



Utah Virtual Academy Board of Directors Policy Manual

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Arrest Reporting Policy

Adopted: November 8, 2018

Revised:

Policy

The Board of Directors of Utah Virtual Academy (the “School”) recognizes the importance of receiving information regarding arrests of employees that are not licensed by the Utah State Office of Education in order to assist the School in adequately safeguarding the safety of students.

The Head of School will therefore establish administrative procedures that comply with the requirements of Utah Administrative Code R277-516-5.

The Board acknowledges the requirement that Board Members report arrests and convictions as set forth in R277-516-5.

Background Check Policy

Adopted: November 8, 2018

Revised:

Policy

The purpose of this policy is to protect the safety, health and security of Utah Virtual Academy (the “School”) students, employees, and property.

The School will comply with the provisions of Utah Code § 53G-11-402 and Utah Administrative Code R277-516 regarding employee background checks. In order to protect the health and safety of all students and protect the property of the School, the School requires (a) all Board members, (b) all potential employees and (c) any volunteers who will be given significant unsupervised access to a student in connection with the volunteer’s assignment to submit to a criminal background check and ongoing monitoring as a condition for employment or appointment.

The Head of School shall establish administrative procedures consistent with this policy and applicable law.

Budgeting Policy

Adopted: August 9, 2018

Revised:

Policy

The School will comply with the budgeting requirements of Utah law, including but not limited to Utah Code Title 53G Chapter 7.

The School's Director is appointed as the budget officer. Before June 1 of each year, the budget officer shall prepare a tentative budget, with supporting documentation, to be submitted to the Board of Directors.

The tentative budget and supporting documents shall include the following items:

- (a) the revenues and expenditures of the preceding fiscal year;
- (b) the estimated revenues and expenditures of the current fiscal year;
- (c) a detailed estimate of the essential expenditures for all purposes for the next succeeding fiscal year; and
- (d) the estimated financial condition of the School at the close of the current fiscal year.

The tentative budget shall be filed with the School's Director for public inspection at least 15 days before the date of the tentative budget's proposed adoption by the Board of Directors.

Before June 30 of each year, the Board of Directors will adopt a budget for the next fiscal year.

By the sooner of July 15 or 30 days of adopting a budget, the Board of Directors will file a copy of the adopted budget with the state auditor and the State Board of Education.

Bullying and Hazing Policy

Adopted: June 12, 2008

Revised: October 4, 2018

Policy

The purpose of this policy is to prohibit bullying, cyber-bullying, hazing, retaliation, and abusive conduct involving Utah Virtual 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. 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 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 hazing or cyber-bullying 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, or abusive conduct and shall not plan,

direct, encourage, assist, engage or participate in any activity that involves hazing, 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 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.

Bullying also includes relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation.

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, including cyber-bullying, 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 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.

(1) Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin.

(2) Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex.

(3) Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability.

(4) Other areas included under these acts 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.

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).

Reporting and Investigation

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

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

Each report of prohibited conduct shall include: name of complaining party; name of victim of prohibited conduct (if different than complaining party); name of offender (if known); date and location of incident(s); and a statement describing the incident(s), including names of witnesses (if known). In connection with a report of prohibited conduct, students and School employees may request that their identity be kept anonymous, and reasonable steps shall be taken by the Principal and others involved in the reporting and investigation to maintain the anonymity of such individuals, if possible. School employees will 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 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 law enforcement all acts of bullying, cyber-bullying, hazing, abusive conduct, or retaliation that constitute suspected criminal activity.

The Principal may report to OCR all acts of bullying, hazing, cyber-bullying, abusive conduct, or retaliation that may be violations of 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 designee will timely notify a student's parent or guardian (a) if the student threatens to commit suicide or (b) of any incidence of bullying, cyber-bullying, hazing, abusive conduct, or retaliation involving the student. The Principal or designee will attempt to contact the parent or guardian by telephone or schedule an in-person meeting with them to discuss these matters. In the event the Principal or designee is not able to meet in person or discuss via telephone, the Principal or designee will send a letter to the parent or guardian providing the required notification.

The Principal or 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 designee will ask the parent or guardian to sign a form acknowledging that the notification was provided. If a telephone conversation takes place, the Principal or designee will document 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 a letter is sent, the Principal or designee will retain a copy of the letter along with a note regarding when it was mailed. 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.

Student Assessment

The Principal or 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.

Consequences of Prohibited Behavior

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

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, 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.

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 with the Head of School and/or Board consistent with any complaint or grievance policy established by the School.

Additional Provisions

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.

To the extent allowable under applicable privacy laws, the Principal may inform the parents or guardians of a student who is a victim of conduct prohibited by this policy of the actions taken against the perpetrator of such conduct.

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 or retaliation in the process of responding to and resolving conduct prohibited by this policy.

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 and will distribute a copy of this policy to such individuals. 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.

Training

The Principal will ensure that School students, employees, coaches, and volunteers receive periodic training from individuals qualified to provide such training regarding bullying, cyber-bullying, hazing, abusive conduct, and retaliation, including training on civil rights violations and compliance when civil rights violations are reported. The training shall meet the standards established by the State Board of Education's rules.

To the extent possible, programs or initiatives designed to provide training and education regarding the prevention of bullying, hazing, abusive conduct, and retaliation will be implemented.

The training provided under this policy will address issues such as:

(1) overt aggression that may include physical fighting such as punching, shoving, kicking, and verbal threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior;

(2) relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation;

(3) sexual aggression or acts of a sexual nature or with sexual overtones;

(4) cyber-bullying, including use of email, web pages, text messaging, instant messaging, social media, three-way calling or messaging or any other electronic means for aggression inside or outside of school;

(5) bullying, cyber-bullying, hazing and retaliation based upon the students' or employees' identification as part of any group protected from discrimination under the following federal laws: (a) Title VI of the Civil Rights Act of 1964, including discrimination on the basis of race, color, or national origin; (b) Title IX of the Education Amendments of 1972, including discrimination on the basis of sex; or (c) Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, including discrimination on the basis of disability; and

(6) bullying, cyber-bullying, hazing, and retaliation 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.

The training provided under this policy will 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). The training will also include information on when issues relating to this policy may lead to student or employee discipline.

This training shall be offered to all new school employees, coaches, and volunteers and shall be offered to all existing school employees, coaches, and volunteers at least once every three years.

In addition to training for all students and School employees, students, employees, and volunteer coaches involved in any athletic program, both curricular and extracurricular, or extracurricular club or activity shall participate in bullying, cyber-bullying, hazing, and retaliation 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 this policy and potential consequences for violation of this policy and applicable law.

The Principal will ensure that training curriculum, schedules, and participant lists or signatures are maintained by the School and provided to the Utah State Board of Education upon request.

Action Plan to Address Reported Incidents of Bullying, Cyber-Bullying, Hazing, or Retaliation

The School will investigate all allegations of incidents of bullying, cyber-bullying, hazing, and retaliation in accordance with this policy and applicable law.

The Principal or their designee will investigate allegations of these incidents and ensure that this individual has adequate training to conduct such an investigation.

The School will investigate all allegations of these incidents by interviewing at least the alleged targeted individual and any individuals who are alleged to have engaged in the prohibited conduct. As part of the investigation, the School may also interview: (a) parents of the alleged targeted individual and the individual who is alleged to have engaged in prohibited conduct; (b) any witnesses; (c) School staff; and (d) other individuals who may provide additional information.

The individual who investigates an allegation of an incident will inform an individual being interviewed that (i) to the extent allowed by law, the individual is required to keep all details of the interview confidential; and (ii) 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 applicable law.

In conducting this investigation, the School may (a) review disciplinary reports of involved students; and (b) 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, and retaliation 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, or retaliation, the School may, if the administrator determines it is appropriate, take positive restorative justice practice action, as defined in R277-613-2(9) and support involved students through trauma-informed practices, as defined in R277-613-2(12). 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 an alleged targeted individual who is a student to participate in a restorative justice practice, the School will notify the alleged targeted individual's parent of the restorative justice practice and obtain consent before including the alleged targeted individual in the process.

Child Abuse and Neglect Reporting Policy

Adopted: November 8, 2018

Revised:

Purpose

Utah Virtual Academy (the “School”) takes seriously the legal responsibility of its personnel to protect the physical and psychological well-being of its students. We believe that the School’s personnel have an important role to play in the elimination of child abuse because they are in a unique position to observe children over extended periods of time on a daily basis.

Utah law requires that whenever any person, including any school employee, contracted or temporary employee, or volunteer who 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 sexual abuse, physical abuse, or neglect, he/she shall immediately notify the nearest peace officer, law enforcement agency, or the Division of Child Family Service. The law provides serious penalties for failure to fulfill one’s duty to report.

The Head of School shall establish administrative procedures that will comply with the provisions of Utah Code Ann. §§ 53E-6-701; 62A-4a-402, et seq. and Utah Administrative Rules R277-401 and will help the School’s personnel to understand and fulfill their legal responsibilities concerning child abuse.

