Amending the School's Procurement Policy.

Background:

The school's Procurement Policy has been revised to comply with changes to R33-105, including with respect to quotes for purchases between \$5k and \$50k, professional services, and construction projects. A provision was also added regarding the school following federal procurement requirements, if applicable, when using federal grant funds to procure goods and services.

Considerations:

The administration recommends the Board's consideration and approval of the Amended Procurement 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 Procurement Policy

Adopted: August 22, 2013

Amended: November 29, 2017

Amended: March 28, 2022



POLICY

Mountain West Montessori Academy (the “School”) will follow applicable state and federal laws in connection with the procurement of services, supplies and equipment, including but not limited to the provisions of the Utah Procurement Code at Utah Code § 63G-6a-101, *et seq.* and the administrative rules in Title R33 of the Utah Administrative Code.

Procurement Processes

The School will follow the procurement processes below unless an exception applies.

Quotes or Bids Not Required

No procurement process is required for purchases of items up to \$5,000. The School may make such purchases from any vendor without obtaining competitive bids or quotes. However, the School may only purchase up to \$10,000 worth of items each costing \$5,000 or less from one vendor at one time without obtaining competitive bids or quotes. The School may also only purchase up to \$50,000 worth of items each costing \$5,000 or less from one vendor during one year without obtaining competitive bids or quotes.

Quotes or Bids Required

For small purchases as defined in R33-~~105-107~~, which will typically include purchases of items between \$5,000.01 and \$50,000 other than professional services or construction projects, the School will determine minimum specifications, provide the specifications to multiple vendors, obtain at least two competitive bids or quotes that include minimum specifications and purchase from the responsible vendor offering the lowest bid or quote meeting the specifications. The School will also record and maintain as a governmental record the names of the vendors offering bids or quotes and the date and amount of each bid or quote.

Formal Procurement Process Necessary

For purchases of items over \$50,000 other than professional services or construction projects, the School will conduct a formal procurement process, such as an Invitation for Bids or a Request for Proposals.

Professional Services

For small purchases of professional service providers and consultants as defined in R33-~~105-108~~, which will typically include purchases of such services up to \$100,000 per project, the School will first review the qualifications of at least three companies, firms, providers, and/or individuals; rank them from highest to lowest; begin direct negotiation with the highest ranked; and if an agreement cannot be reached with the highest ranked, move to the next highest until an agreement is reached~~then select one through direct negotiation~~. Obtaining competitive bids or quotes for the above-described small purchases is not required.

For small purchases of design professional services as defined in R33-~~105-105~~, which will typically include purchases of such services up to \$100,000 per project, the School will first review the qualifications of at least three design professional firms and then select one through direct negotiation. The School will also include minimum specifications when doing a small purchase of design professional services as defined in R33-~~105-105~~. Obtaining competitive bids or quotes for the above-described small purchases is not required.

However, if the cost of a professional service provider's, consultant's, or design professional's services exceeds \$100,000, the School will conduct a formal procurement process for such services, such as an Invitation for Bids or a Request for Proposals.

Construction Projects

For small purchases of construction projects as defined in R33-~~105-106~~, the School may procure a small construction project up to \$25,000 from a contractor without obtaining competitive bids or quotes after documenting that all building code approvals, licensing requirements, permitting, and other construction related requirements are met. When procuring a small construction project costing between \$25,000.01 and \$100,000, the School will obtain at least two competitive bids or quotes that include minimum specifications and will award the project to the contractor with the lowest bid or quote that meets the specifications after documenting that all applicable building code approvals, licensing requirements, permitting, and other construction related requirements are met.

The School will include minimum specifications when doing a small purchase of a construction project as defined in R33-~~105-106~~. Contractors selected by the School to do a small construction project must certify that they are capable of meeting the minimum specifications of the project.

If the cost of a construction project exceeds \$100,000, the School will conduct a formal procurement process, such as an Invitation for Bids or a Request for Proposals.

Other Requirements

The School will not artificially divide purchases or otherwise take steps in order to avoid the requirement to obtain competitive bids or quotes or conduct a formal procurement process.

