

# **The Tiaina Seau Jr. Football Academy**

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**A Public Charter School**

**Nephi B. Aiono, Applicant  
June 22, 2016**

## REQUIRED INFORMATION

Charter School Information				
1. Name of proposed charter school    Tiaina Seau, Jr.Football Academy				
2. Name of applicant    Nephi Aiono				
3. Authorized agent    Nephi Aiono				
4. Mailing address: Street, City, State, Zip    29 South State Street Suite 314				
5. Phone number    801 960-6124			6. Email address    nbaiono@benchmarkchartermanagement.com	
7. District(s) where proposed charter school is located				
8. The governing body of a charter school is responsible for the policy decisions of the school. Please indicate the makeup of this body below. (Add rows as necessary)				
Name	Email	Position on Board (e.g., chair, secretary)	Type of Member (e.g., parent, business)	Profession
Nephi Aiono	aiononephi@yahoo.com	Chairman	Parent	Executive/Banking
Darren Beck	dtbeck1964@gmail.com	Secretary	Consultant	Education
Harold Roney	h.roney@yahoo.com		Consultant	Education
Don Eck	donaldmeck2003@yahoo.com		Consultant	Education/Coaching
Carlos Nunos	carlos@rockwellwatches.com		Parent	Executive/Management
9. Year school will start    2018				
10. Grades served    7th-12th				
Does proposed grade configuration match resident district grade configuration? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				
11. Requested Enrollment				
Year 1: Grade K: _____,    Grades 1-6: _____,    Grades 7-8: $\frac{168}{}$ ,    Grades 9-12: $\frac{332}{}$ Total: <u>500</u>				
Year 2: Grade K: _____,    Grades 1-6: _____,    Grades 7-8: $\frac{168}{}$ ,    Grades 9-12: $\frac{332}{}$ Total: <u>500</u>				
Year 3: Grade K: _____,    Grades 1-6: _____,    Grades 7-8: $\frac{168}{}$ ,    Grades 9-12: $\frac{332}{}$ Total: <u>500</u>				

<p>12. Is this proposal seeking special treatment under UCA <a href="#">53A-1a-501.9</a>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>13. Is this proposal seeking priority consideration under UCA <a href="#">53A-1a-502.5</a>? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>14. A charter school may apply to the State Board of Education for a waiver of any rule that inhibits or hinders the school from accomplishing its mission or educational goals set out in its charter. List any waiver requests here (i.e., Rule numbers and titles). NA</p>	

Signatures
<p>WE, THE UNDERSIGNED, do hereby certify that, to the best of our knowledge and belief, the data in this proposal are true and correct. Therefore, this proposal for charter school status and funding is hereby submitted with the full approval and support of the governing body of the proposed charter school.</p>
<p>Name of Authorized Agent Nephi Aiono</p>
<p>Signature of Authorized Agent </p>
<p>Name of Charter School Board Chair (if different than Authorized Agent)</p>
<p>Signature of Charter School Board Chair (if different than Authorized Agent)</p>

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## Mission Statement:

The Tiaina Seau Jr. Football Academy exists to assist student-athletes reach their full potential in academia and athletics. Through a personalized, focused, intensive and successfully proven academic curriculum coupled with advanced athletic training and competition, student-athlete achievement is elevated and preparatory to academic and athletic pursuits at the collegiate level and beyond for the lives of our student-athlete.

## Vision Statement:

Our students-athletes will elevate themselves to perform, excel, and maximize their abilities and talents at the highest of levels and will succeed both in the classroom and on the football field.

## Section I: Executive Summary Section

In the State of Utah in 2015 approximately 31,530<sup>1</sup> children age 8-13 years old participated in the sport of American Football both in tackle and flag leagues throughout the State. In the high school ranks in the State, on average over the past 10 years (2005-2014), 8,184 students

School Year	Utah High School	Utah Student-Athlete Participation
2005-2006	93	7,672
2006-2007	93	7,818
2007-2008	94	7,797
2008-2009	97	7,876
2009-2010	99	8,104
2010-2011	98	8,348
2011-2012	101	8,212
2012-2013	102	8,784
2013-2014	103	8,638
2014-2015	103	8,587

*\*National Federation of State High School Association*

participated in the sport of football amongst the 103 high schools in Utah who fielded teams and participated as members of the Utah High School Athletic Association. During the 2014-2015 football season 8,587 student-athletes participated in high school football in Utah<sup>2</sup>. Football has been one of the most highly participated high school extracurricular activity in the State of Utah and within the little league ranks amongst our children. It is

evident from these statistical data that Football has a strong following and is a popular hobby, past time and pursuit amongst our State's youth. This dynamic is further supported throughout our higher education institutions where within our boundaries where there exist five (5) public and one (1) private university in addition to one (1) junior college that field NCAA intercollegiate football teams and National Junior College Athletic Association team where Utah high school student-athletes' can further their participation as members of these institutions football team roster. This is evidenced in the following table:

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<sup>1</sup> USA Football

<sup>2</sup> National Federation of State High School Association

	NCAA Division/Confernece	Total Roster Players	No. of Utah Players	Percent of Utah Players
University of Utah	D-1A Pacific 12	110	28	25.45%
BYU	D- 1A Independent	117	44	37.61%
Utah State	D-1A Big West	99	32	32.32%
Weber State	D-1AA Big Sky	76	32	42.11%
Southern Utah	D-1AA Big Sky	77	42	54.55%
Dixie State	D-2 Rocky Mountain Athletic	62	22	35.48%
Snow College	NJCAA Western States	114	77	67.54%

It should be noted as a matter of scope outside of the above table that Utah high school student-athletes have been offered and have accepted football scholarship offers from out of state institutions and are on many college football rosters of colleges nationally.

Participation as a student-athlete at the collegiate level can be a multifaceted and a rewarding experience with national athletic competition, travel, media coverage, collegiate recognition, etc. For the student-athlete who has exceled at the high school level both in the classroom and on the football field, participation at the college ranks can be achieved with the benefits significant-in the form of an athletic scholarship. Athletic scholarships may include full tuition, part tuition, books, room, board and a monthly living stipend during the student-athlete’s eligibility period as an athlete on the institutions football team. The NCAA eligibility period for

### Football Scholarship Limits

Division/Association	Max Limits	Number of Participating Schools	Average per year	Total Schlorships Available Annually
NCAA D-1A	85	128	21	2,720
NCAA D-1AA	63	125	16	1,969
NCAA D2	36	171	9	1,539
NCAA D3*	N/A	239	N/A	N/A
NAIA	24	87	6	522
NJCAA	85	66	21	1,403
<b>Total</b>		<b>816</b>		<b>8,152</b>

\*Athletic Schlorships are not permitted in this NCAA Division. However academic schlorships are offered to qualified student-athletes

preparation year, or can be used to heal and rehab from an athletic injury. It is possible for a student-athlete during their eligibility period of five (5) years to earn both an undergrad and graduate degree as a scholarship student-athlete, incurring minimal to no costs in achieving these degrees. This achievement by scholarship student-athletes is possible and should be a pursuit and is a function of several factors in attainment including academic preparation early at the high school level earning college credit, the personal design and implementation of both an Individual Learning Map (ILM) and an Individual Athletic Map (IAM), personal discipline, focus, time management, and several other supporting dynamics available to student-athletes including academic counselor’s, mentors, tutors, etc. An athletic scholarship for a Utah high school student-athlete to participate in intercollegiate football is a worthy pursuit and is a pursuit that is competitive and in great demand nationally. The following table<sup>3</sup> details the NCAA Divisions, other collegiate associations including the National Association of

football participation is five (5) years. Meaning the student-athlete has five (5) years to play four (4) years. One (1) of the years may be used as a “redshirt” year, a

<sup>3</sup> NCAA & College Sports Scholarship.com

Intercollegiate Association (NAIA) and the National Junior College Athletic Association (NJCAA), the number of institutions they have participating in intercollegiate football, the total maximum number of scholarship student athletes permitted on a team annually, the approximate amount of scholarships awarded annually by each institution and the total maximum per year offered by each Division and Association.