Concussion and Head Injury Policy

Adopted: December 13, 2018

Revised:

Policy

The purpose of this policy is to protect the safety and health of Utah Virtual Academy (the “School”) students. The School recognizes that concussions and head injuries are commonly reported injuries in children and adolescents who participate in sports and other recreational activities. The School acknowledges that the risk of serious injuries is significant when a concussion or head injury is not properly evaluated and managed, especially when the individual continues to participate in physical activities after the injury.

Accordingly, the School will comply with the provisions of Utah Code § 26-53-101 through -401 and R277-614 regarding the protection of athletes with head injuries. In order to protect the health and safety of its students, the School directs the Head of School to establish administrative procedures consistent with this policy and applicable law.

Course Substitution Policy

Adopted: November 9, 2018

Revised:

Policy

Utah Virtual Academy (the “School”) offers classes satisfying the Grade 7-8 General Core Requirements specified in R277-700-5(3). In accordance with R277-700-5(7), the School may, upon request and with parental consent, substitute a course requirement with a course, extracurricular activity, or experience that is either (a) similar to the course requirement or (b) consistent with the student’s plan for college and career readiness.

Course substitution requests and parental consent must be provided to the School Principal in writing and must (a) identify the course requirement seeking to be substituted; (b) identify and describe the desired course, extracurricular activity, or experience to be substituted for the course requirement; (c) explain how the desired course, activity or experience is similar to the course requirement and/or consistent with the student’s plan for college and career readiness; and (d) explain why it is in the student’s best interest to substitute the desired course, activity, or experience for the course requirement.

The Principal will decide whether to grant course substitution requests based on the Principal’s determination of what is in the student’s best interest and other relevant factors related to the specific request.

Appeal Process

A parent who is dissatisfied with the Principal’s decision regarding a course substitution request may appeal that decision to the Board President in writing within ten (10) days of the decision. The written appeal should provide all relevant information regarding the request and the Principal’s decision.

The Board President or another Board member designated by the Board President will review the appeal and the Principal’s response and determine whether the course substitution request should be granted. The Board President or their designee will notify the parent of the decision on the appeal in writing within ten (10) days of receiving the appeal. This decision will be final.

Donations and Fundraising Policy

Adopted: December 13, 2018

Revised:

Although Utah Virtual Academy (the “School”) does not typically engage directly in fundraising, it may do so on certain occasions in order 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

The School may not transfer or expend donated property in a manner contrary to donor restrictions imposed as a condition of making the donation. The Head of School is also responsible for ensuring that donor restrictions of accepted donations are complied with and that compliance can be verified. The Head of School will ensure that charitable donation receipts are provided to donors as necessary.

The Head of School must approve voluntary donations from private individual or organization in excess of \$1,000 and any donation involving donor restrictions prior to accepting the donation. The Board of Directors must approve any voluntary donations from private individual or organization in excess of \$10,000. The School may not accept donations with the condition that the donation provide direct benefit to specific School employees, students, vendors, or service providers, or that the School purchase a specific brand of goods with the donated funds.

If advertising or other services are offered to a donor in exchange for a donation or gift, the School will objectively value the donation or gift in order to ensure the School receives at least fair value.

The Head of School 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 Head of School or Board of Directors that support the School or authorized curricular clubs, activities, sports, classes, or programs that are themselves school sponsored. School-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 Head of School for approval.
4. The Head of School 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 not successful should not be approved.
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 Head of School.
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 generally discouraged, and any such rewards or prizes must be approved by the Head of School.
10. The Head of School will ensure that the School’s Fee Waiver Policy is complied with in connection with 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 considered public funds and will be handled accordingly. The Head of School will ensure that all other applicable fiscal policies are complied with in connection with fundraising activities.
12. Any fundraising activities that are 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 Head of School will ensure that 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.
15. Any School employee involved in managing or overseeing non-School-sponsored fundraising must disclose to the Head of School 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 Head of School'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 Head of School 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 Head of School 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 annually.

Electronic Meetings Policy

Adopted: October 4, 2018

Revised:

Purpose

The purpose of this policy is to establish the means and procedures by which the Board of Directors (the “Board”) may conduct electronic meetings in accordance with the provisions of the Utah Open and Public Meetings Act (the “Act”), including Utah Code § 52-4-207.

Policy

Definitions

The Board adopts for application in this policy the definitions in the Act at Utah Code § 52-4-103.

Electronic Meetings

The Board may, from time to time as needed, convene and conduct electronic board meetings. For the purpose of this policy, an “electronic board meeting” is defined as a meeting convened and conducted in accordance with the Act by means of telephone, teleconferencing, or other electronic telecommunications media by which all participants participate by audible oral communication.

The Board will establish one or more anchor locations for the electronic board meeting, at least one of which is the building where the Board would normally meet if they were not holding an electronic meeting.

The Board will provide space and facilities at the anchor location so that interested persons and the public may attend and monitor the open portions of the meeting. If public comments will be accepted during the electronic meeting, the Board will provide space and facilities at the anchor location so that interested persons and the public may attend, monitor, and participate in the open portions of the meeting.

Notice

Prior to conducting an electronic meeting, the Board shall provide advance notice of the meeting in accordance with the Act.

Notice shall be provided to all Board members, as well as to members of the public in accordance with the provisions of the Act.

Each notice shall describe the means of communication by which members will be connected to the electronic meeting and the anchor location.

Electronic Resources Policy

Adopted: January 9, 2019

Revised:

Purpose

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

Electronic Devices

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

Internet Safety

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

Student Acceptable Use of School Electronic Resources

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

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

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

Staff Acceptable Use of School Electronic Resources

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

Review

This policy will be reviewed regularly to ensure that it continues to meet the School's needs.

Fee Waiver Policy

Adopted: December 11, 2013

Revised: April 29, 2015

Revised: February 24, 2016

Revised: October 4, 2018

Purpose

Utah Virtual Academy (the “School”) must abide by the Utah State Board of Education rules which direct the Board of Education to implement a policy regarding student fees. The rule is authorized under Article X, Sections 2 and 3 of the Utah Constitution, which provides that elementary and secondary schools shall be free except that fees may be imposed in secondary schools as authorized by the Utah State Legislature. Utah state law also allows schools to establish money collection and handling procedures.

The purpose of the Fee Schedule and Fee Waivers are to provide educational opportunities for all students. This allows the School to establish a reasonable system of fees, while prohibiting practices that would exclude those unable to pay from participation in school-sponsored activities.

Policy

Under the direction of the Board of Directors (the “Board”), the Head of School is authorized to administer this policy and to do so fairly, objectively, and without delay, avoiding stigma and unreasonable burdens on students or parents/guardians.

Classes & Activities During the Regular School Day

The School may require students at any grade level to provide materials or pay for their optional projects, but a student may not be required to select an optional project requiring the student to obtain additional material as a condition for enrolling in or completing a course. The school shall base mandatory course projects on experiences that are free to all students.

Kindergarten through Sixth Grade

No fee may be charged in kindergarten through sixth grades for materials, textbooks, supplies or for any class or regular school day activity, including assemblies and field trips.

Elementary students cannot be required to provide their own school supplies.

However, the School or teacher may compile and provide to the parent or guardian of students in grades kindergarten through sixth a suggested list of supplies for use during

the regular school day so that a parent or guardian may furnish on a voluntary basis those supplies for student use. The list provided to a student's parent or guardian must include and be preceded by the following language:

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

Seventh through Ninth Grade

Fees may be charged in grades 7-9 for materials, textbooks, supplies or for any class or regular school day activity, including assemblies and field trips.

Fee waivers are available for any class that requires payment of fees or purchase of materials (i.e., tickets to events, etc.) in order for students to participate fully and to have the opportunity to acquire all skills and knowledge required for full credit and highest grades.

Secondary students may be required to provide their own student supplies, subject to the fee waiver provisions.

Activities Outside of the Regular School Day

Fees may be charged in all grades for any school-sponsored activity that does not take place during the regular school day where participation is voluntary and does not affect the student's grade or ability to participate fully in any course taught during the regular school day. Fee waivers are available for such fees.

Activities that use the school facilities outside the regular school day and are not sponsored by the School may require fees (i.e., programs sponsored by the parent organization and/or an outside organization.) Fee waivers are not available for such fees.

General Provisions

The Board will approve a Fee Schedule at least once each year. No fee may be charged in connection with any class or School-sponsored activity, including extracurricular activities, unless the fee has been approved by the Board in the Fee Schedule.

The Head of School shall ensure that a written copy of the School's Fee Schedule is included with all registration materials provided to potential or continuing students. The procedures for obtaining the waivers and for appealing a denial of a waiver shall be provided as soon as possible prior to the time the fees become due.

The School will not exclude a student from school to obtain payment of fees or fines.

No present or former student may be denied receipt of unofficial transcripts, diplomas or grade reports for failure to pay school fees or fines.

