



QUEST ACADEMY

INNOVATION • PASSION • MASTERY

Board Meeting Packet

The mission of Quest Academy is to provide students a challenging, technology rich environment, enabling young citizens to become leaders prepared for the challenges of an evolving global community.

June 13, 2023

Quest Academy Board Meeting Agenda Tuesday, June 13, 2023

Location: Quest Academy, 4828 West 4000 South, West Haven, UT 84401



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

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Agenda

Board Priorities

State Accountability
Fiscally Sound
Personalized Learning/Individualized Learning
Brand Awareness

5:00 PM – CALL TO ORDER – Steve Reeve (5 minutes)

5:05 PM – PUBLIC COMMENT (Limit 3 Minutes Each)

5:05 PM – CLOSED SESSION to discuss the character, professional competence, or physical or mental health of an individual pursuant to Utah Code 52-4-205(1)(a) (30 minutes)

5:35 PM – REPORTS

- Administration
 - State of the School – Dave Bullock (10 minutes)

5:45 PM – CONSENT ITEMS

- [May 9, 2023 Electronic Board Meeting Minutes](#) (1 minute)

5:46 PM – VOTING ITEMS

- [2022-2023 Final Amended Budget](#) – Ryan Smith (3 minutes)
- [2023-2024 Annual School Budget](#) – Ryan Smith (3 minutes)
- [FY23 Audit Engagement Letter](#) – Michele Kersey-Smith (3 minutes)
- [Concrete/Landscaping Construction Project](#) – Dr. Dave (2 minutes)
- [Language Access Policy](#) – Gabe Clark (2 minutes)
- [Amend Administration of Medication Policy](#) – Gabe Clark (2 minutes)
- [Re-Approve Wellness Policy](#) – Gabe Clark (2 minutes)
- [Mental Health Screening Determination](#) – Steve Reeve/Dr. Dave (2 minutes)

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

- [Sex Ed Committee Membership](#) – Dr. Dave (2 minutes)
- [Ratify Board Members & their Terms](#) – Steve Reeve (2 minutes)
- Discuss & Vote on Board Officers – Steve Reeve (2 minutes)

6:11 PM – BREAK

6:41 PM – ANNUAL BOARD TRAINING

- [Review Board Member Agreement & Sign](#) – Steve Reeve (5 minutes)
- [Annual Policies, Plans & Procedures Training](#) – Gabe Clark (10 minutes)
- [Annual Open & Public Meetings Act Training](#) – Gabe Clark (5 minutes)
 - Sign Affirmation of Training
- [Annual Fraud Risk Assessment Review](#) – Ryan Smith (5 minutes)
 - Sign Annual Statement of [Ethical Behavior](#)

7:06 PM – STRATEGIC BOARD TRAINING

- [Board Self-Evaluation](#) (10 minutes)
- What Does the Board Want to Know? (10 minutes)
- Goal/Priority Alignment (Board priorities, Director's goals/evaluation, et al.) (30 minutes)
- Next Steps (5 minutes)

8:01 PM – DISCUSSION ITEMS

- [Set 2023-2024 Board Calendar](#) – Janese Robinson (5 minutes)
- Calendaring Items – Steve Reeve (5 minutes)
 - Next PreBoard Meeting – Proposed July 27th @ 4:00 p.m.
 - Next Board Meeting – Proposed August 8th

8:11 PM – ADJOURN

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Quest Academy

Electronic Board Meeting Agenda

Tuesday, May 9, 2023

Anchor Location: Quest Academy, 4828 West 4000 South, West Haven, UT 84401

In Attendance: Steve Reeve, Michele Kersey Smith, Brett Greenwell, Brittney Hale

Excused: Shawn Miehke

Others in Attendance: Dave Bullock, Angelee Spader, Gabe Clark, Ryan Smith, Janese Robinson, Dawn Kawaguchi



The mission of Quest Academy is to provide students a challenging, technology rich environment, enabling young citizens to become leaders prepared for the challenges of an evolving global community.

Minutes

Board Priorities

State Accountability

Fiscally Sound

Personalized Learning/Individualized Learning

Brand Awareness

6:01 PM – CALL TO ORDER – Steve Reeve

CONSENT ITEMS

- April 18, 2023 Board Meeting Minutes – There was no further discussion.
Brett Greenwell made a motion to approve the consent items. Michele Kersey Smith seconded the motion. The roll call votes were as follows:
 - Steve Reeve – Aye**
 - Michele Kersey Smith – Aye**
 - Brett Greenwell – Aye****Motion passed unanimously.**

VOTING ITEMS

- Award IFB for Kitchen Equipment – Dr. Dave presented the background and equipment needs for both buildings were reviewed.
Brittany Hale joined the meeting at 6:05 PM.
Michele Kersey Smith made a motion to award the contract on the Invitation for Bids for Kitchen Equipment to Bargreen Ellingson, approve the purchase amount not to exceed \$85,000, and authorize Dr. Dave Bullock to enter into a contract with Bargreen Ellingson on behalf of the School. Brett Greenwell seconded the motion. The roll call votes were as follows:

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Steve Reeve – Aye
Brittany Hale – Aye
Michele Kersey Smith – Aye
Brett Greenwell – Aye
Motion passed unanimously.

6:07 PM – Brittany Hale made a motion to ADJOURN. Michele Kersey Smith seconded the motion.

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Quest Academy Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *2022-2023 Final Amended Budget*

Issue:

Approval of a final amended 2022-2023 operating budget is needed to comply with state law prohibiting actual expenditures from exceeding budgeting expenditures.

Background:

The current operating budget is the original budget that was prepared and adopted in the June 2022 board meeting. Since that time, there have been additional revenues and expenses, approved by the board, necessitating a final amended budget to comply with state law. The proposed final amended budget for Quest Academy is reflective of to date actual revenue and expenses plus projections for the remainder of the school year.

Recommendation:

It is recommended the Board approve the final amended budget for the 2022-2023 school year.

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QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Proposed 2023-2024 Budget*

Issue:

An annual operating budget is needed to guide the school's financial course for the upcoming school year.

Background:

An operating budget for the 2023-2024 school year is required by state law to be adopted by the Quest Academy Board of Directors in the June meeting. Working closely with the administration, the proposed 2023-2024 budget is conservatively prepared with focus on student needs, teacher retention, and technology. The proposed operating budget for Quest Academy is reflective of conservatively forecast revenues and expected annual expenses for the coming fiscal year.

Recommendation:

It is recommended the Board approve the proposed annual operating budget for the 2023-2024 school year.

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**Quest Academy
Budget Summary
Created on June 30, 2023**

	Year Ending 06/30/2022	Year-to-Date 06/30/2023	07/01/2022 - 05/31/2023	Year Ending 06/30/2024
	21-22 Actuals	22-23 Approved	Actuals YTD	23-24 Prelim Budget
Income				
Revenue From Local Sources				
1510 - Interest on Investments	25,519	150,000	216,507	200,000
1610 - Sales to Students	(4,203)	150,000	186,638	175,000
1620 - Sales to Adults	5,335	3,500	4,106	3,500
1741 - General Student Fees	1,783	0	0	0
1742 - (Contra) General Student Fee Waivers	(84)	0	0	0
1743 - Curricular Activity Fees	44,792	50,000	45,135	45,000
1744 - (Contra) Curricular Activity Fee Waivers	(2,127)	0	0	0
1745 - Co-Curricular Activity Fees	52,553	90,000	101,855	95,000
1747 - Extra-Curricular Activity Fees	17,249	23,000	23,792	21,500
1910 - Rentals	11,940	16,500	16,410	15,000
1920 - Contributions and Donations From Private Sources	111,788	105,000	105,778	100,000
1990 - Miscellaneous	57,854	57,000	58,884	25,000
1990-001 - Field Trips	7,374	4,000	7,124	5,000
Total Revenue From Local Sources	329,773	649,000	766,229	685,000
Revenue From State Sources				
3005 - Regular School Programs K	231,313	233,626	215,203	0
3010 - Regular School Programs 1-12	3,185,774	3,379,052	3,098,592	3,790,000
3020 - Professional Staff	206,505	242,373	222,176	235,000
3100 - Restricted Basic School Programs	1,131,461	1,435,162	1,315,677	1,488,700
3200 - Related to the Basic Programs	2,842,633	3,317,702	3,067,591	3,363,000
3300 - Special Populations	53,009	34,822	32,063	90,000
3400 - Other Programs	275,737	265,250	250,895	527,800
3500 - One-time Funding	321,166	410,621	341,958	409,000
3800 - Non-MSP State Revenues (via USBE)	120,544	56,570	86,543	77,200
Total Revenue From State Sources	8,368,142	9,375,178	8,630,698	9,980,700
Revenue From Federal Sources				
4200 - Unrestricted Revenue Received From Federal Government Through The State	212,970	196,058	0	0
4500 - Restricted Federal-Received via USBE	38,766	36,528	0	30,000
4522 - IDEA - B -- Pre-School Disabled (Sec 619)	3,561	0	0	0
4524 - IDEA - B -- Disabled (PL 101-476)	151,292	148,237	0	145,000
4560 - Federal Child Nutrition Programs	670,166	140,000	187,513	175,000
4800 - Federal No Child Left Behind	118,637	17,517	0	17,500
Total Revenue From Federal Sources	1,195,392	538,340	187,513	367,500
Total Income	9,893,307	10,562,518	9,584,440	11,033,200
Expenses				
Instruction/Salaries				
0121 - Salaries - Principals and Assistants	304,518	365,000	350,379	375,000
0131 - Salaries - Teachers	2,602,899	3,495,000	2,637,629	3,800,000
0132 - Salaries - Substitute Teachers	64,134	75,000	72,462	75,000
0142 - Salaries - Guidance Personnel	27,731	40,000	32,307	41,000
0145 - Salaries - Media Personnel - Licensed	30,563	40,000	32,813	39,000
0152 - Salaries - Secretarial and Clerical Personnel	109,294	125,000	126,380	140,000
0161 - Salaries - Teacher Aides and Para-Professionals	810,181	760,000	814,605	1,045,000
0182 - Salaries - Custodial & Maintenance Personnel	39,553	50,000	31,761	40,000
0184 - Salaries - Administrative Technology Personnel	58,007	85,000	72,301	68,900
0191 - Salaries - Food Services Personnel	156,303	205,000	183,132	180,000
Total Instruction/Salaries	4,203,183	5,240,000	4,353,769	5,803,900
Employee Benefits				
0220 - Social Security	498,344	550,000	489,996	575,000
0230 - Local Retirement	52,880	0	0	0
0240 - Group Insurance	8,442	105,000	83,225	130,000
0290 - Other Employee Benefits	737,823	290,000	(3,533)	300,000
Total Employee Benefits	1,297,489	945,000	569,688	1,005,000

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Purchased Prof & Tech Serv				
0320 - Professional - Educational Services	161,897	160,000	129,009	160,000
0330 - Professional Employee Training and Development	49,004	85,000	92,093	85,000
0340 - Other Professional Services	38,123	65,000	60,565	70,000
0345 - Business Services	407,000	425,000	375,489	450,000
0349 - Purchased Legal Services	600	0	0	0
0350 - Technical Services	75,078	80,000	63,166	75,000
Total Purchased Professional & Technical Services	731,702	815,000	720,322	840,000
Purchased Property Services				
0410 - Utility Services	117,059	120,000	115,921	135,000
0430 - Repairs & Maintenance Services	44,500	65,000	34,962	65,000
0441 - Rental of Land & Buildings	16,156	22,500	19,603	22,500
0442 - Rental of Equipment & Vehicles	474	0	0	0
0443 - Rental of Computers & Related Equipment	13,137	22,500	13,812	20,000
0490 - Other Purchased Property Services	38,988	65,000	38,858	65,000
Total Purchased Property Services	230,314	295,000	223,156	307,500
Other Purchased Services				
0513 - Student Transportation Services - Commercial	15,348	15,000	8,987	30,000
0518 - Student Day Trips/Field Trips (includes Admission Charges)	15,000	15,000	13,593	30,000
0521 - Property Insurance	9,665	12,300	12,300	15,000
0522 - Liability Insurance	17,757	12,470	12,470	15,000
0530 - Communication (Telephone & Other)	15,367	22,500	13,856	20,000
0540 - Advertising	7,008	6,000	2,806	5,000
0580 - Travel/Per Diem	717	500	10,867	5,000
Total Other Purchased Services	80,862	83,770	74,879	120,000
Supplies & Materials				
0610 - General Supplies	277,663	280,000	259,697	350,000
0610-001 - Furniture and Fixtures (not capitalized)	4,670	90,000	85,184	100,000
0630 - Food	325,930	300,000	299,716	325,000
0641 - Textbooks	22,775	235,000	35,468	75,000
0642 - E-Textbooks / Online Curriculum	141,589	135,000	91,055	121,500
0644 - Library Books	1,508	3,000	2,709	2,500
0650 - Supplies - Technology Related	352,499	350,000	338,071	375,000
0670 - Software	13,461	35,000	30,461	35,000
0680 - Maintenance Supplies and Materials	24,258	40,000	26,436	40,000
Total Supplies & Materials	1,164,353	1,468,000	1,168,797	1,424,000
Property				
0710 - Land and Site Improvements	64,184	500,000	173,894	400,000
0720 - Building	48,218	0	0	0
0730 - Equipment	0	0	41,612	0
0733 - Furniture and Fixtures	2,448	80,000	0	0
0734 - Technology Related Hardware	16,570	0	0	0
Total Property	131,420	580,000	215,506	400,000
Debt Services & Miscellaneous				
0810 - Dues and Fees	47,838	50,000	22,147	50,000
0810-001 - UBTI Federal Tax	3,325	3,500	1,612	3,500
0830 - Interest	525,100	481,700	522,450	504,300
0833 - Amortization of Bond Issuance & Other Related Costs	23,990	0	0	0
0840 - Redemption of Principal	255,000	300,000	257,450	275,000
Total Debt Services & Miscellaneous	855,253	835,200	803,659	832,800
Total Expenses	8,694,576	10,261,970	8,129,776	10,733,200
Total Net Income	1,198,731	300,548	1,454,664	300,000

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QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Engage School's Auditor*

Issue:

The school's agreement with Eide Bailly for audit attestation services are required to be approved by the Board each year.

Background:

Eide Bailly is a regional certified public accounting firm that has performed the school's audit attestation services in prior years. Such attestation services include the audited financial statements, agreed-upon procedures for student enrollment, state compliance procedures, and possibly a single audit. A single audit will be required if the school incurs more than \$750,000 in federal expenditures. Each year the school is required to approve the aforementioned services. If approved, audit engagement letters will be provided for the board president's signature.

We have received a draft audit engagement letter for this packet which includes authorization on a single audit if required. However, Eide Bailly will be sending the actual letter electronically through DocuSign to the School's Director.

Recommendation:

It is recommended that the Board approve the engagement of services provided by Eide Bailly for the year ending June 30, 2023 and allow Dave Bullock to sign on behalf of the school.

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May 4, 2023

Board of Directors

School

School Address

School Address

You have requested that we audit the financial statements of the governmental activities and each major fund of **School Name** (the School) as of June 30, 2023, and for the year then ended, and the related notes to the financial statements, which collectively comprise the School's basic financial statements.

In addition, we will audit the entity's compliance over major federal award programs for the period ended June 30, 2023, if federal expenditures exceed \$750,000. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the entity's major federal award programs. The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and in accordance with *Government Auditing Standards*, and/or any state or regulatory audit requirements will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the entity complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and *Government Auditing Standards*, if any, and perform procedures to address those requirements.

Accounting principles generally accepted in the United States of America (U.S. GAAP), as promulgated by the Governmental Accounting Standards Board (GASB), require that Management's Discussion and Analysis, Statement of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual – General Fund and Notes to Required Supplementary Information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation and comparing the

information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis
- Statement of Revenues, Expenditures and Changes in Fund Balances - Budget and Actual – General Fund
- Notes to Required Supplementary Information

Schedule of Expenditures of Federal Awards

We will subject the schedule of expenditures of federal awards to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the schedule to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on whether the schedule of expenditures of federal awards is presented fairly in all material respects in relation to the financial statements as a whole.

Data Collection Form

Prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form is required to be submitted within the *earlier* of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

Audit of the Financial Statements

We will conduct our audits in accordance with GAAS, the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America, the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) and, in accordance with any state or regulatory audit requirements. As part of an audit of financial statements in accordance with GAAS and in accordance with Government Auditing Standards, Uniform Guidance and/or any state or regulatory audit requirements we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material

misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the School's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or noncompliance may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America and/or state or regulatory audit requirements.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the School's basic financial statements. Our report will be addressed to the governing body of the School. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

We also will issue a written report on our financial statement and single audit upon completion of our audit.

Audit of Major Program Compliance

Our audit of the School's major federal award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; and the Uniform Guidance and will include tests of accounting records, a determination of major programs in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such an opinion on major federal award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether the material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major federal award programs, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the entity's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the entity's compliance with the requirements of the federal programs as a whole.

As part of a compliance audit in accordance with GAAS *and in accordance with Government Auditing Standards*, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.

Our procedures will consist of determining major federal programs and performing the applicable procedures described in the U.S. Office of Management and Budget *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs, and performing such other procedures as we considers necessary in the circumstances. The purpose of those procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will obtain an understanding of the entity's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the entity's major federal award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you, regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the entity's major federal award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

Management Responsibilities

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance, acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error;

3. For identifying, in its accounts, all federal awards received and expended during the period and the federal programs under which they were received;
4. For maintaining records that adequately identify the source and application of funds for federally funded activities;
5. For preparing the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the Uniform Guidance;
6. For designing, implementing, and maintaining effective internal control over federal awards that provides reasonable assurance that the entity is managing federal awards in compliance with federal statutes, regulations, and the terms and conditions of the federal awards;
7. For identifying and ensuring that the entity complies with federal laws, statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal award programs and implementing systems designed to achieve compliance with applicable federal statutes, regulations, and the terms and conditions of federal award programs;
8. For disclosing accurately, currently, and completely, the financial results of each federal award in accordance with the requirements of the award;
9. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented;
10. For taking prompt action when instances of noncompliance are identified;
11. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
12. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
13. For submitting the reporting package and data collection form to the appropriate parties;
14. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance;
15. To provide us with:
 - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements including disclosures, and relevant to federal award programs, such as records, documentation, and other matters;
 - b. Additional information that we may request from management for the purpose of the audit; and
 - c. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence.
16. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole;
17. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
18. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
19. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on compliance;
20. For the accuracy and completeness of all information provided;
21. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information; and
22. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the schedule of expenditures of federal awards referred to above, you acknowledge and understand your responsibility (a) for the preparation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance, (b) to provide us with the appropriate written representations regarding the schedule of expenditures of federal awards, (c) to include our report on the schedule of expenditures of federal awards in any document that contains the schedule of expenditures of federal awards and that indicates that we have reported on such schedule, and (d) to present the schedule of expenditures of federal awards with the audited financial statements, or if the schedule will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the schedule of expenditures of federal awards no later than the date of issuance by you of the schedule and our report thereon.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility (a) for the preparation of the supplementary information in accordance with the applicable criteria, (b) to provide us with the appropriate written representations regarding supplementary information, (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information, and (d) to present the supplementary information with the audited financial statements, or if the supplementary information will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Nonattest Services

With respect to any nonattest services we perform, we agree to perform the following:

- Prepare federal and state income tax returns.
- Prepare or assist with preparing financial statements in conformity with U.S. generally accepted accounting principles based on information provided by you.
- Prepare or assist in preparing the government-wide statements and conversion entries and note disclosures.
- Complete the auditee's portion of the Data Collection Form, as applicable.
- Assistance with preparation of Schedule of Expenditures, as applicable.

We will not assume management responsibilities on behalf of the School. The School's management understands and agrees that any advice or recommendation we may provide in connection with our audit engagement are solely to assist management in performing its responsibilities.

The School's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the nonattest services are as follows:

- We will perform the services in accordance with applicable professional standards.
- The nonattest services are limited to the services previously outlined above. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities. Our firm will advise the School with regard to tax positions taken in the preparation of the tax return, but the School must make all decisions with regard to those matters.