Within each NCAA Division, the NAIA and the NJCAA the athletic scholarship offered<sup>4</sup> to student-athletes vary in coverage and scope which we will detail below:

1. NCAA Division-1A: D-1A athletic scholarships cover full tuition, books, room, board, and monthly stipend. Schools in this Division are the large institutions and includes the University of Utah, BYU, and Utah State. Institutions in this NCAA division, also known as the Football Bowl Series (FBS) participating schools, typically have large athletic budgets stemming from television contracts negotiated with the institutions athletic conference and television networks.
2. NCAA Division-1AA: Division-1AA athletic scholarships cover full tuition, books, room, board, and monthly stipend. Schools in this Division are the medium size institutions in which schools of this size and scope include Weber State University and Southern Utah University. This Division of the NCAA is also known as Football Championship Series (FCS) level schools.
3. NCAA Division-2: Division 2 athletic scholarships varies in scope in regards to tuition where the majority of the athletic scholarship from this Division covers half of tuition cost, books, room and board. Full athletic scholarship offers is left to the discretion the head football coach. Dixie State competes in this NCAA Division.
4. NCAA Division-3: Division 3 colleges are not permitted by the NCAA to offering athletic scholarships though 239 member schools field intercollegiate football teams. Colleges are however allowed to offer financial assistance to academically qualified student-athletes who have demonstrated a successful skill set and have excelled in extra-curricular activities including football. Schools of this Division typically have student body populations in the range of 1,000-5,000 student enrollment.
5. NAIA- Athletic scholarships from this collegiate athletic association varies in capacity where the maximum team limits of football athletic scholarships are quite minimal relative to their NCAA counterparts. NAIA football athletic scholarship limits are at twenty-four (24) compared to NCAA Division 1-A which is at eighty-five (85). Though NAIA athletic scholarship may cover full tuition, books, room and board head coaches typically offer half scholarships in an effort to recruiting and retaining double the amount of qualified student-athletes had they offered their maximum of full athletic scholarships.
6. NJCAA-Athletic scholarships from member's schools of the National Junior College Athletic Association varies as well in breadth yet may include full or part on tuition as

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<sup>4</sup> NCAA, NAIA & NJCAA

well as on books, and financial assistance with room and board vary with each member institution.

The pursuit of a football athletic scholarship by Utah high school student-athletes at the Tiaina Seau Jr. Football Academy, with its associated financial rewards to both the student-athlete and his family, in addition to the collegiate enhancing experiences as a student-athlete, makes the goal and pursuit of a college football athletic scholarship extremely valuable and worthwhile. The Tiaina Seau Jr. Football Academy will assist Utah high school student-athletes both academically and athletically in this pursuit. By providing a proven, high caliber, demanding, exciting, and flexible online academic offering, provided by an approved NCAA provider, coupled with early standardize college testing preparation and simulations with the ACT and SAT, in addition to an extensive, superior, year round training regimen in football mechanics, strength, speed, agility, nutritional, film study, satellite camps on our campus to attract college football recruiters from around the country, and a high competitive level in-state, regional and national interscholastic football schedule during the football season we believe we can better prepare and provide more exposure nationally to NCAA, NAIA and NJCAA coaches and recruiter for student student-athletes at the Tiaina Seau Jr. Football academy thus increasing their potential to earning collegiate athletic scholarships in football in whatever college football level of competition their respective skill sets may fall within.

The NCAA does not keep track of the home states for high school student-athlete football scholarship signees for the majority of its Divisions, but for Division 1-A, the highest level of competition in collegiate football, it does. Over the past 8 years the State of Utah has boded well, relative to its population size, ranking nationally at #25 for Division 1-A student-athlete

signees. Per capita<sup>5</sup> the State of Utah ranks 11<sup>th</sup> nationally, at a rate of 1.21x per 100k, in Division 1-A signees.

Guided by the precepts of our Mission Statement and backed by our academic curriculum offering and our athletic training and competition programs, The Tiania Seau Jr. Football Academy believes our efforts will intrinsically strengthen the numbers of this table and assist more of our student-athletes in being even

**2007-2014**

**NCAA FBS SIGNEES BY STATE**

	STATE	TOTAL NUMBER	ANNUAL AVERAGE
1	TEXAS	3,016	377.0
2	FLORIDA	2,664	333.0
3	CALIFORNIA	1,981	247.6
4	GEORGIA	1,354	169.3
5	OHIO	1,241	155.1
6	ALABAMA	728	91.0
7	LOUISIANA	678	84.8
8	PENNSYLVANIA	592	74.0
9	ILLINOIS	549	68.6
10	NORTH CAROLINA	541	67.6
11	MICHIGAN	513	64.1
12	VIRGINIA	469	58.6
13	NEW JERSEY	409	51.1
14	TENNESSEE	365	45.6
15	MISSISSIPPI	355	44.4
16	MARYLAND	328	41.0
17	SOUTH CAROLINA	317	39.6
18	ARIZONA	307	38.4
19	OKLAHOMA	302	37.8
20	INDIANA	286	35.8
21	COLORADO	230	28.8
22	MISSOURI	230	28.8
23	WASHINGTON	229	28.6
24	NEW YORK	206	25.8
25	UTAH	202	25.3

<sup>5</sup> SB Nation Football Study Hall

more qualified in the earning of NAIA, NJCAA, and NCAA football scholarships, more importantly improve on the attainment of the more valuable FBS and FCS Division-1 football scholarships both with in-

Institution	Total Roster Players	No. of Utah Players	Percent of Utah Players
University of Utah	110	28	25.45%
BYU	117	44	37.61%
Utah State	99	32	32.32%
Weber State	76	32	42.11%
Southern Utah	77	42	54.55%
Dixie State	62	22	35.48%
Snow College	114	77	67.54%

state and out of state institutions. We believe our efforts and pursuits at the Academy over time will change the landscape of college football in Utah and will naturally increase the number of in-state players on the roster of our State’s higher education institutions which is low on the Division-1 level relative to their counterparts. Referencing the table above which details the number of in-state players on the football team at our higher institutions. It is telling to note that relative to other public institution<sup>6</sup> of similar size, competition level and of the same NCAA Division, our numbers are quite minimal when comparing them to the University of Texas Austin which has an in-state team roster percentage of 85%, or the University of California Los Angeles at 77%, or even Colorado State University at 41%. There are a few theories as to why these number are low including those related to deficiencies in skill set proportionate to speed and quickness, a lack of ethnic diversity amongst Utah’s high school student-athlete pools, and an under-supply of Division-1 caliber student-athletes, etc. We know not the validity of these theories yet our plan is to work and collaborate in partnership with all our State higher institution coaching staffs in improving the overall athletic and academic development of our student-athletes and in the marketing of them and it is our plan to begin this process early perhaps commencing at the 7<sup>th</sup> grade in some form and capacity. We will plan and will do this as well with the thousands of institutions who field collegiate football teams outside of Utah, across all competition levels and Associations. This in the maximizing exposure and development of our student-athletes at the Tiaina Seau Jr. Football Academy. Though the NCAA Division-1 scholarships far exceed that of the other divisions and associations in breadth. The earnest pursuit and attainment of football scholarships from all collegiate levels and associations will be equally pursued for our student-athletes at the Tiaina Seau Jr. Football Academy in appropriately matching the skill levels of our student-athletes with the proper competition level in college. We expect a diverse student population in regards to football skill set, aspiration, and abilities and therefore will set expectations and goals appropriately for each of our student-athletes.