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

Donations or contributions may be solicited and accepted, but all such requests must clearly state that donations and contributions are voluntary. A donation is a fee if a student must make a donation in order to participate in an activity. No student may be excluded from any activity or program connected to the regular school day program because they did not make a donation.

Waivers

To ensure that no student is denied the opportunity to participate in a class or School-sponsored or supported activity because of an inability to pay a fee, the School provides fee waivers or other provisions in lieu of fee waivers as follows:

- The Principal will administer the policy and grant waivers.
- The process for obtaining waivers or pursuing alternatives shall be administered fairly, objectively, and without delay, and avoid stigma, embarrassment, undue attention, and unreasonable burdens on students and parents.
- The Principal will inform patrons of the process for obtaining waivers.
- The School will not treat a student receiving a fee waiver or provision in lieu of a fee waiver differently from other students.
- The School may not identify a student on fee waiver to students, staff members, or other persons who do not need to know.
- Fee waivers or other provisions in lieu of fee waivers will be available to any student whose parent is unable to pay a fee.
- The Principal will explore with the student and parent/guardian of a student eligible for a fee waiver the alternatives available for satisfying the fee requirement in lieu of waivers, including but not limited to (a) providing tutorial assistance to other students, (b) providing assistance before or after school to teachers and other school personnel on school-related matters, and (c) general community or home service.

Eligibility for Fee Waivers

1. A student is eligible for a fee waiver if the School receives verification that:
 - a. Based on family income, the student qualifies for free school lunch under United States Department of Agriculture child nutrition program regulations;
 - b. The student to whom the fee applies receives Supplemental Security Income (SSI);

- c. The family receives TANF (currently qualified for financial assistance or food stamps);
 - d. The student is in foster care through the Division of Child and Family Services; or
 - e. The student is in state custody.
2. In lieu of income verification, the School may require alternative verification under the following circumstances:
 - a. If a student's family receives TANF, the School may require a letter of decision covering the period for which the fee waiver is sought from the Utah Department of Workforce Services;
 - b. If a student receives SSI, the School may require a benefit verification letter from the Social Security Administration;
 - c. If a student is in state custody or foster care, the School may rely on the youth in custody required intake form or school enrollment letter provided by a caseworker from the Utah Division of Child and Family Services or the Utah Juvenile Justice Department.
3. The School may grant a fee waiver to a student, on a case by case basis, who does not qualify for a fee waiver under the foregoing provisions but who, because of extenuating circumstances, is not reasonably capable of paying the fee.
4. If a student is eligible for waivers, textbook fees must be waived; no alternative in lieu of a fee waiver is permissible for such fees. However, a student may be offered a work alternative to a waiver for all other kinds of fees. Parents will be given the opportunity to review proposed alternatives to fee waivers.
5. Denial of eligibility for a waiver may be appealed in writing to the Principal within ten (10) school days of receiving notice of denial.
 - a. The School shall contact the parent within two (2) weeks after receiving the appeal and schedule a meeting with the Principal to discuss the parent's concerns.
 - b. If, after meeting with the Principal, the waiver is still denied, the parent may appeal, in writing, within ten (10) school days of receiving notice of denial to the Board.
6. Any requirement that a student pay a fee will be suspended during any period in which the student's eligibility for a waiver is being determined or during the time a denial of waiver is being appealed.

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

Items Eligible for Fee Waivers

Any charge, deposit, rental, or other mandatory payment for required student participation in any class, program or activity provided, sponsored or supported by the School are fees requiring approval of the Board and are subject to the fee waiver requirements.

Expenditures for costumes, clothing, and accessories (other than items of typical student dress) which are required for school attendance, participation in school activities, and expenditures for student travel as part of a school team, student group, or other school-approved trip, are fees requiring approval of the School and are subject to the fee waiver provisions of this policy.

Items Not Subject to Waivers

Fee waiver and other provisions in lieu of fee waivers are not available for charges assessed in connection with a student losing or willfully damaging school property.

Charges for yearbooks, picture books, and similar parent organization or vendor-sponsored items that are not required for participation in a class or activity are not fees, and fee waivers are not available for such items.

Fee waivers are not available for student supplies for secondary students if the item is something that is commonly found in students' homes regardless of wealth.

If a student must repeat a course or requires remediation to advance or graduate and a fee is associated with the course or the remediation program, it is presumed that the student will pay the fee.

Collection

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

The School may not exclude students from school; refuse to issue a course grade; or withhold official student records, including written or electronic grade reports, diplomas, or transcripts, as a result of unpaid fees.

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

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

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

Refunds

Student fees are non-refundable.

School Fee Collections & Accounting Procedures

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

Fees must be received and deposited in a timely manner.

Money may only be collected by staff authorized by the Head of School.

Policy Review and Approval

The Board will review and approve this policy annually.

Parent and Family Engagement Policy

Adopted: November 8, 2018

Revised:

Purpose

In support of strengthening student academic achievement, Utah Virtual Academy (the “School”) receives Title I, Part A funds and must jointly develop with, agree on with, and distribute to parents and family members of participating children a written parent and family engagement policy that contains information required by Section 1116 of the Every Student Succeeds Act (the “ESSA”). This policy establishes the School’s expectations and objectives for meaningful parent and family involvement, describes how the School will implement a number of specific parent and family engagement activities, and is incorporated into the School’s plan submitted to the state pursuant to Section 1112 of the ESSA. The purpose of an effective parent and family engagement policy is to improve all students’ academic achievement.

Policy

The School agrees to implement the following requirements as outlined by Section 1116 of the ESSA:

- Involve parents, in an organized, ongoing, and timely way, in the planning, review, and improvement of programs under Title I, Part A, including the planning, review, and improvement of this policy and the joint development of the targeted assistance or schoolwide program plan.
- Update this policy periodically to meet the changing needs of parents and the School, distribute it to the parents and family members of participating children, and make this policy available to the local community.
- Provide full opportunities, to the extent practicable, for the participation of parents and family members with limited English proficiency, parents and family members with disabilities, and parents and family members of migratory children, including providing information and school reports required under Section 1111 of the ESSA in an understandable and uniform format and, to the extent practicable, in a language parents understand.
- If the targeted assistance or schoolwide program plan under Section 1114(b) of ESSA is not satisfactory to the parents of participating children, submit any parent comments with such plan when the School submits the plan to the state.
- Be governed by the following statutory definition of parent and family engagement and will carry out programs, activities, and procedures in accordance with this definition:

Parent and family engagement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring:

- *That parents play an integral role in assisting their child's learning;*
- *That parents are encouraged to be actively involved in their child's education at school;*
- *That parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees (if any) to assist in the education of their child; and*
- *The carrying out of other activities, such as those described in Section 1116 of the ESSA.*

Required Policy Components

Below is a description of how the School will implement or accomplish each of the following components required by Section 1116 of the ESSA:

- Joint Development of Policies, Plans, Compact, and Programs. The School will take the following actions to involve parents and family members in an organized, ongoing, and timely manner in the planning, review, and improvement of Title I policies, plans, compact, and programs:
 - Distribute a copy of this policy and the school-parent compact to parents and family members at the beginning of each school year through appropriate channels, such as the registration packet. The policy and school-parent compact will also be posted on the School's website.
 - Notify parents and family members of an annual meeting where parents and family members will be informed about the School's participation in and the requirements of Title I programs.
 - Hold other parent and family meetings at flexible times during the school year to provide parents and family members with ongoing information, training, and materials to help them work with their children in the areas such as literacy, numeracy, and technology.
 - Hold parent-teacher conferences at least annually, where student achievement, behavior, and/or the school-parent compact will be reviewed and discussed.
 - The School and state websites will provide parents with information related to expected student proficiency levels.
 - The School website will provide parents with a description and explanation of the School's curriculum, mission, calendar information, policies, and opportunities for school and parent interaction.
 - Conduct an annual review and evaluation of this policy, the school-parent compact, and targeted assistance or schoolwide program plan. As part of the annual review and evaluation, the School will consider, and implement if appropriate, any suggestions or feedback provided by parents and family members on how the School can improve this policy and the associated compact and plan. Suggestions or feedback may be provided to the School in the form of results from the School's needs assessment and evaluation given to parents, comments made by parents and family members in meetings at the School and during parent-teacher conferences, or through other means. The annual review and evaluation

of this policy will also include identifying such things as barriers to parent engagement (especially engagement of parents who are economically disadvantaged, disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background); needs of parents and family members to enable them to assist with the learning of their children; and strategies to support successful school and family interactions.

- Communications. The School will take the following actions to provide parents and family members timely information about the Title I programs in which the School participates:
 - Distribute a copy of the updated version of this policy and the school-parent compact to parents and family members at the beginning of each school year through appropriate channels, such as the registration packet.
 - Provide information related to the Title I programs, meetings, and other activities to the parents of participating children in an understandable and uniform format and, to the extent practicable, in a language that the parents can understand.