Fees and Timing

Ken Jeppesen is the engagement partner for the audit services specified in this letter. He will be assisted with the Single Audit portion of the engagement (as necessary) by Paul Skeen. Responsibilities include supervising services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report. We expect to begin our audit on approximately July 25, 2023.

Our fees are based on the amount of time required at various levels of responsibility, plus actual out-of-pocket expenses, including administrative charges. Invoices are payable upon presentation. We estimate that our fees for the financial statement audit and state compliance procedures will be \$12,500. If a Single Audit is required, these fees will be billed separately. The information return (Form 990) fees are estimated to be \$1,800.

We will notify you immediately of any circumstances we encounter that could significantly affect this initial fee estimate. Whenever possible, we will attempt to use the School's personnel to assist in the preparation of schedules and analyses of accounts. This effort could substantially reduce our time requirements and facilitate the timely conclusion of the audit. Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

The ability to perform and complete our engagement consistent with the estimated fee included above depends upon the quality of your underlying accounting records and the timeliness of your personnel in providing information and responding to our requests. To assist with this process, we will provide you with a Prepared-by-Client (PBC) request that identifies the information required to perform our engagement, as well as a planned timeline for the engagement. A failure to provide this information in an accurate and timely manner may result in an increase in our fees and/or a delay in the completion of our engagement.

We may be requested to make certain audit documentation available to outside parties, including regulators, pursuant to authority provided by law or regulation or applicable professional standards. If requested, access to such audit documentation will be provided under the supervision of Eide Bailly LLP's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the outside party, who may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies. We will be compensated for any time and expenses, including time and expenses of legal counsel, we may incur in making such audit documentation available or in conducting or responding to discovery requests or participating as a witness or otherwise in any legal, regulatory, or other proceedings as a result of our Firm's performance of these services. You and your attorney will receive, if lawful, a copy of every subpoena we are asked to respond to on your behalf and will have the ability to control the extent of the discovery process to control the costs you may incur.

Should our relationship terminate before our audit procedures are completed and a report issued, you will be billed for services to the date of termination. All bills are payable upon receipt. A service charge of 1% per month, which is an annual rate of 12%, will be added to all accounts unpaid 30 days after billing date. If collection action is necessary, expenses and reasonable attorney's fees will be added to the amount due.

Other Matters

During the course of the engagement, we will only provide confidential engagement documentation to you via Eide Bailly's secure portal or other secure methods, and request that you use the same or similar tools in providing information to us. Should you choose not to utilize secure communication applications, you acknowledge that such communication contains a risk of the information being made available to unintended third parties. Similarly, we may communicate with you or your personnel via e-mail or other electronic methods, and you acknowledge that communication in those mediums contains a risk of misdirected or intercepted communications.

Should you provide us with remote access to your information technology environment, including but not limited to your financial reporting system, you agree to (1) assign unique usernames and passwords for use by our personnel in accessing the system and to provide this information in a secure manner; (2) limit access to "read only" to prevent any unintentional deletion or alteration of your data; (3) limit access to the areas of your technology environment necessary to perform the procedures agreed upon; and (4) disable all usernames and passwords provided to us upon the completion of procedures for which access was provided. We agree to only access your technology environment to the extent necessary to perform the identified procedures.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your website or elsewhere, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

We may use third party service providers and/or affiliated entities (including Eide Bailly Shared Services Private Limited) (collectively, "service providers") in order to facilitate delivering our services to you. Our use of service providers may require access to client information by the service provider. We will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the confidentiality of client information accessed by such service provider and any work performed by such service provider.

Neither of us may use or disclose the other's confidential information for any purpose except as permitted under this engagement letter or as otherwise necessary for Eide Bailly to provide the services. Your confidential information is defined as any information you provide to us that is not available to the public. Eide Bailly's confidential information includes our audit documentation for this engagement. Our audit documentation shall at all times remain the property of Eide Bailly LLP. The confidentiality obligations described in this paragraph shall supersede and replace any and all prior confidentiality and/or nondisclosure agreements (NDAs) between us.

We agree to retain our audit documentation or work papers for a period of at least eight years from the date of our report.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

You agree to share all facts that may affect your financial statements, even if you first become aware of those facts after the date of the auditor's report but before the date your financial statements are issued.

At the conclusion of our audit engagement, we will communicate to management and the board of directors the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

Government Auditing Standards require that we provide, upon request, a copy of our most recent external peer review report and any subsequent review reports to the party contracting for the audit. Accordingly, we will provide a copy of our most recent peer review report at your request.

MEDIATION

Any disagreement, controversy or claim arising out of or related to any aspect of our services or relationship with you (hereafter a "Dispute") shall, as a precondition to litigation in court, first be submitted to mediation. In mediation, the parties attempt to reach an amicable resolution of the Dispute with the aid of an impartial mediator. Mediation shall begin by service of a written demand. The mediator will be selected by mutual agreement. If we cannot agree on a mediator, one shall be designated by the American Arbitration Association ("AAA"). Mediation shall be conducted with the parties in person in Salt Lake City, Utah. Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties. Neither party may commence a lawsuit until the mediator declares an impasse.

LIMITED INDEMNITY

Eide Bailly LLP and its partners, affiliates, officers and employees (collectively "Eide Bailly") shall not be responsible for any misstatements in your financial statements and information return that we may fail to detect as a result of misrepresentations or concealment of information by any of your owners, directors, officers or employees. You shall indemnify and hold Eide Bailly harmless from any claims, losses, settlements, judgments, awards, damages and attorneys' fees arising from any such misstatement or concealment of information.

If through no fault of Eide Bailly we are named as a party to a dispute between you and a third party, you shall indemnify and hold Eide Bailly harmless against any losses, damages, settlements, judgments, awards, and the costs of litigation (including attorneys' fees) we incur in connection with the dispute.

Eide Bailly shall not be entitled to indemnification under this agreement unless the services were performed in accordance with professional standards in all material respects.

LIMITATION OF LIABILITY

The exclusive remedy available to you for any alleged loss or damages arising from or related to Eide Bailly's services or relationship with you shall be the right to pursue claims for actual damages that are directly caused by Eide Bailly's breach of this agreement or Eide Bailly's violation of applicable professional standards. In no event shall Eide Bailly's aggregate liability to you exceed two times fees paid under this agreement, nor shall Eide Bailly ever be liable to you for incidental, consequential, punitive or exemplary damages, or attorneys' fees.

TIME LIMITATION

You may not bring any legal proceeding against Eide Bailly unless it is commenced within twenty-four (24) months ("Limitation Period") after the date when we delivered our report, return, or other deliverable under this agreement to you, regardless of whether we do other services for you or that may relate to the audit and information return preparation. The Limitation Period applies and begins to run even if you have not suffered any damage or loss, or have not become aware of a possible Dispute.

GOVERNING LAW AND VENUE

Any Dispute between us, including any Dispute related to the engagement contemplated by this agreement, shall be governed by Utah law. Any unresolved Dispute shall be submitted to a federal or state court located in Minneapolis, Minnesota.

ASSIGNMENTS PROHIBITED

You shall not assign, sell, barter or transfer any legal rights, causes of actions, claims or Disputes you may have against Eide Bailly to any person.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your certified public accountants and look forward to working with you and your staff.

Respectfully,

Kenneth D. Jeppesen, CPA
Partner

RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of the School by:

Name: _____

Title: _____

QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Concrete/Landscaping Construction Project*

Issue:

The School would like to make some concrete and other landscaping improvements on the School's grounds.

Background:

The School has some designated grass areas on its grounds that are very high traffic and, regardless of constant watering and fertilizing, always end up being just dirt. In addition, in connection with the recent installation of the turf fields at the School, there are some designated grass areas that have now lost access to sprinklers/water. To simplify and minimize maintenance in these areas and to improve their aesthetics, the School would like to pour concrete in the majority of these areas as well as plant some trees (inside tree grates) in designated spots in these areas.

In connection with this construction project, the School obtained two bids – one from Point Load Construction and one from AJF Contracting. The bids are provided with this cover letter. Both companies have done work for the school in the past and have done a fine job. Point Load Construction's bid (\$95,800) is less expensive than AJF Contracting's (\$97,600), and as a result School administration proposes awarding the contract on this project to Point Load Construction. If approved by the Board, the construction project would take place after July 1, using funds from the 2023-2024 school year. School administration met with the School's accountant, Ryan Smith, a few weeks ago to ensure funds are available for this project, and Ryan confirmed that there are.

Recommendation:

It is recommended that the Board (1) award the contract on the concrete and other landscaping improvements construction project to Point Load Construction in an amount not to exceed \$100,000 and (2) authorize Dr. Dave Bullock to enter into a contract with Point Load Construction on behalf of the School.

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

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

JOB: Concrete Work

ESTIMATE

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Americans with Disabilities Act, persons needing accommodations for this meeting should call

QA Board Meeting Materials 06-13-23



7893 So. Bedrock Flats LN. apt. K104
West Jordan UT. 84081

ESTIMATE

INVOICE TO :
Quest Academy
290 No. Flint ST
Kaysville, UT 84037

Work Performed at:
4000 So. 4862 W.
West Haven

Date:
06/05/2023

Description Of Work Performed

Work performed at North and East Side of Q1 School, around portable classrooms between Q1 & Q2 and on the west and south side of Q2 around to 30 FT south of front entry.

- Excavation
 - Over Excavate grass & soils
 - Haul off material that was grubbed out
 - Hual in road base and place where grubbed out soil was approximately 3 inches thick
 - Grade out and compact road base
 - purchase and install 3 5x5 tree grates around The 3 trees staying at Q2
- Sprinklers
 - Run sprinkler lines and conduits to add 5 drip stiations for trees at the grates and to 2 sections off of the east & west side of front entry way of Q2 -Abondon and pull out existing lines & valves where new concrete will be poured.
- Concrete
 - Form and pour 4 inch think concrete at all places prepped for it
- Landscaping
 - add 2 trees (one on either side of entry way at Q2)
 - (3,500\$ allowance)

Total: 97,600

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

QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Language Access Policy*

Issue:

Adopting a Language Access Policy.

Background:

Last year the legislature enacted a bill (HB 302) that requires each LEA to adopt a policy addressing the LEA's communication and assistance to students who are learning English and their parents. The bill (now codified in Utah Code § 53G-7-223) requires that the policy include certain provisions on an LEA's use of interpreters and translators for school activities and documents. The bill also requires the USBE to create a model policy covering the language assistance requirements. The USBE has now completed the model policy.

The Language Access Policy is based on the USBE's model policy and requires the school to, among other things, designate a Language Access Coordinator, determine the primary language spoken by a student and his/her parent within 30 calendar days of a student's enrollment, provide interpretation services during regular business hours to students and their parents who require such services to communicate with the school about critical information, and provide translations of school materials to students and their parents who require the translations to communicate effectively with the school.

This policy is required to be reviewed by the school on an annual basis.

Recommendation:

It is recommended that the Board approve the Language Access Policy.

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

Quest Academy Language Access Policy



PURPOSE

The purpose of this policy is to help ensure that Quest Academy (the “School”) provides access to its services, programs, and activities to persons who have limited English proficiency and understand languages other than English.

DEFINITIONS

For purposes of this policy, the following terms have the following meanings:

“Primary language” means the first language spoken by a student and a student’s parent/guardian.

“Interpretation” means simultaneous communication between a speaker of English and a speaker of another language.

“Translation” means written communication wherein the written words of one person are communicated to others in writing in a different language.

Policy

Language Access Coordinator

The School’s Principal shall designate a Language Access Coordinator who is responsible for implementing this policy at the School and ensuring that any necessary training on the policy is provided. The Language Access Coordinator may also recommend updates or changes to this policy in an effort to make the policy more effective.

Notification to Employees

The School shall notify its employees of this policy, the rights of parents/guardians and students to receive language assistance services, and the proper procedures to access language assistance services as outlined in this policy.

Determination of Primary Language

Within thirty (30) calendar days of a student’s enrollment (or re-enrollment) in the School, the School shall determine the primary language spoken by the student and the student’s parent/guardian, and if such language is not English, whether the student and parent/guardian require language assistance to communicate effectively with the School.

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The School shall maintain a current record of the primary language of each parent/guardian of students enrolled in the School.

Obligation to Provide Language Assistance Services

The School shall, consistent with this policy and applicable law, provide translation and interpretation services to students and parents/guardians who require language assistance in order to communicate effectively with the School.

Interpretation Services

The School shall provide interpretation services during regular business hours to parents/guardians and their students who require such services in order to communicate with the School regarding critical information about the students' education. Depending upon availability, such interpretation services may be provided at the School, a reasonable location agreed upon by the School and a student's parent/guardian, or virtually.

The School shall provide the interpretation services described above for School activities, including but not limited to:

- (a) classroom activities;
- (b) impromptu and scheduled office visits or phone calls;
- (c) enrollment or registration processes;
- (d) the Individualized Education Program (IEP) process;
- (e) student educational and occupational planning processes;
- (f) fee waiver processes;
- (g) parent engagement activities;
- (h) student disciplinary meetings;
- (i) community councils (if any);
- (j) board meetings;
- (k) other School activities; and
- (l) other interactions between the parents/guardians of a student learning English and educational staff at the School.

Translation Services

The School shall provide translations of School materials to parents/guardians and their children who require them to communicate effectively with the School, and such materials include, but are not limited to:

- (a) registration or enrollment materials, including home language surveys and English learning program entrance and exit notifications;
- (b) assignments and accompanying materials;
- (c) report cards or other progress reports;
- (d) student discipline policies and procedures;
- (e) grievance procedures and notices of rights and nondiscrimination;

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- (f) parent or family handbooks;
- (g) requests for parent permission; and
- (h) any other guidance, including guidance on when oral interpretation is preferable to written translation, to improve instruction and assistance by teachers, counselors, and administrators to a student learning English and the student's parents/guardians and family.

Centrally Produced Critical Communications

The School shall identify documents that it distributes or electronically communicates to parents/guardians containing critical information regarding their child's education, including, but not limited to, documents pertaining to:

- (a) registration, application, and selection;
- (b) standards and performance (e.g., standard text on report cards);
- (c) conduct, safety, and discipline;
- (d) special education and related services; and
- (e) transfers and withdrawals.

The School shall procure translations of the applicable critical communications listed above in a timely manner, in each of the covered languages, and work to make such translations available to parents/guardians and students of the School.

Student-Specific Critical Documents

Where required under this policy, the School shall provide parents/guardians with a translation of important documents that contain individual, student-specific information regarding, but not limited to, their student's:

- (a) health;
- (b) safety;
- (c) legal or disciplinary matters; and
- (d) entitlement to public education or placement in any special education, English language learner or non-standard academic program.

Qualifications of Interpreters and/or Translators

Individual interpreters and translators provided by the School do not have to be certified unless certification is required by law. However, they should be competent and, where possible, have experience providing interpretation or translation services for school activities and materials listed in this policy. Where deemed appropriate by the School's Principal or Language Access Coordinator, the School may utilize online translation services such as Google Translate or Microsoft Translator to translate School materials or documents described in this policy.

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

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

The School shall follow its Special Education Policies and Procedures Manual when providing interpretation and translation services for students with disabilities.

COMPLAINTS

If any parent/guardian or student feels that they are not receiving the language assistance services set forth in this policy, they may address those concerns through the School's Parent Grievance Policy.

ANNUAL REVIEW OF POLICY

The School shall review this policy for efficacy on an annual basis. As part of this review, and for purposes of evaluating the effectiveness of this policy, the School may consult with its stakeholders and community members, refugee resettlement agencies, immigration services organizations, ethnic based community organizations.

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

QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Amended Administration of Medication Policy*

Issue:

The School needs to amend its Administration of Medication Policy.

Background:

A school may administer prescribed medication to a student if certain conditions are met, including the school having a policy on medication administration, having staff who have been trained to administer medication to students, and having in place a form signed by the student's parent/guardian and health care provider requesting that the school administer the medication to the student. In addition, school personnel may administer medication to students in emergency situations if certain requirements are met, particularly in regard to emergency diabetic medication, EpiPens, seizure rescue medication, stock albuterol (emergency asthma medication), and opiate antagonists. The proposed amendments to QA's Administration of Medication Policy are meant to more thoroughly cover the medication administration requirements and update outdated Utah Code references.

In addition, Utah law requires that schools have a policy addressing the training of appropriate school personnel on the provisions of Utah Code 53G-9-203. This section of the Utah Code covers, among other things, restrictions pertaining to medical recommendations by school employees and rules related to school employees communicating information and observations about a student's health and welfare. The required policy must also indicate that school employees who violate the provisions of Utah Code 53G-9-203 will be subject to disciplinary action by the school. QA has this required policy within its Administration of Medication Policy, but a few revisions are in order to satisfy the policy requirements.

Recommendation:

It is recommended that the Board approve the amended Administration of Medication Policy.

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

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

Quest Academy

Administration of Medication in School Policy



PURPOSE

The purpose of this policy is to authorize personnel of Quest Academy (the “School”) to administer medication to students consistent with applicable law.

The School’s Board of Directors (the “Board”) acknowledges that medication should typically be administered by a student or the student’s parent or guardian. However, the Board recognizes that situations may arise where the health of a student may require administration of medication during a school day by School personnel.

As long as authorized personnel act in a prudent and responsible manner, Utah law provides that School personnel who assist in substantial compliance with a student’s licensed health care provider’s written statement are not liable civilly or criminally for any adverse reaction suffered by the student because of taking the medication or discontinuing the administration of medication. This policy is intended to help ensure that School personnel act in a prudent and responsible manner in order to protect the health of students and the interests of School personnel.

The Board also desires to set forth policies regarding acceptable self-administration of medication by students.

POLICY

Administration of Medication by School Personnel

The School will comply with applicable state and federal laws regarding the administration of medication to students by School personnel. Pursuant to this policy, authorized School personnel may assist in the administration of medication to students of the School when the student is under the School’s control.

The Principal will consult with the local health department and/or a registered health care professional for assistance in developing procedures and training for effective implementation of this policy. The School’s Principal will ensure that School personnel and parents are provided with information about this policy.

To ensure safe administration of medication to students, the procedures outlined here must be followed.

- (1) The Principal will designate a reasonable number of School employees who will administer medication to students in the School.
- (2) The Principal will arrange for the Principal and all designated School employees to receive adequate training from a licensed health care professional prior to

administering any medication. Training should include indications for the medication, means of administration, dosage, adverse reactions, contraindications, and side effects.

- (3) The student's parent or guardian must complete the parent/guardian section of the Student Medication Form requesting that medication be administered to the student during regular school hours. Parents are responsible for updating the Student Medication Form as necessary.
- (4) The student's health care provider must complete the Health Care Provider section of the Student Medication Form indicating the child's name, the name of the medication, the purpose of the medication, the means of administration, the dosage, the time schedule for administration, the anticipated number of days the medication must be given at school, and possible side effects. The practitioner must also affirm that giving the medication during school hours is medically necessary.
- (5) A Student Medication Log must be maintained for any student who has medication administered at school, and all employees authorized to administer medication will be notified regarding each student to whom they are authorized to administer medication.
- (6) Each time medication is given, the person who gave it must document the administration in ink on the Student Medication Log. If the medication is not administered as scheduled, a notation must be made on the Student Medication Log as to why the medication was not given, and the student's parent or guardian must be notified.
- (7) The Student Medication Form and Student Medication Log will be retained in the student's records.
- (8) Teachers of the student receiving medication during school hours will be notified.
- (9) Medication (other than that carried by a student) must be delivered to the School by the student's parent or guardian or designated adult.
- (10) Medication should be delivered to the School in a container properly labeled by a pharmacy, manufacturer or health care provider. Labeling must include the student's name, the name of the prescribing practitioner, date the prescription was filled, name and phone number of the dispensing pharmacy, name of the medication, dose, frequency of administration, and the expiration date.
- (11) Medication must be stored in a secure, locked cabinet or container in a cool, dry place, except that:
 - a. medications that require refrigeration must be stored appropriately;

- b. insulin or emergency medications such as EpiPens, Twinject Auto-Injectors, asthma inhalers and glucagon must not be stored in a locked area so they are available when needed.
- (12) Authorization for administration of medication by School personnel may be withdrawn by the School following written or verbal notice to the student's parent or guardian, as long as this action does not conflict with federal laws such as IDEA and/or section 504 of the Rehabilitation Act. The Principal may withdraw authorization for administration of medication in cases of noncompliance or lack of cooperation by parents or students unless the student's right to receive medication at school is protected by laws such as IDEA or section 504.
- (13) To avoid needle punctures, school employees who administer injections to students will not recap needles prior to disposal. Needles will not be reused.