The Tiaina Seau Jr. Football Academy is true innovation. There isn’t a public school of its type in the entire country. There is a private sports school in Florida that offers football but does so with a \$35,000 tuition cost to families. Our Academy we believe meets 6 of the 7 the Purposes

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<sup>6</sup> NCAA Team Roster Data

in serving students and families (except for item (7)) as detailed in the State Charter School Statute 53A-1a-503:

**53A-1a-503. Purpose.**

The purposes of the state's charter schools as a whole are to:

- (1) continue to improve student learning;
- (2) encourage the use of different and innovative teaching methods;
- (3) create new professional opportunities for educators that will allow them to actively participate in designing and implementing the learning program at the school;
- (4) increase choice of learning opportunities for students;
- (5) establish new models of public schools and a new form of accountability for schools that emphasizes the measurement of learning outcomes and the creation of innovative measurement tools;
- (6) provide opportunities for greater parental involvement in management decisions at the school level; and
- (7) expand public school choice in areas where schools have been identified for school improvement, corrective action, or restructuring under the No Child Left Behind Act of 2001, 20 U.S.C. Sec. 6301 et seq.

So we pledge that in conjunction with our mission statement and in the maximization of its tenets, the achievement our student-athletes stand to attain at The Tiaina Seau Jr. Football Academy is grand. We envision with our Academy's accomplishments an inherent boost in regards to the Utah high school student-athlete college football signee statistic across the board at all collegiate competitive levels. This to include an increase of in-state football signees at all of the State's higher-ed institutions, an increase of football signees at Division-1 institutions out of state, an increase of signees at the Division-2, Division-3 and NAIA levels and an increase of signees who require additional football development at the junior college level. This is college financial aid at its finest with tuition, books, room and board at best fully covered and at least, with partial coverage. With the college experienced for our student-athletes enhanced with intercollegiate athletics participation and the opportunity for even greater achievement. We are confident as a Founding Board in our programs, in our abilities, with our networks within college football staffs nationally that we will be able to successfully assist, train and support all of our student-athletes in their conquest of a football athletic scholarship and in their experience with us at the Tiaina Seau Jr. Football Academy.

## Section II: Market Analysis Section

The Tiaina Seau Jr. Football Academy will be located in the community of South Jordan in the jurisdictional boundaries of the Jordan School District. Our decision to locate our Academy in South Jordan was based primarily on logistical reasons and not necessarily because of a specific need in the community that required addressing and fulfillment. The Jordan School District is a top notch educational provider and we believe our unique educational offering will complement the various offerings of the District and that it will provide a specialized educational offering for prospective college student-athletes and their families. In addition to the families in South Jordan, we envision our offering to be made available as well to all earnest and aspiring student-athletes in surrounding communities where we have begun the process of marketing and the hosting of town hall meetings which includes Sandy, Draper, Herriman, Riverton, West Jordan, West Valley, Lehi, Pleasant Grove, Highland, Alpine, American Fork, etc.

The logistical decision to locating the Tiaina Seau Jr. Football Academy in South Jordan was tied to several factors including the availability of adequate real estate to fully house and accommodate all of the needs of the Academy, the access to the high density and growing populations of South Jordan and the southern region of Salt Lake County that borders Utah County for which the U.S. Census Bureau described as two major State hubs merging into one metropolitan area with the vast population growth stemming from the influx of tech jobs in northern Utah County. An additional key factor that makes South Jordan an ideal location for us in reaching student-athletes is the public transportation resources available to us in South Jordan with UTA's-TRAX and Frontrunner systems. This mode of public transportation expands our educational and athletic reach across the TRAX and Frontrunner corridor to Utah student-athletes whose goals and value systems align with ours. Making for a reasonable linear access to the Tiaina Seau Jr. Football Academy for student-athletes from as far north as Weber and Davis Counties and as far South as Provo and Orem.

### Section III: Program of Instruction Section

The Tiaina Seau Jr. Football Academy will address the educational and learning needs of our student-athletes at the most optimal level with an individualized instruction model that is expansive, innovative, and has a successful track history of learning and achievement. Our curriculum offering will be an online curriculum offered by Apex Learning of Seattle, WA. Our decision in choosing Apex Learning was made in alignment with NCAA approved providers of online curriculum. The NCAA itself conducts a thorough and in-depth review of each provider's curriculum offering in establishing its quality and in safeguarding that it is adequately preparing high school student athletes for the transition and rigors of life as a collegiate student-athlete. Our student-athletes will have constant and convenient access to their online learning centers. This access will be further accommodated with an Academy issued laptop. This instructional model is the true epitome of individualized and self-paced education reinforced with support by the educational staff at the Tiaina Seau Jr. Football Academy.

The Academy will be operated with a staff of licensed and certified, administrators, educators, counselors, coaches, paraprofessionals, and contracted physical therapy and medical staffs that will include two (2) administrators, six (6) half-time licensed educators who will serve as grade specific proctors in tracking the advancement of our student-athletes and offering guidance and tutoring as needed with the support of twelve (12) half-time grade specific tutors/mentors. The Academy will also have on staff six (6) full-time coaching/training staff members backed by twenty-four (24) paraprofessional athletic coaches.

Each of our students prior to their enrollment at the Football Academy will have established an Individualized Learning Map (ILM) in addition to an Individualized Athletic Map (IAM) created for them with the assistance of their grade level teacher and football coach. This is a document that will be created at the commencement of each school year to map out each student-athletes educational learning objectives, athletic enhancement and improvement objectives. The ILM will be similar to an objective based report card in that it has the objectives listed for

the student-athlete which will be checked off when that student masters each learning objective. It will be used in conjunction with formative assessment practices to track students over time on mastery of required concepts. In addition, this map will be available in “real time” to parents, teachers and mentors to help facilitate a student’s mastery of said objectives. The student-athletes IAM will document improvement/achievement goals to certain athletic metrics that will be related to the student-athletes playing position on the football team. This will and may include football season statistics related to passing, receiving, rushing, offensive line grades, tackles, sacks, interceptions, pass deflections, scoring, PAT’s, punting, etc. In addition, personal athletic goals such as throwing mechanics for quarterbacks, quality of route running by wide receivers, strength metrics in the weight room, 40-yard dash, 20-yard agility shuttles, kicking distances, punting distances, vertical jumps, standing long jumps, amongst many items will be included in the IAM and the student-athlete will have access to them at the Academy all the necessary tools and staff to improve and work towards their respective athletic goals. The items noted in each student-athletes ILM and IAM will be used in designing the appropriate academic workload and athletic training regimen and will be pursued and worked on while on campus at the Football Academy, at home, etc. with the access student-athletes will have with their Academy issued laptops.