School personnel will comply with the provisions of the Procurement Code prohibiting the acceptance of gratuities or kickbacks from vendors during the procurement process.

The School's contracts with vendors, including any renewal or extension periods, will not have a term that is longer than five years unless an exception applies or the School complies with the requirements of the Procurement Code governing any contract with a term that is longer than five years.

The School will comply with the requirements of the Procurement Code in connection with any construction or real property improvements undertaken by the School.

When entering into a contract, the School will ensure that the contract includes appropriate language regarding the scope of work to be performed, adequately addresses any applicable federal requirements, and includes language regarding data privacy and use, where appropriate. The School will ensure that the appropriate legal review of contract language is performed prior to entering into the contract.

When the School uses federal grant funds to procure goods or services, the School will comply with applicable federal law and regulations, including the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, 2 C.F.R. Part 200. To the extent federal procurement requirements are more restrictive than Utah law or this policy, the more restrictive federal requirements shall govern the procurement of goods or services purchased with federal grant funds.

Any alleged violations of this policy or applicable law shall be reported in writing to the School's Director or Board of Directors.

MWMA Board of Director's Meeting Monday, October 12, 2026

Action Item: *Amending Student Conduct & Discipline Policy*

Issue:

Amending the School's Student Conduct & Discipline Policy.

Background:

SB 167 revised the requirements governing the reintegration of students involved in serious offenses, including the timing and required contents of student reintegration plans. SB 181 established new physical standards and requirements for seclusion rooms used in schools, including standards governing room size, ceiling height, construction materials, lighting, ventilation, audio and video recording equipment, and door locks. In addition, SB 181 establishes the circumstances under which seclusion may continue when a parent cannot be reached after 15 minutes and the 30-minute time limit has expired, and imposes new requirements on schools when violations relating to seclusion or physical restraint are alleged. HB 188 also revised the circumstances under which a school may refer a student to court for a drug offense, generally prohibiting a referral until after a third allegation that the student committed a drug offense on school property. The Student Conduct and Discipline Policy has been revised to reflect these legislative changes.

Considerations:

The administration recommends the Board's consideration and approval of the Amended Student Conduct & Discipline Policy.

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

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

[c] If a minor is alleged to have committed a traffic offense that is an infraction, the minor may be referred directly to a law enforcement officer or agency, a prosecuting attorney, or a court for the traffic offense.

[d] If a minor is alleged to have committed an offense on School property that is a class B misdemeanor or a class A misdemeanor, the minor may be referred directly to a court or to the evidence-based alternative interventions in Subsection [a] above.

[e] If a minor is alleged to have committed a drug possession offense on School property and the minor has allegedly committed a drug possession offense on School property on at least two previous occasions, the minor shall be referred directly to a court.

[e] If a ~~minor~~ student allegedly commits an offense described in this section on School grounds when School is in session or at a School-sponsored activity and that information is reported to, or known by, a School employee, the School employee shall notify the Director. After receiving such a notification, the Director shall notify:

(i) a law enforcement officer or agency if the Director may refer the offense to a law enforcement officer or agency as explained above in this Section;

(ii) ~~The Director shall also notify~~ other School personnel if the Director determines that other School personnel should be informed; and

(iii) the student's parent.

The Director may not disclose to the student, or to the student's parent, the identity of the School employee who made the initial notification under Subsection (f) above. The identity of a School employee who notifies the Director under Subsection (f) above shall be kept confidential, except that the identity of a School employee may be disclosed to a law enforcement officer or agency for purposes of an investigation or prosecution.