School personnel may also administer medication to students in emergency situations in accordance with the following:

Glucagon. Glucagon is an emergency diabetic medication used to raise blood sugar. The School will comply with the requirements of Utah Code Ann. § ~~53A-11-604~~53G-9-504 regarding the emergency administration of glucagon to a student in accordance with the statute if (1) the School receives a glucagon authorization request from the parent or guardian of a student; and (2) any School personnel who have been trained (as described in the statute) in the administration of glucagon are available to administer the glucagon. The School may not compel School personnel to become trained in the administration of glucagon nor may it obstruct School personnel from becoming trained in the administration of glucagon.

Epinephrine Auto-Injector. The School will comply with the requirements of Utah Code Ann. §§ ~~26-41-101~~26B-4-401, *et seq.*, regarding emergency injection for anaphylactic reactions, if any School personnel seek to become a "qualified adult" under that provision. The School will make an emergency epinephrine auto-injector available to a School employee who becomes a qualified adult. The School may not prohibit or dissuade School employees from receiving training to become a qualified adult, nor may it prohibit or dissuade School employees who become qualified adults from possessing or storing an epinephrine auto-injector on School property or administering an epinephrine auto-injector to any person in accordance with the statute.

Seizure Rescue Medication. The School will comply with the requirements of Utah Code Ann. § ~~53A-11-603~~53G-9-505 regarding the emergency administration of seizure rescue medications to a student. Accordingly, the School may administer seizure rescue medication to a student in accordance with the statute if (1) the School receives a seizure rescue authorization from the parent or guardian of the student; and (2) a School employee who has become a "trained school employee volunteer" as defined in the statute is available to administer the seizure rescue medication. The School may not compel a School employee to become a trained school employee volunteer nor may it obstruct a School employee from becoming a trained school employee volunteer if any School personnel seek to become a "qualified adult" under that provision.

Opiate Antagonist. Under Utah Code Ann. § 26~~B-4-509-55-104~~, School personnel, when acting in good faith, may administer an opiate antagonist to an individual whom the person believes to be experiencing an opiate-related drug overdose.

Stock Albuterol. The School will comply with the requirements of Utah Code Ann. §§ 26B-4-401, *et seq.*, regarding emergency administration of stock albuterol in response to an asthma emergency, in the event any School personnel seeks to become a “qualified adult” under that provision. The School may make stock albuterol available to a School employee who becomes a qualified adult. The School may not prohibit or dissuade School employees from receiving training to become a qualified adult, nor may it prohibit or dissuade School employees who become qualified adults from possessing or storing stock albuterol on School property or administering stock albuterol to any person in accordance with the statute.

Self-Administration of Medication by Students

- (1) Students may possess and self-administer asthma medication and/or diabetes medication if:

The student’s parent or guardian signs a statement:

- a. Authorizing the student to self-administer the medication; and
 - b. Acknowledging that the student is responsible for, and capable of, self-administering the medication; and
- (2) The student’s health care provider provides a written statement that:
 - a. It is medically appropriate for the student to self-administer the medication and be in possession of the medication; and
 - b. Provides the name of the medication prescribed for the student’s use.

The School will provide an acceptable form for parents to request that their student be allowed to possess and self-administer prescription medication.

Students are not prohibited from possessing one day’s dosage of a non-prescription medication where the student’s maturity level is such that he or she can reasonably be expected to properly administer the medication on his or her own.

Application of Sunscreen

Students may possess and self-apply sunscreen without a parent or physician’s authorization.

If a student cannot self-apply sunscreen, a school employee may apply the sunscreen on the student if the student’s parent or legal guardian has provided written consent.

Observations and Medical Recommendations by School Personnel

The Principal will ensure that appropriate School personnel receive training on the provisions of Utah Code Ann. § ~~53A-11-605~~ 53G-9-203, including but not limited to training regarding medical recommendations by School employees and rules related to School employees communicating information and observations about a student's health and/or welfare.

School employees who intentionally violate Utah Code Ann. § 53G-9-203 will be subject to discipline up to and including termination.

~~Ken Bradshaw~~ Steven Reeve – QA Board President

Date

QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Re-Approve Wellness Policy*

Issue:

The Board should re-approve the Wellness Policy.

Background:

At least once every three years the School is required to evaluate compliance with its Wellness Policy to assess the implementation of the policy and include:

- The extent to which the School is in compliance with the Wellness Policy;
- The extent to which the Wellness Policy compares to the Alliance for a Healthier Generation's Model Wellness Policy; and
- A description of the progress made in attaining the goals of the School's Wellness Policy.

The School's Director and the Wellness Committee recently conducted this assessment (known as the Triennial Progress Assessment) of the Wellness Policy. The results of the Triennial Progress Assessment did not produce any updates or modifications to the School's Wellness Policy. The School's Director and Wellness Committee recommend re-approving the School's Wellness Policy as-is.

Recommendation:

It is recommended that the Board re-approve the Wellness Policy.

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

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

Quest Academy
Triennial Progress Assessment Report
Assessment Date: April 20, 2023

Quest Academy is required, at least once every three years, to evaluate its compliance with its Wellness Policy and to assess its implementation of the policy. This is called the “Triennial Progress Assessment.” The School’s Wellness Committee conducts the triennial progress assessment under the direction of the School’s Principal or Designee. The results of the triennial progress assessment are included in this report, which must be shared with families of the School by posting it to the School’s website. The School must also notify its households/families of the availability of this report in its community council meetings.

Category 1: Extent to which Quest Academy is in compliance with its Wellness Policy

Compliance Score: 1 – Poor 2 – Good 3 – Great	Policy Section	Notes and/or plans for improvement
3	School Wellness Committee <ul style="list-style-type: none"> • Committee Role and Membership • Leadership 	Quest’s School Wellness Committee meets annually to establish goals and review the Wellness Policy. The Committee membership represents various school stakeholders.
3	Wellness Policy Implementation, Monitoring, Accountability and Community Engagement <ul style="list-style-type: none"> • Implementation Plan • Recordkeeping • Annual Notification of Policy • Triennial Progress Assessments • Revisions and Updating the Policy • Community Involvement, Outreach and Communications 	Quest’s Policy outlines practices in all these areas and follows those practices.
2	Nutrition <ul style="list-style-type: none"> • School Meals • Water • Competitive Foods and Beverages • Food Guidelines for Lessons and Celebrations • Nutrition Promotion 	Though the number of infractions are minimal, Quest families should be reminded that soda should not be brought to school by students.

	<ul style="list-style-type: none"> • Nutrition Education • Essential Topics in Health Education • Food and Beverages Marketing in the School 	
3	Physical Activity <ul style="list-style-type: none"> • Physical Education • Recess (Elementary) • Before and After School Activities 	Quest's Policy outlines practices in all these areas and follows those practices.
3	Other Activities that Promote Student Wellness <ul style="list-style-type: none"> • Community Health Promotion and Family Engagement • Staff Wellness and Health Promotion 	Annual Health Challenge; annual 5k

Category 2: Extent to which Quest Academy's Wellness Policy compares to the Alliance for a Healthier Generation's Model Wellness Policy

Compliance Score: 1 – Poor 2 – Good 3 – Great	Policy Section	Notes and/or plans for improvement
3	School Wellness Committee <ul style="list-style-type: none"> • Committee Role and Membership • Leadership 	Our Policy follows the guidelines and categories in the Alliance for a Healthier Generation's Model Policy.
3	Wellness Policy Implementation, Monitoring, Accountability and Community Engagement <ul style="list-style-type: none"> • Implementation Plan • Recordkeeping • Annual Notification of Policy • Triennial Progress Assessments • Revisions and Updating the Policy • Community Involvement, Outreach and Communications 	
3	Nutrition <ul style="list-style-type: none"> • School Meals • Staff Qualifications and Professional Development • Water • Competitive Foods and Beverages 	

	<ul style="list-style-type: none"> • Celebrations and Rewards • Fundraising • Nutrition Promotion • Nutrition Education • Essential Healthy Eating Topics in Health Education • Food and Beverage Marketing in Schools 	
3	Physical Activity <ul style="list-style-type: none"> • Physical Education • Essential Physical Activity Topics in Health Education • Recess (Elementary) • Classroom Physical Activity Breaks • Active Academics • Before and After School Activities • Active Transport 	
2	Other Activities that Promote Student Wellness <ul style="list-style-type: none"> • Community Partnerships • Community Health Promotion and Family Engagement • Staff Wellness and Health Promotion • Professional Learning 	The school could provide additional professional learning to help promote student wellness.

Category 3: Description of the progress made in attaining the goals of Quest Academy's Wellness Policy

Goals	Description of the progress made in attaining the goals of the Wellness policy
Students in the School have access to healthy foods throughout the school day, both through reimbursable school meals and other foods available throughout the School, in accordance with Federal and state nutrition standards.	This goal is met and will be maintained.
Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors.	Prentice Hall curriculum is used for nutrition and health instruction.
Students have opportunities to be physically active before, during and after school.	This goal is met and will be maintained.

The School engages in nutrition and physical activity promotion and other activities that promote student wellness.	In addition to nutritional and physical education, students participate in extra-curricular activities and sports.
School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school.	The school sponsors an annual 5k run and participates in health challenges. When staff members use their gym memberships three times a week, the school reimburses them for their monthly membership costs (up to \$25).
The community is engaged in supporting the work of the School in creating continuity between school and other settings for students and staff to practice lifelong healthy habits.	The community helps support, sponsor, and participate our annual 5k run. There is also a fun run for younger runners.
The School establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives	The Community Council, in partnership with the school's Nutritional Specialist, ensure the oversight and implementation of this policy and its established goals and objectives.

Quest Academy Wellness Policy



Preamble

Quest Academy (the “School”) is committed to the optimal development of every student. The School believes that for students to have the opportunity to achieve personal, academic, developmental and social success, it needs to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture’s (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks. Conversely, less-than-adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students. In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities do better academically. Finally, there is evidence that adequate hydration is associated with better cognitive performance.

This policy outlines the School’s approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- Students in the School have access to healthy foods throughout the school day—both through reimbursable school meals and other foods available throughout the school—in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school;
- The School engages in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- The community is engaged in supporting the work of the School in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The School establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

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This policy applies to all School students and staff. Specific measureable goals and outcomes are identified within each section below.

School Wellness Committee

Committee Role and Membership

The School will convene a wellness committee (the “Committee”) that meets at least once a year to establish goals for and oversee school health and safety policies and programs, including development, implementation and periodic review and update of this wellness policy (the “wellness policy”).

The Committee membership will represent all school levels and include, to the extent possible, but not be limited to stakeholders such as: parents and caregivers; representatives of the School nutrition program (e.g., School nutrition director); School administrators; School board members; and the general public. To the extent possible, the Committee will include representatives from each School campus building and reflect the diversity of the community.

Leadership

The Principal or designee(s) will convene the Committee and facilitate development of and updates to the wellness policy, and will ensure compliance with the policy.

The Principal will make available to the School community each Committee member’s name, contact information, and role on the Committee.

The Principal will designate a wellness policy coordinator who will ensure compliance with the policy.

Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

The School will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the School campus(es), food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. The Wellness Committee will periodically assess the implementation of the policy, create an action plan that helps ensure implementation of the policy based on the results of that assessment, and generate an annual progress report.

This wellness policy and the progress reports will be provided on the School’s website.

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Recordkeeping

The School will retain records to document compliance with the requirements of the wellness policy at the School's main office and/or on the School's central computer network. Documentation maintained in this location(s) will include but will not be limited to:

- The written wellness policy;
- Documentation demonstrating that the policy has been made available to the public;
- Documentation of efforts to review and update the wellness policy; including an indication of who is involved in the update and methods the School uses to make stakeholders aware of their ability to participate on the Committee;
- Documentation to demonstrate compliance with the annual public notification requirements;
- The most recent assessment on the implementation of the wellness policy; and
- Documentation demonstrating the most recent assessment on the implementation of the wellness policy has been made available to the public.

Annual Notification of Policy

The School will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The School will make this information available via the School website. The School will provide information about the school nutrition environment, such as minutes taken during Wellness Committee meetings. Annually, the School will also provide via the website of the name and contact information of the School personnel leading and coordinating the Committee, as well as information on how the public can get involved with the School wellness committee.

Triennial Progress Assessments

At least once every three years, the School will evaluate compliance with the wellness policy to assess the implementation of the policy and include:

- The extent to which the School is in compliance with the wellness policy;
- The extent to which the wellness policy compares to the Alliance for a Healthier Generation's model wellness policy; and
- A description of the progress made in attaining the goals of the School's wellness policy.

The Principal is responsible for managing the triennial assessment.

The Committee will monitor compliance with this wellness policy.

The School will notify households/families of the availability of the triennial progress report in community council meetings and by posting it on the school's website.

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Revisions and Updating the Policy

The Committee will update or modify the wellness policy based on the results of the implementation assessments and triennial assessments and/or as School priorities change; community needs change; wellness goals are met; new health science, information, and technology emerges; and new Federal or state guidance or standards are issued. **The wellness policy will be assessed and updated as indicated at least every three years, following the triennial assessment.**

Community Involvement, Outreach and Communications

The School is committed to being responsive to community input, which begins with awareness of the wellness policy. The School will actively communicate ways in which representatives of Committee and others can participate in the development, implementation and periodic review and update of the wellness policy through a variety of means, including email or displaying notices on the School's website, as well as discussing the policy during Community Council.

The School will actively notify the public about the content of or any updates to the wellness policy annually, at a minimum. The School will also use these mechanisms to inform the community about the availability of the annual and triennial reports.

Nutrition

School Meals

The School is committed to serving healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams *trans* fat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

The School participates in USDA child nutrition programs, including the National School Lunch Program (NSLP). The School is committed to offering school meals through the NSLP program that:

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The School offers reimbursable school meals that meet USDA nutrition standards (<https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>)).
- Promote healthy food and beverage choices

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Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day. The School will make drinking water available where school meals are served during mealtimes. Students will be allowed to bring and carry water bottles filled with only water with them throughout the school day.

Competitive Foods and Beverages

The School is committed to ensuring that all foods and beverages available to students on School property during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., “competitive” foods and beverages) during the school day, will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

These standards will apply in all locations and through all services where foods and beverages are sold during the school day, which may include, but are not limited to, a la carte options in cafeteria, vending machines, in-school fundraisers, School stores and snack or food carts. These standards do not apply in all locations and through all services where food and beverages are sold after the end of the school day.

Food Guidelines for Lessons and Celebrations

The purpose of these guidelines is to support the School’s wellness policy as it relates to food and beverages offered, but not sold on school property on the school day, specifically in the classroom. The Board wants to promote a healthy classroom environment for every student, with as few distractions as possible to the learning process. This will be supported in the following ways:

- a. Food will only be allowed in the classroom as part of a lesson plan and only at the approval of the Administration. (For example, a teacher may use an orange to teach fractions.)
 - ✓ Parents will be informed a week before any food to be consumed by students is used in a lesson.
 - ✓ The food activity will enhance the learning experience of the students and will be directly related to the unit of study.
- b. No soda will be provided or allowed to students at any time during school, including at lunch time.
- c. No birthday treats will be allowed to be brought in for distribution in class.
- d. Three class celebrations (Halloween, Winter & Valentines) will be allowed per year. These will include activities, games, and possibly treats (commercially prepared food).
 - ✓ The Administration, with each grade level team, will help plan guidelines for these class parties.

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- e. Food provided at after-school functions will be under the direction of the Board and the Administration.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout School buildings, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by School staff, teachers, parents, students and the community.

Nutrition Education

The primary purpose of nutritional education is to build knowledge and skills that will help children make healthy eating and physical activity choices now and throughout their lives. The School will seek to accomplish this by the following steps:

- Healthy eating habits will be taught and supported for students and staff by encouraging teachers, whenever possible, to use healthy nutrition facts in learning skills such as reading, writing and math.
- Food will not be allowed to be used as punishment or rewards; however, nutrition education will be provided and nutrition incentive program will be encouraged.
- Promote safety in and out of the home by partnering with local law enforcement and other public safety personnel.

Essential Topics in Health Education

Healthy eating and physical activity topics will be taught as outlined in Utah's health education common core curriculum (<http://www.uen.org/core/health/>).

Food and Beverage Marketing in the School

The School is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The School strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on School property that contains messages inconsistent with the health information the School is imparting through nutrition education and health promotion efforts. It is the intent of the School to protect and promote students' health by permitting advertising and marketing during the school day for only those foods and beverages that are permitted to be sold on the School campus(es) during the school day, consistent with the School's Wellness Policy.

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Any foods and beverages marketed or promoted to students on School property during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards. Marketing of non-compliant foods and beverages is not permitted during the school day but may be present and is permitted after the end of the school day.

Food and beverage marketing is defined as advertising and other promotions. Food and beverage marketing often includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name or trademark on School equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, the School will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the School.
- Advertisements in School publications or School mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

Physical Activity

The Board recognizes the importance of physical activity for student health and academic achievement. The Board encourages the director to implement programs to ensure that students engage in healthful levels of vigorous physical activity to promote and develop the student's physical, mental, emotional and social well-being. The following goals are some of the ways that the School hopes to achieve this:

- Provide a wide variety of physical activities and introduce students to many different sports and ways of getting physically active. This may be done through physical education, assemblies, after school activities and in the classroom.
- Provide daily recess for all elementary students for at least 20 minutes per day and 90- 120 minutes of fitness education per week, schedule permitting.
- Use a variety of subjects and innovative lesson plans to increase physical movement in the classroom.
- When activities such as mandatory testing or inclement weather make it necessary for students to stay indoors for long periods of time, students will be given periodic breaks during which they are encouraged to participate in some activity or movement.

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- Physical education activities should teach students cooperation and teamwork, good sportsmanship, positive self-image, and personal achievement.
- Appropriate alternative activities should be provided for students with physical disabilities.
- Exemptions from physical activities should be provided where appropriate for ill or injured students.
- Parent volunteers will be encouraged to form after-school sports teams or clubs for students.

Physical Education

The School will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate essential health education concepts (discussed in the “*Essential Physical Activity Topics in Health Education*” subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The School will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

Elementary students will receive physical education for at least 60-89 minutes per week throughout the school year.

Secondary students are required to take the equivalent of one academic year of physical education.

Recess (Elementary)

The School’s elementary campus(es) will offer at least **20 minutes of recess** on all days during the school year. If recess is offered before lunch, the campus(es) will have appropriate hand-washing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather is feasible for outdoor play. In the event that the School must conduct **indoor recess**, teachers and staff will follow the indoor recess guidelines established by the administration that promote physical activity for students, to the extent practicable.

Recess will complement, not substitute, physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible.

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Before and After School Activities

The School offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The School will encourage students to be physically active before and after school.

Other Activities that Promote Student Wellness

Community Health Promotion and Family Engagement

Families will be informed and invited to participate in School-sponsored activities related to health promotion efforts. The School will use electronic mechanisms (e.g., email or displaying notices on the School's website), as well as non-electronic mechanisms, (e.g., newsletters, presentations to parents or sending information home to parents), to ensure that all families are actively notified of opportunities and invited to participate in School-sponsored activities (such as the annual 5K).

Staff Wellness and Health Promotion

The Committee will have staff members who focus on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

The School will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The School promotes staff member participation in health promotion programs and will support programs for staff members on healthy eating/weight management that are accessible and free or low-cost.

