

**MOUNTAIN HEIGHTS ACADEMY
BOARD OF TRUSTEES MEETING**

Date: September 4, 2026

Location: <https://us02web.zoom.us/j/86171029221>

In Attendance: Kari Malkovich, Jen Robison, Royce Kimmons, Kara Finley

Excused Board Members: Wade Glathar

Others In Attendance: DeLaina Tonks, Hannah Dorius, Priscilla Stringfellow



MINUTES

CALL TO ORDER

Kari Malkovich called the meeting to order at 11:33AM.

PUBLIC COMMENT

- There was no public comment.

CONSENT ITEMS

- 06.17.2026 Board Meeting and Closed Session Minutes

Royce Kimmons made a motion to approve the 06.17.2026 Board Meeting and Closed Session Minutes as discussed. Kara Finley seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

VOTING AND DISCUSSION ITEMS

- Tuition Reimbursements
Dr. Tonks presented the Tuition Reimbursements. The board reviewed the tuition reimbursement requests submitted by school employees pursuing continuing education. Ashley Pollock, a math teacher completing her Math Endorsement, requests reimbursement. Jen Turcsanski is completing her Master of Education degree at Utah Valley University and requests reimbursement for nine credits from FY26 and three credits from FY27. Approval allows the school to issue reimbursement in accordance with the school's established reimbursement practices and budgeted professional development funds.

Jen Robison made a motion to approve the Tuition Reimbursements as presented. Kara Finley seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*
- LEA Licenses
The board reviewed the LEA-specific license request identified in the board documentation, which contains the educator information and the rationale for the request. The board considered Jayne Jones for a Theatre (K–12) endorsement as a renewal from SY25–26. The license endorsements are valid for three academic years and expire on June 30 of the final academic year approved.

Royce Kimmons made a motion to approve the LEA-Specific Licenses as presented. Jen Robison seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- TSSA Framework

The board reviewed an amendment to the TSSA Framework to include a literacy achievement component in accordance with SB 241 (2026) and applicable State Rule. The plan addresses the school's progress toward statewide literacy proficiency goals and provides that, 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. This framework will be used to create future TSSA Plans.

Kara Finley made a motion to approve the amended TSSA Framework. Royce Kimmons seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Genius SIS Invoice

Genius SIS is the school's student information system, which connects with the school's learning management system and tracks student progress in a more usable format.

Jen Robison made a motion to approve the Genius SIS invoice. Royce Kimmons seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Policies

- Responsible Use Policy for Technology

Dr. Tonks presented the Responsible Use Policy for Technology and the corresponding administrative procedures, which are revised to comply with changes to law from the 2026 legislative session, including SB 88. The revisions address the policy review cycle, updated definitions, limited student use of privately-owned electronic devices, and the school's technology protection measures.

Jen Robison made a motion to approve the amended Responsible Use Policy for Technology. Kara Finley seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Fee Waiver Policy

Dr. Tonks presented the Fee Waiver Policy, which is revised to reflect statutory changes under HB 142 regarding fee waivers for school-sponsored trips. 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 place of paying the trip fees.

Kara Finley made a motion to approve the amended Fee Waiver Policy. Royce Kimmons seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Capitalization and Expense Policy
Federal regulations and the Utah Division of Finance's Capital Assets Policy were amended to increase the capitalization threshold from \$5,000 to \$10,000. The school's Capitalization and Expense Policy is revised accordingly. The school's accountant supports this policy change.

Kara Finley made a motion to approve the amended Capitalization and Expense Policy. Jen Robison seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Financial Reporting Policy
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 is revised to also require compliance with GAGAS.

Jen Robison made a motion to approve the amended Financial Reporting Policy. Royce Kimmons seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Procurement Policy
The school's Procurement Policy is revised to comply with changes to regulations, including with respect to quotes for purchases between \$5,000 and \$50,000, professional services, and construction projects. A provision is also added regarding the school following federal procurement requirements, if applicable, when using federal grant funds to procure goods and services.

Kara Finley made a motion to approve the amended Procurement Policy. Royce Kimmons seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Sex Education Instruction Policy
The school's Sex Education Instruction Policy and administrative procedures are revised to comply with changes under HB 281 from the 2025 legislative session, which updated the definition of sex education instruction and revised related curriculum requirements. Complaints regarding sex education instruction

materials are addressed in accordance with the school's applicable grievance policy.

Jen Robison made a motion to approve the amended Sex Education Instruction Policy. Royce Kimmons seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

- Policies to Review
 - Donation and Fundraising Policy

Under Utah governance requirements, certain board policies must be reviewed periodically. The Donation and Fundraising Policy is currently due for scheduled review. At this time no revisions are recommended, and no board action or vote is required.

CLOSED SESSION – to discuss pending or reasonably imminent litigation pursuant to Utah Code 52-4-205(1)(c).

At 11:53AM Jen Robison made a motion to convene in closed session to discuss pending or reasonably imminent litigation pursuant to Utah Code 52-4-205(1)(c)., during an electronic board meeting. Royce Kimmons seconded. Motion passed unanimously. Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.

At 12:17PM Jen Robison made a motion to leave the closed session and re-enter the general meeting. Royce Kimmons seconded. Motion passed unanimously. Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.

REPORTS

- Director's Report

Dr. Tonks presented the Director's Report. She reported a graduation rate of 89% and an employee retention rate of 96.1%. The State Charter School Board (SCSB) Executive Director toured the school on graduation day, and the All Access Andy Garcia Show was filmed at the school, providing networking opportunities and connections for several students. Dr. Tonks also reported summer school data: credit recovery courses had a 92% completion rate, and original credit students earned 771 credits for a completion rate of 98%. The school currently has 969 full-time students enrolled, and Dr. Tonks reported that she is satisfied with this year's enrollment trends.

CALENDARING

- Board Meetings
 - Next board meeting: October 23, 2026
- Board Retreat

The board will discuss a board retreat at a future board meeting.

ADJOURN

At 12:31PM Jen Robison made a motion to adjourn the meeting. Kara Finley seconded. Motion passed unanimously. *Votes were as follows: Kari Malkovich, Aye; Kara Finley, Aye; Royce Kimmons, Aye; Jen Robison, Aye.*

MOUNTAIN HEIGHTS ACADEMY BOARD OF TRUSTEES CLOSED SESSION STATEMENT



Date: September 4, 2026

Location: Electronic Board Meeting held via Zoom

CLOSED SESSION SWORN STATEMENT:

At a duly noticed public meeting held on the date listed above, the board of directors for Mountain Heights Academy entered into a closed session for the sole purpose of discussing pending or reasonably imminent litigation pursuant to Utah Code 52-4-205(1)(c).

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

Signed on the 4th day of September, 2026.

A handwritten signature in black ink, appearing to read "Kari Malkovich", is written over a horizontal line.

Kari Malkovich, Board President



Mountain Heights Academy

LEADERS IN DIGITAL EDUCATION



Mountain Heights Academy

LEADERS IN DIGITAL EDUCATION

Executive Director's Report

October 2026



Vision: *Mountain Heights Academy is the leader in digital education.*

Mission: *To develop connected and successful learners.*

Values: Updated [*Portrait of a Trailblazer*](#)

Trailblazers are audacious, curious, and adaptable. We maintain integrity and foster a sense of belonging for every Trailblazer.

- **Audacious.** We take calculated, innovative risks to support our vision of being the leader in digital education.
- **Curious.** We have the time to explore and learn. We are proactive rather than reactive.
- **Adaptable.** There are many ways to solve problems. Trailblazers are adept at figuring things out.
- **Integrity.** Trailblazers consistently do things the right way for the right reason, and they take responsibility for their own learning—a lifelong pursuit.
- **Belonging.** Every student and employee has a place to belong at Mountain Heights, in their grade level, course, and department.

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School Achievement & Activity



Summary of Participation Metrics for *Volunteer for Good* Pilot Program Updated 15 October 2026

Year 3 and Cumulative Pilot Program Impacts

Time Period	Number of Unique Participating Students	Number of Hours Completed	Economic Impact	Number of Reflections
Year 3 (to date)	6,310 students in 22 schools	73,172 hours	\$2,544,942	5,315
Cumulative	29,519 students in 23 schools	553,055 hours	\$19,177,602	21,979

Detailed Year 3 Pilot Program Impacts by LEA (June 1, 2026 – May 31, 2027)

LEA	Number of Participating Schools		Number of Unique Participating Students		
	Target	Current	Target	Current Number	Current % of Target
Garfield School District	3	3	~379	261 [+39]	69%
Granite School District	9	9	~17,954	4,245 [+866]	24%
Mountain Heights Academy	1	1	~734	617 [+23]	84%
Nebo School District	6	5	~8,613	994 [+212]	12%
Sevier School District	4	4	~1,487	193 [+25]	13%
TOTAL	23	22	~29,167	6,310 [+1,165]	22%

Note. The numbers in the “Target” columns represent the goals for participating schools and students for Year 3. The numbers in the “Current” columns show how many schools or students have at least one opportunity completed in Year 3, based on data recorded in the participation log at the time of this report. **Numbers in brackets represent the change since the last report.**

Numbers should be treated with caution until data have been cleaned.