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

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

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

7.1 Before referring the student for long-term suspension, expulsion or change of placement under

this Section, School staff should demonstrate that they have attempted some or all of the following interventions:

- 7.1.1 Talking with the student;
- 7.1.2 Class schedule adjustment;
- 7.1.3 Phone contact with the parent;
- 7.1.4 Informal parent/student conferences;
- 7.1.5 Behavioral contracts;
- 7.1.6 After-school make-up time;
- 7.1.7 Short-term in-school suspension;
- 7.1.8 Short-term at-home suspensions;
- 7.1.9 Appropriate evaluation;
- 7.1.10 Home study;
- 7.1.11 Alternative programs; or
- 7.1.12 Law enforcement assistance as appropriate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9.2 Notice to Student and Parent

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

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

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

9.2.3 a statement that a due process hearing may be requested by providing the Director with written notice within ten (10) school days of the parent's receipt of the notice;

9.2.4 a statement that, if a due process hearing is requested, the Board, even though less than a quorum, will conduct the hearing, with or without the help of a hearing officer;

9.2.5 a statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a due process hearing is requested in a timely manner and the Board (even though less than a quorum) determines otherwise;

9.2.6 the mailing date of the notice; and

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

9.3 Hearing Procedures

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

9.3.1 After receipt of the request, the School shall schedule a hearing as soon as possible but not later than ten (10) school days following receipt of the request unless the student's parent agrees otherwise.

9.3.2 A written Hearing Notice shall be sent to the parent informing the parent that the Due Process Hearing will be conducted before the Board (even though less than a quorum) and of the following information:

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

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

[c] the right of all parties to have legal counsel present;

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

[e] the right of all parties to cross-examine witnesses subject to the presiding Board member's or hearing officer's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal; and

[f] the right of all parties to examine all relevant records.

9.3.3 The Board (even though less than a quorum) shall conduct the Due Process Hearing on the

record and shall:

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

9.3.4 Hearing Rules

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

- [a] parties may have access to information contained in the School's files to the extent permitted by law;
- [b] hearings shall be closed to the press and the public;
- [c] documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the Board (even though less than a quorum) or hearing officer; and
- [d] the Board (even though less than a quorum) or hearing officer may excuse witnesses or parties or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the Board or hearing officer.

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

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

10.1 Required Services

10.1.1 504 and ADA Students

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

10.1.2 IDEA

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

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

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

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

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

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

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

10.3 Change of Placement Due to Student's Serious Misconduct

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

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

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

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

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

10.4 Parental Notice

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

10.5 IEP Meetings for Manifestation Determination

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

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

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

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

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

(ii) Observations of the student; and

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

[b] Then determines whether:

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

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

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

10.5.5 Determination that Behavior was not Manifestation of Disability

If the result of the manifestation review is a determination that the behavior of a student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, except that a free appropriate public education must still be made available to the student if the student is suspended or expelled from School.

10.5.6 Determination that Behavior was Manifestation of Disability

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

10.6 IEP Meetings for Functional Behavioral Assessments

10.6.1 Post-Discipline Functional Behavioral Assessments

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

10.6.2 Pre-Discipline Behavioral Intervention Plans

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

10.7 Placement During Appeals and Stay Put

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

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

as described in Section 10.3.

11. ADMINISTRATIVE STUDENT CONDUCT AND DISCIPLINE PLAN(S)

11.1 Elements of Plan(s)

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

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

11.1.2 effective instructional practices for teaching student expectations;

11.1.3 systematic methods for reinforcing expected behaviors;

11.1.4 uniform and equitable methods for correcting student behavior;

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

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

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

11.2 Plan(s) Consistent with this Policy

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

12. EXTRACURRICULAR ACTIVITIES

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

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

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

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

14. INVESTIGATIONS

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

14.1 General Investigation Guidelines for Director

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

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

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

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

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

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

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

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

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

14.2 Coordination with Law Enforcement

The Director has the responsibility and the authority to determine when the help of law

enforcement officers is necessary, as outlined in this policy and Utah State law.

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

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

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

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

14.2.2 Investigation of Criminal Conduct

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

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

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

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

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

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

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

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

14.2.3 Investigation Initiated by Law Enforcement Authorities

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

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

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

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

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

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

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

14.2.4 Release of Student to Law Enforcement Official

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

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

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

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

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

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

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

14.2.5 Quelling Disturbances of School Environment

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

14.2.6 Investigations of Alleged Drug Offenses

Nothing in this Section or policy prohibits the Director or their designee from investigating an alleged drug offense that involves School property, a student, or a School employee, including conducting a search on School property, before notifying a law enforcement officer or agency. Any such investigation, search, and handling of evidence shall comply with the requirements of Utah Code Ann. § 53G-8-511 and related USBE rules.