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QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Mental Health Screening Program Determination*

Issue:

Determining whether the school will implement a USBE-approved mental health screening program at the school during the 2023-2024 school year.

Background:

H.B. 403 – a bill passed during Utah's 2023 legislative session – requires each LEA governing board to make a determination by July 1, 2023 as to whether the LEA will participate or not participate in administering a USBE-approved mental health screening program during the 2023-2024 school year.

LEAs are not required to implement a mental health screening program, but if an LEA elects to do so, it must follow a variety of rules and requirements, including training, notification, and consent requirements. LEAs may change their determination from year to year as to whether they will participate or not participate in mental health screenings, and each year LEAs must report to the USBE whether they are maintaining or changing their mental health screening participation status from the previous year. The USBE has provided a link to a Qualtrics Survey whereby LEAs can report their determination.

Included with this cover sheet is a Mental Health Screening Guidebook containing helpful information about mental health screenings for students, including what mental health screenings are and are not, benefits and costs of administering mental health screenings, and different methods of mental health screenings schools can use. The Guidebook also includes a sample Implementation Plan for those LEAs who choose to administer mental health screenings as well information for parents. The Guidebook further contains a number of hyperlinks to resources about mental health screenings.

Recommendation:

It is recommended that Quest Academy not administer a mental health screening program during the 2023-2024 school year.

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School-Based Mental Health Screening Guidebook:

Implementation Plan

This document serves as an outline for Local Education Agencies (LEAs) to fill in their implementation plan for school-based mental health screening.

Outline your plan in preparation of roll out:

- ▶ Start small, as a pilot
 - Such as: one grade level in one school at a time
- ▶ Consider rolling out your plan in phases, gradually scaling up as your resources and capacity allow
- ▶ Include the WHO, WHAT, WHEN, WHERE, WHY
- ▶ Consider forming a stakeholder group to inform your decision making:
 - Parents, students, teachers, administrators, mental health professionals in the school and/or the community.
- ▶ Think through your community partnerships to support this work and invite them into this process. Remember, you don't have to do this alone!

Questions to answer as part of your plan:

What tool(s) are you going to use? [USB E Approved Tools](#)

What conditions are you going to screen for? [USB E Approved Conditions](#)

Who is going to administer and score the screening tool(s)?

*Same day review of results is necessary to ensure safety for those who indicate a high risk.
Administering and scoring can be done by different people or the same people.*

What is your plan for triaging?

What services will be provided in the school?

What community partnerships do you have in place for referrals?

How will parent consent be obtained?

How will you advertise screening to parents?

How will results be shared with students and parents?

Who will collect the required data?

Resource:

- [School Mental Health Quality Guide: Screening](#)
- [SHAPE District Assessment \(Page 11\)](#)

If you have questions or need additional clarification please reach out to:

Michelle Knight

SBMH Program Manager

Michelle.knight@schools.utah.gov



School-Based Mental Health Screening Guidebook:

Parent Information

The purpose of this document is to be a sample flier for LEAs to provide to parents about screenings.

What is mental health screening?

Screening is a process for evaluating the possible presence of a particular problem. Mental health screening may only happen after the students' parents opt into a mental health screening program or event, giving active consent.

Screening is not an assessment or a diagnosis.

What is consent?

Parental consent must be obtained within 8 weeks prior to administering the mental health screener. A separate consent form is required for each screening and cannot be combined with other consent forms. Parental consent must be obtained regardless of the age of the student.

What's the process?

(This process should summarize your implementation plan.)

Are you diagnosing my child?

No. Screening is the process by which the presence of a particular problem is identified. Further assessment would need to be completed in order for a diagnosis to be provided.

Will I receive the results of my child's screening?

Yes, schools are required to provide the results of the screening if a potential mental health condition is indicated. Results and resources will be provided to the student and parent including any services that can be provided by the school mental health provider or by a partnering entity.

What do the results of the screening mean?

The results may indicate the possible presence of a concern and will help you to determine if your student may benefit from a full assessment.

Do I need to pay for this?

Screening is free for students.

Other questions?

Resource:

- [School Mental Health Quality Guide: Screening SHAPE District Assessment \(Page 11\)](#)



School-Based Mental Health Screening Guidebook:

Methods of Screening

The purpose of this document is to help LEAs determine the method of screening that best fits their needs and resources.

1. **Grade level/Classroom:** Announced, advertised, offered to a smaller selection of students based on other data such as school discipline data, SHARP data, administrator/teacher buy in, parent buy in, etc.

A. Considerations

- ▶ This will require time taken out of the school day (BUT NOT ALOT!)
- ▶ Screening could take place on multiple days as needed or on one day.
 - If all in one day, where will students go whose parents didn't give consent?
- ▶ Consent will have to be received prior to the date of the screening.
- ▶ Teachers may need to administer the survey and SBMH professional reviews results and responds
 - Reviewing results needs to happen same day to ensure students needs are triaged and addressed immediately
 - Note: students at imminent risk of harming themselves or others should receive immediate follow-up within 24 hours
- ▶ Parents will need to be contacted separately regarding the results of the screening

2. **Screening events:** announced, advertised, offered to the entire student population (at the district/LEA level, school level, multiple schools at once, etc). Held on specific dates and times throughout the school year. Parents may sign up to attend or just show up. Parents accompany the child so consent can be signed at the event.

B. Considerations:

- ▶ Could result in data being skewed. It's possible that certain populations may not engage for a variety of reasons
 - Language barriers
 - Unsure of the process

- Misperceptions of what a screening is and its purpose
- ▶ Parents and their students can complete the screener virtually and then come to the school to review/discuss their results
 - If they don't show up, who will follow up with them about their results?
- ▶ Parents and their students can come to the event, complete the screener, then review their results with a professional
- ▶ Event must be staffed by appropriate personnel which could be an added cost (stipends, additional contracted time, etc)
 - Grant funding is available to support these costs.

Resource:

- [School Mental Health Quality Guide: Screening SHAPE District Assessment \(Page 11\)](#)



School-Based Mental Health Screening Guidebook:

Talking Points for Boards

The purpose of this document is for LEAs to have talking points to present to their Board in regards to screening.

Screening is a process for evaluating the possible presence of a particular problem. The intent of mental health screening is to determine the possible presence of a mental health concern and to determine if the student may benefit from a full assessment. Mental health screening may only happen after the students' parents opt into a mental health screening program or event, giving active consent.

Screening is not an assessment or a diagnosis.

Benefits of screening

- ▶ Support a Multi-tiered System of Supports (MTSS)
- ▶ Inform Prevention and Early Intervention Strategies
- ▶ Identify concerns specific to certain grades or classrooms
- ▶ Identify students with highest well-being
- ▶ Identify students at risk for a mental illness or harm to self or others
- ▶ Make economically sound decisions
- ▶ Improve Access to Mental Health Supports

See the [School Mental Health Quality Guide: Screening](#) for more details

Costs of screening

Grant funding is available to support screening implementation and for “qualifying parents”.

- Most screening tools are available for free, but some require purchasing.
- Stipends for school staff to support screening events may be required if offered outside contract time
- Additional funds for contracted services may be required

Liability of conducting screening

[53F-2-522](#)

“A school employee trained in accordance with rules made by the state board under [Subsection \(3\)\(a\)\(iii\)](#), who administers an approved mental health screening in accordance with this section in good faith, is not liable in a civil action for an act taken or not taken under this section.”

Connecting it to Child Find

- ▶ Mental health screenings are one way to identify students with a possible presence of a disability, which is our responsibility. It supports our Child Find efforts but isn't the only way.
- ▶ In accordance with the requirements of Part B of the IDEA and the USBE Special Education Rules, each LEA implementing a mental health screener must have policies and procedures in place to ensure that any student suspected of having a disability, and who may need special education and related services, is identified, located, and evaluated consistent with the LEA's Child Find system.

Resource:

- [School Mental Health Quality Guide: Screening SHAPE District Assessment \(Page 11\)](#)

QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *2023-2024 Sex Ed Instruction Committee Membership*

Issue:

According to the current Sex Education Instruction administrative procedures, the School's Board of Directors will review and approve the membership of the committee on or before August 1 each year.

Background:

According to the administrative procedures, the Principal will establish a curriculum materials review committee composed of parents, school employees, and others selected by the Principal. If possible, the committee will also include health professionals and school health educators. The committee will have at least as many parents as school employees.

The sex education instruction committee for the 2023-2024 school year will consist of the following positions:

- (2) Administrators
- (1) Health Teacher
- (5) Community Council Members
- (1) Health Professional

Recommendation:

It is recommended that the board approve the 2023-2024 Sex Education Instruction Committee Membership with the following positions: (2) Administrators, (1) Health Teacher, (4) Community Council Members, and (1) Health Professional.

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

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

QA Board of Director's Meeting Tuesday, June 13, 2023

Action Item: *Ratify Board Members and their Terms*

Issue:

The Board must ratify all members and their terms annually.

Background:

Each year at the Annual Board Meeting, the board must ratify all members and their terms. This year Steve Reeve is up for a new 4-year term to expire in June 2027. The board must approve his new term. Below are the board members and their terms.

- Steve Reeve – *NEW* 4-year term to expire June 2027
- Michele Kersey Smith – June 2026
- Brittany Hale – June 2025
- Shawn Miehke – June 2024
- Brett Greenwell – June 2024

Recommendation:

It is recommended that the Board approve Steve Reeve for a new 4-year term to expire June 2027 and ratify Michele Kersey Smith with a term to expire June 2026, Brittney Hale with a term to expire June 2025, Shawn Miehke with a term to expire June 2024, and Brett Greenwell with a term to expire 2024.

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Quest Academy Board Member Agreement

Individual Board Member Responsibilities & Expectations



General Responsibilities

Each trustee is responsible for actively participating in the work of the Board and the life of the school. Each Board Member is expected to affirm and strive to fulfill the performance expectations outlined below. In addition to the responsibilities below, individual trustees are expected to help each other fulfill the tasks outlined in the collective Job Description of the Board Members.

Specific Responsibilities

1. Believe in and be an active advocate and ambassador for the values, mission, and vision of Quest Academy.
2. Work with fellow Board Members to fulfill the obligations of Board membership.
3. Behave in ways that clearly contribute to the effective operations of the Board:
 - Focus on the good of the organization and group, not on a personal agenda.
 - Support Board decisions once they are made.
 - Speak as one voice, the Board.
 - Participate in an honest appraisal of one's own performance and that of the Board.
 - Build awareness of and vigilance towards governance matters rather than management.
4. Regularly attend Board and committee meetings. Prepare for these meetings by reviewing materials and bringing the materials to meetings. If unable to attend, notify the Board or committee chair with as much notice as possible.
5. Be prepared to contribute approximately 8-10 hours per month toward Board service, which includes:
 - Attending a monthly Board Meeting (approximately 2 hours)
 - Attending additional Board Meetings as necessary
 - Participating on a Board committee (approximately 2 hours)
 - Reading materials, preparing for meetings (approximately 1 hour)
 - Attending events at the school, assisting with fundraising and other ambassador tasks as needed (approximately 1-2 hours)
6. Keep informed about the school and its issues by reviewing materials, participating in discussions, and asking strategic questions.
7. Use personal and professional contacts and expertise for the benefit of the school.
8. Serve as a committee or task force chair or member and complete tasks assigned timely.
9. Inform the Board of any potential conflicts of interest, whether real or perceived, and abide by the decision of the Board related to the situation.
10. Observe and keep confidentiality when needed.

By signing this agreement, I affirm that I will strive to fulfill the Board responsibilities and expectations as stated above and will voluntarily resign my position if unable to fulfill these expectations.

QA Board Member Signature

Date

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Policies, Procedures, Plans (“PPP”) Required To Be Reviewed and/or Approved

PPP Required by Law to be Reviewed	Frequency	Date Last Reviewed	Reviewer
Attendance/Truancy and Attendance Data	Annually	06/14/22	Board
Bullying and Hazing	Annually	10/11/22	Board
Cash Handling	Annually		LEA
Donation and/or Fundraising	Annually	06/14/22	Board
Electronic Resources or Devices	Once every three years		LEA
Emergency Response/Preparedness Plan	Once every three years		Emerg. Committee
Fee Waiver	Annually	02/09/23	Board
Financial Reporting	Annually		LEA
Language Access	Annually		LEA
Parent and Family Engagement, Compact, Plan	Annually		LEA
Procurement	Annually		LEA
Purchasing and Disbursement	Annually		LEA
Sex Education Instruction	Every two years	06/14/22	Board
Wellness	At least once a year		Wellness Committee

PPP Required by PPP only to be Reviewed	Frequency	Date Last Reviewed	Reviewer
Information Technology Security Policy & Plan	Periodically		IT Security Manager
Meal Charge/Alternate Meal Policy/Proc4	Annually		LEA
Student Conduct and Discipline Policy & Plan Out of School Suspension and Expulsion Data	Annually	06/14/22	Board

PPP Required by Law to be Re-Approved	Frequency	Date Last Reviewed	Reviewer
Electronic Resources or Devices	Once every three years	06/17/22	Board
Fee Waiver	Annually	02/09/23	Board
Parent and Family Engagement	Every two years	06/14/22	Board
Wellness	Once every three years	06/09/20	Board

Other Required Trainings	Frequency	Date Last Reviewed	Reviewer
Arrest Reporting Policy	Annually	06/14/22	Board
School LAND Trust Board Training	Annually	March 2023	Board
Open and Public Meetings Act	Annually	06/14/22	Board
Fraud Risk Assessment/Ethical Behavior	Annually	06/14/22	Board
Fraud Risk Online Training	Every (4) Years	2020	Board

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Quest Academy Attendance Policy



POLICY

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

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

The School intends for this policy to be consistent with the provisions of Utah’s compulsory education laws, Utah Code Ann. §§ 53G-6-201 through 53G-6-208, as well as Utah Administrative Code Rule R277-607.

The Principal will establish attendance procedures consistent with this policy and applicable law and will ensure that the policy and procedures are distributed to parents.

Review

The School’s Board of Directors shall review this policy annually. The Board shall also annually review attendance data and consider revisions to this policy to encourage student attendance.

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QUEST ACADEMY

INNOVATION • PASSION • MASTERY

Attendance Administrative Procedures

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

Definitions

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

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

- a) an illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
- b) a death of a family member or close friend;
- c) scheduled family event or a scheduled proactive visit to a health care provider in accordance with Section 53G-6-803(5);
- d) a family emergency;
- e) an approved school activity;
- f) a preapproved extended absence for a family activity or travel, consistent with school policy; or
- g) an absence permitted by an individualized education program or Section accommodation plan, developed pursuant to relevant law.

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

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

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

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

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

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

"Truant" means a condition by which a school-age child, without a valid excuse, is absent for (a) at least half of the school day; or (b) if the school-age child is enrolled in a learner

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verified program, as that term is defined by the State Board of Education, the relevant amount of time under the School's Learner Validated Program Policy. A school-age child may not be considered truant under this policy more than one time during one day.

Attendance Requirements: Students are allowed a maximum of ten (10) unexcused absences per year.

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

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

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

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

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

Tardiness: A student is tardy if he or she is not in the assigned classroom when the late bell rings. In general, tardiness will be handled on an individual basis with the teacher. If a student is chronically tardy, then the student may be referred to the administration. Elementary students are allowed five (5) tardies per quarter. Middle school students are allowed three (3) tardies per class each quarter.

Notification of Absences and Tardies: In the event a student is absent, parents/guardians will be notified by phone on the day of the absence. Parents and students are responsible for tracking the total number of absences and tardies. Parents will be notified when their student reaches the 4th unexcused absence of the year. Parents of elementary students will be notified when their child is tardy for the 4th time during a given quarter. Parents of Middle School students will be notified if their child is tardy for the 2nd time in a class for the given quarter. If the maximum limit for unexcused absences or tardiness is reached, the principal will attempt to schedule a meeting with the parents to review the situation and will outline the appropriate corrective action.

Grounds for an Appeal: Students who believe that all or part of their absences and/or tardies should be considered excused may provide a written request to the administrator to review their case.

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Notice of Compulsory Education Violation

The School may issue a "notice of compulsory education violation" to a parent/guardian of a school-age child who is in grades 1 through 6 if the student is truant at least five (5) times during the school year.

This notice shall:

1. Direct the parent/guardian to meet with School authorities to discuss the student's attendance problem and cooperate with the principal and Board to secure regular attendance by the student;
2. Designate the School authorities with whom the parent is required to meet;
3. State that it is a class B misdemeanor for the student's parent or guardian to intentionally or without good cause fail to meet with the designated school authorities to discuss the student's attendance problems, or fail to prevent the student from being truant an additional five (5) more times during the remainder of the school year; and
4. Be served on the parent/guardian by personal service or certified mail.

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

Truancy Intervention Program

The School's Truancy Intervention Program is established to encourage good attendance and to facilitate the processing of chronically truant students through evidence-based alternative interventions or the juvenile court. Those efforts will include documented earnest and persistent efforts to resolve a student's attendance problems as follows:

- Annual notification of the School's attendance policies will be provided to the parents of all students at the time of registration.
- When a student's attendance is negatively affecting the student's learning, the classroom teacher will notify the student and/or the student's parent(s) of the concern. The teacher will set up a conference with the student and/or the student's parent(s) to identify and resolve any problems that prevent the student from attending school. The student's progress will be monitored.
- If meeting with the student and parent(s) does not adequately address the problems and the student's learning continues to suffer, then the school counselor or principal will work with the teacher and parent(s) in finding a solution to the problems that are preventing the student from attending to his/her learning. Efforts to resolve the problems may include, but are not limited to, the following: making adjustments to the curriculum or the schedule, counseling of the student by school authorities, considering alternatives proposed by the parent, or providing the parent with a list of community resources to help the family.

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- The principal may consult with a parent/guardian to determine if mitigating circumstances such as medical or psychological problems indicate the use of intervention methods for resolving the attendance problems.
- In the event that the preceding interventions fail, a certified letter will be sent to the parent(s) requesting a formal meeting with the administrator to resolve the attendance problems. A copy of the letter and mailing certificates will be kept by the School.
- The principal will notify the student and a parent/guardian of the actions the School may take should the student be truant in the future.

Notice of Truancy

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

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

A notice of truancy will:

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

A notice of truancy will be served on the parent/guardian by personal service or regular mail. The parent/guardian will have the right to appeal a notice of truancy in writing to the Principal within ten (10) days of being issued.

Referrals for Habitual Truancy

In accordance with Utah Code § 53G-8-211(4), the School shall refer a school-age child for prevention and early intervention youth services, as described in Section 62A-7-104, by the Division of Juvenile Justice Services for being a habitual truant if the school-age child refuses to participate in an evidence-based alternative intervention described in Utah Code § 53G-8-211(3)(b), including:

- a mobile crisis outreach team;
- a youth services center operated by the Division of Juvenile Justice Services;
- a youth court or comparable restorative justice program; or
- other evidence-based interventions created and developed by the School or other governmental entities as set forth in Subsection 53G-8-211(3)(b)(v).

The School may refer a school-age child who is a habitual truant to juvenile court or a law enforcement officer or agency if the student refuses to participate in an evidence-based alternative

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intervention described in Subsection 53G-8-211(3)(b) and fails to participate in prevention and early intervention youth services provided by the Division of Juvenile Justice Services as provided above.

A referral to juvenile court or a law enforcement officer or agency will include:

1. Attendance records for the student;
2. A report of evidence-based alternative interventions used by the School before the referral, including outcomes.
3. The name and contact information of the School representative assigned to actively participate in the court process with the student and the student's family;
4. a report from the Division of Juvenile Justice Services that demonstrates the minor's failure to complete or participate in prevention and early intervention youth services as set forth in Utah Code § 53G-8-211(4); and
5. Any other information that the School considers relevant.