LEA	Hours, Value, and Reflections		
	Number of Hours	Dollar Value	Number of Reflections
Garfield School District	3,062 [+917]	\$106,545 [+\$31,903]	632 [+245]
Granite School District	53,739 [+6,620]	\$1,869,340 [+\$230,307]	3,223 [+830]
Mountain Heights Academy	2,055 [+114]	\$71,495 [+\$3,958]	499 [+70]
Nebo School District	13,217 [+1,792]	\$459,387 [+\$62,309]	615 [+278]
Sevier School District	1,098 [+228]	\$38,174 [+\$7,946]	346 [+118]
TOTAL	73,172 [+9,672]	\$2,544,942 [+\$336,422]	5,315 [+1,541]

Note. **Numbers in brackets represent the change since the last report.** Values should be treated with caution until data have been cleaned.

Student/Parent

Parent Teacher Conference feedback:

"It was great to put a name and face together. I also enjoyed the PPT slides they put together for each student. The teachers and staff have been amazing. This is our first year and I've never felt this supported at a school."

"I was really impressed with every teacher I have spoken with. Very caring, compassionate and prepared. They were able to make updates in real time for other teachers to be aware of needs. Literally 15 minutes later the next conference already knew about my previous conversation. Thoroughly impressed as a new parent to the school."

Mom of an alumni (Class of '19) email:

I wanted to send you a quick note to let you know that Garrett (MHA Class of '19) just graduated from the University of North Carolina at Pembroke with his bachelor's degree in business administration.

Mountain Heights Academy was pivotal in his success. Moving him to MHA gave him a love for learning again, without the stress of peer pressure and bullying. MHA's educators were like family to him, embracing his disability, helping him learn it didn't define him as a person or limit his future. With people like Ms. Kate, he blossomed into the amazing young man before us today.

And, he just secured a permanent position working for Cumberland County, NC with an excellent salary and benefits package.

With that said, I wanted to share this news, as this achievement, Garrett's achievement, also belongs to Mountain Heights Academy.

Best,

Faculty/Staff

Leadership

Data & Reports

UPDATED: [Grad Rate \(Longitudinal/Comparative, State Test Scores, ACT Scores\)](#) (updated 10/2026)

School Report Card with MAP data was released mid-October. See above report for details.

- [Mountain Heights Academy's final Annual Performance Determination \(APD\) report](#) (updated 4/2026)
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- [Summer School Report](#) (updated 8/2026)
- [Statewide Online Education Program \(SOEP\) Report](#) (updated 8/2026)
- [Math Competency Report](#) (updated 8/2026)
- [2025-2026 MAP Data Summary](#) (updated 6/2026)
- [2025-2026 Annual Behavior Report](#) (updated 6/2026)
- [2025-2026 Student Performance Spreadsheet](#) (updated 6/2026)
- [2025-2026 Student Performance Report](#) (updated 6/2026)
- [Concurrent Enrollment Growth Report](#) (updated 6/2026)
- [End of Year Marketing Report](#) (updated 6/2026)

Lottery

[Lottery Numbers Tracking](#) (see 2026-2027 tab)

- 2026-2027: Our full-time numbers have increased from 901 last year to 967, while our beginning of year SOEP numbers are slightly higher at 765 than they were last August.
- 2025-2026: Our SOEP numbers increased significantly in 25-26, **from 499 last August to 727, to 1250 in January**, due in part to the addition of Concurrent Enrollment options available through SOEP now and a targeted marketing campaign. We have 127 SOEP students taking CE courses. Our brand and reputation with Utah Tech and our families continue to be stellar.
- 2024-2025: After a thorough review of student performance data in 2023-2024, we determined that accepting students at Q2 and Q4 was not working well for students, faculty, or staff. Beginning in 2024-2025, we accepted 7-12 grade students for Q1 and 7-10 grade students for Q3.

2026-2027 Enrollment Status

Date 2026-2027	Total enrolled	New, Enrollment Completed	In queue	SOEP	Total Number of FT & PT Students
April 10, 2026	743	118 (new) +625 (returning)	0	108	851
June 10, 2026	745	133 (new) +612 (returning)	75	207	952
August 3, 2026	808	201 (new) +607 (returning)	82	524	1332
August 24, 2026	969	394 (new) +575 (returning)	0	786	1753
October 1, 2026	942	381 (new) +561 (returning)		785	1727

Strategic Plan Progress

Strategic Plan 2025-2030: [LINK](#)

2025–2030 Schoolwide Goals & Indicators

Purpose:

These goals guide the board's oversight of school performance and the Executive Director's evaluation. Together, they reflect academic excellence, strong partnerships, and meaningful impact beyond the classroom. [Annual goal tracker.](#)

GOAL 1: Improve Student Success

Students perform at grade level, demonstrate proficiency, and are prepared for post-secondary life.

Key Indicators

- **≥ 40% of students** demonstrate adequate MAP Growth (40–50 CGP)
- **≥ 80% schoolwide course completion rate**
- **≥ 85% graduation or GED completion (Consider increasing the goal in June bc we are at 89% and less than 1% away from the state graduation rate.)**
- **≥ 95% of students** complete annual College & Career Readiness (CCR) meetings
- **≥ 80% of students** report post-secondary preparedness
- Schoolwide proficiency **exceeds most comparable statewide online LEAs**
- Regular data analysis, reporting, and plan adjustment

GOAL 2: Family & Community Engagement

Families and communities are meaningfully engaged in student learning and support.

Key Indicators

- **≥ 75% of parents** review Student Academic Portfolios (SAP)
- Student Academic Portfolio system fully implemented with SOPs
- **≥ 1 annual professional learning opportunity** for staff on family engagement
- **≥ 2 quarterly family engagement opportunities**
- **≥ 3 student groups and mental health supports**
- Clear communication of Tier 1 / 2 / 3 instructional supports
- **≥ 2 parent-identified partnerships or internships**

GOAL 3: Increase Individual, Community & Societal Impact

The school positively impacts students, communities, and society through service, kindness, and leadership.

Key Indicators

- **≥ 75% of students** participate in service learning
- All milestones met for the **Lt. Governor's 4-Year Service Learning Pilot**

- **≥ 2 active community service partnerships**
- Service learning lessons & reflections embedded in coursework and CCR
- Maintain **One Kind Act a Day – Certified Kindness School** status
- Annual schoolwide activities include kindness elements
- Local and state leadership, including **mentoring aspiring leaders**
- **National and global leadership**, including conference presentations
- Dissemination of practices and models beyond the school

Calendar Items

November 18, 2026: Professional Development Day
 10-2 at the Viridian Center in West Jordan
 Featuring Keynote Speaker, Jennie Taylor, service activities, Lighthouse Moments, and lunch.

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EXECUTIVE SUMMARY

SETTLEMENT AGREEMENT

This item will be discussed during closed session.

Action: Board Vote to approve the Settlement Agreement to be executed as discussed in closed session.

WIKIPEDIA CONSULTANT

MHA's current Wikipedia page does not provide a fair or balanced representation of the school, emphasizing a single difficult academic year. When individual edits fail to reach resolution, companies that work directly with Wikipedia's editors have proven successful. Beutler Ink will work with editors over a six-month period to update, maintain, and elevate the Mountain Heights Academy Wikipedia page. The total cost is \$40,000. It is recommended that the Board approve the Beutler Ink engagement.

Action: Board Vote

DC SEMINAR

After taking a year off from the DC Seminar last year, MHA has seen increased interest this year, with 18 students and 3 chaperones planning to attend. Two years ago, the Board moved the DC Seminar to a budget line item; however, the total trip cost still requires Board approval. The total cost is \$48,962. It is recommended that the Board approve the DC Seminar trip cost.

Action: Board Vote

INTREPID CONTRACT ADDENDUM

MHA is in Year 5 of a 5-year contract with Intrepid, the marketing and PR firm selected through the 2022 RFP. Due to cost-of-living increases, Intrepid has raised its hourly rates, increasing the annual total as outlined in the attached addendum.

Administration worked with Gabe to ensure the change was handled appropriately. It is recommended that the Board approve the Intrepid contract addendum.

Action: Board Vote

2028–2029 SCHOOL CALENDAR

The 2028–2029 school calendar has been created, reviewed, and internally approved, and is now ready for Board approval. Staff appreciate having the calendar available this far in advance for planning. It is recommended that the Board approve the 2028–2029 school calendar.

Action: Board Vote

INSURANCE PURCHASE APPROVAL

The Board is asked to ratify payment of the premium for the school's insurance coverage for the 2026–27 school year. The school carries its primary property and casualty, liability, and related insurance coverage through State Risk Management. The renewal premium for the 2026–27 school year is \$15,230 for liability and \$690 for property.

Action: Board Vote

TUITION REIMBURSEMENT

Julie Crisp is one of our amazing math teachers working on her Master's degree. She is requesting \$837 for a course on Becoming a Master Teacher. The Director has reviewed and approved this request.

Action: Board Vote

GENIUS SIS INVOICE

Genius is our Student Information System platform that tracks student data. The fall charges are for our 940 full-time students for a total amount of \$24,716.64.