- School-Parent Compact. The School's school-parent compact outlines how parents, the entire School staff, and students will share the responsibility for improved student academic achievement and the means by which the School and parents will build and develop a partnership to help children achieve the state's high standards. The School will review the school-parent compact with parents of participating children by doing the following:
 - Distributing a copy of the updated version of the school-parent compact to parents and family members at the beginning of each school year through appropriate channels, such as the registration packet.
 - Obtaining all parties' signatures (electronic or written) on each school-parent compact on an annual basis.
 - Encouraging parents to review the school-parent compact with their children on a regular basis.
 - Considering, and implementing, if appropriate, any suggestions or feedback provided by parents and family members on how the School can improve its school-parent compact.

- Reservation of Funds. The School currently does not receive Title I allocations of \$500,000 or more. In the event the School's Title I allocations reach or exceed \$500,000 in the future, the School will follow the requirements in Section 1116(a)(3) of the ESSA.

- Coordination of Services. The School will, to the extent feasible and appropriate, coordinate and integrate parent and family engagement programs and activities with other federal, state, and local programs, including public preschool programs, and conduct other activities, such as parent resource centers, that

encourage and support parents in more fully participating in the education of their children.

- Building Capacity of Parents. The School will build the parents' capacity for strong parent and family engagement to ensure effective involvement of parents and to support a partnership among the School and the community to improve student academic achievement through the following:
 - Providing opportunities for discussion with parents about the School's curriculum, forms of academic assessment used to measure student progress, and achievement levels of the challenging state academic standards.
 - Engaging parents with materials and training to help parents to work with their child to improve their child's achievement, such as literacy training and using technology (including education about the harms of copyright piracy), as appropriate, to foster parent and family engagement.
 - Giving parents information at parent-teacher conferences about their student's state core testing and other appropriate curriculum based assessments.
 - Providing progress reports to parents to communicate their student's academic performance throughout the school year.
 - Facilitating communication between parents and School personnel through the School's LAND Trust Committee.
 - Scheduling School meetings, as well as parent-teacher conferences, in a way that will maximize parent and family member involvement and participation.
 - Gathering, on an annual basis, input from parents through a variety of methods. For example, parent surveys, needs assessments, conversation, parent-teacher conferences, and School activities.
 - Providing assistance to parents, as appropriate, in understanding topics such as the following:
 - The challenging state's academic standards;
 - The state and local academic assessments, including alternate assessments;
 - The requirements of Title I, Part A;
 - How to monitor their child's progress; and
 - How to work with educators to improve the achievement of their child.

- Building Capacity of School Staff. The School will, with the assistance of parents, provide training to educate teachers, specialized instructional support personnel, principals/directors and other School leaders, and other staff on the value and utility of contributions of parents; how to reach out to, communicate with, and work with parents as equal partners; how to implement and coordinate parent programs; and how to build ties between parents and the School. The School may accomplish this training through in-person trainings and/or through the utilization of online print and video resources. The School may also provide

other reasonable support for parent and family engagement activities under Section 1116 as parents may reasonably request.

Review

The School will annually review and evaluate this policy, the school-parent compact, and the targeted assistance or schoolwide program plan to determine their effectiveness in improving the academic quality of the School and academic achievement of its students. Results of the annual review and evaluation will be used to design strategies for more effective parent and family engagement.

Purchasing and Disbursement Policy

Adopted: October 4, 2018

Revised:

Purpose

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

Purchasing

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

- All purchases up to \$2,500 must be approved by the Head of School;
- All purchases between \$2,500 and \$5,000 must be approved by the Head of School and either the Board President *or* the Board Financial Coordinator;
- All purchases between \$5,000 and \$7,500 must be approved by the Head of School and the Board President *and* the Board Financial Coordinator; and
- All purchases above \$7,500 must be approved by a majority vote of the Board.

Purchases that require the use of a credit card should follow the process established by this policy and utilize a purchase order when feasible.

Disbursements

The responsibility for disbursement is delegated to Academica West.

Disbursements will be charged to the School’s General Operating Account. Academica West is responsible for disbursements charged to the General Operating Account.

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

General Operating Account

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

- A purchase order shall be completed prior to disbursing funds for a purchase unless the disbursement is made in accordance with the terms of an ongoing contract that has been previously approved by the Board.
- A purchase order shall be authorized by the individual(s) listed above based on the purchase amount.
- Following proper authorization, purchase orders are reviewed by Academica West.
- Academica West must be given a valid invoice and properly completed purchase order prior to making payment.
- Disbursements are to be made primarily by check with counter signatures to provide additional control.

Recording Transactions

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

Review

The School will review this policy annually.

Student Conduct and Discipline Policy

Adopted: October 4, 2018

Revised:

1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 Purpose

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

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

The School will promote and require:

- student responsibility for learning and behavior 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 responsibility for their students' behavior and to cooperate with School authorities in encouraging student self-discipline and discouraging behavior that is disruptive to the School's educational program.

1.2 Beliefs and Expectations

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

Beliefs:

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

Expectations:

- Students will show respect for other students
- Students will show respect for adults
- Students will show respect for the building

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

1.3 Procedural Philosophy

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

Procedures:

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

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

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

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

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

- The student will be subjected to consequences and positive behavior support to ensure that the student will make better choices in the future. Consequences might include:
 - 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
 - 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 School's Board of Directors (the "**Board**") in accordance with the applicable School grievance policy.

- Parents will be notified when students are involved in situations that are deemed to be serious.
- Parents and students will be notified of the expectations, possible consequences, and the procedures involved in this policy at the beginning of each school year.

2. ENVIRONMENT

2.1 Safe School Environment

It is the School's policy to promote a safe and orderly school environment for all students and employees. Accordingly, the School holds all students, employees, and other adults to the highest standards of behavior in 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 disciplinary action, criminal prosecution, or both.

2.2 Discrimination Prohibited

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

3. DEFINITIONS

3.1 Suspension

For purposes of this policy, suspension is a temporary removal of a student from School and School-sponsored activities for a period of up to one (1) year. 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 purposes of this policy, expulsion means the formal process of dismissing a student from School. Recognizing that students who commit violent or 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.

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

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

3.4 Disruptive Student Behavior

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

3.5 Parent

For purposes of this policy, "parent" means (i) a custodial parent of a school-age 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

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

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

[b] willful destruction or defacing of School property;

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

[d] possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah law;

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

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

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

[h] any criminal activity;

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

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

4.1.2 A student shall be suspended or expelled from School for

[a] any serious violation affecting another student or a staff member, or any serious violation occurring in a School building, in or on School property, or in conjunction with any School-sponsored activity, including:

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

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

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

or

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

4.2 Expulsion

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

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

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

[a] Within forty-five (45) days after the expulsion, the student shall appear before the Case Management Team (“**CMT**”), which shall be comprised of the Head of School, Principal, a Board member, and a teacher selected by them, 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-sponsored activity, the procedures outlined in Section 10 of this policy must be followed.

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

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

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

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

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

4.4.2 Students with Disabilities under Section 504

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

4.4.3 Drug Testing

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

[b] Any student who has been suspended or expelled for a violation of Section 4.4 may be required to provide a clean drug test and evidence of completion of drug assessment and/or drug counseling programs as a condition of readmission to School. Testing and counseling required as a condition of readmission rather than for the purpose of providing justification for the initial suspension or expulsion shall be arranged and paid for by the student's parent 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-sponsored activity, the procedures outlined in Section 10 of this policy must be followed.

4.5 Gangs

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

4.5.1 Gang Activity and Apparel Prohibited

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

[a] Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, apparel, emblems, badges, tattoos or manner of grooming, accessories, symbols, signs, or other thing which is evidence of membership in or affiliation with any gang;

[b] Committing any act or omission or using any speech, either verbal or nonverbal, (flashing signs, gestures, 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

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.

5. AUTHORITY TO SUSPEND OR EXPEL

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

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

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

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

Subject to the requirements for due process set forth in Section 9, below, the Principal may suspend a regular education student 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 suspended for a period longer than ten (10) days or expelled, the student's parent or legal guardian is responsible for undertaking an alternative education plan that 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 Child and Family Services, the juvenile court, law enforcement, or other appropriate government agencies in determining how to meet the educational needs of the student.

5.3.3 The School shall contact the parent 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 if the parent/guardian of the expelled student has expressed a desire for the student to return to the School.

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

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, Head of School, 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

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 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;

(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 suspending a student for more than ten (10) days or expelling a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violent that immediate removal is warranted, good faith efforts shall be made to implement a remedial discipline plan to allow the student to remain in the School.

7.1 Before referring the student for long-term suspension, expulsion or change of placement under this Section, School staff should demonstrate that they have attempted some or all of the following interventions:

7.1.1 Talking with the student;

7.1.2 Class schedule adjustment;

7.1.3 Phone contact with the parent or legal guardian;

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, the 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 this policy.

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 student's custodial parent or guardian 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 the Principal to review the suspension.