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Date: 6/4/2023

School Attendance by Grade Level

Quest LEA Administration

From: 8/17/2022 To: 6/4/2023

School	Grade Level	Attendance Percentage	Absent Percentage	Tardy Percentage
Quest Academy	Kindergarten	90.92%	9.08%	
	E : Excused	0.00%	2.07%	
	K : Sick	0.00%	2.96%	
	T : Tardy	1.35%		1.35%
	V : Vacation	0.00%	0.75%	
	X : Absent	0.00%	3.29%	
	Z : Suspended	0.00%	0.02%	
	Grade 1	90.75%	9.25%	
	E : Excused	0.00%	2.27%	
	K : Sick	0.00%	3.38%	
	T : Tardy	2.67%		2.67%
	V : Vacation	0.00%	0.98%	
	X : Absent	0.00%	2.55%	
	Z : Suspended	0.00%	0.08%	
	Grade 2	91.96%	8.04%	
	E : Excused	0.00%	1.67%	
	K : Sick	0.00%	2.24%	
	T : Tardy	3.29%		3.29%
	V : Vacation	0.00%	0.95%	
	X : Absent	0.00%	3.18%	
	Z : Suspended	0.00%	0.01%	
	Grade 3	91.24%	8.76%	
	E : Excused	0.00%	2.00%	
	K : Sick	0.00%	2.58%	
	T : Tardy	4.27%		4.27%
	V : Vacation	0.00%	0.69%	
	X : Absent	0.00%	3.45%	
	Z : Suspended	0.00%	0.04%	
	Grade 4	91.43%	8.57%	
	E : Excused	0.00%	1.23%	
	K : Sick	0.00%	2.31%	
	T : Tardy	2.79%		2.79%
	V : Vacation	0.00%	1.35%	
	X : Absent	0.00%	3.66%	
	Z : Suspended	0.00%	0.03%	
	Grade 5	91.63%	8.37%	
	E : Excused	0.00%	1.60%	
	K : Sick	0.00%	2.22%	
	T : Tardy	4.24%		4.24%
	V : Vacation	0.00%	0.65%	
	X : Absent	0.00%	3.82%	
	Z : Suspended	0.00%	0.09%	

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School Attendance by Grade Level

Quest LEA Administration

From: 8/17/2022 To: 6/4/2023

Date: 6/4/2023

School	Grade Level	Attendance Percentage	Absent Percentage	Tardy Percentage
Quest Academy	Grade 6	90.02%	9.98%	
	E : Excused	0.00%	2.62%	
	K : Sick	0.00%	2.55%	
	S : Stuff	0.00%	0.01%	
	T : Tardy	1.92%		1.92%
	V : Vacation	0.00%	0.60%	
	X : Absent	0.00%	3.93%	
	Z : Suspended	0.00%	0.27%	
	Grade 7	90.25%	9.75%	
	E : Excused	0.00%	2.99%	
	K : Sick	0.00%	2.21%	
	S : Stuff	0.00%	0.01%	
	T : Tardy	1.73%		1.73%
	V : Vacation	0.00%	0.67%	
	X : Absent	0.00%	3.79%	
	Z : Suspended	0.00%	0.09%	
	Grade 8	88.82%	11.18%	
	E : Excused	0.00%	3.18%	
	K : Sick	0.00%	2.33%	
	S : Stuff	0.00%	0.03%	
	T : Tardy	2.21%		2.21%
	V : Vacation	0.00%	0.56%	
	X : Absent	0.00%	4.92%	
	Z : Suspended	0.00%	0.15%	
	Grade 9	87.41%	12.59%	
	E : Excused	0.00%	3.34%	
	K : Sick	0.00%	2.31%	
	S : Stuff	0.00%	0.02%	
	T : Tardy	2.16%		2.16%
	V : Vacation	0.00%	0.49%	
	X : Absent	0.00%	6.00%	
	Z : Suspended	0.00%	0.43%	
School Totals		89.66%	10.34%	

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Quest Academy Bullying & Hazing Policy



PURPOSE

The purpose of this policy is to prohibit bullying, cyber-bullying, hazing, retaliation, and abusive conduct involving Quest 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

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.

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,

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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.

Bullying – For purposes of this policy, "bullying" means a School employee or student intentionally committing a written, verbal, or physical act against a School employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:

- (1) causing physical or emotional harm to the School employee or student;
- (2) causing damage to the School employee's or student's property;
- (3) placing the School employee or student in reasonable fear of:
 - (a) harm to the School employee's or student's physical or emotional well-being; or
 - (b) damage to the School employee's or student's property;
- (4) creating a hostile, threatening, humiliating, or abusive educational environment due to:
 - (a) the pervasiveness, persistence, or severity of the actions; or
 - (b) a power differential between the bully and the target; or
- (5) substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

This conduct constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct. In addition, bullying is commonly understood as aggressive behavior that is intended to cause distress and harm; exists in a relationship in which there is an imbalance of power and strength; and is repeated over time.

Civil Rights Violations – For purposes of this policy, “civil rights violations” means bullying, cyber-bullying, harassment, abusive conduct, or hazing that is targeted at a federally protected class.

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

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individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.

Federally protected class – For purposes of this policy, “federally protected class” means any group protected from discrimination under federal law, such as:

- (1) Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin.
- (2) Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex.
- (3) Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, which prohibit discrimination on the basis of disability.
- (4) Other areas included under these acts which include religion, gender, and sexual orientation.

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.

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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).

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

Reporting and Investigation

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

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

Each report of prohibited conduct shall include:

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

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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 Principal 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 victims of prohibited conduct and his or her parents or guardians in reporting subsequent problems and new incidents.

The Principal 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 Principal may report to OCR all acts 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.

Parental Notification

The Principal or his/her designee will timely notify a student's parent or guardian (1) if the student threatens to commit suicide or (2) of any incidence of bullying, cyber-bullying, hazing, abusive conduct, or retaliation involving the student (including if the student is involved as the alleged perpetrator or victim). The Principal or his/her designee will attempt to contact the parent or guardian by telephone to provide this notification and to discuss the matter. If the parent or guardian is not available by telephone, the Principal or his/her designee will provide the parent or guardian the required notification by email.

The Principal or his/her designee will produce and maintain a record that verifies that the parent or guardian was notified. If an in-person meeting takes place, the Principal 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 Principal 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 Principal or his/her designee will retain a copy of the email. The School will retain the record as long as the student is enrolled at the School and destroy the record after that time. The School will maintain the confidentiality of the record in accordance with Utah Code § 53G-9-604.

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Action Plan to Address Reported Incidents of Bullying, Cyber-Bullying, Hazing, Retaliation, and Abusive Conduct

The School will investigate all allegations of incidents of bullying, cyber-bullying, hazing, retaliation, and abusive conduct in accordance with this policy and applicable law. The Principal or his/her designee will investigate allegations of these incidents and will have adequate training to conduct such an investigation. The Principal 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 all allegations of these incidents by interviewing

- (1) the alleged victim;
- (2) the individual who is alleged to have engaged in the prohibited conduct;
- (3) the parents or guardians of the alleged victim and the individual who is alleged to have engaged in prohibited conduct;
- (4) any witnesses;
- (5) School staff familiar with the alleged victim;
- (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 allegation of an 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 will report incidents of bullying, cyber-bullying, hazing, retaliation, and abusive conduct to law enforcement when the administrator reasonably determines that the alleged incident may have violated criminal law.

Following the investigation of a confirmed allegation of an incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct, the School may, if the administrator determines it is appropriate, take positive restorative justice practice action and support involved students through

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trauma-informed practices. However, an alleged targeted individual 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.

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

- (1) inform parents/guardians when an investigation is concluded;
- (2) inform parents/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; 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.

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).

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 incident to the Principal orally or in writing. If the School employee is not satisfied with the Principal's 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.

Additional Provisions

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The Principal 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 did occur as a result of the student-victim'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 Principal will take reasonable steps to ensure that any victim of 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 incidents will be protected from retaliation.

If the Principal believes that any victim or perpetrator of conduct prohibited by this policy would benefit from counseling, the Principal may refer such individuals for counseling.

If the Principal believes that it would be in the best interests of the individuals involved, the Principal may involve the parents or guardians of a perpetrator or victim of 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 Principal or his/her designee will solicit student assessments of the prevalence of bullying, cyber-bullying, and hazing in the School, specifically locations where students are unsafe and additional adult supervision may be required, such as playgrounds, hallways, and lunch areas.

Training

The Principal 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:

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- (1) bullying, cyber-bullying, hazing, abusive conduct, and retaliation;
- (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 the students' or employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation, or other physical or mental attributes or conformance or failure to conform with stereotypes; and
- (5) the right of free speech and how it differs for students, employees, and parents or guardians.

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 Principal.

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.

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Distribution of Policy and Signed Acknowledgement

The Principal 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.

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Quest Academy Donations & Fundraising Policy

Although Quest Academy (the “School”) rarely engages directly in fundraising, it may do so on certain occasions to help advance the School’s mission. The School encourages the contributions of gracious donors who have the resources and the inclination to make donations for the benefit of the School and its students. This policy establishes guidelines and standards for the School’s acceptance of donations and gifts as well as for when the School engages in or sponsors fundraising activities.

Donations and Gifts

If restrictions are imposed on a donation, the School may not transfer or expend donated property in a manner contrary to donor restrictions imposed. The Director is responsible for ensuring that donor restrictions of accepted donations are honored and compliance can be verified. The Director will ensure that charitable donation receipts are provided to donors as necessary.

The Director must approve donations from private individuals or organizations in excess of \$1,000, and any donation involving donor restrictions, prior to accepting the donation. The Board of Directors must approve any donations from private individuals or organizations in excess of \$10,000. The School may not accept donations containing any conditions the donation be used to provide direct benefit to specific School employees, students, vendors, or name brand goods or services.

If advertising or other services are offered to a donor in exchange for a donation or gift to the School, the Director or the Board of Directors, as applicable, will objectively value the donation or gift in order to ensure the School receives fair market value. The School may utilize independent third parties to assist in establishing fair market value.

The Director must ensure that any applicable fiscal policies of the School are complied with in connection with donations. The School will comply with other applicable laws and regulations, including but not limited to procurement requirements, rules related to construction of improvements, IRS regulations, and Title IX requirements.

Fundraising

Fundraising is defined as an organized effort to solicit individuals, businesses or foundations for money or in-kind gifts to be given directly to the School.

For the purposes of this policy, “school sponsored” means activities that are expressly authorized by the School’s Director or Board of Directors that support the School or authorized curricular clubs, activities, sports, classes, or programs that are themselves school sponsored. School-

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sponsored activities must be managed or supervised by School employees. Activities sponsored by the School's parent organization are not school-sponsored activities, but the parent organization may be involved in and provided assistance in connection with school-sponsored activities.

The following guidelines must be followed in connection with School fundraising:

1. The fundraising activity must be undertaken with the intent of obtaining a benefit consistent with the School's mission.
2. The fundraising activity must not violate the School's charter, Board policies, or applicable law.
3. Proposals for fundraising activities must be submitted to the School's Director for approval.
4. The Director may restrict the time, place, and manner of any approved fundraising activity.
5. Fundraising activities should be planned and scheduled in a manner that does not create conflict, confusion, or excessive fundraising pressures on students, families or potential donors.
6. Fundraising activities that may expose the School to risk of financial loss or liability if the activity is unsuccessful will not be undertaken without Board of Directors approval.
7. The participation of School employees, students and parents in any fundraising activity must be voluntary. However, School employees may be assigned to supervise students in connection with School-sponsored fundraising activities in connection with their employment. Such employees may be compensated for such work as appropriate as determined by the Director or as required by law.
8. Students may not be required to participate in a fundraising activity as a condition for belonging to a team, club or group, and a student's fundraising efforts may not affect his or her participation time or standing in any team, club or group.
9. Competitive enticements for student participation in fundraising efforts are discouraged, and any such rewards or prizes must be approved by the Director.
10. The Director will ensure the School's Fee Waiver Policy is complied with for all School-sponsored fundraising activities that involve fees. Any fee waivers must be granted in accordance with the Fee Waiver Policy.
11. All funds raised through school-sponsored fundraising activities are public funds and will be handled accordingly. The Director will ensure that all other applicable fiscal policies are complied with in connection with fundraising activities.
12. Any fundraising activities related to the School but not school sponsored, such as fundraising activities of the parent organization, should clearly inform School patrons that the activity is not school sponsored. School employees may participate in such activities as volunteers but must not represent that they are acting as employees or representatives of the School.
13. The Director will ensure charitable donation receipts are provided as necessary.
14. The School's employer identification number and sales tax exemption number may only be used by School personnel in connection with school-sponsored activities. No other entity, including the School's parent organization, may use these numbers.

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15. Any School employee involved in managing or overseeing non-School-sponsored fundraising must disclose to the Director any financial or controlling interest in or access to bank accounts of the fundraising organization or company.
16. The School may cooperate with outside entities such as the parent organization in connection with non-school-sponsored fundraising activities. The School may allow these groups to use School facilities at little or no charge. At the Director's discretion, the School may provide some level of support or pay for portions of these activities. The details of the arrangements for non-school-sponsored fundraising activities shall be understood and agreed to by the Director and the representatives of the outside entity. This must take into consideration the School's fiduciary responsibility for the management and use of public funds and assets.
17. The School is committed to principles of gender equity and compliance with Title IX guidance. The School commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles. The School reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. Fundraising opportunities should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.

The Director will ensure that School employees receive appropriate training in connection with these policies. Training shall be provided at least annually to employees whose job duties are affected by the School's fiscal policies.

The Board will review this policy at least bi-annually.

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Quest Academy Student Conduct & Discipline Policy



Definitions:

The School: Quest Academy – QA

The Board: Quest Academy Board of Directors

CMT: Case Management Team: The CMT shall consist of the Principal, a teacher, and at least one other School employee selected by the Principal.

1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 Purpose

The purpose of QA's *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 to enhance learning for everyone.

QA 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.

QA will promote and require:

- Student responsibility for learning and behavior in all grades;
- 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 and guardians of all students to assume proper legal 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.

QA will comply with:

- State and federal laws requiring suspension or expulsion for certain types of student behavior.

1.2 Beliefs and Expectations

QA's beliefs and expectations set a positive and inviting school culture for dealing with safe school issues.

Beliefs:

- Punishment alone will not change behavior
- Much aggressive behavior is a relationship problem, not a behavior problem

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- 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
- Students will show respect for the building
- Adults will show respect for students
- Students will develop self-discipline

1.3 Procedural Philosophy

QA recognizes that establishing a procedural philosophy consistent with the desired positive school environment is as important as following legal and due process procedures. QA'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:

- 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 parents who will set up a conference with the student, the parent, and the adult/s involved to resolve the conflict and mend the relationship
- Report the feelings to the administrator or counselor who will set up a conference with the student, the parent, administrator/counselor, and the adult involved 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:
 - ✓ In-School Suspension
 - ✓ Out of School 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 to "walk the talk"

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- 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 request a hearing with the Board of Directors. These procedures are listed in the QA Grievance Policy.
- Parents will be notified when students are involved in situations that are deemed to be serious including out of school suspension, expulsion, restitution, or repayment of damages.
- 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 policy of the School 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 the classroom, on school grounds, in school vehicles, and during 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 school disciplinary action, criminal prosecution, or both.

2.2 Discrimination Prohibited

It is the policy of the School 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 filed promptly with the Principal or the Board.

3. DEFINITIONS

3.1 Suspension

For purposes of this policy, suspension is a temporary (10 consecutive school days or less) interruption of school services and activities. A student who is suspended may, at the Principal'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.

3.2 Expulsion for Regular Education and 504 Students

For purposes of this policy, expulsion means removal from the school of attendance for a period longer than ten (10) consecutive school days. Recognizing that students who commit violent or

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disruptive acts may pose safety problems, the School will work with parents to provide alternative educational placement and programs for the student where appropriate and feasible. However, the Principal retains the authority to exclude the student from all programs, or activities for the period of expulsion. In cases of total expulsion from the School, the legal obligation of complying with state compulsory education laws becomes the sole responsibility of the student's parents or legal guardian.

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

For purposes of removals of a student with a disability from the student's current educational placement, a change in placement occurs if the removal is for more than ten (10) consecutive school days; or, the student is subjected to a series of removals that constitute a pattern because they cumulate to more than ten (10) school days in a school year, and 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, below.

3.5 Parent

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

3.6 Qualifying Minor

For purposes of this policy, "qualifying minor" means a school-age minor 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 in the calendar adopted each year.

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

4.1 Suspension

A student may be suspended from school for any of the following reasons:

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- 4.1.1 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;
- 4.1.2 willful destruction or defacing of school property;
- 4.1.3 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;
- 4.1.4 possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah law;
- 4.1.5 possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, or tobacco, as defined by Utah Code Ann. § 76-10-101;
- 4.1.6 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;
- 4.1.7 inappropriate use or possession of an electronic device in violation of the School's Electronic Resources Policy; or
- 4.1.8 criminal activity or other serious violation involving weapons, drugs, or the use of force which 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
- 4.1.9 bullying or hazing as defined in Utah Code Ann. § 53G-9-601 and/or the school's Bullying and Hazing Policy.

4.2 Expulsion

A student may be expelled from school for any violations 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.A. § 7151

- 4.3.1 Any student who, in a school building, in a school vehicle, on school property, or in conjunction with any school activity (a) possesses, controls, uses, or threatens use of a

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real weapon, explosive, noxious or flammable material; or (b) actually uses or threatens to use a look-alike or pretend weapon with the intent to intimidate another person or to disrupt normal school activities; shall be expelled from all school programs and activities for a period of not less than one year, subject to the following:

- [a] Within forty-five (45) days after the expulsion, the student shall appear before the CMT, accompanied by a parent or legal guardian; 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 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 function 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 his/her school of attendance 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 a school building, in a school vehicle, on School property, or in conjunction with any school activity.
- [b] misuse or abuse, distribution, sale or arranging for the sale of prescription medication at school or a school function.

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- [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 on School property or in conjunction with any school 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 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 or guardian.
- [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 function, the procedures outlined in Section 10 of this policy must be followed.

4.5 Gangs

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A "gang" as defined in this policy 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 on or about school property, or at any school 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, hand shakes, etc.) that demonstrates membership in or a 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

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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 provide 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 Principal 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 Principal will ensure that any surrendered or confiscated electronic cigarette product is destroyed or disposed of. However, the Principal 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 and Duration of Suspension for Regular Education Students

The Principal has the authority to suspend a regular education student for up to ten (10) school days per incident. In considering whether to suspend a student, the Principal 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.

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

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The Principal has the authority to suspend a student with disabilities (504 or IDEA) for not more than ten (10) consecutive school days for any violation of school rules, and additional removals of not more than ten (10) consecutive 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. A 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 removed.

5.3 Authority to Expel and Duration of Expulsion

Subject to the requirements for due process set forth in Section 9, below, the Principal may suspend for longer than ten (10) days 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/guardian 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 expelled for a period longer than ten (10) days the student's parent or legal guardian is responsible for undertaking an alternative education plan which will ensure that the student's education continues during the period of expulsion. The parent or guardian 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 or guardian.

5.3.2 The parent or guardian and designated school officials may enlist the cooperation of the Division of 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 or guardian of each student under age 16 who has been expelled from all School programs and services at least once a month to determine the student's progress.

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 or guardians regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.

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

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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 Principal or a teacher or counselor designated by the Principal 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.

6.2 Notice of Disruptive Student Behavior

- 6.2.1 Authorization. The Principal is authorized to issue notices of disruptive student behavior to students who are qualifying minors.
- 6.2.2 Criteria for Issuing Notice. The Principal will issue a "notice of disruptive student behavior" to a qualifying minor who:
- [a] engages in "disruptive student behavior" that does not result in suspension or expulsion three times during the school year; or
 - [b] engages in disruptive student behavior that results in suspension or expulsion once during the school year.
- 6.2.3 Contents of Notice. The 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 Principal 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.
- 6.2.4 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

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6.3.1 Criteria for Issuing Notice. The Principal 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 Principal 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 § 78A-6-1203, including that it is a diversion program that provides an alternative disposition for cases involving juvenile offenders 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

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school will follow § 53G-8-211 with respect to referring a minor who is alleged to have committed an offense on school property or that is truancy. In accordance with § 53G-8-211:

- [a] if the alleged offense is a class C misdemeanor, an infraction, a status offense on school property, or truancy, the minor may not be referred to law enforcement or court but may be referred to alternative school-related interventions, including:
 - (i) a mobile crisis outreach team, as defined in § 78A-6-105;
 - (ii) a receiving center operated by the Division of Juvenile Justice Services in accordance with § 62A-7-104; and
 - (iii) a youth court or comparable restorative justice program; or
 - (iv) other evidence-based interventions created and developed by the School or other governmental entities as set forth in § 53G-8-211(3)(a)(v).
- [b] if the alleged offense is a class B misdemeanor or a nonperson class A misdemeanor, the minor may be referred directly to the juvenile court by the Principal or the Principal's designee, or the minor may be referred to the alternative interventions described above. However, documentation of an alleged class B misdemeanor or a nonperson class A misdemeanor must be provided prior to referring the minor to the juvenile 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 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 at the school level to implement a remedial discipline plan to allow the student to remain in the School.