Action: Board Vote

SCHOOL LAND TRUST ELECTION PROCEDURES

The October 2026 revisions replace the original policy's general framework with more detailed membership and election procedures. The flexible five-to-thirteen-member council becomes a set council of at least six: four parents or grandparents, the Director as a voting member, and one staff member appointed by the Director. Elections now follow a defined process, with announcements by September 1, one vote per parent by secret electronic ballot, no absentee voting, and appointments when there are no more candidates than seats. All terms are now two years. The revision also adds new sections on electing a parent Chair, filling vacancies, quorum, open meeting requirements, and the council's duties for planning, safety and positive behavior.

Action: Board Vote

ATTENDANCE POLICY

The school's Attendance Policy and administrative procedures have been revised to reflect several bills from the 2026 legislative session. HB 145 amended the definition of a "valid excuse." HB 502 allows schools to count attendance as up to twenty percent (20%) of a student's final course grade in grades 7 through 12. SB 58 revised several attendance-related definitions, including "instructional hours" and "chronic absenteeism," and added new requirements for schools and governing boards. Schools must regularly review attendance data to identify students at risk of chronic absenteeism, train relevant staff on attendance policies and procedures, and implement attendance monitoring and intervention practices. Governing boards must

annually review attendance data, evaluate the effectiveness of attendance interventions, and ensure the school has adequate resources to support these programs. It is recommended that the Board approve the amended Attendance Policy.

Action: Board Vote

BULLYING AND HAZING POLICY

The USBE recently published a model Bullying Policy. While the school's existing Bullying and Hazing Policy is already largely consistent with the model, several provisions have been incorporated to strengthen and clarify it. Revisions include adding definitions for "accountability practice" and "restorative justice practice"; requiring the school to leave a voicemail and send an email when a parent cannot be reached by phone about an incident involving their child; clarifying that a student's age, development, maturity, and other relevant factors will be considered when determining discipline; and expanding provisions on annual reporting, employee training, and incident reporting. It is recommended that the Board approve the amended Bullying and Hazing Policy.

Action: Board Vote

PAID PARENTAL, POSTPARTUM RECOVERY, ADOPTION, AND FOSTER LEAVE POLICY

HB 329 from the 2026 legislative session expanded paid leave benefits for qualified LEA employees. Qualified employees who adopt a child under six (6) years of age will now receive an additional three (3) weeks of paid leave, on top of the three (3) weeks of parental leave already available for adoption. The bill also establishes foster leave as its own category, providing four (4) weeks of paid leave to a qualified employee who becomes a foster parent. Because foster leave has been moved out of the parental leave category, it is not in addition to parental leave. The policy has been revised to reflect these changes, and its title has been updated from the Paid Parental and Postpartum Recovery Leave Policy. It is recommended that the Board approve the amended policy.

Action: Board Vote

LOTTERY AND ENROLLMENT POLICY

The proposed amendments bring the policy into compliance with current law and the school's charter and Schedule A (if applicable) regarding enrollment preferences. They also reflect current law on denying student admission based on prior disciplinary issues and misconduct, per SB 131 and SB 167 from the 2026 legislative session. Additional revisions clarify the school's procedures when material misrepresentations or omissions in a lottery application are discovered after a student has enrolled. It is recommended that the Board approve the amended Lottery and Enrollment Policy.

Action: Board Vote

STUDENT CONDUCT AND DISCIPLINE POLICY

The policy has been revised to reflect several 2026 legislative changes. SB 167 revised the requirements for reintegrating students involved in serious offenses, including the timing and required contents of reintegration plans. SB 181 established new physical standards for seclusion rooms, covering room size, ceiling height, construction materials, lighting, ventilation, audio and video recording, and door locks. SB 181 also defines when seclusion may continue if a parent cannot be reached after 15 minutes and the 30-minute limit has expired, and adds new requirements when violations involving seclusion or physical restraint are alleged. HB 188 generally prohibits referring a student to court for a drug offense until after a third allegation of a drug offense on school property. It is recommended that the Board approve the amended Student Conduct and Discipline Policy.

Action: Board Vote

TUITION REIMBURSEMENT POLICY

The current policy does not address part-time staff, meaning an employee at 0.5 FTE could receive the same benefit as a full-time employee. The proposed amendment limits tuition reimbursement to employees at 0.5 FTE or above and prorates the reimbursement amount by the employee's FTE. It is recommended that the Board approve the amended Tuition Reimbursement Policy.

Action: Board Vote

PURCHASING AND DISBURSEMENT POLICY

The proposed policy amendment suggests increasing the full board approval amount to \$40,000. The board may discuss other changes to the policy during the meeting.

Action: Board Vote

**Mountain Heights Academy
Tuition Reimbursement Policy
Adopted: October 11, 2019**

PURPOSE

Mountain Heights Academy (the “School”) believes that the School and its students benefit when employees develop and improve their knowledge and skills. Obtaining additional education can increase teaching abilities and professional competence. The School therefore desires to identify the conditions upon which the School is willing to reimburse School employees for tuition paid in order to obtain education that will improve their ability to serve the School and its students.

POLICY

The School may reimburse tuition for School employees if the following conditions are satisfied:

- (1) The employee has been employed by the School for at least one (1) year.
- (2) The tuition is for courses that are either (a) job related, meaning the course will result in increased knowledge and skill, is aimed primarily at improving the employee’s performance in his/her present job or will enable the employee to remain current with changes or developments in their field or (b) an elective that is part of a degree program that is job related.
- (3) The courses are taken at either (a) a fully accredited college or university; or (b) a school providing training or instruction that is approved by the State Board of Education.
- (4) Courses may be for credit or not.
- (5) Except in unusual circumstances and as approved by the Director, courses must be taken outside of regularly scheduled work hours.
- (6) Reimbursement will only be provided when the following conditions are met:
 - (a) The Director must give initial approval to the employee’s request for reimbursement.
 - (b) The request will be submitted to the Board of Directors for final approval of the Tuition Reimbursement Agreement. The form of Tuition Reimbursement Agreement to be used is attached to this Policy.
 - (c) The Director must give approval for each course for which reimbursement will be sought before the employee enrolls in the course.
- (7) The employee must agree to work at the School for a minimum of three (3) years following reimbursement of tuition. In the event the employee’s employment with the School is terminated, voluntarily or involuntarily, for any reason, before the completion of three (3) years,

the prorated portion of the reimbursed tuition must be repaid to the School based on the number of years worked for the School since the most recent reimbursement.

(8) Reimbursement is limited to a maximum of nine (9) credit hours per school year, up to a total of thirty-six (36) credit hours total, at a rate not to exceed \$400 per credit hour.

(9) Reimbursement will be paid when the employee:

- (a) Provides evidence of completion of the course with a passing mark of B or better.
- (b) Provides an itemized receipt of the payment of tuition.
- (c) Passes any applicable Praxis exam.

(10) The amount of tuition reimbursed to an employee is at the sole discretion of the Director but will not exceed the lesser of 75% of an employee's tuition or a maximum of \$5,000 per employee, per degree.

(11) Total tuition reimbursement payments from the annual School budget will not exceed \$20,000 per year. The Director will work with employees to plan the timing of reimbursement payments in order to comply with this annual cap.

TUITION REIMBURSEMENT AGREEMENT

This Tuition Reimbursement Agreement (the “Agreement”) is entered into this 21st day of October, 2026, between **Mountain Heights Academy**, a Utah nonprofit corporation (the “School”), and Julie Crisp, an individual (the “Teacher”).

Recitals

- A. The School operates a charter school in West Jordan, Salt Lake, Utah.
- B. The Teacher is currently employed with the School as a Math Teacher.
- C. The Teacher desires the School’s financial assistance to obtain the following additional education in order to improve the Teacher’s skill and professional competence: Masters of Education [[clearly specify the course(s), program, degree, certification, as applicable, and the institution]] (the “Coursework”).
- D. The School desires to reimburse the Teacher’s tuition and, in connection therewith, to provide an incentive for the Teacher to continue to work at the School thereafter.
- E. The School and the Teacher desire to enter into this Agreement in order to carry out that intent.

Agreement

Now, therefore, in consideration of the foregoing and the mutual covenants and promises of the parties hereto, the School and the Teacher agree as follows:

1. The Teacher will satisfactorily complete the requirements associated with the Coursework within **four months** from the date of this Agreement.

Anticipated start date	Anticipated completion date
1/6/2027	4/22/2027

2. The Director must approve each course for which the teacher will seek reimbursement to ensure that it is job related or an elective required for a degree program.

Course Name	Number of Credits	Cost
EDUC 6915 - Becoming a 21st	Century Master Teacher	\$1116 (\$837 reimbursed)

3. The School will reimburse the Teacher's tuition for the Coursework when the Teacher:

- (a) Provides evidence of completion of the course with a passing mark of B or better.
- (b) Provides an itemized receipt of the payment of tuition.
- (c) Passes the _____ Praxis exam. [[include this if applicable]]

4. If the Teacher's employment at the School is terminated (voluntarily or involuntarily) for any reason within three (3) years following the most recent reimbursement of tuition or the Teacher fails to satisfactorily complete the Coursework within the required time frame set forth in Section 1, above, the Teacher must repay the tuition paid by the School pro rata based on the number of years worked for the School from the most recent reimbursement. The Teacher consents that any such amounts that are owed to the School under this Agreement may be deducted from the Teacher's final paycheck.