The Tiaina Seau Jr. Football Academy anticipates participating as an independent member of the UHSAA during the football season. Being that the focus of the Academy is to also tied to athletics we will field the appropriate number of varsity, junior varsity and sophomore teams which will be based on our enrollment figures in ensuring our student-athletes are maximizing appropriate levels of competitive participation in football. We anticipate an in-season football competition schedule to include in-state, regional and a few national teams. The Academy envisions being the host during the offseason to several 7-on-7 passing league tournaments and satellite camps to involve many national college football teams from a variety of competition divisions. The prospects of these events serve three (3) purposes, that being 1. Boost our student-athletes’ skill set in competition during the offseason, 2. Magnify exposure to college football coaches and recruiters and 3. These events will generate revenue income to the Academy as they will be hosted on our campus and will be open to several schools and independent teams here in Utah and outside of the State.

Our APEX curriculum offering will be aligned with all Utah academic standards in addition to NCAA standards regarding core courses. The NCAA has stringent student-athlete qualification standards that generally align with State High School graduation standards and must be met by the student-athlete for both scholarship qualification and athletic participation. NCAA Division-1 GPA requirements are calculated using only Core Courses and qualifying standardized testing, either the SAT or SAT, required scores is based on a sliding scale relative to GPA (See diagram below). NCAA Division-2 requirements differ slightly and we will not include it in the proposal as

DIVISION I Core-Course Requirement (16)	
4	years of English
3	years of math (Algebra I or higher)
2	years of natural/physical science (1 year of lab if offered)
1	year of additional English, math or natural/physical science
2	years of social science
4	years of additional courses (any area above, foreign language or comparative religion/philosophy)

DIVISION I – 2016 Qualifier Requirements <i>*Athletics aid, practice, and competition</i>	
•	16 core courses <ul style="list-style-type: none"> <li>◦ Ten (10) core courses completed before the start of seventh semester. Seven (7) of the 10 must be in English, math or natural/physical science. <ul style="list-style-type: none"> <li>▪ "Locked in" for core-course GPA calculation.</li> </ul> </li> </ul>
•	Corresponding test score (ACT sum score or SAT combined score) and core-course GPA (minimum 2.300) on Sliding Scale B (see Page No. 2).
•	Graduate from high school.

DIVISION I – 2016 Academic Redshirt Requirements <i>*Athletics aid and practice (no-competition)</i>	
•	16 core courses <ul style="list-style-type: none"> <li>◦ No grades/credits "locked in" (repeated courses after the seventh semester begins may be used for initial eligibility).</li> </ul>
•	Corresponding test score (ACT sum score or SAT combined score) and core-course GPA (minimum 2.000) on Sliding Scale B (see Page No. 2).
•	Graduate from high school.

a matter of saving space but will include it as an attachment item assuming we are allowed to submit a full charter application. We will have the full span of quality online courses offered by APEX that will meet both State standards for high school graduation, State middle school

Sliding Scale B Use for Division I beginning August 1, 2016 NCAA DIVISION I SLIDING SCALE		
Core GPA	SAT	ACT Sum
Verbal and Math ONLY		
3.550	400	37
3.525	410	38
3.500	420	39
3.475	430	40
3.450	440	41
3.425	450	41
3.400	460	42
3.375	470	42
3.350	480	43
3.325	490	44
3.300	500	44
3.275	510	45
3.250	520	46
3.225	530	46
3.200	540	47
3.175	550	47
3.150	560	48
3.125	570	49
3.100	580	49
3.075	590	50
3.050	600	50
3.025	610	51
3.000	620	52
2.975	630	52
2.950	640	53
2.925	650	53
2.900	660	54
2.875	670	55
2.850	680	56
2.825	690	56
2.800	700	57
2.775	710	58
2.750	720	59
2.725	730	60
2.700	740	61
2.675	750	61
2.650	760	62
2.625	770	63
2.600	780	64
2.575	790	65
2.550	800	66
2.525	810	67
2.500	820	68
2.475	830	69
2.450	840	70
2.425	850	70
2.400	860	71
2.375	870	72
2.350	880	73
2.325	890	74
2.300	900	75
2.299	910	76
2.275	910	76
2.250	920	77
2.225	930	78
2.200	940	79
2.175	950	80
2.150	960	81
2.125	970	82
2.100	980	83
2.075	990	84
2.050	1000	85
2.025	1010	86
2.000	1020	86

standards, NCAA eligibility and State common core requirements. APEX's online curriculum is proven to increase graduation rates and improve student outcome. Its Comprehensive Courses combine rigor and support to both prepare students to meet expectations of the newest standards and to expand the opportunity to succeed to students at all levels of academic readiness. The Apex Learning® signature active learning design incorporates highly interactive multimedia, challenging lessons, real-life scenarios, and guiding prompts. Students observe, inquire, create, connect, and confirm to deepen their understanding. Targeted progress reports and integrated formative and summative assessments help our educators make real-time, data-based decisions while monitoring and supporting each student. Here is a brief overview of a few of the APEX courses that will be made available to our student-athletes.

	Liberty Advantage	Core	Honors	Advanced Placement	Foundations	Elective	Prescriptive
<b>Maths</b>							
Math Foundations I							
Math Foundations II							
Algebra I	✓	✓	✓	✓	✓	✓	✓
Geometry	✓	✓	✓	✓	✓	✓	✓
Algebra II	✓	✓	✓	✓	✓	✓	✓
Mathematics I	✓	✓	✓	✓	✓	✓	✓
Mathematics II	✓	✓	✓	✓	✓	✓	✓
Mathematics III	✓	✓	✓	✓	✓	✓	✓
Algebra I Common Core	✓	✓	✓	✓	✓	✓	✓
Geometry Common Core	✓	✓	✓	✓	✓	✓	✓
Algebra II Common Core	✓	✓	✓	✓	✓	✓	✓
Mathematics I Common Core	✓	✓	✓	✓	✓	✓	✓
Mathematics II Common Core	✓	✓	✓	✓	✓	✓	✓
Mathematics III Common Core	✓	✓	✓	✓	✓	✓	✓
Introductory Algebra	✓	✓	✓	✓	✓	✓	✓
Precalculus	✓	✓	✓	✓	✓	✓	✓
Calculus AB	✓	✓	✓	✓	✓	✓	✓

	Liberty Advantage	Core	Honors	Advanced Placement	Foundations	Elective	Prescriptive
<b>Science</b>							
Science Foundations							
Earth Science	✓	✓	✓	✓	✓	✓	✓
Physical Science	✓	✓	✓	✓	✓	✓	✓
Biology	✓	✓	✓	✓	✓	✓	✓
Chemistry	✓	✓	✓	✓	✓	✓	✓
Physics	✓	✓	✓	✓	✓	✓	✓
Environmental Science	✓	✓	✓	✓	✓	✓	✓
Psychology*	✓	✓	✓	✓	✓	✓	✓
<b>English</b>							
English Foundations I							
English Foundations II							
English 9	✓	✓	✓	✓	✓	✓	✓
English 10	✓	✓	✓	✓	✓	✓	✓
English 11	✓	✓	✓	✓	✓	✓	✓
English 12	✓	✓	✓	✓	✓	✓	✓
English 9 Common Core	✓	✓	✓	✓	✓	✓	✓
English 10 Common Core	✓	✓	✓	✓	✓	✓	✓
English 11 Common Core	✓	✓	✓	✓	✓	✓	✓
English 12 Common Core	✓	✓	✓	✓	✓	✓	✓
Introduction to Literature and Composition	✓	✓	✓	✓	✓	✓	✓
Critical Reading and Effective Writing	✓	✓	✓	✓	✓	✓	✓
American Literature	✓	✓	✓	✓	✓	✓	✓