7.1 Before deciding upon 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 or legal guardian;

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- 7.1.4 Informal parent/student conferences;
- 7.1.5 Behavioral contracts;
- 7.1.6 After-school make-up time;
- 7.1.7 Short-term in-school suspension (ISS);
- 7.1.8 Short-term at-home suspensions;
- 7.1.9 Appropriate evaluation;
- 7.1.10 Home study;
- 7.1.11 Alternative programs; or
- 7.1.12 Law enforcement assistance as appropriate.

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

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

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

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

- 8.1** The Principal shall notify the custodial parent or guardian of the student 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 or guardian to meet with a designated school official to review the suspension.
- 8.2** The Principal shall also notify the non-custodial parent, if requested in writing, of the suspension and expulsion of, or denial of admission to their student.
 - 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 Principal shall document the charges, evidence, and action taken.

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- 8.4 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.
- 8.5 If the student denies the charges, the student shall be provided with an explanation of the evidence and an opportunity to present his/her version of the incident to the Principal.
- 8.6 In general, the notice and informal conference shall precede the student's removal from school.
- 8.7 If, in the judgment of the Principal, notice is not possible because the student poses a danger to a person or property or an ongoing threat of disrupting the academic process, he/she may be removed immediately. However, in such cases, the necessary notice and hearing shall follow as soon as possible.

9. DUE PROCESS FOR EXPULSIONS

- 9.1 If the Principal believes that a student should be suspended for more than ten (10) days or expelled, the Principal may make the initial decision and shall meet with the student's parent or guardian to discuss the charges against the student and the proposed discipline within five (5) school days after the suspension or expulsion began. If requested in writing, the Principal shall also notify the non-custodial parent of the suspension or expulsion as outlined in Section 8.2 of this Policy.
- 9.2 During the meeting required in Section 9.1, the Principal shall provide the student's parent or guardian with written notice that includes all of the following elements (or, if the student's parent or guardian refuses to meet, the Principal shall send the notice by certified mail, return receipt requested, to the student's parent or legal guardian within ten (10) school days after the suspension or expulsion began):
- 9.2.1 a description of the alleged violation(s) or reason(s) giving rise to disciplinary action;
 - 9.2.2 the penalty being imposed (duration of suspension or expulsion);
 - 9.2.3 a statement that a due process hearing may be requested by providing the Principal with written notice within ten (10) school days of the parent or guardian's receipt of the notice;
 - 9.2.4 a statement that, if a due process hearing is requested, either the Board (even though less than a quorum) or a hearing officer will conduct the hearing;
 - 9.2.5 a statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a due process hearing is requested in a timely manner and the Board (even though less than a quorum) or hearing officer determines otherwise;

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9.2.6 the mailing date of the notice; and

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

9.3 Hearing Procedures

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

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

9.3.2 A written Hearing Notice shall be sent to the parent or guardian informing the parent or guardian that the Due Process Hearing will be conducted and of the following information:

- [a] whether the Due Process Hearing will be conducted before the Board (even though less than a quorum) or a Hearing Officer and, if so, 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 cross-examine witnesses subject to the presiding Board member or Hearing Officer's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal; and
- [e] the right of all parties to examine all relevant records.

9.3.3 The Due Process Hearing shall be conducted on the record, and the Board or Hearing Officer shall:

- [a] ensure that a written record of the hearing is made, a copy of which shall be provided to all parties upon request, with the cost borne by the School;
- [b] consider all relevant evidence presented at the hearing;
- [c] allow the right to cross-examination of witnesses, unless the presiding Board member or Hearing Officer determines that this right should be limited to protect student witnesses from ostracism, retaliation or reprisal;

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- [d] allow all parties a fair opportunity to present relevant evidence; and
- [e] issue a written decision including Findings of Fact and Conclusions.

9.3.4 Hearing Rules

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

- [a] parties may have access to information contained in 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 in reaching findings and conclusions; and
- [d] witnesses or parties may be excused or the hearing suspended or terminated if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the presiding Board member or Hearing Officer.

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

Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504 or ADA, procedures outlined in the Utah State Board of Education Special Education Rules shall be followed, including prior written notice to parents or guardians 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 is not a manifestation of the student's disability, 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 Utah State Office of Education.

10.1.2 IDEA

A school need not provide services during periods of removal to a student with a disability under IDEA who has been removed from his or her current placement for ten (10) school days or less in

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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) 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 function; 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 function; or
- 10.2.3 The student has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

10.3 Change of Placement Due to Student's Serious Misconduct

- 10.3.1 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) days. A hearing officer may order such a change, if he/she:
- 10.3.2 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;
- 10.3.3 Considers the appropriateness of the student's current placement;
- 10.3.4 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
- 10.3.5 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

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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 that:

(i) In relationship to the behavior subject to disciplinary action, the student's IEP and placement were appropriate and the special education services, supplementary aids and services, and behavior intervention strategies were provided consistent with the student's IEP and placement;

(ii) The student's disability did not impair the ability of the student to understand the impact and consequences of the behavior subject to disciplinary action; and

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- (iii) The student's disability did not impair the ability of the student to control the behavior subject to disciplinary action.

10.5.4 If the IEP team determines that any of the standards above were not 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 in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the forty-five (45) day period, whichever occurs first, unless the parent and school officials agree otherwise.

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- 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

11.1 Elements of Plan

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

- 11.1.1 written standards for student behavior expectations, including school and classroom management;
- 11.1.2 effective instructional practices for teaching student expectations, including:
 - [a] self-discipline;
 - [b] citizenship;
 - [c] civic skills; and
 - [d] social skills;
- 11.1.3 systematic methods for reinforcement of expected behaviors;
- 11.1.4 uniform and equitable methods for correction of student behavior;
- 11.1.5 uniform and equitable methods for at least annual data-based evaluations of efficiency and effectiveness;
- 11.1.6 an ongoing staff development program related to development of:
 - [a] student behavior expectations;
 - [b] effective instructional practices for teaching and reinforcing behavior expectations;
 - [c] effective intervention strategies; and
 - [d] effective strategies for evaluation of the efficiency and effectiveness of interventions;

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11.1.7 procedures for ongoing training of appropriate school personnel in:

- [a] crisis intervention training;
- [b] emergency safety intervention professional development; and
- [c] School policies related to emergency safety interventions consistent with evidence-based practice;

11.1.8 policies and procedures relating to the use and abuse of alcohol and controlled substances by students;

11.1.9 policies and procedures, consistent with requirements of Rule R277-613 and the school's Bullying and Hazing Policy, related to:

- [a] bullying;
- [b] cyber-bullying;
- [c] hazing;
- [d] retaliation; and
- [e] abusive conduct;

11.1.10 direction for dealing with bullying and disruptive students;

11.1.11 direction regarding the range of behaviors and the continuum of administrative procedures that may be used by school personnel to address student behavior, including students who engage in disruptive student behaviors as described in § 53G-8-210;

11.1.12 strategies to provide for necessary adult supervision;

11.1.13 notice to employees that violation of this rule may result in employee discipline or action;

11.1.14 gang prevention and intervention provisions in accordance with § 53E-3-509(1); and

11.1.15 provisions that account for the school's unique needs or circumstances, including:

- [a] the role of law enforcement; and
- [b] emergency medical services; and

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- [c] a provision for publication of notice to parents and school employees of policies by reasonable means;

11.1.16 procedures for responding to reports received through the School Safety and Crisis Line under § 53E-10-502(3).

11.2 Plan Consistent with this Policy

The administrative Student Conduct and Discipline Plan shall be consistent with this policy, including without limitation the provisions in Section 6 regarding notices of disruptive student behavior and the emergency safety intervention policies and procedures set forth in Section 18.

12. EXTRACURRICULAR ACTIVITIES

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

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

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

14. INVESTIGATIONS

Whenever the Principal has reason to believe that school rules or policies have been broken, he or she shall proceed with an investigation. However, if the Principal 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 Principal

The Principal 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 Principal shall conduct investigations according to the following general guidelines:

- 14.1.1 The Principal shall conduct investigations in a way that does not unduly interfere with school activities.

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- 14.1.2 The Principal shall separate witnesses and offenders in an attempt to keep witnesses from collaborating their statements and have all parties write separate statements concerning the incident under investigation.
- 14.1.3 The Principal 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 Principal 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 Principal has the responsibility and the authority, within his/her respective jurisdiction, to determine when the help of law enforcement officers is necessary, as outlined in this policy and Utah State law.

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

- [a] conduct an investigation of alleged criminal conduct on the school premises or during a school-sponsored activity;
- [b] maintain a safe and orderly educational environment; or
- [c] maintain or restore order when the presence of such officers is necessary to prevent injury to persons or property.

14.2.2 Investigation of Criminal Conduct

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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 Principal, law enforcement should be notified, the following procedure should be followed:

- [a] The Principal shall request that law enforcement officers conduct an investigation during school hours and question students who are potential witnesses to the alleged criminal behavior.
- [b] The school official shall inform the student's parent or legal guardian 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 or legal guardian 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 Principal shall document the contact or attempted contact with the student's parents or legal guardian. If the Principal cannot contact the student's parent or guardian, or if the parent or guardian is unable to be present with the student for questioning, the Principal shall be present and document generally what occurs during the interview.
- [f] The student shall not be questioned by the police unless or until he/she has received Miranda warnings from the officer.
- [g] If the parent or student refuses to consent to questioning by law enforcement authorities, the law enforcement authorities shall determine the course of action to be pursued.

14.2.3 Investigation Initiated by Law Enforcement Authorities

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

- [a] When law enforcement officers can show a need to do so, they shall be permitted to conduct an investigation on school grounds during school hours.
- [b] Such a need will ordinarily be shown if delay in police investigation might result in danger to a person, flight from jurisdiction by a person reasonably suspected of a crime, or destruction of evidence. In such cases:
 - (i) The officers shall be required to get prior approval of the Principal or other designated person before beginning an investigation on school premises.

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- (ii) The Principal shall document the circumstances warranting the investigation as soon as practical.
- (iii) Alleged criminal behavior related to the school environment brought to the Principal'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, permission from parent or guardian.
- (v) Directory information is limited to a student's name, home address, date of birth, phone number, class schedules and parents' address and phone numbers for use in case of emergency.

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 or legal guardian and the student agree to the release.
- [b] When students are removed from school for any reason by law enforcement authorities, every reasonable effort shall be made to contact the student's parent or legal guardian immediately except in cases of child abuse and neglect. Such effort shall be documented.
- [c] The Principal shall immediately notify the Board of the removal of a student from school by law enforcement authorities.
- [d] Where it is necessary to take a student into custody on school premises, the law enforcement officer shall contact the school Principal and relate the circumstances necessitating such action.
- [e] Whenever the need arises to make arrests or take students into custody on school premises, the Principal shall make reasonable efforts to consult and confer with the law enforcement officers as to how an arrest is to be made.
- [f] When possible, the Principal shall have the student summoned to the Principal's office before the student is taken into custody.
- [g] When a student has been taken into custody or arrested on school premises without prior notification to the Principal, the school staff present shall encourage the law enforcement officers to tell the Principal of the circumstances as quickly as possible. If the officers decline to tell the Principal, the school staff members present shall immediately notify the Principal.

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14.2.5 Quelling Disturbances of School Environment

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

14.2.6 Coordination of Policies with Law Enforcement Authorities

The Principal shall meet at least annually with local law enforcement authorities to discuss the School's Safe and Orderly Schools Policy and rules on law enforcement contacts with the School. Law enforcement authorities shall be asked to inform their staffs about the terms of the Safe and Orderly Schools Policy.

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 and the School's Child Abuse Neglect Reporting Form.

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 Principal, 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 Principal 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.

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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 Principal 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 Principal, 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] Principal or other school employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

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

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

16. SEARCHES OF PERSON OR PROPERTY

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

16.1 General Guidelines for Searches of Person or Property

16.1.1 Student Lockers

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

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

16.1.2 Searches of Students and Student Property

Searches of a student's person, personal property (coats, hats, backpacks, bookbags, purses, wallets, notebooks, gym bags, etc.) may be conducted whenever the student's conduct creates a reasonable suspicion that a particular school rule or law has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age and sex of the student and nature of the infraction. Circumstances warranting a search include those in which school officials have reasonable suspicion that the student or student property is concealing weapons, drugs, alcohol, tobacco, unsafe contraband, 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 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 as the student being searched;
- [b] The search shall be observed by an objective third party of the same sex as the student being searched (i.e., Principal, 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.

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- [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 Board and Principal Notification by Juvenile Court and Law Enforcement Agencies.

- 17.1.1 Within three (3) days of being notified by the juvenile court that a juvenile has been adjudicated or of being notified by a law enforcement agency that a juvenile has been taken into custody or detention for a violent felony, defined in Utah Code Ann. § 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5 Weapons, the President of the Board shall notify the Principal of the School.
- 17.1.2 Upon receipt of the information, the Principal shall make a notation in a secure file other than the student's permanent file; and, if the student is still enrolled in the School, the Principal shall notify staff members who should know of the adjudication, arrest or detention.

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- 17.1.3 Staff members receiving information about a juvenile'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 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.

17.2.1 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.

17.2.2 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), or unless the student's parent or guardian has authorized disclosure.

18. EMERGENCY SAFETY INTERVENTIONS

A school employee may not subject a student to physical restraint or seclusionary time out unless utilized as a necessary emergency safety intervention (“ESI”) in compliance with this Section.

18.1 Definitions

- 18.1.1 An “ESI” is the use of seclusionary time out or physical restraint when a student presents an immediate/imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm. An ESI is not for disciplinary purposes.
- 18.1.2 “Physical restraint” means a personal restriction that immobilizes or significantly reduces the ability of a student to move his or her arms, legs, body, or head freely.
- 18.1.3 “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.
- 18.1.4 “Seclusionary time out” means that a student is placed in a safe enclosed area, isolated from adults and peers, and the student is, or reasonably believes, he or she will be prevented from leaving the area. The safe enclosed area must meet the fire and public safety requirements described in R392-200 and R710-4.

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18.2 General Procedures

18.2.1 Teachers and other personnel who may work directly with students shall be trained on the use of effective alternatives to ESI as well as the safe use of ESI and a release criteria.

18.2.2 An ESI shall:

- [a] be applied for the minimum time necessary to ensure safety;
- [b] implement an appropriate release criteria;
- [c] be discontinued as soon as imminent danger of physical harm to self or others has dissipated;
- [d] be discontinued if the student is in severe distress;
- [e] never be used as punishment or discipline;
- [f] be applied consistent with the school's administrative Student Conduct and Discipline Plan; and
- [g] in no instance be imposed for more than 30 minutes.

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 Least Restrictive Behavioral Interventions (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 which meet the circumstances described in R277-608-5 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 A school employee may, in accordance with Section 18.2.2 and when acting within the scope of employment, use and apply physical restraint as an ESI in self defense or as may be reasonable and necessary under the following circumstances:

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

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- [b] to remove from a situation a student who is violent;
- [c] to take possession of a weapon or other dangerous object in the possession or under the control of a student; or
- [d] to protect property from being damaged, when physical safety is at risk.

18.4.2 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 seatbelts or safety equipment used to secure students during transportation, other appropriate protective or stabilizing restraints, and devices used by a law enforcement officer in carrying out law enforcement duties; or
- [e] chemical restraint, except as prescribed by a licensed physician and implemented in compliance with a student's Health Care Plan.

18.4.3 Nothing in this Section prohibits a school employee from using less intrusive means, including a physical escort, to address circumstances described in Section 18.4.1.

18.5 Seclusionary Time Out

A school employee may, in accordance with Section 18.2.2 and when acting within the scope of employment, place a student in seclusionary time out as an ESI under the following circumstances:

- 18.5.1 the student presents an immediate danger of serious physical harm to self or others;
- 18.5.2 any door remains unlocked; and
- 18.5.3 the student is within line sight of the employee at all times.

18.6 Notification

18.6.1 If an ESI is used, the school or employee shall immediately notify the student's parent/guardian and school administration.

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- 18.6.2 In addition to providing the notice described in Section 18.6.1, if the ESI is applied for longer than fifteen minutes, the school shall immediately notify the student's parent/guardian and school administration.
- 18.6.3 Parent notifications made under this Section shall be documented in the student information system as required by R277-609-10(3)(d)).
- 18.6.4 Within 24 hours of using ESI, the school shall notify the parent/guardian that they may request a copy of any notes or additional documentation taken during the crisis situation.
- 18.6.5 Upon request of a parent/guardian, the school shall provide a copy of any notes or additional documentation taken during a crisis situation.
- 18.6.6 A parent/guardian may request a time to meet with school staff and administration to discuss the crisis situation.

18.7 Emergency Safety Intervention (ESI) Committee

18.7.1 The school shall establish an ESI committee that includes:

- [a] at least two administrators (if there are at least two administrators employed by the school);
- [b] at least one parent of a student enrolled in the school, appointed by the school's Principal; and
- [c] at least two certified educational professionals with behavior training and knowledge in both state rules and the school's conduct and discipline policies.

18.7.2 The ESI committee shall:

- [a] meet often enough to monitor the use of ESI within the school;
- [b] determine and recommend professional development needs;
- [c] develop policies for dispute resolution processes to address concerns regarding disciplinary actions; and
- [d] create and communicate methods for evaluation of the efficiency and effectiveness of the schools' rules and standards.

18.7.3 The school shall collect, maintain, and periodically review the documentation or records regarding the use of ESI in the school.

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18.7.4 The school shall annually provide documentation of any school use of ESI to the State Superintendent of Schools.

18.7.5 The School shall submit all required UTREx discipline incident data elements to the State Superintendent of Schools no later than June 30, 2018. Beginning in the 2018-19 school year, the School shall submit all required UTREx discipline incident data elements as part of the LEA's daily UTREx submission.

18.8 Corporal Punishment

School employees may not inflict or cause the infliction of corporal punishment upon a student. School personnel who inflict corporal punishment on a student will be subject to discipline up to and including termination.

19. TRAINING

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

19.2 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.

19.3 The Principal of the school shall be responsible for informing students, parents, and staff of the terms of this policy and the Student Conduct and Discipline Plan, including the procedures outlined for investigation and resolution of violations.

20. POLICY AND PLAN DISSEMINATION AND REVIEW

20.1 The school shall compile an annual report of all out-of-school suspensions and expulsions and submit it to the Board. For each suspension or expulsion, the report shall indicate the student's race, gender, disability status, and age/grade, as well as the reason for the discipline, the length of the discipline, and a statement as to whether the student was referred to the Board.

20.2 A summary of this policy and the Student Conduct and Discipline Plan shall be posted in a prominent place in the School, and the policy and plan will be posted on the school's website. The policy or a summary of the policy and the plan or summary of the plan shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the Board.

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- 20.3** This policy and the plan shall be reviewed as necessary with appropriate revisions recommended to the Board.

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Administrative Student Conduct and Discipline Plan

The School's goal is to create a safe, civil and productive learning environment. All School staff will work together to establish positive school and classroom cultures where teaching and learning are emphasized.