5. The Teacher acknowledges that this Agreement does not guarantee the Teacher employment with the School.

The Parties have executed this Agreement as of the date first set forth above.

The School:

DeLaina Tonks

10/21/2026

Director

The Teacher:

Julie Crisp

10/21/2026

Mountain Heights Academy

Attendance Policy

Adopted: July 14, 2009

Amended: October 5, 2018

Reviewed: June 12, 2020

Reviewed: June 18, 2021

Reviewed: June 23, 2023

Amended: June 17, 2026

Reviewed: October 23, 2026

Purpose

Mountain Heights Academy (the “School”) is committed to providing a quality education for every student. The School firmly believes that consistency in schoolwork teaches students responsibility. Students learn the value of planning and preparation. Long breaks between work and infrequent attention to coursework results in a loss of continuity of instruction. Inattentiveness to schoolwork may lead to a student’s failure to earn credits required for graduation and possibly permanent dismissal from the School.

However, the School realizes that students and their families are attracted to the School because of its innovative approach to education and unique educational platform. The School strives to provide a great deal of flexibility for its students in connection with their studies.

Policy

The School recognizes that, pursuant to Utah Administrative Rule R277-419-4, the School is not subject to the requirement that students attend 180 school days each year and therefore does not require students to “attend” school for a certain number of days each year. Instead, the School operates a learner validated program for its students, which is an educational program specifically designed for competency-based or self-paced learning where student participation is measured by demonstrated academic progress and completion of learning objectives rather than by attendance at scheduled instructional periods.

The School expects its students to engage regularly and consistently in their coursework to demonstrate proficiency in standards established by the Utah State Board of Education and to successfully complete all course requirements. Accordingly, the School’s Director will work with a committee designated by the Board of Directors to develop procedures that ensure students meet all learner validated program requirements while preserving the flexibility valued by the School’s student population. The procedures must address each of the applicable learner validated program requirements required in Utah Code § 53G-2-501 and -502.

Board Approved: July 14, 2009
Reviewed: October 23, 2026

Review and Evaluation

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

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.

MHA Board Mtg 10.23.2026

September financials are included, and we are now 25% of the way through the year, so looking at anything differing from that percent.

Profit and Loss –

Revenue is 24.9% overall and 24.9% for State. It is tracking the correct percent of the budget, which is great since the true up of funding will happen in November. Since we budgeted on 905 and the Oct 1 count was at 936 (plus ADM) so it will be in a positive direction.

No Federal income yet, since the school only receives IDEA at this point, and the applications just hit and aren't due until 12/31/2026.

Local revenue is higher due to PTIF interest rates that remain relatively high, sitting at just below 4%. Contributions are lower than percent of budget as of September.

Expenses are at 18.7% overall and tracking as expected compared to budget, on amount of year that has passed. The only areas that are tracking ahead of budget are:

Other Purchased Services

- 0521 Property Insurance 100%, and 0522 Liability Insurance 92.5%, since paid once a year and have already been paid

Supplies and Materials

- Most accounts are over the 25% since bought toward BOY

Debt & Misc -

- 0810 Dues and Fees 48.2% for association fees and memberships that are paid toward the BOY

Balance Sheet -

- Investments (PTIF) are a little over \$1.5M more than PY at this time (\$1M trans made 4/17/2026)
- Operating is currently at a level to maintain daily expense and payroll

Mountain Heights 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	1,239,201	2,570,040
Investments	13,704,755	12,195,202
Operating Cash	14,943,956	14,765,242
Accounts Receivables	3,771	5,280
Other Current Assets	14,000	14,000
Total Current Assets	14,961,727	14,784,522
Net Assets		
Fixed Assets	1,638,126	1,534,747
Depreciation	(1,141,955)	(892,424)
Total Net Assets	496,171	642,323
Total Assets & Other Debits	15,457,898	15,426,845
Liabilities & Fund Equity		
Current Liabilities	16,841	23,524
Long-Term Liabilities	356,924	571,114
Fund Balance	14,194,449	13,206,066
Net Income	889,684	1,626,141
Total Liabilities & Fund Equity	15,457,898	15,426,845

Mountain Heights Academy
Bullying and Hazing Policy
Amended: 10.24.2025

Purpose

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

Policy

Prohibited Conduct

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

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

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

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

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

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

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

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

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

Definitions

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

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

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

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

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

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

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

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

- (1) (a) endangers the mental or physical health or safety of a School employee or student;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Reporting Prohibited Conduct

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

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

Each report of prohibited conduct shall include:

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

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

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

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

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

Investigation of Alleged Incidents

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

The School will investigate these alleged incidents by interviewing:

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

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

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

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

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

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

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

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

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

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

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

Parental Notification

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

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

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

The Director or his/her designee will attempt to contact the parent or guardian by telephone to provide this notification and to discuss the matter. If the parent or guardian cannot be reached by telephone, the Director or designee will leave a voicemail, if possible, and also send the required notification by email.

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

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

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

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

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

Action Plan to Address Incidents

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

- (1) with respect to the targeted student and in direct coordination with the student's parent or guardian:
 - (a) a tailored response to the incident that addresses the student's needs;
 - (b) a mechanism to consider consequences or accommodations the student may need regarding decreased exposure or interactions with the student who caused the incident;
 - (c) notification of the consequences and plan to address the behavior of the student who caused the incident, to the extent allowed by FERPA;
 - (d) support measures designed to preserve the student's access to educational services and opportunities; and
 - (e) to the extent available, access to other resources the parent requests for the student; and
- (2) with respect to the student who caused the incident and in direct coordination with the student's parent or guardian:
 - (a) a range of tailored and appropriate consequences, making reasonable effort to preserve the student's access to educational services and activities;

- (b) a process to determine and provide any needed resources related to the underlying cause of the incident;
- (c) supportive measures designed to preserve the student's access to educational services and opportunities while protecting the safety and well-being of other students; and
- (d) a process to remove the student from School in an emergency situation, including a description of what constitutes an emergency.

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

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

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

Communication Plan

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

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

The Director or his/her designee shall oversee the implementation of the action plan, monitor the implementation of the communication plan/requirements within the action plan, and assist the School with case-specific needs when the School is addressing an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct.

Consequences of Prohibited Behavior

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

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

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

Grievance Process for School Employees

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

Grievance Process for Parents and Guardians

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

Additional Provisions

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

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

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

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

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

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

Student Assessment

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

Training

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

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

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

The training shall be offered to:

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

In addition to the training requirements described above, any student, employee, or volunteer coach participating in a School sponsored athletic program, both curricular and extracurricular, or extracurricular club or activity, shall, prior to participating in the athletic program or activity, participate in bullying, cyber-bullying, hazing, retaliation, and abusive conduct prevention training. This training

shall be offered to new participants on an annual basis and to all participants at least once every three years. The School will inform student athletes and extracurricular club members of prohibited activities under R277-613 and potential consequences for violation of the law and the rule.

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

Liaison to Utah State Board of Education

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

Distribution of Policy and Signed Acknowledgment

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

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

Annual Reporting

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

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

Mountain Heights Academy
Enrollment and Lottery Policy
Adopted: March 3, 2009
Amended: October 23, 2026

Purpose

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

Policy

In regard to applications, enrollment, and lottery procedures, the School will follow all state and federal laws.

General Information

Notice of the opportunity to submit an application and procedures for enrollment at the School shall 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 shall also include, but not be limited to, the following lottery and enrollment information: (i) a description of the procedures for applying for admission to the School; (ii) the application timeline to be considered for enrollment in the School; (iii) timelines for acceptance of new students into the School; (iv) procedures for transferring to or from the School; and (iv) the School calendar.

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

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, which include requirements related to applications, 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 shall conduct a lottery to determine which students will be admitted to the School. The School shall conduct its lottery electronically and notify accepted students via e-mail or telephone.

In accordance with Utah Code § 53G-6-502, the following students shall receive preference in the School's lottery in the following order: children, then grandchildren of founding parents; children, then grandchildren of the governing board; siblings of students currently, then previously enrolled; children of School employees. Such students shall not, however, be given priority notice or guaranteed admission to the School.

The School shall not give preference to any student and shall 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").

The School's lottery shall be held in or around January 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 and Misconduct 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 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 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, upon request, disclose in their application 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.



Division of Risk Management

Insurance Premium Invoice FY 2027 – Liability

August 13, 2026

Mountain Heights Academy
9067 S 1300 West
Suite 303
West Jordan, UT 84088

Effective Dates: July 1, 2026 through June 30, 2027
Agency ID: CS-00160
DRM Policy Number: CS-00160-2027-L
External Policy Number:

Total Premium Due: \$15,230.00

Please mail your payment along with the remittance slip below to the following address:

Utah Division of Risk Management
PO Box 141321
Salt Lake City, UT 84114-1321

This invoice is due and payable upon receipt. For questions, please contact **Audrey Crowton** at **(801) 707-2703** or acrowton@utah.gov.