	Liberty Advantage	Core	Honors	Advanced Placement	Foundations	Elective	Prescriptive
<b>Social Studies</b>							
Geography and World Cultures*	✓	✓	✓	✓	✓	✓	✓
Modern World History	✓	✓	✓	✓	✓	✓	✓
World History	✓	✓	✓	✓	✓	✓	✓
World History to the Renaissance	✓	✓	✓	✓	✓	✓	✓
U.S. History	✓	✓	✓	✓	✓	✓	✓
U.S. History to the Civil War*	✓	✓	✓	✓	✓	✓	✓
U.S. History since the Civil War	✓	✓	✓	✓	✓	✓	✓
U.S. Government and Politics*	✓	✓	✓	✓	✓	✓	✓
U.S. and Global Economics*	✓	✓	✓	✓	✓	✓	✓
Macroeconomics*	✓	✓	✓	✓	✓	✓	✓
Microeconomics*	✓	✓	✓	✓	✓	✓	✓
Multicultural Studies*	✓	✓	✓	✓	✓	✓	✓
Sociology*	✓	✓	✓	✓	✓	✓	✓
<b>World Languages</b>							
French I	✓	✓	✓	✓	✓	✓	✓
French II	✓	✓	✓	✓	✓	✓	✓
Spanish I	✓	✓	✓	✓	✓	✓	✓
Spanish II	✓	✓	✓	✓	✓	✓	✓

We the Founding Board Members of the Tiaina Seau Jr. Football Academy will commit and ensure to the State Charter Board that our curriculum offering will be fully aligned with the Utah Core Standards. The Founding Board also understands the state core curriculum can and will change, and therefore will require the Executive Director and our educators to review the core mapping prior to opening of the school, and annually thereafter as needed. Any gaps will be addressed by educators and supported by APEX with the proper material, curriculum supplements provided or by changing the curriculum altogether which will be determined based on the size of the gap, and required resources in effectively teaching the Utah based Core.

## APPENDIX

- I. Background Information Sheets of Board Members
- II. Articles of Incorporation
- III. Governing Board Bylaws

**Appendix A**

**BACKGROUND INFORMATION SHEET**

Provide the following information on each startup board member and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary.\*

Name Nephi Aiono

Role with school Founding Board Chairman

Expertise Finance, real estate, organization, management, and athletics

**Statement of Intent:** Using as much space as necessary below, provide a personal statement regarding your role on the governing board (or as administration), expertise you bring to the board (or administration), and commitment to this application as it has been written. I am committed to the successful establishment of the charter school and ensuring that it operates within the bounds of the law, its charter and with integrity and transparency.

**Not-for-Profit History:** Using as much space as necessary below, provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a nonprofit corporation, governing board experience, and background in group organization.

I previously served on charter school boards, assisted with the establishment of charter schools and professionally worked on several municipal bond issues for the financing of facilities for charter schools.

**Employment History:** Using as much space as necessary below, provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management. Most of my professional life has been spent in finance in particular in public finance investment banking. I am currently employed with a California based Charter Management Organization. Establishing charter schools in the California.

**Education History:** Using as much space as necessary below, provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school. AS Mathematics BYU-Idaho, BS Economics University of Utah

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO VERIFY ANY INFORMATION PROVIDED ABOVE FOR Tiaina Seau Jr. Football Academy CHARTER SCHOOL.

I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.



**Applicant's Signature**

## Appendix A

### BACKGROUND INFORMATION SHEET

Provide the following information on each startup board member and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary. \*

Name Darren Beck

Role with school Board Secretary, consultant, advisor

Expertise Administration, operation, education, curriculum

**Statement of Intent:** Using as much space as necessary below, provide a personal statement regarding your role on the governing board (or as administration), expertise you bring to the board (or administration), and commitment to this application as it has been written.

*My involvement with the Seau Football Academy, like my involvement with any school I have worked at or with in about 20 years at various levels, is to make sure schools serve all students entrusted to them in ways that support individual student achievement. As a founding governing board member, I am committed to the mission, vision, and values embraced by this school.*

**Not-for-Profit History:** Using as much space as necessary below, provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a nonprofit corporation, governing board experience, and background in group organization.

*I have been a substitute teacher, teacher, board member, county office program manager, and/or school administrator in California and Utah for the past two decades. I am very committed to the accountability and freedom to operate of non-profits, charters, and public education choice and development.*

**Employment History:** Using as much space as necessary below, provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management.

*Substitute teacher, Alpine and Provo School Districts, 1991-2 and 1993-4  
Classroom teacher, Alisal Union School District, 1998-2000  
Classroom teacher, Marysville Joint Unified School District, 2000-2001  
High School Spanish teacher, Sutter Union High School District, 2001-2002  
Colusa County Office of Education Birth to 5 Program Manager, 2002-2003  
Middle School History and Spanish teacher, American Preparatory Academy-Draper, 2003-2004  
School Director, The Ranches Academy Public Charter School, 2004-2008  
Board vice-chair, Utah Association of Public Charter Schools, 2006-2007  
School Director, Rockwell Charter High School, 2008-2009  
Board chair, Utah Association of Public Charter Schools, 2007-2009  
Director of Grassroots Support, Utah Association of Public Charter Schools, 2010-2011  
Grant Project Manager, East Hollywood High School, 2009-2011  
Director of Utah Operations, Foundation for Educational Success, 2011  
Director of Strategic Development, Harmony Educational Services, 2011-2012  
Executive Director, Rockwell Charter High School, 2012-present  
Board chair and member, Utah Military Academy, 2013-2016  
Board member, Tiaina Seau Jr. Football Academy, present*

**Education History:** Using as much space as necessary below, provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school.

*BA in History with a minor in Spanish, California State University-Chico, 1997*

*CSO Executive Management certificate, National Alliance for Public Charter Schools, 2009*

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I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

A handwritten signature in black ink, appearing to read "Amren J. Beed", is written over a horizontal line. The signature is cursive and somewhat stylized.

Applicant's Signature

**Appendix A**

**BACKGROUND INFORMATION SHEET**

Provide the following information on each startup board member and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary.\*

Name HAROLD C. RONEY

Role with school FOUNDING BOARD

Expertise EDUCATIONAL CURRICULUM/ADMINISTRATION

**Statement of Intent:** Using as much space as necessary below, provide a personal statement regarding your role on the governing board (or as administration), expertise you bring to the board (or administration), and commitment to this application as it has been written.

I will serve the Board and the Academy with the highest level of work ethic, transparency and integrity.

**Not-for-Profit History:** Using as much space as necessary below, provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a nonprofit corporation, governing board experience, and background in group organization.

I have served on governing boards on charter schools and civic groups.

**Employment History:** Using as much space as necessary below, provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management.