The School intends for its student conduct practices to:

- Build an effective, positive school environment
- Enhance school climate and safety
- Prevent problem behaviors
- Teach and reinforce appropriate behaviors
- Increase instructional time and academic performance
- Create meaningful and durable behavior and lifestyle outcomes for students

Three Step Process

The School employs the following process when dealing with student behavior issues:

- Step 1 – Identify the Problem
 - ABCs of Behavior:
 - Antecedents
 - Identify the event or stimulus (trigger) that occurs before the behavior.
 - These increase the likelihood that problem behavior will occur.
 - Identification helps inform prevention strategies.
 - Behavior
 - Identify the observable, measurable action.
 - Identification of antecedents helps determine new skills to teach as replacement behavior.
 - Consequences
 - Identify the event or response that immediately follows the behavior.

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- Both current consequences and alternative consequences.
 - Identify which consequences reinforce the behavior.
 - Determine the function of the behavior.
 - Identification helps inform alternative, appropriate reinforcers of new skills and desired behavior.
 - Understand:
 - What problem behaviors are occurring most often?
 - When and where are the problem behaviors occurring?
 - Who is involved?
- Step 2 – Develop a Plan: Match interventions to function
 - Prevention: Alter the environment (systems changes)
 - Teach: New skills (replacement behaviors)
 - Reward: Demonstration of appropriate behaviors (new skills)
- Step 3 – Evaluation: Meet with

Principles of Behavior

Behavior is defined as follows:

- Anything an individual says or does
 - Behavior is observable.
- Occurs as a response to one's environment
 - There are antecedents to behavior.
- Serves a function or purpose
 - There is a “why” that contributes to the behavior.
- Results in a desired outcome
 - There are consequences or reinforcers that contribute to the behavior.
- Predictable
- Learned
 - It is possible to teach replacement behaviors.
- Can be changed
 - It is possible to change behavior and produce different outcomes.

The School's approach to student behavior is informed by the following principles:

- Behavior is learned, it can be changed, and new behavior can be taught.
- Consequences strengthen or weaken behavior.
- Behavior is strengthened, weakened, and/or maintained through modeling.
- Behavior tends to be repeated due to the consequences (outcomes) that follow the behavior.
- Behavior is weakened by withholding consequences that maintain it.

Role of Adult Behavior

The School recognizes that:

- Changes in student behavior require effective environments.

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- Creating effective environments first requires changing the behavior of the adults in the environment.
- Changing adult behavior requires effective support systems.

Student Behavior Expectations

Students are expected to contribute to a safe learning environment by behaving respectfully and safely and reporting harmful or dangerous situations to an adult. Students should:

- Know and follow all school rules and instructions given by school staff.
- Show respect and courtesy to all students, staff and school visitors. This includes respecting property of others.

Guidelines for Success

The School recognizes that setting and communicating School-wide expectations is an important step in establishing an effective behavior system. The guidelines for success communicate what it takes to be successful in the School. Accordingly, all students, staff and school visitors are expected to demonstrate the following:

Each student is expected to demonstrate:

- **Personal Responsibility** - Take charge of your learning (minimal tardies and absences, being prepared, work completion etc.)
- **Respect** - Treat others the way you would like to be treated (respect others, self and property)
- **Integrity** - Act with honesty in all you say and do (speak the truth, no cheating, plagiarism etc.)
- **Discipline** - Use self control to be your best (no gum, be uniform compliant, follow Quest policies and rules)
- **Engagement** - Be an active learner (participate in class discussions, complete projects and collaborate in groups)

These expectations are most likely to be met when the specific behaviors expected from students are clearly defined, taught to all, shaped over time, and responded to in ways that encourage students to learn and grow. The School recognizes that this requires proactive systems, practices and policies that support the development of positive behavior in every student.

When these expectations are not met, prompt and appropriate interventions will be implemented to first restore order and safety in the classroom or school environment with the ultimate goal of assisting students to make appropriate behavioral choices.

School and Classroom Management

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School personnel will provide continuous, positive, and active supervision and monitoring of student behavior.

Understanding student misconduct as an opportunity for learning is fundamental to the School's positive and progressive approach to discipline. The School utilizes progressive responses to misconduct in the form of incremental intervention strategies and discipline to address inappropriate behavior with the ultimate goal of teaching positive behavior. In the context of this Plan, intervention strategies are actions that provide opportunities for instruction, assessment and restoration. Discipline responses are actions that are typically viewed as consequences or punishment. With this approach, students have the space to make mistakes, learn from them and receive support to make changes in their behavior.

Every reasonable effort should be made to correct student misbehavior using intervention strategies and the least severe discipline responses possible, reserving more significant discipline, such as suspension and expulsion, for the most serious situations that warrant removal from the school environment. When staff and administration use discipline to respond to student misbehavior, it is expected that the discipline response will be paired with one or more intervention strategies to provide a balanced approach to supporting behavior change in students.

All intervention strategies and discipline should be selected and implemented to help students learn from their mistakes and be supported to:

- Understand why the behavior is unacceptable and the harm it has caused
- Understand what they could have done differently in the same situation
- Take responsibility for their actions
- Learn pro-social strategies and skills to use in the future
- Understand the progression of more stringent consequences if the behavior reoccurs

Because inappropriate behavior may be symptomatic of underlying problems that students are experiencing, it is critical that all staff be sensitive to issues that may influence student behavior and respond in a progressive manner that is most supportive of student needs.

Classroom Rules and Consequences

Each teacher should establish classroom rules consistent with the following guidelines:

- Phrased in the form of a positive statement.
 - Positive rules explain what students should be doing. Negatively stated rules simply tell students what to avoid and challenge students to find inappropriate behaviors that fall outside the scope of the rule.
- Stated clearly
 - Students should be able to understand the behavioral expectation without the need for extensive explanation.
- Few in number (typically 3-5)

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- Each rule appears more important when there are fewer of them. Fewer rules are easier for students to remember and for teachers to enforce. Having just a few rules avoid the sense that the teacher is trying to control a student's every movement.

An important aspect of the structure that makes rules work is providing clear consequences for a student's actions up front. Helping students realize the cause and effect relationship of their behavior, and that they have the power to choose the resulting effect is an important way that School staff can help students develop self-discipline.

Effective consequences display the following characteristics:

- Gradual, progressing from less severe to more severe as misbehavior is repeated.
 - This sends the message that students have the potential to behave and simply need to understand and choose to follow the expectation. When they repeat the misbehavior, they choose the more severe consequences.
- Natural and/or logical.
 - Natural consequences follow from the event or situation, as students are allowed to experience the outcome of their poor behavior, highlighting the rationale of the rule. Logical consequences are structured learning opportunities arranged to teach appropriate behavior.
- Maintain the dignity of the student.
 - Consequences should be consistent from student to student, and delivery of consequences should always address the particular behavior in question, not the student and his or her behavioral history.

Effective Classroom Management

Foundational to supporting positive behavior in all students is the use of effective classroom management strategies. The goal of proactive and positive classroom management is to develop students who are responsible, motivated, and highly engaged in meaningful tasks. In many cases, effective classroom management practices will reduce the occurrence of behaviors that require intervention strategies and disciplinary responses.

Examples of effective classroom management strategies include but are not limited to developing and maintaining positive relationships with students, verbal redirection or correction, changing student seating, re-teaching behavior expectations, speaking privately with students about misbehavior, using nonjudgmental language, reinforcing positive student behavior and listening to students' perspectives about situations that result in misbehavior. When typical classroom management strategies are insufficient to address student misbehavior, intervention strategies are essential to supporting students to make meaningful, sustainable changes in their behavior. Given certain circumstances, some misbehaviors warrant the use of disciplinary responses in addition to intervention strategies.

STOIC System for Classroom Management

- **Structure** – Organize the classroom for success

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- Teachers will create and use an effective daily schedule.
- Physical space will be arranged effectively.
- Teachers will use appropriate attention signals.
- Teachers will establish 3-5 positively stated classroom rules that describe specific and observable behaviors that students are expected to exhibit at all times.
- **Teach Expectations** – Teach students how to behave responsibly in the classroom
 - Teachers will use the CHAMPs tool to establish clear expectations for classroom activities
 - **Conversation** – Can students talk to each other during this activity/transition?
 - **Help** – How can students get the teacher’s attention and/or get questions answered during the activity?
 - **Activity** – What is the objective of the activity, and what is the expected end product?
 - **Movement** – Can students move about during the activity?
 - **Participation** – What does appropriate student behavior look like during this activity, and how should students show they are fully participating?
- **Observe** – Supervise and monitor student behavior
 - Circulate and scan the classroom
 - Model friendly, respectful behavior while monitoring
 - Track classroom behavior problems to gather data
- **Interact positively with students**
 - Interact with all students in a welcoming manner
 - Display enthusiasm
 - Offer non-contingent attention
 - Strive for a 4 to 1 ratio of positive to negative interactions
 - Provide positive feedback that is:
 - Accurate
 - Specific and descriptive
 - Contingent
 - Age appropriate
 - Fits personal style
- **Correct inappropriate behavior fluently so as to not disrupt the flow of instruction**
 - Key concepts for correcting misbehavior:
 - Preplan corrective responses
 - Evaluate whether the targeted behavior decreases
 - Make sure correction efforts address the cause
 - Corrective consequences alone are not likely to eliminate the targeted behavior
 - Attributes:
 - Calmly
 - Consistently
 - Immediately
 - Briefly
 - Respectfully

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Intervention Strategies

Intervention strategies are actions that provide opportunities for instruction, assessment and restoration. Examples of intervention strategies to be used in the School include but are not limited to:

- Behavior Contracts
 - Behavior Contracts create agreements between the student and staff about behavior expectations and how the student will be supported to meet the expectations. Monitoring of the contract can include student self-charting of behavior, staff feedback about progress after each class period, etc. and include reinforcers for success and consequences for continuing problems.
- Functional Behavior Assessment/Behavior Intervention Plans
 - Behavior Intervention Plans are developed based on an assessment of the function of the student's behavior. The assessment results are used to develop a plan for consistent instruction and intervention to support behavior change.
- Tier 2 Social Emotional Learning (SEL) Groups
 - SEL Groups provide direct instruction for students on areas of needed growth. Examples include anger management, social skills, conflict resolution and self-advocacy.
- Check-in Check-Out (CICO)
 - Students check in with designated CICO facilitators before the beginning and at the end of each school day to receive positive contact, pre-corrects, reminders of school-wide expectations, etc. At the end of each class period, teachers provide behavioral feedback on a Daily Progress Report Card.
- Conflict Resolution
 - Students are supported and empowered to take responsibility for peacefully resolving conflicts. Students are taught skills including anger management, active listening and effective communication.
- Restorative Justice Practices
 - Interventions are designed to identify and address the harm caused by an incident and to develop a plan to heal and correct the situation. Restorative practices include engaging with a student in a restorative dialogue, supporting students to make an apology and repair harm, facilitating a restorative circle, etc.

Disciplinary Responses

Disciplinary responses are actions that are typically viewed as consequences or punishment. Examples of disciplinary responses that may be used in the School include but are not limited to:

- Loss of classroom privileges
 - Students lose opportunities in the classroom such as participating in free time activities, etc.
- Detention
 - Students are assigned to an alternate location during recess, lunch or after school.
- In-school suspension

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- Students are removed from the classroom environment and assigned to work in a designated space within the School for up to one day.
- Out of school suspension
 - Students are removed from the School environment for a designated number of days based on the severity of the infraction and other mitigating and escalating factors. Out of school suspensions will be followed by a restorative re-engagement conference to involve the student, parent and appropriate School staff.
- Expulsion
 - Students are removed from the School environment following the process established in the Student Conduct and Discipline Policy.

Behavior Response

It is critical that the following factors be considered prior to determining the appropriate intervention strategy or disciplinary response:

- The student's age, maturity and understanding of the impact of their behavior
- The student's willingness to repair the harm cause by the behavior
- The student's disciplinary record including the nature of prior misconduct, the number of prior instances of misconduct, the interventions and consequences applied, etc.)
- The nature, severity and scope of the behavior
- The circumstances and context in which the misconduct occurred
- The student's IEP, BIP or 504 Plan, if applicable

Escalating Factors

During the course of a school year, a student's first violation of a given behavior violation will usually merit a response of a lesser degree than subsequent violations, taking into account all factors related to the severity of the current violation. However, in instances where student conduct significantly impacts the property, health and/or safety of others or causes significant disruption to the learning environment, a more severe form of response may be warranted even if it is a first offense.

There are 3 factors that are considered to escalate the disciplinary response from the response level at which it would typically be addressed to a higher response level. These factors are:

1. Conduct that Causes a Serious Physical Injury – Serious physical injury is a bodily harm that results in one or more of the following:
 - a. substantial risk of death;
 - b. permanent deformity or defect;
 - c. coma;
 - d. permanent or extended condition that causes extreme pain;
 - e. permanent or protracted loss or impairment of the function of any body part; or f. results in admission to a hospital.

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Serious physical injury includes, but is not limited to, fractured or broken bones (including the nose), concussions and cuts and/or wounds requiring stitches. Serious physical injury does not include black eyes, welts, abrasions or bruises.

In all cases where a student's conduct results in the serious physical injury of another person, regardless of level of conduct, a more severe form of response will be warranted.

2. Conduct that Results in a Loss of Instructional Time – A student whose conduct results in a significant loss of instructional time for one or more students will be subject to disciplinary consequences.

3. Conduct that Results in Significant Property Damage or Loss – A student whose conduct results in significant property damage or loss will be subject to the disciplinary. Significant property damage or loss results when the damaged or lost property has a value of more than \$1,000.00. The value of the damaged property is determined by the lesser of the repair or replacement cost.

4. Repeated Acts of Misconduct – If, during the course of the school year, a student engages in five or more distinct acts of misconduct that are considered less severe by administration, the fifth incident of misconduct will be subject to the disciplinary consequences under more severe misconduct.

Suspension

At all times, QA's administrators have the authority to suspend a student. The length of suspension can be 1-10 days.

Reasons for suspension include but are not limited to:

- After three assignments of lunchtime detention
- Continued deliberate disobedience/disrespect displayed
- Negative behavior that disrupts students, teachers or the learning environment
- Behavior that has a negative effect on the image of the school
- Failure of the student to comply with disciplinary action of the school
- Fighting
- Theft
- Vandalism
- Harassment, bullying or intimidating actions
- Sexual inappropriateness or sexual harassment
- Receiving three Zap Sheets will equal a suspension

If a student is suspended, parents will be called and expected to pick up their student immediately. Students who have been suspended from school must not come on campus during the suspension period, not even for extracurricular activities. To be reinstated, students will return to school accompanied by a parent/guardian and check-in with an administrator. Following a second suspension, a contract between all parties will be drawn up outlining behavior the student needs to

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engage in to stay enrolled at the school. If the contract is broken the student may be recommended for expulsion.

Expulsion

If the behavior contract is not adhered to, there are repeated problems with a student's behavior or there is a serious safe school violation, expulsion from school will be considered. The principal will refer the matter to the Board of Directors. The Board of Directors in executive session will review the student's history and will make the final decision.

Adequate Adult Supervision

In order to help ensure that behavior expectations are consistently monitored and enforced, the School will ensure that adequate adult supervision is maintained in classrooms, on the playground, in the cafeteria, other areas of the School building, during field trips, and during other school-sponsored activities.

Effective Instructional Practices for Teaching Student Expectations

The School will implement a curriculum using a variety of teaching strategies to establish expectations and instruct students regarding self-discipline, citizenship, civic skills, and social skills.

School staff will begin communicating and teaching behavior expectations as well as self-discipline, citizenship, civic skills, and social skills on the first day of each school year. The School will develop a calendar/schedule for teaching behavior during the first two weeks of school and throughout the year. The School will develop a procedure for teaching behavior expectations to new students when they enroll in the School. School staff will continue reminding, re-teaching, and recognizing expected behavior throughout the school year. Data will be used to determine when specific behavior issues need to be addressed at an individual, class, or School-wide level throughout the year.

School-wide instruction and reinforcement of behavioral expectations will take place through:

- Distribution of the student handbook and rules.
- Expectations explained in each class at the beginning of the year.
- Expectations posted throughout the School.
- Daily announcements and newsletters include reminders.
- All personnel model desired behavior.

School and classroom procedures will be taught through the method of:

- Teach the procedure by explaining it clearly.
- Model the procedure by showing students how the procedure is done.
- Practice the procedure together and make necessary adjustments immediately.
- Review the procedure and provide feedback daily.

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- Praise and give extra encouragement to those who need it.
- Conduct periodic reviews of procedures and revise them as needed.

Social and academic teaching will be integrated within and across the curriculum. Expected behaviors will be taught through the process of:

- Using multiple examples, both positive and negative
- Teaching in settings where the behavior is expected to happen
- Providing frequent positive practice with useful corrections
- Acknowledging and reinforcing expected behavior
- Teaching it the same way academic content is taught

Behavior expectations in classrooms, hallways, cafeteria, restrooms, and playground will be communicated to students by explaining what such behavior looks like and sounds like.

The School will emphasize instruction in the following social skills:

- Accepting “No” for an answer without arguing
 - This means that when a student asks an adult for something and that person says “No,” the student should accept the answer without arguing or getting upset.
- Following directions
 - This means that when an adult gives a student a request, the student acknowledges the request and does it within a short period of time.
- Not interrupting
 - This happens when a student wants to tell an adult something or ask for something from an adult who is engaged or busy. Instead of interrupting, the student waits quietly until the adult is not busy and then speaks to the adult.
- Making requests of adults
 - This means asking for something or for help in a polite and friendly voice.
- Thanking adults
 - This means that when an adult says or does something for a student that makes them feel good or helps them, the student says “Thank you” to the adult.
- Apologizing
 - This means that when a student says or does something that hurts someone (physically, emotionally, or otherwise), the student will apologize either verbally or by way of written communication.

Systematic Reinforcement of Expected Behaviors

The School will provide regular, frequent, and positive acknowledgements and reinforcement for student displays of academic and social behavior success. Staff members will make concerted efforts to ensure that every student receives positive interactions with adults and will seek to spend more time acknowledging and promoting appropriate behavior than responding to irresponsible behavior.

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All staff members will recognize students that they witness demonstrating behavior that satisfies specific behavior expectations.

Staff members will also recognize appropriate student behavior by providing “I notice” statements to students and actively and regularly offer immediate and specific praise by congratulating students for demonstrating behavior that satisfies specific expectations.

Uniform Methods for Correction of Student Behavior

As discussed above, the School recognizes that behavior usually happens for and is maintained by the desire for one or more of the following:

- Obtain or avoid something tangible, including an activity or task
- Obtain or avoid teacher or peer attention
- Obtain or avoid physiological, mental or sensory stimulation of some kind

In order to effectively reinforce desired behavior, the School will:

- Clarify specific behaviors being targeted
- Focus on the presence of responsible behaviors versus the absence of irresponsible behaviors
- Reinforce both improvement and mastery of desired behaviors
- Provide reinforcement that is meaningful
- Provide opportunities for all students
- Increase the ratios of positive to negative interactions with students

In order to improve behavior, the School recognizes that staff members can manipulate five variables:

- Structure and organize school settings to promote desirable behavior.
- Teach students how to behave responsibly in all school settings.
- Observe and properly supervise student behavior.
- Interact positively with students.
- Correct irresponsible behavior calmly and consistently.

Annual Data-Based Evaluations of Efficiency and Effectiveness

Staff members will document behavior incidences on Aspire for data gathering purposes.

Behavior data will be analyzed by Quest Administration on a monthly basis. The results will be shared with staff members and will be used to plan adjustments and areas of emphasis in addressing behavior issues.

Students will be asked annually to respond to a survey with the following questions regarding bullying, cyber-bullying, and hazing.

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The results of these surveys will be analyzed Quest Administration. The results will be shared with staff members and will be used to plan adjustments and areas of emphasis in addressing behavior issues.

When misbehavior approaches unacceptable levels in School-wide activities and/or common areas, staff members will consider:

- Are behavior expectations clear?
- Are expectations being taught and re-taught as necessary?
- Is the area/activity structured appropriately for success?
- Is supervision and monitoring adequate, consistent, and not based on emotions?