RE: Insurance Premium Invoice for FY 2027 – Liability

Mountain Heights Academy
9067 S 1300 West
Suite 303
West Jordan, UT 84088

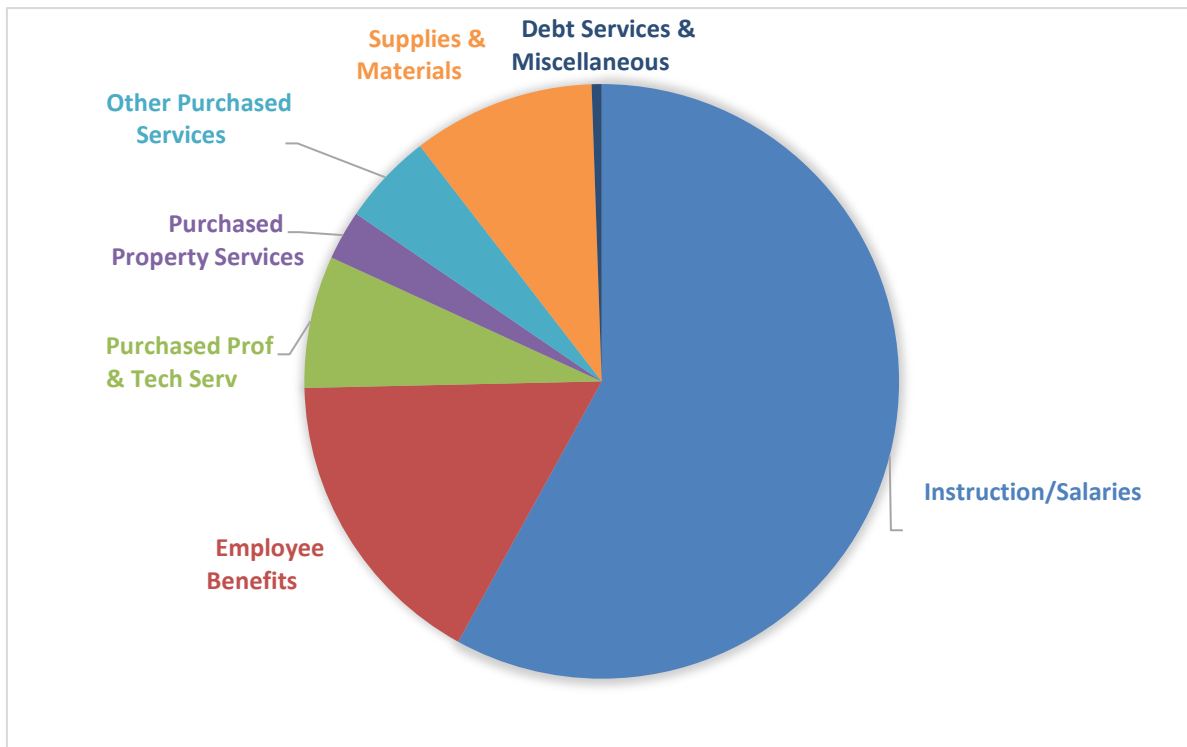
Amount Enclosed: \$15,230.00

Mountain Heights Academy

Board Profit and Loss

7/1/2026 - 9/30/2026

	Annual June 30, 2027	Year-to-Date September 30, 2026	
	Budget	Actual	% of Budget
Net Income			
Income			
Revenue From Local Sources	474,700	144,845	30.5 %
Revenue From State Sources	13,681,721	3,408,219	24.9 %
Revenue From Federal Sources	126,660	0	0.0 %
Total Income	14,283,081	3,553,064	24.9 %
Expenses			
Instruction/Salaries	9,118,733	1,545,195	16.9 %
Employee Benefits	2,728,938	442,936	16.2 %
Purchased Prof & Tech Serv	870,000	191,547	22.0 %
Purchased Property Services	277,360	71,734	25.9 %
Other Purchased Services	617,355	133,385	21.6 %
Supplies & Materials	605,932	264,113	43.6 %
Debt Services & Miscellaneous	30,000	14,469	48.2 %
Total Expenses	14,248,318	2,663,379	18.7 %
Total Net Income	34,763	889,685	2,559.3 %



Paid Parental, Postpartum Recovery, Adoption, and Foster Leave

In accordance with Utah Code § 53G-11-209, the School offers qualified employees paid parental leave, postpartum recovery leave, adoption leave, and foster leave.

Definitions

For purposes of this policy:

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

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

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

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

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

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

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

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

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

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

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

“Postpartum recovery leave eligible employee” means a School employee who:

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

“Qualified employee” means:

- (a) a parental leave eligible employee;

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

“Qualified leave” means:

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

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

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

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

Postpartum Recovery Leave

The School allows a postpartum recovery leave eligible employee to use up to 15 contracted workdays of postpartum recovery leave for recovery from childbirth that occurs at 20 weeks or greater gestation.

Postpartum recovery leave as described above:

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

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

Parental Leave

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

- (a) the birth of the parental leave eligible employee’s child;
- (b) the adoption of a child; or
- (c) the appointment of legal guardianship of a child or incapacitated adult.

Parental leave as described above:

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

Commented [KF1]: Should this also include an incapacitated adult?

Commented [PN1R2]: For whatever reason, the statute only refers to the child.

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

- (a) has more than one child born from the same pregnancy;
- (b) adopts more than one child; or
- (c) is appointed legal guardian of more than one child or incapacitated adult.

A parental leave eligible employee may not use more than three calendar weeks of parental leave within a single 12-month period, regardless of whether during that 12-month period the parental leave eligible employee:

- (a) becomes the parent of more than one child;
- (b) adopts more than one child; or
- (c) is appointed legal guardian of more than one child or incapacitated adult.

Adoption Leave

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

Adoption leave as described above:

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

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

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

Foster Leave

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

Foster leave as described above:

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

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

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

A qualified employee may not use:

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

Leave Period

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

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

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

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

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

Notice of Plan to Take Leave

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

- (a) begin using qualified leave; and
- (b) stop using qualified leave.

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

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

Other Leave

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

Employee Benefits During Leave

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

Employee Position after Leave

Following the expiration of a qualified employee's qualified leave, the School shall ensure that the qualified employee may return to:

- (a) the position that the qualified employee held before using qualified leave; or

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

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

Retaliatory Action

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

Part-Time Qualified Employees

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



Division of Risk Management

Insurance Premium Invoice FY 2027 – Property

August 13, 2026

Mountain Heights Academy
9067 S 1300 West
Suite 303
West Jordan, UT 84088

Effective Dates: July 1, 2026 through June 30, 2027
Agency ID: CS-00160
DRM Policy Number: CS-00160-2027-P
External Policy Number:

Total Premium Due: \$690.00

Please mail your payment along with the remittance slip below to the following address:

Utah Division of Risk Management
PO Box 141321
Salt Lake City, UT 84114-1321

This invoice is due and payable upon receipt. For questions, please contact **Audrey Crowton** at **(801) 707-2703** or acrowton@utah.gov.

RE: Insurance Premium Invoice for FY 2027 – Property

Mountain Heights Academy
9067 S 1300 West
Suite 303
West Jordan, UT 84088

Amount Enclosed: \$690.00

Mountain Heights Academy
Purchasing and Disbursement Policy
Adopted: November 13, 2009
Amended: October 5, 2015
Amended: October 5, 2018
Amended: December 14, 2018
Reviewed: June 3, 2020
Reviewed: April 21, 2021
Reviewed: August 5, 2022
Amended: October 23, 2026

Purpose

The purpose of this policy is to enable administration to make minor purchases that are necessary for the day-to-day operation of Mountain Heights Academy (the “School”), without approval of the Board of Directors (the “Board”).

Policy

Purchasing

The responsibility for approving purchases is delegated by the Board as set forth below.

All purchases up to \$20,000 must be approved by the Director; purchases between \$20,000 and \$40,000 must be approved by either the Board President or Board Treasurer; and purchases over \$40,000 must be approved by the full Board.

Employee purchases that require reimbursement are discouraged.

Disbursements

The responsibility for disbursement is delegated to the School’s management company as set forth below.

Disbursements are handled in such a manner as to ensure that the proper funds and accounts are charged; that the disbursement is used only for authorized purposes; and that laws, rules and regulations governing the disbursements and handling of public funds are followed.

The following controls are established to ensure that all payments are made on a timely basis and in accordance with all purchase orders and contracts:

- Purchase order shall be completely filled out prior to purchase.
- Purchase order shall be signed by appropriate authorizing personnel.
- Completed purchase orders are to be sent to the School's management company.
- The School's management company must be given a valid invoice and properly completed purchase order prior to making payment.
- Disbursements are to be made primarily by check with counter signatures to provide additional control.
- If approved by the Board, blank warrants/checks may be kept in locked storage under the control of a designated, responsible employee at the School. Access to blank checks must be limited to this employee and a designated alternate. When blank checks are received; the date, quantity, and inclusive serial numbers are recorded and added to the total balance on hand. When a blank check is used, the stub along with a copy of the receipt is to be signed by the Director and forwarded to the management company. The use of these blank checks should be kept to an absolute minimum.