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

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

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

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

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 the 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 SUSPENSIONS OF MORE THAN TEN (10) DAYS AND 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 Notice to Student and Parent/Guardian

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, the Board, even though less than a quorum, 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 determines otherwise;

9.2.6 the mailing date of the notice; and

9.2.7 a statement that, if a hearing is not requested within ten (10) school days after receipt of the notice, the 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 before the Board and of the following information:

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

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

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

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

9.3.3 The Board shall conduct the Due Process Hearing on the record and shall:

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

9.3.4 Hearing Rules

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

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

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 (but not a student who is disabled under IDEA) is not a manifestation of the student's disability pursuant to Section 10.5, the student shall be subject to the same disciplinary

consequences as regular education students, up to and including expulsion from School; however, the School must continue to provide education services in accordance with guidelines established by the 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 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-sponsored activity; or

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

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

10.3 Change of Placement Due to Student's Serious Misconduct

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

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

the student or others;

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

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

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

10.4 Parental Notice

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

10.5 IEP Meetings for Manifestation Determination

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

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

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

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

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

(ii) Observations of the student; and

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

[b] Then determines whether:

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

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

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

10.5.5 Determination that Behavior was not Manifestation of Disability

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

10.5.6 Determination that Behavior was Manifestation of Disability

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

10.6 IEP Meetings for Functional Behavioral Assessments

10.6.1 Post-Discipline Functional Behavioral Assessments

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

10.6.2 Pre-Discipline Behavioral Intervention Plans

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

10.7 Placement During Appeals and Stay Put

10.7.1 If a parent requests a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student must remain subject

to the disciplinary action pending the decision of the hearing officer or until the expiration of the forty-five (45) day period, whichever occurs first, unless the parent and School officials agree otherwise.

10.7.2 If a student is placed in an interim alternative educational setting and School personnel propose to change the student's placement after expiration of the interim alternative placement, during the pendency of any proceeding to challenge the proposed change in placement the student must remain in the current placement (the student's placement prior to the interim alternative education setting), unless School officials succeed in getting an order through an expedited hearing as described in Section 10.3.

11. ADMINISTRATIVE STUDENT CONDUCT AND DISCIPLINE PLAN

11.1 Elements of Plan

The Head of School 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;

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

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

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

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

14. INVESTIGATIONS

Whenever the 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.

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

14.1.3 The 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 to determine when the help of law enforcement officers is necessary, as outlined in this policy and Utah State law.

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

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

to prevent injury to persons or property.

14.2.2 Investigation of Criminal Conduct

During an investigation for violation of School rules, it may become evident that the incident under investigation may also be a violation of criminal law. If the School official has reason to suspect that a criminal act has been committed and, in the opinion of the 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 law enforcement unless or until he/she has received Miranda warnings from the officer.

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

14.2.3 Investigation Initiated by Law Enforcement Authorities

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

[a] When law enforcement officers can show a need to do so, they shall be permitted to

conduct an investigation on School grounds during School hours.

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

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

(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 or 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 Head of School 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 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 and Head of School.

14.2.5 Quelling Disturbances of School Environment

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

15. INVESTIGATION OF CHILD ABUSE AND NEGLECT

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

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

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

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

15.2.2 A copy of the written report shall be put in a child abuse-neglect file to be maintained by the 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.

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 The 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] The 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 Searches of Students and Student Property

Searches of a student's person, personal property (coats, hats, backpacks, bookbags, purses, wallets, notebooks, gym bags, etc.) may be conducted whenever the student's conduct creates a reasonable suspicion that a particular School rule or law has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age and sex of the student and nature of the infraction.

Circumstances warranting a search include those in which School officials have a reasonable suspicion that the student or student property is concealing items including but not limited to weapons, drugs, alcohol, tobacco, unsafe contraband, pornography, pagers or lost/stolen/misplaced items.

16.2 Searches of Personal Belongings

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

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

16.3 Searches of Person

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

[a] The search shall be conducted in a private area of the School by a School official of the same sex 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.

[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, Head of School, 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 and Head of 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.

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.

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;

[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.

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.

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 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 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.

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

Student Dress Code Policy

Adopted: December 13, 2018

Revised:

Purpose

Utah Virtual Academy (the “School”) will provide a safe, wholesome, healthy educational environment where students can make real progress and feel the joy of learning and achievement, both measured and intuitive. The School’s Board of Directors (the “Board”) recognizes that dress and grooming seriously affect the behavior of students attending the School, both in the virtual classroom setting and at face-to-face school events. Because experience has demonstrated that the learning atmosphere is improved when students both look and act appropriately, the Board hereby authorizes establishment of a student dress code that contains standards for dress and grooming.

Policy

The Board delegates to the School’s administration responsibility to establish a mandatory student dress code. The dress code shall be supportive of the purposes set forth above and not be overly complicated, restrictive, or burdensome to families. The administration may periodically modify the dress code as it deems necessary.

All students of the School shall be required to comply with the dress code. The administration is responsible for enforcing compliance with the dress code, determining whether dress code violations have occurred, and handling any student discipline related to dress code violations. School staff shall also share responsibility in seeing that the dress code is implemented and enforced in classrooms, at School activities, and on other occasions as appropriate.

Governance Policies

1001 Parent Advisory Group

The board has a goal of having at least one parent of a currently- or recently-enrolled UTVA student on the board. The board believes parent contributions are an important part of effective board governance.

8/16/07

1002 Complaint Process

The Utah Virtual Academy is interested in achieving and fostering student/family satisfaction. The following procedure ensures that student/family grievances are addressed fairly by the appropriate people in a timely manner. UTVA prohibits discrimination against students/families on the basis of disability, race, creed, color, gender, national origin, or religion.

The student and parent(s), custodian(s) or legal guardian(s), address in writing any concern or grievance to the head of school. The head of school responds within ten (10) working days.

If the concern or grievance is not resolved by the head of school, the parent(s), custodian(s) or legal guardian(s) may, within ten (10) working days of the head of school's response, request in writing a meeting (via phone or in person) with the head of school to discuss the concern or grievance. He/she investigates and responds within ten (10) working days.

If the family's concern is not resolved at the meeting with the head of school, the family may file a complaint with the UTVA governing board. The UTVA governing board may address the complaint directly, or the family may file a complaint with the State Charter School Board.

6/12/08

1003 Anti-Discrimination Policy

UTVA does not discriminate on the basis of race, color, religious preference or national origin, that any person(s) be excluded from participating in, be denied the benefits of, or be otherwise subjected to discrimination.

UTVA does not discriminate on the basis of sex, that any person(s) be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity for which the UTVA is responsible.

Additionally, no otherwise qualified handicapped person(s) shall, solely by reason of handicap, be excluded from participation in, be denied the benefits of, or be subjected

to discrimination under any program or activity for which the UTVA is responsible.
6/12/08

1004 Conflict of Interest

~~No member of the governing board shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation with the Utah Virtual Academy. Each individual board shall disclose to the organization any personal interest which he or she may have in any matter pending before the Utah Virtual Academy board and shall refrain from participation in any discussion or votes on such matters.~~

6/12/08

Definition:

“Affected Person” means a member of the Board of Directors or an employee of the UTAH VIRTUAL ACADEMY with significant financial or managerial responsibilities for the UTAH VIRTUAL ACADEMY.

“Conflict of Interest” occurs when an Affected Person may financially materially benefit from a decision he or she could make in such capacity, either alone or in conjunction with others. Financial benefits include indirect benefits such as to Family Members or to businesses with which the Affected Person or that person’s Family Members are closely associated. For purposes of this policy, a financial benefit does not include the ownership of no more than one percent (1%) of the shares of stock in a publicly traded company.

“Family Member” means

- a) any of the following relationships by blood, adoption, marriage (including common law marriage, civil union, or domestic partnership) - spouse, parent, child, brother/half brother, sister/half sister, grandparent or grandchild – and shall include in-laws and “step” relationships (e.g., stepparent) of those persons, and
- b) any dependent residing in the same household as the Affected Person and anyone for whom the Affected Person is a dependent.

“Materially Benefit” means a benefit which, in view of the totality of the circumstances, is substantial enough that it would, or could reasonably be perceived as, affecting an Affected person’s judgment with respect to a transaction. There is a presumption that a financial benefit is material if its value exceeds \$1,000.

Preamble:

Members of the Board of Directors and employees of the UTAH VIRTUAL ACADEMY with significant financial or managerial responsibilities for the UTAH VIRTUAL ACADEMY have duties of loyalty and care to the UTAH VIRTUAL ACADEMY. It is in the best interest of UTAH VIRTUAL ACADEMY to be aware of and to appropriately manage conflicts of interest and the appearances of conflicts of interest. This policy is

intended to identify conflicts of interest and to appropriately manage them to reduce the financial, legal and reputational risks associated with such conflicts.

Policy:

Annual Disclosure Form:

All Affected Persons shall complete and file a Conflict of Interest Disclosure Statement, in the form attached to this policy, to the Secretary of the board annually within thirty (30) days of the start of the Fiscal Year. The Secretary shall review the forms in conjunction with the Chair and Vice Chair and is responsible for ensuring compliance with this policy as to all matters that come before the board. The Secretary shall inform the Chair and Vice Chair in writing of those individuals who fail to timely furnish the annual disclosure form.