15. INVESTIGATION OF CHILD ABUSE AND NEGLECT

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

15.1 The School shall distribute annually to all School employees copies of the School's procedures for reporting suspected child abuse or neglect.

15.2 If there is reason to believe that a child may have been subjected to abuse or neglect, an oral report shall be made immediately by the School employee reporting the abuse/neglect with a written report to follow within twenty-four (24) hours.

15.2.1 When making the oral report, always have the person you notify identify himself/herself. The notified person's name shall be entered on the written report.

15.2.2 A copy of the written report shall be put in a child abuse-neglect file to be maintained by the Director, for all reported cases of suspected child abuse or neglect.

15.2.3 The child abuse-neglect reporting form shall not be placed in the student's personal file.

15.3 It is not the responsibility of the Director or other School employees to prove that the child

has been abused or neglected, or to determine whether the child is in need of protection.

15.3.1 Investigation by staff prior to submitting a report shall not go beyond that necessary to support a reasonable belief that a reportable problem exists.

15.3.2 To determine whether or not there is reason to believe that abuse or neglect has occurred, professional School employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.

15.3.3 Interviews with the child or suspected abuser shall not be conducted by the Director or School employees.

15.3.4 Notes of voluntary or spontaneous statements by the child shall be made and given to the investigating agency.

15.3.5 The Director, School employees, Division of Child and Family Services and law enforcement personnel are required to preserve the anonymity of those making the initial report and any others involved in the subsequent investigation.

15.3.6 Investigations are the responsibility of the Division of Child and Family Services.

[a] The Director or other School employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

[b] School officials shall cooperate with social service and law enforcement agency employees authorized to investigate reports of alleged child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective diagnostic, assessment, treatment, and coordination services.

15.3.7 Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune, in accordance with state law, from any civil or criminal liability that otherwise might arise from those actions.

16. SEARCHES OF PERSON OR PROPERTY

Given the School's custodial and tutelary responsibility for children, and the Board's intent to preserve a safe environment for all students and staff, the Board recognizes that School officials must have the authority to conduct reasonable searches of students and student property. School officials engaging in searches of students and property shall abide by the following guidelines:

16.1 General Guidelines for Searches of Person or Property

16.1.1 Student Lockers

Students have no right or expectation of privacy in school lockers. While lockers are under the joint control of students and the School, lockers are solely School property and may be searched

at any time by School officials with or without cause. Once a locker is opened for search, any search of student belongings contained within the locker must comply with the guidelines for searches of personal belongings in Section 16.2 of this policy.

16.1.2 Searches of Students and Student Property

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

16.2 Searches of Personal Belongings

16.2.1 Personal belongings may be searched by School officials whenever School officials have a reasonable suspicion to believe a student is concealing evidence of a policy violation or criminal activity and the items being searched are capable of concealing such evidence. The student may be asked to open personal belongings and to turn over personal property for search by a School official. All searches of student property by School officials shall be witnessed by an objective third party (such as another teacher, or police officer) to observe that the search is not excessively intrusive.

16.2.2 All contraband discovered in a search by School officials shall be immediately confiscated and turned over to law enforcement officers if School officials have reason to believe the contraband is related to the commission of a criminal act.

16.3 Searches of Person

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

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

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

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

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

[e] If this limited search does not turn up suspected contraband and School officials have reasonable suspicion that the student is concealing contraband in his/her inner clothing (i.e., hiding

drugs, weapons or other contraband underneath shirts, pants or underwear), law enforcement officers shall be summoned immediately to conduct further search and investigation.

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

16.4 Documentation of Searches

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

16.4.1 The time, place and date of the search;

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

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

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

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

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

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

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

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

“Serious offense” is defined in Utah Code Ann. § 80-6-103 and means the following: a violent felony as defined in § 76-3-203.5; an offense that is a violation of Title 76, Chapter 6, Part 4, Theft, and the property stolen is a firearm; or an offense in violation of Title 76, Chapter 110, ~~Part 5~~ Weapons.