Recording Transactions

Purchase orders and requisition requests must identify the fund, function, location, program, and object or revenue code to which the purchase is to be booked. Accounting staff will periodically review this information to ensure that expenditures are booked accurately.

**Mountain Heights Academy
Purchasing and Disbursement Policy**

Adopted: November 13, 2009

Amended: October 5, 2015

Amended: October 5, 2018

Amended: December 14, 2018

Reviewed: June 3, 2020

Reviewed: April 21, 2021

Reviewed: August 5, 2022

Reviewed: October 23, 2026

Purpose

The purpose of this policy is to enable administration to make minor purchases that are necessary for the day-to-day operation of Mountain Heights Academy (the “School”), without approval of the Board of Directors (the “Board”).

Purchasing

The responsibility for approving purchases is delegated to the Director of the School by the Board as set forth below.

All purchases up to \$10,000 must be approved by the Director; purchases between \$10,000 and \$15,000 must be approved by either the Board President or Board Treasurer; and purchases over \$15,000 must be approved by the full Board.

Employee purchases that require reimbursement are discouraged.

Disbursements

The responsibility for disbursement is delegated to the School’s management company as set forth below.

Disbursements are handled in such a manner as to ensure that the proper funds and accounts are charged; that the disbursement is used only for authorized purposes; and that laws, rules and regulations governing the disbursements and handling of public funds are followed.

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Recording Transactions

Purchase orders and requisition requests must identify the fund, function, location, program, and object or revenue code to which the purchase is to be booked. Accounting staff will periodically review this information to ensure that expenditures are booked accurately.

Mountain Heights Academy
School Trust Land Council Membership and Election Procedures
Adopted: October 23, 2020
Approved: October 23, 2026

Mountain Heights Academy (the “School”) has established a Charter Trust Land Council (the “Council”) to prepare a plan for the use of School LAND Trust Program money in accordance with state law and administrative rule.

1. Charter Council Composition Requirements. The number of Council members who are parents or grandparents of students enrolled at the School shall exceed all other members combined by at least two. Parents or grandparents must have a student actively enrolled at the School to be eligible to run or serve on the Council.
 - a. If the School’s Board of Directors (“Board”) meets the size and composition requirements above, the Board may serve as the Council.
 - b. If the Board does not serve as the Council, the Council shall consist of the specific number of parents/grandparents. In addition, membership may also include staff members, the School’s Director, and other members who desire to serve on the Council.
2. Council Size. The Council shall consist of at least six (6) members. Specifically, there shall be 4 parents/grandparents, the Director who is an ex officio voting member, and 1 staff member.
3. Election Procedures for Parents/Grandparents. On or before September 1st each year, the Director will notify parents/guardians about Council membership opportunities and the necessary steps to become a member. Notification will be posted through our School lottery, School Mint, as well as in our School Newsletter.
 - a. If the number of interested individuals exceeds the number of open positions, an election will take place. If an election is required, the School will notify families of the election process at least ten (10) days before voting commences.
 - i. Only parents of students currently attending the School are eligible to vote.
 - ii. Each parent will be given one (1) vote regardless of the number of family members that attend the School.

- iii. Voting by secret ballot will be done electronically through a Google form voting ballot sent through our School lottery, School Mint, and instructions for voting (including when voting opens/closes, submission information, as well as the candidate list will be included in the election notice described in paragraph 3(a) above.
 - iv. Absentee voting is not allowed.
 - v. If two or more candidates receive the same number of votes, if a tie occurs, we will simply allow both candidates onto the Council.
 - vi. The School's Director will oversee the election to ensure compliance with these election procedures.
 - b. If the number of interested individuals is less than or equal to the number of open positions, an election is not required. Appointments by the School's Director will be made to fill any open seats.
4. Parent/Grandparent Terms. Terms shall be for a period of 2 years, and members are eligible for re-election.
 5. Election Procedures for Staff Members and Other Members. The Council will include one staff member who is appointed to serve on the Council. The staff member will be selected and appointed by the School's Director. The appointed staff member will serve for a two-year term and may be reappointed for additional terms.
 6. Staff and Other Members' Terms. Terms shall be for a period of one 2 years, and members are eligible for re-election.
 7. Officers. Once established, the Council members shall elect from its membership a parent or grandparent of a student enrolled at the School to serve as Chair. The Director may not hold an officer position.
 8. Filling Vacancies. If a Council member resigns or is unable to complete their term, the vacancy will be filled as soon as possible. The School will seek an eligible replacement who meets the requirements for the vacant position. The replacement will be appointed by the appropriate School authority and will serve for the remainder of the vacated term. Vacant positions will not be left unfilled.
 9. Quorum. A quorum consists of a majority of the current members of the Council.

10. Meetings. The Chair shall schedule, provide notice, and convene the meetings of the Council consistent with the School Community Council open and public meeting requirements set forth in Utah Code § 53G-7-1203.
11. Council Responsibilities. In accordance with state board rule regarding charter council expenditures and funding limits, a Council shall:
 - a. Prepare a plan for the use of School LAND Trust Program money.
 - b. Work with students, families, and educators and hold at least an annual discussion with School administrators to develop and incorporate safety principles at the School.
 - c. Provide input to the School's Director on a positive behaviors plan.

1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 Purpose

The purpose of Mountain Heights Academy's (the "School") Student Conduct and Discipline Policy is to help all students develop positive relationships with other students and adults, take responsibility for their actions and learning, and develop the self-discipline necessary to create an environment that is characterized by physical and emotional safety in order to enhance learning for everyone.

The School will foster a school and community-wide expectation of good citizenship for students and a sense of responsibility in the school community for rules and standards of behavior.

The School will promote and require:

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

1.2 Beliefs and Expectations

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

Beliefs:

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

Expectations:

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

1.3 Procedural Philosophy

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

Procedures:

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

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

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

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

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

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

Due process to protect the rights of students will include:

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

2. ENVIRONMENT

2.1 Safe School Environment

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

2.2 Discrimination Prohibited

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

3. DEFINITIONS

3.1 Suspension

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

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

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

3.2 Expulsion

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

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

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

3.4 Disruptive Student Behavior

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

3.5 Parent

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

3.6 Qualifying Minor

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

3.7 School Year

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

3.8 School-age Child

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

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

4.1 Suspension

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

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

function of the School;

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

[c] behavior or threatened behavior that poses an immediate and significant threat to the welfare, safety, or morals of other students or School personnel or to the operation of the School;

[d] possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah Code Ann. § 32B-1-102;

[e] possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, electronic cigarettes, or tobacco, as defined by Utah Code Ann. § 76-10-101;

[f] possession, distribution, control, use, sale, or arranging for the sale of contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs and controlled substances, drug paraphernalia, or any other material or item that has caused or will imminently cause substantial disruption to school operations;

[g] inappropriate use or possession of electronic devices in class or in any other way that substantially disrupts the educational environment;

[h] any criminal activity;

[i] any serious violation involving weapons, drugs, or the use of force, including those actions prohibited in Section 4.1.2 below, that threatens harm or causes harm to the School or School property, to a person associated with the School, or property associated with any such person, regardless of where it occurs; or

[j] bullying or hazing as defined in Utah Code Ann. § 53G-9-601 and/or the School's Bullying and Hazing Policy.

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

[a] a serious violation affecting another student or a staff member, or a serious violation occurring in connection with the School's electronic resources or any School-related or School-sponsored activity, including:

(i) the possession, control, or actual or threatened use of a real weapon, explosive, or noxious or flammable material;

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

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

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

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

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

4.2 Expulsion

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

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

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

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

[b] The CMT shall determine:

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

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

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

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

4.3.2 Students with Disabilities under IDEA and Section 504

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

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

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

[a] use, control, possession, distribution, sale, or arranging for the sale of an illegal drug or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in conjunction with any School-related or School-sponsored activity;

[b] misuse or abuse, distribution, sale or arranging for the sale of prescription medication at School or a School-sponsored activity; or

[c] misuse or abuse of over-the-counter remedies, or sharing, distribution, sale, or arranging for the sale of over-the-counter remedies. A student may possess and use over-the-counter remedies at School only in amounts not to exceed the recommended daily dose, including, but not limited to: aspirin, ibuprofen, Tylenol (acetaminophen), cough drops, allergy medication, cough syrup, and mouthwash.

4.4.2 Students with Disabilities under Section 504

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

4.4.3 Drug Testing

[a] Any student who is reasonably suspected of violating Section 4.4 may be subject to a drug test for cause, arranged and paid for by the School.

[b] Any student who has been suspended or expelled for a violation of Section 4.4 may be required to provide a clean drug test and evidence of completion of drug assessment and/or drug counseling programs as a condition of readmission to School. Testing and counseling required as a condition of readmission rather than for the purpose of providing justification for the initial suspension or expulsion shall be arranged and paid for by the student's parent.

[c] Students who refuse to submit to required drug testing and counseling programs or to cooperate with School officials with respect to the sharing of appropriate information, may be expelled from the School.

[d] Any student who is suspended or expelled for violation of Section 4.4 may be subject to random drug testing, at any time and for any reason, for a period of one year from the date of offense. If the student tests positive, he/she may be expelled from all School programs or activities. Any student who refuses consent for random drug testing under these conditions shall be expelled from all School programs or activities.