Ongoing Disclosure Responsibilities:

If an Affected Person has a Conflict of Interest or if a reasonable person could perceive that an Affected Person has a Conflict of Interest, then he or she must promptly and fully disclose the facts giving rise to such conflict or potential conflict to his or her supervisor or, in the case of board members, to the Secretary or, if the Affected Person is the Secretary, to the Chair. The Affected Person shall refrain from participating in any transactions or decisions that may be impaired by the Conflict of Interest pending approval from the Conflict of Interest Review Committee.

The Conflict of Interest Review Committee consists of the Secretary, Chair and Vice Chair (but such persons shall not review conflicts or potential conflicts reported by or about them) and shall review the disclosed information. In the event that, by majority vote, the Conflict of Interest Review Committee determines that no conflict or perceived conflict exists, the Affected Person may participate in the transaction or decision.

Any recusals by board members due to an actual or perceived Conflict of Interest shall be noted in the minutes.

Confidentiality:

Annual Disclosure Forms shall be held in confidence to the extent permitted by applicable state and federal law.

Conflict of Interest Disclosure Statement

Name: _____

Date: _____

1. Business Interests

Indicate any person or entity with which the UTAH VIRTUAL ACADEMY has done business in the most recent Fiscal Year with which you or any Family Member (as defined in the Conflict of Interest Policy) has a financial materially beneficial interest.

___ Check here if none.

Name of person or entity: _____

2. Indebtedness

Indicate whether you or any Family Member has been indebted during the most recent Fiscal Year to any banks or other financial institutions with which the UTAH VIRTUAL ACADEMY conducts business.

___ Check here if none.

Name of institution: _____

3. Other

Please describe any other Conflict of Interest that either you or a Family Member has had within the most recent Fiscal year.

___ Check here if none.

Describe: _____

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have read and agreed to abide by the Conflict of Interest policy of UTAH VIRTUAL ACADEMY.

Signature: _____

Revised and adopted September 29, 2009

1005 Whistleblower Policy

Definition:

“Protected Disclosure” means an allegation, made in good faith, that the UTAH VIRTUAL ACADEMY or one or more of its employees, contractors (acting in the course of its work for the UTAH VIRTUAL ACADEMY) or members of the Board of Directors, has in the course of his, her or its duties to the UTAH VIRTUAL ACADEMY acted unlawfully or in violation of published Board of Directors’ policies.

Preamble:

The UTAH VIRTUAL ACADEMY has moral, ethical and legal responsibilities for the stewardship of its resources and the public and private support that enables it to pursue its mission. Although the UTAH VIRTUAL ACADEMY’S controls and operating procedures are intended to deter, detect and prevent improper activities, as at any institution, intentional and unintentional violations of laws, regulations, and policies may occur. This policy is intended to result in the internal identification and remediation of such violations.

Policy:

Reporting Protected Disclosures:

Any person may make a Protected Disclosure. It is the responsibility of all employees and board members to report Protected Disclosures. Protected Disclosures should be made in writing so as to assure a clear understanding of the issues, but may be made orally. Reports should be factual and contain as much specific information as possible. Protected Disclosures shall be made 1) by employees to their immediate supervisor or other person upwards in the supervisory chain, and 2) by other persons to the head of school. However, when there is a potential conflict of interest, such reports may be made to another person in management who you may reasonably expect to have either responsibility over the affected area or the authority to review the alleged improper activity on behalf of the UTAH VIRTUAL ACADEMY.

Protection from Retaliation:

The UTAH VIRTUAL ACADEMY and its employees and board members are prohibited from 1) retaliating or attempting to retaliate against any person who has made a Protected Disclosure or who has refused to obey an order that is illegal or in violation of published Board of Director’s policies, and from 2) directly or indirectly using or attempting to use the authority or influence of his or her position for the purpose of interfering with the right of the person to make a Protected Disclosure. Anyone who retaliates against or interferes with someone who has made a Protected Disclosure is subject to discipline which, for employees, could be up to and including termination.

Investigations:

Supervisors to whom a Protected Disclosure is made are required to report them to the head of school. The head of school will undertake or cause to be undertaken an investigation and resolution of the alleged violations. The head of school will advise the board chair and/or board vice chair, of all Protected Disclosures regarding accounting practices, internal fiscal controls or auditing. All internal complaints will be investigated promptly and with discretion, and all information obtained will be handled on a “need to know” basis. At the conclusion of an investigation, as appropriate, remedial and/or disciplinary action will be taken where the allegations are verified and/or otherwise substantiated.

Adopted September 29, 2009

Student Attendance, Discipline, and Academic Policies

2001 Student Enrollment Policy

UTVA is an open-enrollment public charter school. Therefore, it is open to all eligible students on a space available basis and does not discriminate in its admissions policies or practices on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, religion, ancestry, or athletic performance.

Students in kindergarten through eleventh grade participating in the UTVA must reside in Utah and meet the age requirements in order to be eligible to enroll in UTVA. Additionally, per state statute 53A-1a-506.5, students must participate in an equitable lottery and assigned a seat offer or waitlist number upon the conclusion of the lottery. When a vacancy occurs because a student has withdrawn from UTVA, UTVA may immediately enroll a new student from its list of applicants. Siblings of UTVA students receive admission preference.

State law requires a student to be at least five years old and no more than 17 years old on or before September 1 to be eligible for the current school year. With respect to special education, a person who is no more than 21 years old on or before September 1 and has not passed the eleventh grade is eligible for UTVA.
6/12/08

2002 Attendance and Truancy Policy

As a public charter school, Utah Virtual Academy is required to monitor student attendance in accordance with all applicable statutes and State Board of Education Rules. UTVA teachers and administration monitor student attendance. Responsibility for compliance with state attendance statutes and regulations belongs to the parents, but the school is obligated to keep an accurate record of daily attendance.

UTVA shall calculate days of attendance using the following 2 methods:

1st calculation of days absent through missing logged hours:

- For students in grades 2 through 12, days in membership shall be calculated by the LEA using a method equivalent to the following: total clock hours of instruction for which the student was enrolled during the school year divided by 990 hours and then multiplied by 180 days and finally rounded up to the nearest whole day. For example, if a student was enrolled for only 900 hours during the school year, the student's aggregate membership would be $(900/990) \times 180$, and the LEA would report 164 days.
- For students in grade 1, the first term of the formula shall be adjusted to use 810 hours as the denominator.

- For students in kindergarten, the first term of the formula shall be adjusted to use 450 hours as the denominator.
(53A-11-101.5.C)

2nd calculation of days absent:

- Students who have no attendance logged in the previous five or more consecutive school days.

Excused Absences:

- Four days of absences for illness will be excused without a doctor's note for a student whose parent/guardian reports the illness. After four days a doctor's note will be required, any exceptions will be made on a case-by-case basis by the head of school.
- A family death
- School time adjustments generated from a student's IEP team or 504 plan team.
- Absences from school due to a physical or mental condition that makes instruction inexpedient or impracticable.
- Students are expected to complete assignments as scheduled; if internet is unavailable a library or other internet option should be found. If continued technical issues occur excused absences will be determined on a case-by-case basis.

A truancy notice will be mailed to the learning coach or guardian when the student reaches five consecutive school days of missing attendance. For hours logged, the following amounts are equivalent to 5 days, kindergarten students 12.5 hours, first grade students 22.5 hours, second through twelfth grade students 27.5 hours.

Designated School Authority for Attendance: Truancy Clerk

A minimum of one attendance check shall be made each school day..

- School Authority for attendance will create the attendance spreadsheet each school day and will e-mail families with attendance concerns each day.
- Assigned Staff will follow-up with families throughout the week and will make recommendations to correct deficient attendance.

Parents/guardians are required to notify the school if there are any issues with the student completing the required attendance or if there are absences that should be considered excused. The teacher is the first point of contact for all families and the teacher can report attendance deficiencies to the Truancy Clerk. If there is a dispute between the parent and teacher about required attendance the Truancy Clerk will be notified and will either communicate with the family directly about the attendance issue or have a conference call with the teacher and parent so a clear understanding of attendance requirements are understood.

UTVA students school from home; the following methods will be used to communicate attendance issues with the parent/guardian:

- Phone
- E-mail
- K-mail
- Black Board Session
- In-person activities when available
- Postal mail

For students who have 8 or more consecutive absent school days or have 8 or more school days of equivalent absent hours the following steps will be taken prior to withdrawing the student for attendance:

- At least 2 e-mails will be sent to the primary e-mail address on file requesting attendance and progress to be updated
- The teacher will call the family on all available numbers at least 2 times to request applicable attendance and progress to be updated and/or attendance and progress to resume immediately.
- At least 1 letter will be mailed to the learning coach requesting attendance to be completed or the student will be subject to truancy action.
- Students' curriculum may be "locked" to compel a response from the parent or student who is avoiding school attempts to contact regarding attendance or other school violations.
- Students lacking 5 or more consecutive days of attendance may be required to attend synchronous online class sessions to validate attendance each day. Students lacking 9 or more consecutive days of attendance shall be required to attend synchronous online class sessions to validate attendance each day. UTVA may also require the students' physical attendance in a school designated location.