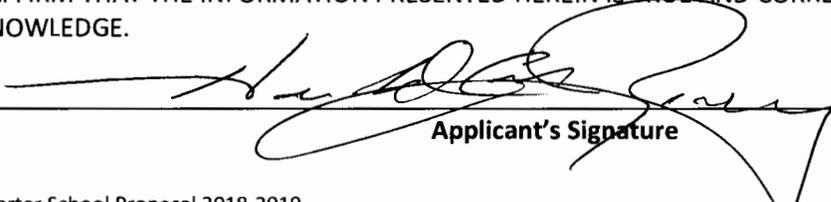
I have been employed as an educator, high school principal and District associate superintendent for over 20 years.

**Education History:** Using as much space as necessary below, provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school.

BS and MS from CSULB

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I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

  
\_\_\_\_\_  
Applicant's Signature

## Appendix A

### BACKGROUND INFORMATION SHEET

Provide the following information on each startup board member and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary. \*

Name Don Eck

Role with school Board Member & Consultant

Expertise Administration, Education, Coaching, Recruitment

**Statement of Intent:** Using as much space as necessary below, provide a personal statement regarding your role on the governing board (or as administration), expertise you bring to the board (or administration), and commitment to this application as it has been written. I am involved on this board to offer my 34 years of coaching experience at all levels from professional to high school. The last three years in coaching were at a new start up high school in Draper, Corner Canyon HS. I believe I can also assist in the start up of a new school and in offering suggestions that will enhance students overall high school experience.

**Not-for-Profit History:** Using as much space as necessary below, provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a nonprofit corporation, governing board experience, and background in group organization. Starting up a new school at Corner Canyon three years ago as both a coach and a teacher will help in starting up this new charter school. I was hired by Canyons School District six months prior to the school actually opening and was involved in the hiring of all sixteen football coaches at the school and also in ordering much of the athletic equipment needed at the school. I was also tasked with outfitting a new weight room, from ordering the flooring and everything within the room.

**Employment History:** Using as much space as necessary below, provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management. 2013 to present-Head Football Coach and Physical Education Instructor at Corner Canyon HS. Duties included collaborating with PE Department teachers on curriculum and State Standards, teaching four classes per day, head football coach (duties include hiring staff, budgeting for equipment, ordering equipment, fundraising). 2009-2012-Assistant Football Coach-Las Vegas Locomotives-United Football League-Duties included coaching offensive line, evaluating and drafting players, opponent film breakdown and run game coordinator. 2008-Assistant Head Coach and Offensive Line Coach at Weber St. University-Duties included evaluation recruitment and coaching of offensive line, program budget coordinator as per head coach, academic advising liaison. 2003-2007-Assistant Coach-NFL Europe-Duties included coordinating offense, coaching offensive line and evaluation and drafting of players. 1994-2002-Assistant Football Coach-University of Utah-Duties included evaluating, recruiting and coaching offensive line, run game coordinator, summer youth camp coordinator, budget coordinator. 1991-1993-Assistant Head Coach-James Madison University-Duties included evaluating, recruiting and coaching of offensive line, run game coordinator, weight

room liaison. 1990-Graduate Assistant Football Coach-University of Arizona-Duties include assisting offensive line coach with coaching of offensive line. 1987-1989-Assistant Coach-University of Utah-Duties included evaluating, recruiting and coaching of offensive line. 1985-1986-Graduate Assistant Coach-University of Utah-Duties include assisting offensive line coach with coaching the offensive line.

**Education History:** Using as much space as necessary below, provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school. 1979-1984-Bachelor of Science in Physical Education at the University of Utah. 1985-1986-Course work in Masters of Sports Psychology at the University of Utah. 2013-2016-Weber St University/Utah St University/Salt Lake Community College-Course work to obtain Teaching License and Masters of Education.

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO VERIFY ANY INFORMATION PROVIDED ABOVE FOR Tiaina Seau Jr. Football Academy CHARTER SCHOOL.

I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

*Don Eck*

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**Applicant's Signature**

**Appendix A**

**BACKGROUND INFORMATION SHEET**

Provide the following information on each startup board member and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary. \*

Name Carlos Nuno

Role with school Board Member & Consultant

Expertise Business, Finance, Coaching, Recruitment

**Statement of Intent:** Using as much space as necessary below, provide a personal statement regarding your role on the governing board (or as administration), expertise you bring to the board (or administration), and commitment to this application as it has been written.

**I love the sport of football and having participated as a student-athlete in college I believe I can be an asset to the Academy and its student-athletes. I am excited and dedicated to my role as a founding board member and will excel in this duty and cause.**

**Not-for-Profit History:** Using as much space as necessary below, provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a nonprofit corporation, governing board experience, and background in group organization.

**I've am heavily involved in public sports teams and church groups in my community. I believe I am experienced in dealing with families and children.**

**Employment History:** Using as much space as necessary below, provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management.

**I have been a business owner for over 20 years and currently I am the CEO of Rockwell Watches.**

**Education History:** Using as much space as necessary below, provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school.

**BS BYU**

WITH THE SIGNATURE BELOW, PERMISSION IS HEREBY GRANTED TO VERIFY ANY INFORMATION PROVIDED ABOVE FOR Tiaina Seau Jr. Football Academy CHARTER SCHOOL.

I AFFIRM THAT THE INFORMATION PRESENTED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

*Carlos Nuno*

Applicant's Signature

**ARTICLES OF  
INCORPORATION OF  
Tiaina Seau Jr. Football  
Academy**

**I**

The name of this corporation is Tiaina Seau Jr. Football Academy.

**II**

- A. This organization is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for charitable purposes.
- B. The Specific purposes for which this corporation is organized include, but are not limited to: assisting in the educational pursuits of young people through education, an athletic focused charter school, scholarships, interscholastic athletic competition, etc.

**III**

The name and address in the State of Utah of this Corporation's initial agent for service of process

is: Name: Nephi Aiono

Address:

29 South State Street Suite 314  
Salt Lake City, Utah 84111

**IV**

- A. The corporation is organized and operated exclusively for charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.
- B. Notwithstanding any other provision of these Articles, the corporation shall not carry on any other activities not permitted to be carried on (1) by a corporation exempt from federal income tax under Section 501 (c)(3) of the Internal Revenue Code or (2) by a corporation contribution to which are deductible under Section 170(c)(2) of said Code, or the corresponding provisions of any future statute of the United States.
- C. No substantial part of the activities of this corporation shall consist of carrying on propaganda or otherwise attempting to influence legislation; nor shall the corporation participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

**V**

The names and addresses and office held of the persons designated to act as the initial Board of Directors of this corporation are: Nephi Aiono 29 South State Street Suite 314 Salt Lake City, UT 84111; Darren Beck 7892 Geronimo Drive Eagle Mountain, UT 84005; Harold Roney 23820 Lakeview Drive Tehachapi, CA 93561.

**VI**

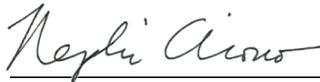
- A. The property of this Corporation is irrevocably dedicated to charitable purposes and no part of the net income or assets of the corporation shall ever inure to the benefit of any director,

trustee, member or officer of this corporation, or to any private person.

- B. Upon the dissolution or winding up of the corporation, any assets remaining after payment of, or provision for payment of, all debts and liabilities shall be distributed to a governmental entity described in Section 170(b)(1) (A)(v) of the Internal Revenue Code, or to a nonprofit fund, foundation, or corporation which is organized and operated exclusively for charitable purposes, which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code, and which is qualified to receive "qualified conservation contributions" within the meaning of Section 170(h) of said Code, or the corresponding provisions of any future statute of the United States.
- C. In the event of a liquidation of this corporation, all corporate assets shall be disposed of in such a manner as may be directed by decree of the superior court for the county in which the corporation has its principal office, on petition therefore by the Attorney General or by any person concerned in the dissolution, in a proceeding to which the Attorney General is a party.