“Sexual crime” or “sexual misconduct” means any conduct described in Title 76, Chapter 5, Part 4, Sexual Offenses; Title 76 Chapter 5b, Sexual Exploitation Act; or § 76-7-102, ~~i~~Incest; ~~§ 76-9-~~

~~702, lewdness; and § 76-9 702.1, sexual battery.~~

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

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

17.2 Multidisciplinary Team and Reintegration Plan

17.2.1 In addition to complying with the requirements above, the School shall, within ~~five (5)~~ seven (7) School days after receiving, while school is in session, a notification described in Section 17.1.1 about a student, or within a reasonable time after otherwise being notified of a student being arrested for, charged with, or adjudicated in juvenile court for committing a serious offense or sexual crime, develop a reintegration plan for the student with a multidisciplinary team, the student, and the student's parent. If the School receives the notification when School is not in session, the School shall develop the reintegration plan within seven (7) days of School being back in session from summer break. The multidisciplinary team should include the following designees, if applicable: the School, the juvenile court, the Division of Juvenile Justice and Youth Services, the School's Safety and Security Specialist, the School's Safety and Security Director, the School's Resource Officer (if any), and any other relevant party that should be involved in a reintegration plan.

17.2.2 The reintegration plan shall ~~address~~ include:

[a] a behavioral intervention for the student;

[b] a short-term mental health or counseling service for the student;

[c] an academic intervention for the student; ~~and~~ or

[d] any other intervention that the multidisciplinary team, the student, and the student's parent determine are necessary.

~~[d]~~ **17.2.3** ~~i~~ If the serious offense or sexual crime was directed at a School employee or another student within the School, notification of the reintegration plan shall be provided to that School employee or student and the student's parent.

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

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

17.2.56 The School shall not reintegrate a student when:

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

[b] a student or staff member of the School is a victim of ~~the serious an offense or sexual crime or forcible felony (as defined~~ listed in Utah Code Ann. § ~~76-2-402~~ 76-3-203.5 ~~committed by the student who is seeking reintegration or continued enrollment)~~ committed by the student being reintegrated.

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

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

17.2.9 A reintegration plan shall remain in effect for an entire school year or 180 days from the plan's implementation, or as long as the multidisciplinary team deems the reintegration plan necessary.

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

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

17.4 Student Discipline Records/Education Records

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

17.4.1 Disclosure of Discipline Records to Other Educators

School officials may disclose student discipline information described above to teachers and other

School officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

17.4.2 Disclosure of Discipline Records to Other Agencies

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

18. EMERGENCY SAFETY INTERVENTIONS

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

18.1 Definitions

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

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

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

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

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

18.1.6 “Mechanical restraint” means the use of any device or equipment to restrict a student’s freedom of movement.

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

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

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

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

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

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

18.2 General Procedures

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

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

18.2.3 An ESI shall:

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

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

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

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

[c] never be used as punishment or discipline;

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

[e] be documented and reported, as required.

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

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

18.3 Students with Disabilities Receiving Special Education Services

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

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

18.4 Physical Restraint

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

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

[a] in self-defense;

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

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

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

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

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

[a] prone, or face-down;

[b] supine, or face-up;

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

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

[e] chemical restraint.

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

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

[b] 30 minutes; or

[c] when law enforcement intervenes.

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

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

18.5 Seclusion

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

18.5.2 Key Identified School Employees may use seclusion only when:

[a] other less restrictive interventions have failed;

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

of the seclusion;

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

[d] any door to the area or room used for seclusion remains unlocked consistent with applicable fire and public safety requirements described in R392-200 and R710-4; and

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

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

[a] as a behavioral intervention;

[b] as a disciplinary practice;

[c] for coercion, retaliation, or humiliation;

[d] due to inadequate staffing; or

[e] for the School employee's convenience.

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

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

[a] all witnesses;

[b] all School staff who were involved;

[c] the student who was secluded; and

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

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

18.5.7 The School does not allow the designation of any enclosed area in its building for the sole purpose of seclusion. If the School chooses to operate a room primarily intended for seclusion, the room shall comply with the physical standards and other requirements for seclusion rooms as set forth in Utah Code Ann. § 53G-8-301(14), even if the room is also used for other purposes.