The Log In Report may be used when attendance that is logged in the online school cannot be matched to progress in the online school. Students whose Log In Report does not match with the Attendance Report may be removed and cause a truancy situation.

For students who have accrued 10 or more consecutive absent school days:

- Attendance Clerk will move student to be marked as a "non-attender" in the Student Information System (SIS).
- If a student would then like to resume enrollment with UTVA, a parent and the student must have a conference with their school's Principal and agree in writing to follow attendance requirements.
- When a student resumes their attendance the Attendance Clerk will then move the student to be marked as an "attender" in the SIS.

- The Operations Manager will do a monthly audit during the school year to verify that students are being appropriately moved in and out of attendance.

Contesting notices of truancy:

School-age minors or parents may contest notices of truancy. Students or parents may submit a log of time and corresponding lessons completed per day to the assigned teacher or Truancy Clerk in order to establish school work was completed and extenuating circumstances caused them not to enter attendance in the designated Online School platform. Also, based on the excused attendance guidelines, parents may submit documentation showing why attendance was not possible. The documentation will be evaluated by the head of school to determine if the absence(s) will be excused.

6/12/08; revised 05/25/11; revised 7/12/2013; revised 8/1/2014; revised 7/31/2015

2003 Computer Policy

Families with K-6 students will be offered a second computer if they have:

Two middle school students and two students in grades K-5

More than 4 students enrolled in UTVA in grades K-6

Families with K-6 students will be offered a third computer if they have:

Three middle school students and two students in grades K-5

More than six students enrolled in UTVA in grades K-6

3/11/08

2004 Internet Provider Subsidy Policy

ISP checks are issued annually in June. Students in grades K-6 are eligible for internet subsidies based on compliancy. Students in grades 7-12 who are eligible for free or reduced lunch as determined by the National School Lunch Program income forms are eligible to receive an internet subsidy based on compliancy with attendance, testing and academic progress requirements. Students in grades 7-12 with current Individualized Education Plans are eligible to receive an internet subsidy based on enrollment date and compliance with attendance, testing and academic progress requirements.

Families must participate in the Online School for sixty (60) calendar days, be enrolled on the last day of the semester, participate in all required standardized testing, participate in the semesterly in person meeting with their teacher and have an average of at least 5.5 hours of attendance per day in order to qualify for the ISP supplement.

Families enrolled prior to the 15th of each month will be eligible for supplement for that month's ISP. Families enrolling after the 15th of the month will qualify for supplement beginning the 1st day of the next month.

K-11 students who meet the supplement requirements will be supplemented at the rate \$12 per eligible month.

ISP Supplement for Summer

Existing families who re-enroll by July 1 and are still enrolled on the last day of the semester will receive internet supplement for the summer months. Newly enrolled families will be eligible for supplement based upon the first day of school and sixty (60) days of compliant attendance.

Families with Two or More Students

Families with two or more students will receive supplement at the rate of \$12 per eligible month.

Please be aware that if an ISP check is lost, UTVA does not automatically reissue a check to that family. If a check is lost, parents need to notify the school within 90 days for a replacement to be issued.

1/20/09

2006 Academic Advancement Policy

It is important to understand that the decision to advance a student to the next course or grade level is made jointly by the parent and teacher and focuses on what is in the best interest of the child. Academic achievement through content mastery is the cornerstone of the Utah Virtual Academy and the K12 curriculum. UTVA understands that children do not learn at the same rate or in the same manner. The program offers families flexibility in scheduling and instructional strategies. UTVA focuses on mastery of lesson objectives, encouraging families and students to spend the time needed daily and throughout the year to reach mastery of most lesson objectives.

It is the goal of UTVA to allow K-8 students to advance to the next course level at any time of the year up to April 1. Parents and teachers evaluate every student's course level and grade level prior to the conclusion of the current school year. This evaluation does not affect K-8 course level changes, which can be made at any time up to April 1. Together, the UTVA teacher and parent arrive at a decision on the advancement of the student. Advancement of a student from one course level to the next requires the approval of UTVA administration. Sufficient progress in all courses is expected before course level advancement in one area may be considered.

K-8 Mid-Year Course Promotions

We intend that our students complete 100% of the content in each course, should time permit. With this in mind, mid-year course promotions are not ordered until a student has achieved 90% mastery of a course.

K-8 End-of-Year Course Promotions

UTVA encourages students to complete all lessons in a course, if possible, since courses in the subsequent grade levels assume completion of lessons in the prior grade. A lesson is completed when the student has mastered the objectives as measured by the lesson assessment. It may not be necessary to complete every lesson if the student can demonstrate mastery of the objectives on the assessments. UTVA understands that it is not always possible for students to complete 100% of each course and encourages parents to give first priority to the English and math courses, second priority to the science and history courses, and third priority to the art and music/foreign language courses. Mid and end of year progress report marks are based on this prioritization. End of year course promotions for science, history, art and music/foreign language will be based on each student's grade level and content mastery. Students must complete at least 90% of their enrolled English and math courses by the end of the year to order the next level at the end of the school year.

The Online School is designed to collect and record data that substantiates the academic progress of our students. Therefore, it is mandatory that the Online School be used to enter attendance and assessment data that reflects the standing of the student. The Online School data serves as the primary tool for determining advancement into subsequent course levels. It is essential that parents/learning coaches understand that by signing on with Utah Virtual Academy, they agree to participate in the program as designed including documenting regular and appropriate academic progress in the Online School, participate in required phone and face to face conferences with the assigned teacher and participate in the state-mandated academic assessments.

UTVA requires that parents maintain samples of student work to assist teachers with the decision to advance a student to the next course/grade level. Examples of materials/work to keep on file include, but are not limited to, the following: handwriting samples, artwork, creative story samples, math worksheets and spelling tests. UTVA requires student work to be original with appropriate citations for references to published works. Teacher requested work samples must be mailed to the address their teacher specifies. Parents should not "drop-off" work samples to teachers' houses.

At the Utah Virtual Academy we understand that our school is academically rigorous. Meeting the challenge of completing one year of course work in this model can be demanding. Our certified teachers are here to assist parents and learning coaches to meet the associated challenges. Parents and learning coaches may utilize their expertise as they progress through our program.

High School awarding credit and promotion

Students are promoted based on the number of credits earned. Credit is not awarded for courses in which a student earns an F or fails to log 90% of the required attendance. Credit is granted for courses in which the student completes the attendance requirement and earns an A, B or C. Credit may be granted for courses in which a student earns a D, with teacher recommendation. Math and Foreign Language are examples of courses in which a D may not entitle a student to progress on to the next level. Students enrolling in a course 30 days after the official school semester start date are on audit status and not eligible to earn credit. Grade level classification is based on the number of credits earned and is reviewed at the end of each semester.

0-5 credits	9 th grade
6-11 credits	10 th grade
12-17 credits	11 th grade
More than 17 credits	12 th grade*

6/12/08

2007 Parent Understanding Statements

I Understand and Agree

The purpose of this “I Understand” section is to set expectations for UTVA parents. Students’ success is a primary goal of UTVA and that can only be achieved if you, the parent, are successful. To be successful it is important that parents of UTVA children understand, and are in agreement with, the following curricular and attendance requirements:

- I understand that my student is enrolled in a public school with attendance requirements that I am expected to meet. The state requirement is 5.5 hours of instruction per day. Students who have poor attendance (insufficient hours recorded over time in the system) are considered excessively absent and may be withdrawn and expelled from UTVA.
- I accept the responsibility to supervise my student in using the K12 curriculum, and I understand that I am expected to become knowledgeable about it. Any other work accomplished by the student is supplemental to, and not in place of, the K12 curriculum lessons. UTVA does not consider it acceptable to leave a student home alone or unsupervised all day to complete coursework.
- I understand and agree that student progress is an expected part of the UTVA program in addition to the hours logged. Teachers review progress and consider other factors, including parental input, when making student advancement decisions. Promotion is based on progress, not simply attendance.
- I understand and agree that I am expected to follow the guidance and support of a professional teacher in implementing the UTVA program with my student.

- I understand and agree that I am expected to participate in monthly telephone conferences and semesterly in person work sample reviews with my student's teacher, and that I must submit work samples monthly.
- I understand and agree that, as a public school, UTVA students are required to participate in state standardized testing. My child is expected to fully participate in the testing at his/her grade level.
- I understand and agree that it is my responsibility to secure an Internet service provider, and that I am subsidized according to the school policy, as described in this handbook.
- I understand and agree that UTVA is a full-time public school program, and that my student may not be enrolled in any other full-time or part-time public school.