IN WITNESS WHEREOF, the undersigned, being the Board of Directors of Tiaina Seau Jr. Football Academy and the initial directors named in these Articles of Incorporation on May 6, 2016.

**DIRECTORS**



Nephi Aiono, Director



Darren Beck, Director



Harold Roney, Director

**DECLARATION**

We are the persons whose names are subscribed below. We collectively are all of the Board of Directors of the Tiaina Seau Jr. Football Academy and all of the initial directors named in the Articles of Incorporation, and we have executed these Articles of Incorporation. The foregoing Articles of Incorporation are out act and deed, joint and severally.

Executed on May 6, 2016  
at 29 South State Street Suite 314 Salt Lake City, Utah 84111

We, and each of us, declare that the foregoing is true and correct.



Nephi Aiono, Director



Darren Beck, Director



Harold Roney, Director

**BYLAWS  
of  
Tiaina Seau Jr. Football Academy**

**ARTICLE I  
GENERAL**

Section 1. Purpose of the Corporation. The purposes of this Corporation shall be as set forth in the Articles of Incorporation of the Corporation. These Bylaws specify various matters affecting the operations and governance of the Corporation.

Section 2. Solicitation and Receipt of Gifts. The Corporation shall seek gifts, contributions, donations and bequests (herein generally called “gifts”) for its purposes. While the Corporation specifically encourages unrestricted gifts whose principal and/or income therefrom may be used for the Corporation’s purposes in the discretion of the Board of Directors of the Corporation, the Board of Directors will accept gifts for a restricted or otherwise designated purpose if such restriction is determined by the Board of Directors to be acceptable or otherwise conforms with these Bylaws and any other guidelines established by the Board of Directors for such restricted gifts.

**ARTICLE II  
MEMBERS**

The Corporation shall have no members but shall be managed by its Board of Directors as set forth in Article III of these Bylaws.

**ARTICLE III  
DIRECTORS**

Section 1. General Powers. Subject to the limitations of the Articles of Incorporation of the Corporation, these Bylaws and the laws of the state of Utah and any other state in which the Corporation may operate as it relates to the Corporation’s activities in that state, the affairs of the Corporation shall be managed by its Board of Directors.

Section 2. Number, Election, and Term.

The number of directors constituting the Board of Directors shall be fixed from time to time by the Board of Directors, but shall be no less than three (3) and no more than nine (9), so long as it not an even number. Directors shall be elected by the vote of the directors then in office; and those persons who receive the highest number of votes at a meeting at which a quorum is present shall be deemed to have been elected.

Elections shall take place in May of each year with directors taking office effective July 1. Each director shall hold office for a term of five (5) years or until such director’s successor shall have been duly elected or until such director’s death, resignation or removal. Directors may be re-appointed to serve more than one (1) term in office. Terms will be staggered so as to limit, insofar as possible, the number of newly-elected directors to a total of one-third of the total number of directors then in office. Directors will be a combination of business and community members and can be parents of school students so long as a majority of directors are not parents of any of the Corporation’s charter schools.

- Section 3. Resignation. A Director may resign at any time by giving written notice to the Secretary of the Corporation, who shall advise the Board of Directors of such resignation. Such resignation shall take effect at the time specified therein or, if no time is specified, then upon receipt of the resignation by the Secretary of the corporation, and unless otherwise specified therein, acceptance of such resignation shall not be necessary to make it effective. Such resignation shall be noted in the Minutes of the next regularly scheduled Board meeting following such resignation.
- Section 4. Removal. Any individual director may be removed from office by the action of a majority of the directors then in office at a meeting duly called and held for such purpose.
- Section 5. Vacancies. A vacancy or vacancies in the Board of Directors occurring for any reason may be filled by an alternate determined by the Board. If the alternate(s) declines to serve, the Board of Directors will solicit names to fill the vacancies and elect a new Director by the majority vote of the directors then in office. Each director so elected shall hold office for the unexpired portion of the term such director was appointed to fill or until such director's successor is appointed and qualified, or until such director's death, resignation or removal.
- Section 6. Meetings.
- (a) Annual Meeting. The Annual Meeting of the Board of Directors shall be held each year at the end of the school year at the principal office of the Corporation or at such other place as the Board may designate.
  - (b) Other Regular Meetings. Other regular meetings of the Board of Directors of the Corporation may be held in a manner consistent with the provisions of the Utah Open Meetings Laws or the laws of any state in which the Corporation operates and holds such meeting(s).
  - (c) Special Meetings. Special meetings of the Board of Directors for any purpose or purposes shall be held whenever called by the President of the Corporation or if the President is absent or is unable or refuses to act by any Vice President or by a majority of directors.
- Section 7. Notices. With the exception of regular meetings as set forth in Section 6(b) above of this Article, notice of any meeting of the Board of Directors, in each case specifying the place, date and hour of the meeting, shall be given to each director by delivering notice, orally or in writing (including electronic mail or other means of electronic delivery), forty-eight (48) hours before the time set for such meeting or, if notification is by United States mail, by mailing such notice at least three (3) days before the day set for such meeting; such notice shall be deemed to be delivered when deposited in the United States mail, with postage prepaid, addressed to the director at the director's address as it appears on the records of the Corporation. Neither the business to be transacted at nor the purpose of any meeting of the Board of Directors need be specified in the notice or waiver of such notice of such meeting.
- Section 8. Waiver of Notice. The transaction of any meeting of the Board of Directors, however called and noticed or wherever held, shall be as valid as though had at a meeting duly held after regular call and notice, if a quorum is present and if, either before or after the meeting, a written waiver of notice of the meeting, containing the same information as would have been required to be included in a proper notice of the meeting, is signed by (a) each director not present at the meeting and (b) each director

present at the meeting who objected thereto to the transaction of any business because the meeting was not lawfully called or convened. All such waivers shall be filed with and made a part of the minutes of the meeting.

Section 9. Action Without Meeting. Any action which may be taken at a meeting of the Board of Directors may be taken without a meeting if all of the directors shall consent in writing to such action. Such action by written consent shall have the same force and effect as the unanimous vote of the directors. Such action shall be confirmed in the minutes of the next regularly scheduled Board meeting.

Section 10. Quorum; Action of Directors. A simple majority of the number of directors fixed pursuant to the Articles of Incorporation or these Bylaws shall constitute a quorum for the transaction of business. The act of a majority of the directors present at a meeting at which a quorum is present shall be the act or decision of the Board of Directors, unless the act of a greater proportion is required by law, the Articles of Incorporation or these Bylaws.

Section 11. Adjournment. Any meeting of the Board of Directors, whether regular or special, and whether or not a quorum is present, may be adjourned from time to time by the vote of a majority of directors present.

Section 12. Organization. The President, and in his or her absence, the Vice President, and in their absence any person chosen by the directors present, shall act as chairman at every meeting of the Board of Directors. The secretary of the Corporation, or in the absence of the Secretary any person appointed by the chairman of the meeting, shall act as Secretary of the meeting.