Staff Development Program and Training of Appropriate School Personnel

(development of student behavior expectations, effective instructional practices for teaching and reinforcing behavior expectations, effective intervention strategies, effective strategies for evaluation of the efficiency and effectiveness of interventions)

The School expects all staff members to model the same positive social behaviors and values that are expected of students.

The School will ensure that staff members receive training in:

- crisis intervention training and emergency safety intervention consistent with evidence-based practice (school counselor receive annual training)
- development of student behavior expectations
- effective instructional practices for teaching and reinforcing behavior expectations (teachers and TAs will receive monthly Teach Like A Champion Trainings)
- effective intervention strategies (teachers and TAs receive annual training)
- effective strategies for evaluation of the efficiency and effectiveness of interventions (teachers and TAs receive annual training)

Policies Relating to the Use and Abuse of Alcohol and Controlled Substances By Students

As provided in the Student Conduct and Discipline Policy, the use, control, possession, distribution, sale, or arranging for the sale of alcohol or an illegal drug or controlled substance is ground for suspension or expulsion.

Procedures Related to Bullying Activities (including bullying, cyber-bullying, hazing, retaliation, abusive conduct)

The School begins with the premise that all students should have access to supports to prevent the development and occurrence of problem behavior, including bullying behavior (including bullying, cyber-bullying, hazing, retaliation, and abusive conduct). In order to avoid stigmatizing students, school staff will emphasize what a student does and where it occurs. Therefore, instead of labeling a student as a bully or victim, the emphasis will be on labeling the behavior, such as name-calling, teasing, intimidation, verbal aggression, etc. Bullying behavior will always be

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described in connection with the context in which it occurs, such as cyberspace, hallway, field trips, or some other specific setting.

The School recognizes that successful prevention of bullying is linked directly to teaching both adults and students (a) what bullying looks like, (b) what to do before and when bullying behavior is observed, (c) how to teach others what to do, and (d) how to establish a positive and preventive environment that reduces the effectiveness of bullying behavior.

As with other behavior that does not meet established expectations, the School takes a multi-tiered approach to preventing bullying and other disruptive behavior.

At Tier 1, all students and staff are taught directly and formally about how to behave in safe, respectful, and responsible ways across all school settings. The emphasis is on teaching and encouraging positive social skills and character traits. Effective Tier 1 prevention strategies are intended to support most students and then to identify when more intensive and specialized (Tier 2 and 3) is required. The strategy is not to simply increase the severity and number of punishing consequences for bullying behavior.

At Tier 2, students whose behaviors do not respond to Tier 1 supports are provided additional preventive strategies that involve (a) more targeted social skills instruction, (b) increased adult monitoring and positive attention, (c) specific and regular daily feedback on their behavioral progress, and (d) additional academic supports, if necessary.

At Tier 3, students whose behaviors do not respond to Tier 1 and 2 supports are provided intensive preventive strategies that involve (a) highly individualized academic and/or behavioral intervention planning and/or (b) more comprehensive, person-centered and function-based wraparound processes.

Notice to Employees

The administration will distribute this Plan to employees by e-mail at the beginning of each school year and to each new employee upon hire.

Gang Prevention and Intervention

School employees will be aware of potential gang activities, as defined in the Student Conduct and Discipline Policy, and such activities will be subject to discipline as set forth in that policy.

Reports Received Through the School Safety and Crisis Line

The School may receive a report through the School Safety and Crisis Line established under Utah Code § 53A-11-1503(3), regarding (i) unsafe, violent, or criminal activities, or the threat of such activities at or near a public school; (ii) incidents of bullying, cyber-bullying, harassment, or hazing; and (iii) incidents of physical or sexual abuse committed by a school employee or school volunteer; or involving situations where there is a need for crisis intervention, including suicide

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prevention, to individuals experiencing emotional distress or psychiatric crisis. In the event the School receives such a report, administration or other appropriate personnel (e.g. school counselor) will address the report.

Protections for Students with a Disability

Nothing in this Plan diminishes any student rights as under or in connection with the Individual with Disabilities Act (IDEA), Section 504 of the Rehabilitation Act, or state law. Students with a disability will always be entitled to the rights and protections afforded to them by state and federal law and shall not be removed from the learning environment except as such actions are undertaken in accordance with applicable legal requirements.

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SEX	GRADE	REASON	RACE	SPED	ACTION	# OF DAYS PER INCIDENT	Referred to the Board
Sex: M	Grade: 3	Incident: 2023-133 Sexual Harrassment	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 5	Incident: 2023-64 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 7	Incident: 2023-53 Disruptive Behavior	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 7	Incident: 2023-71 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 5	No
Sex: M	Grade: 5	Incident: 2023-122 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 3	No
Sex: M	Grade: 7	Incident: 2023-59 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 3	No
Sex: M	Grade: 7	Incident: 2023-78 Other	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: F	Grade: 0	Incident: 2023-63 Other	WH	Y	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 1	Incident: 2023-77 Disruptive Behavior	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 7	Incident: 2023-59 Fighting with Student	WH	Y	Action: Out of School Suspension	Number of Days: 3	No
Sex: M	Grade: 8	Incident: 2023-140 Inappropriate Language	WH	Y	Action: Out of School Suspension	Number of Days: 3	No
Sex: M	Grade: 5	Incident: 2023-121 Threat/Intimidation	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: F	Grade: 9	Incident: 2023-29 Tobacco Use	WH	N	Action: Out of School Suspension	Number of Days: 10	No
Sex: M	Grade: 6	Incident: 2023-132 Threat/Intimidation	WH	N	Action: Out of School Suspension	Number of Days: 15	No
Sex: M	Grade: 5	Incident: 2023-87 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 5	Incident: 2023-119 Threat/Intimidation	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 6	Incident: 2023-130 Theft	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 6	Incident: 2023-132 Threat/Intimidation	WH	Y	Action: Out of School Suspension	Number of Days: 15	No
Sex: M	Grade: 1	Incident: 2023-126 Fighting with Student	WH	Y	Action: Out of School Suspension	Number of Days: 2	No
Sex: F	Grade: 5	Incident: 2023-80 Theft	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 8	Incident: 2023-58 Disrespecting Student	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: F	Grade: 1	Incident: 2023-85 Disruptive Behavior	WH	Y	Action: Out of School Suspension	Number of Days: 1	No
Sex: F	Grade: 9	Incident: 2023-26 Tobacco Use	MU	N	Action: Out of School Suspension	Number of Days: 157	No
Sex: M	Grade: 6	Incident: 2023-123 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 130	No
Sex: M	Grade: 6	Incident: 2023-120 Inappropriate Language	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 5	Incident: 2023-87 Fighting with Student	BL	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 8	Incident: 2023-9 Disruptive Behavior	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 8	Incident: 2023-28 Other	WH	N	Action: Out of School Suspension	Number of Days: 9	No
Sex: M	Grade: 8	Incident: 2023-134 Inappropriate Language	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 6	Incident: 2023-86 Sexual Inappropriateness	AS	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 8	Incident: 2023-58 Disrespecting Student	WH	Y	Action: Out of School Suspension	Number of Days: 2	No
Sex: F	Grade: 7	Incident: 2023-68 Disrespecting Student	WH	N	Action: Out of School Suspension	Number of Days: 4	No
Sex: M	Grade: 1	Incident: 2023-76 Disruptive Behavior	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 1	Incident: 2023-126 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: F	Grade: 3	Incident: 2023-118 Fighting with Faculty	BL	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 3	Incident: 2023-3 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 3	Incident: 2023-64 Fighting with Student	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 6	Incident: 2023-130 Theft	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 5	Incident: 2023-80 Theft	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: F	Grade: 8	Incident: 2023-94 Inappropriate Language	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: M	Grade: 6	Incident: 2023-72 Other	AS	N	Action: Out of School Suspension	Number of Days: 11	No
Sex: F	Grade: 5	Incident: 2023-80 Theft	WH	N	Action: Out of School Suspension	Number of Days: 1	No
Sex: F	Grade: 6	Incident: 2023-74 Inappropriate Language	WH	N	Action: Out of School Suspension	Number of Days: 2	No
Sex: M	Grade: 7	Incident: 2023-96 Computer Misuse	WH	N	Action: Out of School Suspension	Number of Days: 2	No

Total OSS Days: 413

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Quest Academy Arrest Reporting Policy



POLICY

The Board of Directors of the School recognizes the importance of receiving information regarding arrests of employees not licensed by the Utah State Office of Education to assist the School in adequately safeguarding the safety of students.

Required Reports

(a) Non-USOE-licensed employees of the School, (b) volunteers, (c) Board Members, and (d) any School employees who drive a motor vehicle as part of their employment responsibilities must report to the Principal information regarding the following matters:

- Convictions, including pleas in abeyance and diversion agreements;
- Any matters involving arrests for alleged sex offenses;
- Any matters involving arrests for alleged drug-related offenses;
- Any matters involving arrests for alleged alcohol-related offenses; and
- Any matters involving arrests for alleged offenses against the person under Title 76, Chapter 5 (i.e., assault, battery, etc.)

Timeline for Reports

Current employees of the School must provide the required reports to the Principal within seven (7) days of receiving notification of this policy from the Principal. Thereafter, employees of the School must submit required reports to the Principal within seven (7) days of the event necessitating the report. New employees of the School must report this information prior to commencing work for the School.

Procedure for Review of Reports

The Principal will review and investigate all reports received under the policy and determine whether any employment action is necessary to protect the safety of students.

The Principal will maintain the confidentiality of the information submitted and only share such information with individuals who legitimately need to know. Information regarding the reports, the results of any investigation, the Principal's determination and any action taken will be maintained in a separate, confidential employment file. These records will only be kept if the Principal determines it is necessary to protect the safety of students.

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Required Action

Any individual who reports a matter involving alleged sex offenses or other alleged offenses which may endanger students shall be immediately suspended from all student supervision responsibilities during the period of investigation.

Any individual who reports a matter involving alcohol or drugs shall be immediately suspended from transporting students, operating motor vehicles on school business, or operating or maintaining school vehicles during the period of investigation.

Training

The Principal will ensure that individuals subject to this policy receive training regarding their arrest reporting obligations.

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Utah Open & Public Meetings Act Annual Training Materials

DEFINITIONS

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

A “**Meeting**” is defined as (i) the “convening” of a public body (ii) with a “quorum” present. This includes a workshop or an executive session, whether in person or by means of electronic communications.

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

“**Convening**” means the calling together of the board by a person authorized to do so for the purpose of discussing, receiving comments from the public about, or acting upon a matter over which the board has jurisdiction or advisory power.

A “**Quorum**” is defined by the organization’s bylaws.

NOTICE REQUIREMENTS

Notice of public meetings must be: (i) posted at the principal office, or if that does not exist, at the building where the meeting is to be held; (ii) posted on the Utah Public Notice Website (www.utah.gov/pmn/); and (iii) provided to newspaper/media (accomplished by posting on the Utah Public Notice website).

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

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

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

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

- 1) Electronic Meeting Notice Requirements. In addition to the public notice requirements for a regular meeting, notice for an electronic meeting must also include: (i) written notice at the anchor location (unless no anchor location exists in accordance with the exception below); and (ii) 24 hr. minimum notice to board members with a description of how they will be connected to the meeting.
- 2) Anchor Location Requirements. When holding an electronic meeting, the board must identify an “anchor location” and provide space where members of the public can attend the open portions of the meeting. The anchor location must be in the building/location where the board would normally meet if they were not holding an electronic meeting.

Exception to Anchor Location Requirement: No anchor location is required if the board chair determines: (i) that having an anchor location presents a substantial risk to the health or safety of those present at the anchor location; or (ii) the location where the board would normally meet has been ordered closed for public health/safety reasons. If no anchor location will be made available under this exception, the public notice for the meeting must include a statement of the chair’s risk determination, a summary of the facts supporting the determination, and information on how the public can attend electronically. The determination is valid for 30 days.

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

- 1) Written Minutes. Minutes must include the following:
 - a) the date, time and place of the meeting;
 - b) the names of members present and absent;
 - c) the substance of all matters proposed, discussed or decided (or audio link);
 - d) a record, by individual member, of each vote taken;
 - e) the name of any person who provides comments to the board, as well as a brief summary (or audio link) of their comment; and

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- f) any information that a board member asks to be entered in the minutes.

Note: Pending minutes must indicate they are not approved.

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

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

- 3) Public Availability of Records:

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

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

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

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

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

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5) Closed Session Records:

- a) *Recording Requirement.* Closed meetings must be recorded in their entirety *unless* the meeting was closed to discuss: (i) the character, professional competence or physical/mental health of an individual; or (ii) to discuss security personnel, devices or systems.

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

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

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

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Fraud Risk Assessment

Continued

*Total Points Earned: 375/395 *Risk Level: Very Low Low Moderate High Very High
> 355 316-355 276-315 200-275 < 200

	Yes	Pts
1. Does the entity have adequate basic separation of duties or mitigating controls as outlined in the attached Basic Separation of Duties Questionnaire?	200	200
2. Does the entity have governing body adopted written policies in the following areas:		
a. Conflict of interest?	5	5
b. Procurement?	5	5
c. Ethical behavior?	5	5
d. Reporting fraud and abuse?	5	5
e. Travel?	5	5
f. Credit/Purchasing cards (where applicable)?	5	5
g. Personal use of entity assets?	5	5
h. IT and computer security?	5	5
i. Cash receipting and deposits?	5	5
3. Does the entity have a licensed or certified (CPA, CGFM, CMA, CIA, CFE, CGAP, CPFO) expert as part of its management team?	20	20
a. Do any members of the management team have at least a bachelor's degree in accounting?	10	10
4. Are employees and elected officials required to annually commit in writing to abide by a statement of ethical behavior?	20	20
5. Have all governing body members completed entity specific (District Board Member Training for local/special service districts & interlocal entities, Introductory Training for Municipal Officials for cities & towns, etc.) online training (training.auditor.utah.gov) within four years of term appointment/election date?	20	20
6. Regardless of license or formal education, does at least one member of the management team receive at least 40 hours of formal training related to accounting, budgeting, or other financial areas each year?	20	20
7. Does the entity have or promote a fraud hotline?	20	20
8. Does the entity have a formal internal audit function?	0	20
9. Does the entity have a formal audit committee?	20	20

*Entity Name: Quest Academy

*Completed for Fiscal Year Ending: June 30, 2023 *Completion Date: June 13, 2023

*CAO Name: Dave Bullock *CFO Name: Michelle Kersey-Smith

*CAO Signature: _____ *CFO Signature: _____

*Required

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Basic Separation of Duties

See the following page for instructions and definitions.

	Yes	No	MC*	N/A
1. Does the entity have a board chair, clerk, and treasurer who are three separate people?	Y			
2. Are all the people who are able to receive cash or check payments different from all of the people who are able to make general ledger entries?	Y			
3. Are all the people who are able to collect cash or check payments different from all the people who are able to adjust customer accounts? If no customer accounts, check "N/A".				N/A
4. Are all the people who have access to blank checks different from those who are authorized signers?		N	MC	
5. Does someone other than the clerk and treasurer reconcile all bank accounts OR are original bank statements reviewed by a person other than the clerk to detect unauthorized disbursements?	Y			
6. Does someone other than the clerk review periodic reports of all general ledger accounts to identify unauthorized payments recorded in those accounts?	Y			
7. Are original credit/purchase card statements received directly from the card company by someone other than the card holder? If no credit/purchase cards, check "N/A".	Y			
8. Does someone other than the credit/purchase card holder ensure that all card purchases are supported with receipts or other supporting documentation? If no credit/purchase cards, check "N/A".	Y			
9. Does someone who is not a subordinate of the credit/purchase card holder review all card purchases for appropriateness (including the chief administrative officer and board members if they have a card)? If no credit/purchase cards, check "N/A".	Y			
10. Does the person who authorizes payment for goods or services, who is not the clerk, verify the receipt of goods or services?	Y			
11. Does someone authorize payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	Y			
12. Does someone review all payroll payments who is separate from the person who prepares payroll payments? If no W-2 employees, check "N/A".	Y			

* MC = Mitigating Control

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Quest Academy Ethics Policy

Quest Academy (the “School”) adopts this policy to ensure that individuals associated with the School, including Board Members and employees, conduct themselves consistent with high standards of ethics and with applicable law.

Any allegation of a violation of this policy should be reported to the School’s Board of Directors under the School’s Staff Grievance Policy or Parent Grievance Policy. The Board will ensure that all allegations of ethics violations are promptly investigated and that appropriate action is taken based on the results of the investigation.

No Board Member or School employee may violate Utah Code 76-8-105, which precludes the solicitation or receipt of a bribe.

No Board Member or School employee may violate the Utah Public Officers’ and Employees’ Ethics Act (Utah Code 67-16-1, et seq.), which, among other requirements, precludes Board Members and School employees from:

- (a) accepting employment or engaging in any business or professional activity that he/she might reasonably expect would require or induce him/her to improperly disclose controlled information that he/she has gained by reason of his/her official position;

- (b) disclosing or improperly using controlled, private, or protected information acquired by reason of his/her official position or in the course of official duties in order to further substantially his/her personal economic interest or to secure special privileges or exemptions for himself/herself or others;

- (c) using or attempting to use his/her official position to:

- (i) further substantially his/her personal economic interest; or
 - (ii) secure special privileges or exemptions for himself/herself or others;

- (d) accepting other employment that he/she might expect would impair his/her independence of judgment in the performance of his/her public duties;

- (e) accepting other employment that he/she might expect would interfere with the ethical performance of his/her public duties; or

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(f) except as otherwise allowed in the law, knowingly receiving, accepting, taking, seeking, or soliciting, directly or indirectly for himself/herself or another a gift of substantial value or a substantial economic benefit tantamount to a gift:

(i) that would tend improperly to influence a reasonable person in the person's position to depart from the faithful and impartial discharge of the person's public duties;

(ii) that he/she knows or that a reasonable person in that position should know under the circumstances is primarily for the purpose of rewarding him/her for official action taken; or

(iii) if he/she recently has been, is now, or in the near future may be involved in any governmental action directly affecting the donor or lender, unless a disclosure of the gift, compensation, or loan and other relevant information has been made in the manner provided in Utah Code 67-16-6.

Licensed educators of the School must comply with Utah Educator Standards at R277-515-3 pertaining to the ethical conduct required of all licensed educators in Utah.

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Board Self-Evaluation

	<u>Yes</u>	No	Unsure/ Don't Know
1. I am passionate and believe in the school's mission and core values.			
2. As a board, we have a collective vision of where the school is and where we want it to be in the future.			
3. As a board, we have a collective vision of where the school is and where we want it to be in the future.			
4. I have a firm understanding of the school's charter application, Exhibit A, and authorizer relationship.			
5. Our board has created a clear way to measure how well we are accomplishing our goals and charter promises.			
6. Our board has clearly defined the roles and responsibilities of the <u>board as a whole, each board member, and the school Director.</u>			
7. As a board, we understand the difference between governing and managing and we regularly demonstrate that knowledge.			
8. As a board, we are focused on <u>results</u> and we use academic achievement data to make decisions and improve results.			
9. We have a solid board (good size, well-rounded, good communication).			
10. Our board meetings are focused on strategic questions and not just reporting.			
11. The school Director takes an active role in supporting effective governance.			
12. We have a strong partnership with our school Director built on mutual trust and respect.			
13. As a board, we know and follow the Utah Open and Public Meetings Act.			
14. We receive monthly budget reports and have a firm grasp on the school's financial health.			
15. What are the strengths of our board (areas in which we are performing well)?			
16. What are the challenges of our board (areas in which we need to do more work)?			

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QUEST ACADEMY

INNOVATION • PASSION • MASTERY

Board of Directors

PROPOSED

2023-2024 Board Meeting Dates

Board Meeting Date	Time
August 8, 2023	6:00 pm
October 10, 2023	6:00 pm
December 12, 2023 <i>Electronic Board Meeting</i>	6:00 pm
February 13, 2024	6:00 pm
March 12, 2024 <i>Electronic Board Meeting</i>	6:00 pm
April 09, 2024	6:00 pm
June 11, 2024 <i>Annual Board Meeting</i>	5:00 pm

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