4.4.4 Students with Disabilities under IDEA

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

4.5 Gangs

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

4.5.1 Gang Activity and Apparel Prohibited

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

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

4.5.2 Confiscation of Gang Items

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

4.5.3 Consultation with Law Enforcement Authorities

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

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

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

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

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

4.7 Possession or Use of Electronic Cigarette Products

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

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

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

5. AUTHORITY TO SUSPEND OR EXPEL

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

The Director has the authority to suspend a regular education student for up to ten (10) school

days. In considering whether to suspend a student, the Director shall consider all relevant factors, including but not limited to, the severity of the offense, the student's age, disability, academic status and disciplinary record, parental capabilities, and community resources. The Director may not suspend for longer than ten (10) school days or otherwise change student placement. Whenever the Director proposes suspending a student for more than ten (10) school days, the Director shall refer the matter to the Board or to the Board member designated by the Board to address such issues.

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

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

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

Either the Board or a Board member designated by the Board may suspend for longer than ten (10) school days and up to one (1) year or expel a regular education student.

Expulsions shall be reviewed by the CMT and the conclusions reported to the Board at least once each year if the parent of the expelled student has expressed a desire for the student to return to the School.

5.3.1 Parental Responsibility

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

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

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

Commented [KF1]: ?

Commented [PN1R2]: Good catch. This should be "or."

5.4 Authority to Institute Change of Placement for Student with Disabilities

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

5.5 Reinstatement of Students Who Have Been Suspended

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

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

6.1 Efforts to Resolve Disruptive Student Behavior Problems

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

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

6.2 Notice of Disruptive Student Behavior

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

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

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

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

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

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

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

6.3 Habitual Disruptive Student Behavior Notice

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

[a] engages in disruptive student behavior that does not result in suspension or expulsion at least six times during the school year;

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

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

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

6.4 Responses to School-Based Behavior

6.4.1 Definitions.

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

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

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

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

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

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

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

- (1) a mobile crisis outreach team;
- (2) youth services center, as defined in § 80-5-102;

(3) a certified youth court, as defined in § 80-6-901 or comparable restorative justice program;

(4) an evidence-based alternative intervention created and developed by the School or other governmental entities as set forth in § 53G-8-211(3)(a)(v);

(5) a tobacco cessation or education program if the offense is a violation of § 76-10-105;
or

(6) truancy mediation; or

(ii) for prevention and early intervention youth services, as described in § 80-5-201, by the Division of Juvenile Justice and Youth Services if the minor refuses to participate in an evidence-based alternative intervention described above.

[b] Except as provided in Subsection [c] below, if a minor is alleged to have committed an offense on School property that is a class C misdemeanor, an infraction, or a status offense, the minor may be referred directly to a law enforcement officer or agency or a court only if:

(i) the minor allegedly committed an offense on School property on a previous occasion; and

(ii) the minor was referred to an evidence-based alternative intervention, or to prevention or

early intervention youth services, as described in Subsection [a] above for the previous offense.

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

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

[e] If a minor is alleged to 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.

[f] If a minor is alleged to be a habitual truant, the minor may be referred to a law enforcement officer or agency or a court if:

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

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

[g] 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) other School personnel if the Director determines that other School personnel should be informed; and

- (iii) The student's parents.

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 suspension;
- 7.1.8** Appropriate evaluation;
- 7.1.9** Home study;
- 7.1.10** Alternative programs; or
- 7.1.11** Law enforcement assistance as appropriate.

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 any 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 shall refer the matter to the Board or the Board member designated by the Board to handle such matters.

9.2 Prior to sending the referral, but in no instance longer than ten (10) school days after the suspension began, the Director shall meet with the parent to discuss the charges against the student and the proposed discipline. 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.

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

9.3 The referral to the Board member shall include all relevant documentation of the student's violation(s), including written student statements, written witness statements, evidence of an informal school conference, evidence of a Director meeting with parent, and written parental input.

9.4 Notice to Student and Parent

If the Board or the Board member designated by the Board to handle such matters determines, after considering the totality of the circumstances and consulting with the CMT, that a student should be suspended for longer than ten (10) school days or expelled, the Director shall, within ten (10) school days after the suspension or expulsion began, send written notice by certified mail, return receipt requested, to the student's parent, which includes all of the following elements:

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

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

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

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

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

9.4.6 the mailing date of the notice; and

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

9.5 Hearing Procedures

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

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

9.5.2 A written Hearing Notice shall be sent to the parent informing the parent of:
[a] the name of the Hearing Officer;

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

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

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

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

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

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

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

9.5.3 The Hearing Officer shall conduct the hearing on the record and shall:

[a] ensure that a written record of the Hearing is made, a copy of which shall be provided to all parties upon request, with the cost borne by the School;

[b] consider all relevant evidence presented at the hearing;

[c] allow the right to cross-examination of witnesses, unless the Hearing Officer determines that this right should be limited to protect student witnesses from ostracism, retaliation or reprisal;

[d] allow all parties a fair opportunity to present relevant evidence; and

[e] issue a written decision including findings of fact and conclusions.

9.5.4 Hearing Rules

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

[a] parties may have access to information contained in the School's files to the extent permitted by law;

[b] hearings shall be closed to the press and the public;

[c] documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the Hearing Officer; and

[d] the Hearing Officer may excuse witnesses or parties or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the

rules and orders of the Hearing Officer.

9.6 Appeals

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

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

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

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504 or ADA, procedures outlined in the Utah State Board of Education ("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.

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

12. EXTRACURRICULAR ACTIVITIES

Participation in 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 corroborating 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:

[a] conduct an investigation of alleged criminal conduct in connection with School electronic resources of a School-related or 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 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.

[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 of School property.

(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 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 during a School-sponsored activity, 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 during a School-sponsored activity, 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 a student has been taken into custody or arrested during a School-sponsored activity 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

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.

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 have 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 at a School-sponsored activity and who refuse to abide by a Director's directive to leave the premises.

15. INVESTIGATION OF CHILD ABUSE AND NEGLECT

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

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 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 a law enforcement agency that a current or former student of the School was arrested for, charged with, or adjudicated in court 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 11, 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, Incest.

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

17.2.3 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.

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

17.2.5 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.

17.2.6 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 an offense listed in Utah Code Ann. §76-3-203.5 committed by the student who is seeking reintegration or continued enrollment.

17.2.7 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.

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

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17.2.9 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.

18.3 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.

18.6.3 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 restraint that was used.

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

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

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

18.8 Emergency Safety Intervention (ESI) Committee

18.8.1 The School shall establish an ESI committee that includes:

[a] at least one administrator;

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

Mountain Heights Academy
Tuition Reimbursement Policy
Adopted: October 11, 2019
Amended: September 16, 2026
Approved: October 23, 2026

Purpose

Mountain Heights Academy (the “School”) believes that the School and its students benefit when employees develop and improve their knowledge and skills. Obtaining additional education can increase teaching abilities and professional competence. The School therefore desires to identify the conditions upon which the School is willing to reimburse School employees for tuition paid in order to obtain education that will improve their ability to serve the School and its students.

Policy

The School may reimburse tuition for School employees if the following conditions are satisfied:

- (1) The employee has been employed by the School for at least one (1) year and works at least 0.5 FTE.
- (2) The tuition is for courses that are either (a) job related, meaning the course will result in increased knowledge and skill, is aimed primarily at improving the employee’s performance in his/her present job or will enable the employee to remain current with changes or developments in their field or (b) an elective that is part of a degree program that is job related.
- (3) The courses are taken at either (a) a fully accredited college or university; or (b) a school providing training or instruction that is approved by the State Board of Education.
- (4) Courses may be for credit or not.
- (5) Except in unusual circumstances and as approved by the Director, courses must be taken outside of regularly scheduled work hours.
- (6) Reimbursement will only be provided when the following conditions are met:

(a) The Director must give initial approval to the employee's request for reimbursement.

(b) The request will be submitted to the Board of Directors for final approval of the Tuition Reimbursement Agreement. The form of Tuition Reimbursement Agreement to be used is attached to this Policy.

(c) The Director must give approval for each course for which reimbursement will be sought before the employee enrolls in the course.

(7) The employee must agree to work at the School for a minimum of three (3) years following reimbursement of tuition. In the event the employee's employment with the School is terminated, voluntarily or involuntarily, for any reason, before the completion of three (3) years, the prorated portion of the reimbursed tuition must be repaid to the School based on the number of years worked for the School since the most recent reimbursement.

(8) Reimbursement for full-time employees is limited to a maximum of nine (9) credit hours per year, up to a total of thirty-six (36) credit hours, at a rate not to exceed \$400 per credit hour. For part-time employees, these amounts will be adjusted pro-rata based on the employee's FTE.

(9) Reimbursement will be paid when the employee:

- (a) Provides evidence of completion of the course with a passing mark of B or better.
- (b) Provides an itemized receipt of the payment of tuition.
- (c) Passes any applicable Praxis exam.