Section 13. Methods of Conducting Meetings. Directors may participate in any regular or special meeting or in any meeting of a committee of directors by any means of communication by which either (1) all participating directors may simultaneously hear each other during the meeting or (2) all communication during the meeting is immediately transmitted to each participating director and each participating director is able to immediately send messages to all other participating directors. If a meeting is conducted through the use of one of the foregoing means, all participating directors must be informed that a meeting is taking place at which official business may be transacted. A Director participating in such a meeting is deemed to be present in person at the meeting. If requested by any director, minutes of the meeting shall be prepared and distributed to each director.

Section 14. Compensation. No compensation shall be paid to any director for serving as a member of the Board of Directors except that a director may be reimbursed for expenses actually incurred by such director in carrying out any activity of this Corporation which is within the scope of its purposes as set forth in Article I of these Bylaws.

Section 15. Committees. The Board of Directors or the President may authorize and appoint or remove members of (whether or not members of the Board of Directors) committees to consider appropriate matters, make reports to the President and/or Board of Directors, and fulfill such other advisory functions as may be designated. The designation of such committees, and members thereof, shall be recorded in the minutes of the Board of Directors.

## **ARTICLE IV OFFICERS**

- Section 1. Officers of the Corporation. The officers of the Corporation shall be the President, Vice President, Secretary, Treasurer and such other officers as determined by the Board of Directors. Officers shall be elected by the Board of Directors. Any two or more offices may be held by the same person, but no officer may act in more than one capacity where action of two or more officers is required.
- Section 2. Election and Term. The officers of the Corporation shall be elected annually by the Board of Directors at its annual meeting. Each officer shall hold office for a term of one (1) year or until such officer's successor shall have been duly elected and qualified, or until such officer's death, resignation or removal. No officer may serve more than three (3) consecutive years in the same office.
- Section 3. Compensation. The compensation of all officers of the Corporation shall be fixed by the Board of Directors.
- Section 4. Resignation. Any officer may resign at any time by giving written notice to the Board of Directors or the Secretary of the Corporation. Such resignation shall take effect at the time specified therein or, if no time is specified, then upon receipt of the resignation by the Secretary or the Board of Directors as the case may be, and, unless otherwise specified therein, acceptance of such resignation shall not be necessary to make it effective.
- Section 5. Removal. Any officer may be removed from office by the action of the Board of Directors, whenever in its judgment the best interests of the Corporation will be served thereby.
- Section 6. Vacancies. A vacancy occurring in any office, for any reason, may be filled for the unexpired portion of the term of said office by the Board of Directors.
- Section 7. President. The President shall preside at all meetings at the Board of Directors, shall perform any other duties prescribed in these Bylaws or assigned by the Board of Directors and shall coordinate the work of the officers and committees of the Corporation in order that its purposes be promoted.
- Section 8. Vice President. The Vice President shall act as an aide to the President and shall perform the duties of the President when required.
- Section 9. Secretary. The Secretary shall: (a) Keep the minutes of all meetings of the Board of Directors in one or more books provided for that purpose; (b) See that all notices are duly given in accordance with the provisions of these Bylaws or as required by law; (c) Be custodian of the corporate records; (d) See that the books, reports, statements and all other documents and records required by law are properly kept and filed; and (e) In general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or the Board of Directors.

Section 10. Treasurer. The Treasurer shall perform, or have performed under the Treasurer's direction, the following functions: (a) Have charge and custody of, and be responsible for, all funds and securities of the Corporation, and deposit all such funds in the name of the Corporation in such banks, credit unions or other depositories as shall be selected by the Board of Directors; (b) Keep and maintain adequate and correct accounts of the Corporation's properties and business transactions, including accounts of its assets liabilities, receipts and disbursements; (c) Render statements of the condition of the finances of the Corporation to the Board of Directors upon request; (d) Receive, and give receipt for, moneys due and payable to the Corporation from any source whatsoever; (e) Prepare all relevant tax filings and make filings and other financial records available for public inspection upon written notice; (f) In general, perform all of the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to the Treasurer by the Board of Directors.

## **ARTICLE V**

### **INSTRUMENTS; BANK ACCOUNTS; CHECKS AND DRAFTS; LOANS; SECURITIES**

Section 1. Execution of Instruments. Except as otherwise provided in these Bylaws, the Board of Directors may authorize any officer or officers, agent or agents, to enter into any contract or execute and deliver any instrument in the name of and on behalf of the Corporation, and such authorization may be general or confined to specific instances. Except as so authorized, or as in these Bylaws otherwise expressly provided, no officer, agent, or employee shall have any power or authority to bind the Corporation by any contract or engagement or to pledge its credit or to render it liable for any purpose in any amount.

Section 2. Bank Accounts. The Board of Directors from time to time may authorize the opening and keeping of general and/or special bank accounts with such banks, credit unions, or other depositories as may be selected by the Board or by any officer or officers, agent or agents of the Corporation to whom such power may be delegated from time to time by the Board of Directors. The Board of Directors may make such rules and regulations with respect to said bank accounts, not inconsistent with the provisions of these Bylaws, as the Board may deem expedient.

Section 3. Checks and Drafts. All checks, drafts or other orders for the payment of money, notes, acceptances, or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents, of the Corporation, and in such manner, as shall be determined from time to time by resolution of the Board of Directors.

## **ARTICLE VI**

### **MISCELLANEOUS**

Section 1. Fiscal Year. The fiscal year of the Corporation shall end on June 30 of each year.

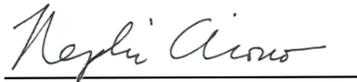
Section 2. Corporate Seal. The Corporation shall have no seal.

## **ARTICLE VII INDEMNIFICATION**

Section 1. Mandatory Indemnification. The Corporation shall, to the fullest extent permitted or required by statute, indemnify each director and officer against any and all liabilities, and advance any and all reasonable expenses incurred by a director or officer arising out of or in connection with any proceeding to which such director or officer is a party because he/she is a director or officer of the Corporation. The rights to indemnification granted hereunder shall not be deemed exclusive of any other rights to indemnification against liabilities or advancement of expenses to which such person may be entitled under any written agreement, board resolution, vote of members, the statute or otherwise. The Corporation may, but shall not be required to, supplement the right to indemnification against liability and advancement of expenses under this Section 1 by the purchase of insurance on behalf of any one or more of such persons whether or not the Corporation would be obligated to indemnify such person under this Section 1. The term “statute,” as used in this Article, shall mean any article of the Utah Code and all amendments thereto which permit or require the Corporation to provide broader indemnification rights than prior to the amendment. All other capitalized terms used in this Article and not otherwise defined herein shall have the meaning set forth in the statute.

Section 2. Limited liability of Volunteers. Each individual (other than an employee of the Corporation) who provides services to and on behalf of the Corporation without compensation (“Volunteer”) shall be immune from liability to any person for damages, settlements, fees, fines, penalties or other monetary liabilities arising from any act or omission as a Volunteer, to the fullest extent provided by law regulating non-profit corporations or any similar successor provision thereto. For purposes of this section it shall be conclusively presumed that any Volunteer who is licensed, certified, permitted or registered under state law and who is performing services to or on behalf of the Corporation without compensation is not acting within the scope of his or her professional practice under such license, certificate, permit or registration, unless expressly indicated to the Corporation in writing.

## **ARTICLE VIII AMENDMENT**

  
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These Bylaws may be amended at any time by action of the Board of Directors.