These requirements include, but are not limited to, physical standards governing square footage, distance between walls, ceiling height, and construction design; requirements for lighting, ventilation, climate, safety features, and audio and video recording equipment; and compliance with building and fire codes.

18.6 Notification of the Use of an ESI

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

[a] the student's parent; and

[b] School administration.

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

18.6.2 If the student's parent cannot be reached after 15 minutes, and the 30-minute time limit has been reached, the School or the employee who used the ESI may:

[a] conduct a reassessment of the student's condition;

[b] determine whether the student continues to pose an immediate and significant threat to the student or others; and

[c] if the School determines that the threat continues and that less restrictive interventions remain ineffective, place the student back in seclusion for an additional period not to exceed 30 minutes, after which the same process described above shall be repeated if necessary.

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

18.7 Documentation of the Use of an ESI

18.7.1 If an ESI is used on a student, the School or the employee who used the ESI shall document the use of the ESI. This shall include a written description of the type of ESI used, the date and time the ESI was used, the location where the ESI was used (and if a seclusion room was used, whether the room complied with Utah Code Ann. § 53G-8-301(14)), the length of time the ESI was used, the reason the ESI was used, the alternative interventions or de-escalation strategies attempted before the ESI was used, and demographic information on the student (sex, gender, age, grade in school, and disability status, if any). This documentation shall be provided to the School's Emergency Safety Intervention Committee and the student's parents.

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

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

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

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

18.8 Emergency Safety Intervention (ESI) Committee

18.8.1 The School shall establish an ESI committee that includes:

[a] at least one administrator;

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

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

[d] at least one other licensed educator.

18.8.2 The ESI committee shall:

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

[b] determine and recommend professional learning needs;

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

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

18.9 ESI Records and Reporting

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

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

18.10 Violation of ESI Requirements

18.10.1 Violations of Seclusion Room Standards

If the School identifies or receives a report of a violation of the physical standards applicable to a seclusion room, the School shall notify the Board, develop a corrective action plan, and report the violation and corrective action plan to the USBE within the timeframe established by USBE rule. If the USBE identifies or receives a report of such a violation and notifies the School, the School shall investigate the matter and take corrective action as required by law. If the School fails to develop an appropriate corrective action plan or achieve compliance within the timeframe established by the USBE, the USBE may take further action as authorized by law.

18.10.2 Violations of Seclusion or Physical Restraint Requirements

If the School identifies or receives a report of a violation of the statutory requirements governing the use of seclusion or physical restraint, including improper use of seclusion or physical restraint, failure to provide the required parent notification, or failure to properly document the use of an ESI, the School shall investigate the matter, take appropriate disciplinary action against involved staff, and implement corrective measures to prevent future violations. Any violation constituting unlawful detention, including the use of seclusion or physical restraint in violation of Utah Code Ann. § 53G-8-301(10), shall be handled in accordance with applicable law, including a referral to local law enforcement and the Utah Professional Practices Advisory Commission.

19. CORPORAL PUNISHMENT

“Corporal punishment” means the intentional infliction of physical pain upon the body of a student as a disciplinary measure. Corporal punishment at the School is prohibited. School employees may not inflict or cause the infliction of corporal punishment upon a student. The School shall take prompt and appropriate action, including in-service training and other administrative action, upon confirming a violation with respect to corporal punishment. School personnel who inflict or cause the infliction of corporal punishment on a student will be subject to discipline up to and including termination. School personnel who have been disciplined for the infliction of corporal punishment upon a student may appeal the disciplinary action in accordance with the School’s Staff Grievance Policy.

20. TRAINING

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

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

20.3 The Director shall be responsible for informing students, parents, and staff of the terms of this policy and the Student Conduct and Discipline Plan(s), including the procedures outlined for

investigation and resolution of violations.

21. REPORTING ON SUSPENSIONS AND EXPULSIONS

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

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

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

22. POLICY AND PLAN DISSEMINATION AND REVIEW

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

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