(10) The amount of tuition reimbursed to an employee is at the sole discretion of the Director but for full-time employees will not exceed the lesser of 75% of an employee's tuition or a maximum of \$5,000 per employee, per degree. For part-time employees, these amounts will be adjusted pro-rata based on the employee's FTE.

(11) Total tuition reimbursement payments from the annual School budget will not exceed \$20,000 per year. The Director will work with employees to plan the timing of reimbursement payments in order to comply with this annual cap.

TUITION REIMBURSEMENT AGREEMENT

This Tuition Reimbursement Agreement (the “**Agreement**”) is entered into this ____ day of _____, 20____, between **Mountain Heights Academy**, a Utah nonprofit corporation (the “**School**”), and _____, an individual (the “**Teacher**”).

Recitals

- A. The School operates a charter school in [[city]], [[county]], [[state]].
- B. The Teacher is currently employed with the School as _____.
- C. The Teacher desires the School’s financial assistance to obtain the following additional education in order to improve the Teacher’s skill and professional competence:
_____ [[clearly specify the course(s), program, degree, certification, as applicable, and the institution]] (the “**Coursework**”).
- D. The School desires to reimburse the Teacher’s tuition and, in connection therewith, to provide an incentive for the Teacher to continue to work at the School thereafter.
- E. The School and the Teacher desire to enter into this Agreement in order to carry out that intent.

Agreement

Now, therefore, in consideration of the foregoing and the mutual covenants and promises of the parties hereto, the School and the Teacher agree as follows:

- 1. The Teacher will satisfactorily complete the requirements associated with the Coursework within _____ months from the date of this Agreement.
- 2. The Director must approve each course for which the teacher will seek reimbursement to ensure that it is job related or an elective required for a degree program.
- 3. The School will reimburse the Teacher’s tuition for the Coursework when the Teacher:

- (a) Provides evidence of completion of the course with a passing mark of B or better.
 - (b) Provides an itemized receipt of the payment of tuition.
 - (c) Passes the _____ Praxis exam. [[include this if applicable]]
4. If the Teacher's employment at the School is terminated (voluntarily or involuntarily) for any reason within three (3) years following the most recent reimbursement of tuition or the Teacher fails to satisfactorily complete the Coursework within the required time frame set forth in Section 1, above, the Teacher must repay the tuition paid by the School pro rata based on the number of years worked for the School from the most recent reimbursement. The Teacher consents that any such amounts that are owed to the School under this Agreement may be deducted from the Teacher's final paycheck.
5. The Teacher acknowledges that this Agreement does not guarantee the Teacher employment with the School.

The Parties have executed this Agreement as of the date first set forth above.

2028-2029 SCHOOL YEAR CALENDAR

JULY 2028						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

AUGUST 2028						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SEPTEMBER 2028						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

OCTOBER 2028						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER 2028						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER 2028						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

JANUARY 2029						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEBRUARY 2029						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

MARCH 2029						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

APRIL 2029						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

MAY 2029						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JUNE 2029						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

 No School
 No School for Students
 First / Last Day & Term Dates

BOARD APPROVED: OCTOBER 23, 2026

SCHOOL YEAR AT A GLANCE

Dates	Type	Description
August 14 - 23	No School for Students	Teacher Prep / PL Days
August 24	Term	First Day of School / Term 1 Begins
September 4	No School	Labor Day
October 19 - 20	No School	Fall Break
October 27	Term	Term 1 Ends
October 30	No School for Students	Professional Development (Legislative Day)
October 31	Term	Term 2 Begins
November 22 - 24	No School	Thanksgiving Break
Dec 21 - Jan 2	No School	Winter Break
January 15	No School	Martin Luther King Jr. Day
January 19	Term	Term 2 Ends
January 22	No School for Students	Teacher Compensation Day
January 23	Term	Term 3 Begins
February 19	No School	Presidents Day
March 23	Term	Term 3 Ends
March 26 - 30	No School	Spring Break
April 2	No School for Students	Professional Development (Legislative Day)
April 3	Term	Term 4 Begins
May 28	No School	Memorial Day
June 1	Term	Last Day of School
June 4 - 6	No School for Students	Teacher Work Day
June 4	No School for Students	Professional Development (Legislative Day)
June 4	Term	Term 4 Ends

TOTAL TERM / SCHOOL DAYS	
Term 1: Aug 24 - Oct 27	44
Term 2: Oct 31 - Jan 19	46
Term 3: Jan 23 - Mar 23	43
Term 4: Apr 3 - Jun 4	44
Total School Days	180

EMPLOYMENT DAYS (HR)										
Contract Period						Aug 14, 2028 to Jun 6, 2029				
Professional Development (Legislative Day) Days						4				
Teacher Compensation Days						0				
Teacher Contract Only Days						0				
Additional Contract Days (Before or After Student Days)						0				
Total Staff Work Days (2028-2029)						190				
STAFF DAYS BY MONTH										
Aug 14	Sep 20	Oct 20	Nov 19	Dec 14	Jan 20	Feb 19	Mar 17	Apr 21	May 22	Jun 4

UTREx CALENDAR INFORMATION	
KEY DATE	DATE(S)
First Staff Day	08/14
First Student Day	08/24
Fall Break	10/19-10/20
Thanksgiving Break	11/22-11/24
Winter Break	12/21-01/02
Spring Break	03/26-03/30
Last Student Day	06/01
Other Non-School Days	09/04, 10/30, 01/15, 01/22, 02/19, 04/02, 05/28, 06/04

UTAH COMPLIANCE CHECK	
REQUIREMENT	RESULT
School Days 180 days	PASS
Professional Development (Legislative Day) 4 days / 0 hrs	PASS
Teacher Compensation Days 0 days / 0 hrs	PASS
Last Day Counting Toward 180 Jun 4, 2029	PASS
Staff Contract Dates Aug 14, 2028 to Jun 6, 2029	PASS
Board Approved the Calendar Oct 23, 2026	PASS
Total Days of Educational Service	180

INVOICE



TO • Mountain Heights Academy
FROM • Close Up Foundation
RE • Close Up Washington DC Program
DATE • 10/21/2026

School ID #: UT21803-52500
Invoice #: UT21803-261021
Program Start Date: 3/28/2027

DESCRIPTION: Deposit cost for participants to attend the Close Up Civic Education Program in Washington, DC.

<u>Qty</u>	<u>Description</u>	<u>Unit Cost</u>	<u>Total Amt.</u>
13	Deposit Cost	\$ 500.00	\$ 6,500.00
TOTAL DEPOSIT DUE 10/27/2026:			\$ 6,500.00

For Fast Service: Purchase orders should be faxed to 703-997-6573. Please call in School/District Credit Card and eCheck payments to 703-706-3416. **A nonrefundable convenience fee of 3% will be assessed to all credit card transactions over \$5,000 to offset the cost of accepting cards. For amounts exceeding this limit, please consider paying by mail.**

Please make checks payable to **Close Up Foundation**, write the **Invoice #** in the memo portion of the check, **include a copy of the invoice**, and mail payment to the following address:

Attn: Finance Department
Close Up Foundation
671 N Glebe Road, Suite 900
Arlington, VA 22203

If you have questions or need additional information, please contact us anytime by e-mail at schoolaccounts@closeup.org or by telephone at 703-706-3416 between 9:00 AM and 6:00 PM ET.

For California Residents Only: California law requires certain sellers of travel to have a trust account or bond. This business has a trust account.

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INVOICE



TO • Mountain Heights Academy
FROM • Close Up Foundation
RE • Close Up Washington DC Program
DATE • 10/21/2026

School ID #: UT21803-52500
Invoice #: UT21803-261021
Program Start Date: 3/28/2027
Departure Point: SLC

DESCRIPTION: Program cost for participants to attend the Close Up Civic Education Program in Washington, DC.

<u>Qty</u>	<u>Description</u>	<u>Unit Cost</u>	<u>Total Amt.</u>
12	Student Program Cost	\$ 2,934.00	\$ 35,208.00
3	Adult Program Cost	\$ 3,284.00	\$ 9,852.00
15	Early Arrival- 1 day	\$ 285.00	\$ 4,275.00
3	Single Room	\$ 730.00	\$ 2,190.00
1	Not Sharing Rooms	\$ 2,400.00	\$ 2,400.00
Balance Due:			\$ 53,925.00
10%	(Less Teacher Fellowship)*	\$ (3,284.00)	\$ (4,269.20)
	(Less Expected Deposit)		\$ (6,500.00)
	(Less School Credit)		\$ (693.80)
TOTAL BALANCE DUE 01/14/2027:			\$ 42,462.00

***10% credit for every 1 paying participant (base adult tuition + transportation only).**

For Fast Service: Purchase orders should be faxed to 703-997-6573. Please call in School/District Credit Card and eCheck payments to 703-706-3416. **A nonrefundable convenience fee of 3% will be assessed to all credit card transactions over \$5,000 to offset the cost of accepting cards. For amounts exceeding this limit, please consider paying by mail.**

Please make checks payable to **Close Up Foundation**, write the **Invoice #** in the memo portion of the check, **include a copy of the invoice**, and mail payment to the following address:

Attn: Finance Department
Close Up Foundation
671 N Glebe Road, Suite 900
Arlington, VA 22203

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