6/12/08

2008 Student Code of Conduct and Acceptable Use Guidelines

This document describes the policies and guidelines for the use of the UTVA high school and exists to ensure that all UTVA students are aware of and understand their responsibilities when accessing and using UTVA resources.

UTVA reserves the right to update or alter this agreement at any time. Such revisions may substantially alter access to UTVA instructional computing resources. UTVA instructional computing resources include any computer, software, or transmission system that is owned, operated, or leased by UTVA.

Students enrolled in UTVA should be aware of the following guidelines and expectations. Any activity that is not listed here, which violates local, state, or federal laws, is considered a violation of the Student Code of Conduct and Acceptable Use Guidelines.

Failure to follow these guidelines could result in the:

- Removal of student access to UTVA instructional computing resources, which could result in his/her inability to complete learning activities.
- Suspension or expulsion from UTVA.
- Involvement with law enforcement agencies and possible legal action.

Accountability

- Posting anonymous messages is not permitted unless authorized by the course's online teacher. Impersonating another person is also strictly prohibited.
- Students must use only their own user names and passwords, and must not share these with anyone.
- Students must log into Elluminate with first name and last initial only.
- Students may not interfere with other users' ability to access UTVA or disclose anyone's password to others or allow them to use another user's account.

Students are responsible for all activity that is associated with their usernames and passwords.

- Students should change their password(s) frequently, at least once per semester or course is encouraged.
- Students must not publicly post their personal contact information (address and phone number) or anyone else's.
- Students must not publicly post any messages that were sent to them privately.
- Students must not download, transmit or post material that is intended for personal gain or profit, non-UTVA commercial activities, non-UTVA product advertising, or political lobbying on an UTVA owned instructional computing resource.
- Students may not use UTVA instructional computing resources to sell or purchase any illegal items or substances.
- It is not allowed to upload or post any software on UTVA instructional computing resources that are not specifically required and approved for student assignments.
- Students may not post any MP3 files, compressed video, or other non-instructional files to any UTVA server.

Inappropriate Behavior

Inappropriate behavior includes:

- Insults or attacks of any kind against another person.
- Use of obscene, degrading, or profane language.
- Harassment (continually posting unwelcome messages to another person) or use of threats.
- Posting material that is obscene or defamatory or which is intended to annoy, harass or intimidate another person. This includes distributing "spam" mail, chain e-mail, viruses, or other intentionally destructive content.

Student Internet Safety

- Students must not reveal on the Internet personal information about themselves or other persons. For example, a student should not reveal his/her name, home address, telephone number, or display photographs of him/herself or others to persons outside of the UTVA.
- Students cannot agree to meet in person anyone they have met only on the Internet and who is not affiliated with the UTVA. First meetings with UTVA affiliated students should be at school sponsored events.

Network Etiquette

UTVA students are expected to follow the rules of network etiquette or netiquette. The word "netiquette" refers to common-sense guidelines for conversing with others online. Students are encouraged to abide by these standards:

- Establish Instant message user names and e-mail addresses that are appropriate for the school setting.
- Avoid sarcasm, jargon, and slang. Swear words are unacceptable.

- Never use derogatory comments, including those regarding race, age, gender, sexual orientation, religion, ability, political persuasion, body type, physical or mental health, or access issues.
- Focus your responses on the questions or issues being discussed, not on the individuals involved.
- Be constructive with your criticism, not hurtful.
- Review your messages before sending them. Remove easily misinterpreted language and proofread for typos.
- Respect other people's privacy. Do not broadcast online discussions, and never reveal other people's e-mail addresses.

Use of Copyrighted Materials

All materials in the courses are copyrighted and provided for use exclusively by enrolled students. Enrolled students may print or photocopy material from the website for their own use. Use by or distribution to others is prohibited unless expressly noted. Unauthorized copying or distribution may result in revoked access to course(s).

Users shall not upload, download, transmit or post copyrighted software or copyrighted materials, materials protected by trade secrets or other protections using UTVA computer resources. This includes copyrighted graphics of cartoon characters or other materials that may appear to be non-copyright protected.

Academic Integrity

All work submitted is assumed to have been completed only by students. Students are responsible for observing the standards on plagiarism and properly crediting all sources relied on in the composition of their work. Failure to abide by these standards is reported to the appropriate administrative authorities and may result in a conference with your mentor, loss of credit, revoked access to course(s) and suspension or expulsion from UTVA.

Plagiarism

The definition of plagiarism is: Copying or imitating the language, ideas, and thoughts of another writer and passing them off as your own original work. Specific examples of plagiarism that is not tolerated are:

- Copying or rephrasing another student's work.
- Having someone else write an assignment or rephrase any part of an assignment (not just proofread it).
- Directly copying student aids (for example, Cliff Notes), critical sources, or reference materials in part or in whole without acknowledgment.
- Indirect reproduction of students aids, such as Cliff Notes, Cole Notes, critical sources, or reference materials by rephrasing ideas borrowed from them without acknowledgment.

Source Citation

Many courses require written work in which students need to cite sources. Any direct quotations from a textbook can simply be cited as (Author, Page Number). Any

quotations from outside sources require full citations, including author, title, publisher, date of publication, and page number. If a student cites information found on a Web site, he/she provide the complete Web page or site title, URL, author if known, page number if applicable, and publication date of the site, if available, and date of access.

Monitoring

UTVA reserves the right to review any material transmitted using UTVA instructional computing resources or posted to an UTVA instructional computing resource to determine the appropriateness of such material. UTVA may review this material at any time, with or without notice. E-mail transmitted via UTVA instructional computing resources is not private and may be monitored.

UTVA Indemnification Provision

UTVA assumes no responsibility for information obtained via the Internet, which may be illegal, defamatory, inaccurate or offensive. UTVA assumes no responsibility for any claims, losses, damages, costs, or other obligations arising from the use of instructional computing resources. UTVA also denies any responsibility for the accuracy or quality of the information obtained through user access. Any statement, accessible on the computer network or the Internet, is understood to be the author's individual point of view and not that of UTVA, its affiliates, or its employees. UTVA assumes no responsibility for damages to the user's computer system.

Nothing in this policy negates any obligation the student and parent have to use the instructional computing resources as required in the Use of Instructional Property Agreement ("Agreement") the parent or guardian signed as part of the student's enrollment packet. In the event that this Code conflicts with the Agreement, the terms of the Agreement shall prevail."

6/12/08

2009 Internet Safety Policy

1. Purpose

The purpose of this policy is to ensure appropriate, responsible, ethical and legal access and use of computers, the Internet, and other electronic or communication devices by Utah Virtual Academy student and employees.

2. Prohibited Uses

Each student, employee, or other computer system user is responsible for his/her actions involving the school's computers, networks, email services, and Internet access and for his/her computer files, passwords, and accounts.

General examples of unacceptable uses, but are not limited to, the following:

- 2.1 Using an account other than your own and any attempt to gain unauthorized access to accounts on the network.

- 2.2 Use of games, internet games, chat rooms, social networking sites, non-district sponsored or approved email services, and instant messaging not specifically assigned or authorized for use by a teacher or administrator.
- 2.3 Use involving obscene, pornographic, sexually explicit, sexually suggestive, or any other harmful or inappropriate material.
- 2.4 Any inappropriate communicates with students, minors, employees, or any else that is obscene, profane, lewd, vulgar, belligerent, inflammatory, or threatening.
- 2.5 Any use involving personal or generalized attacks or harassment, or to communicate false or defamatory information.
- 2.6 Providing personal addresses, phone numbers, and other private information whether that information belongs to the user or any other individual. Additionally, all employees are subject to and must comply with State and federal privacy laws and regulations.
- 2.7 Using the internet for commercial purposes, financial gain, personal business, product advertisement, or political lobbying
- 2.8 Any physical or electronic vandalism to the computer system or equipment
- 2.9 Communicating threats of violence, threats, harassment, or bullying.
- 2.10 Using the internet for plagiarism

3. Electronic Media

Electronic media cannot be used for knowingly transmitting, retrieving, or storing any communication that is:

- Discriminatory or harassing;
- Derogatory to any individual or group;
- Obscene, sexually explicit or pornographic;
- Defamatory or threatening;
- In violation of any license governing the use of software;
- Engaged in for any purpose that is illegal or contrary to Utah Virtual Academy's policy or business interests.

4. Instruction

Students shall be instructed in appropriate online behavior, including online safety, interacting with other individuals on social networking websites and in chat rooms, and cyber-bullying awareness and response. This instruction will be included in the elementary curriculum, junior high CTE course, and high school guidance curriculum.

5. Privacy Information

Utah Virtual Academy retains control, custody, and supervision over all computers, networks, email services, and Internet access owned by the school. UTVA reserves the right to monitor all computer, email, and Internet activity by students, employees, and other computer system users. Students, employees, and other computer system users have no expectation of privacy in their use of UTVA's computer system equipment.

K12 computers issued to students have McAfee content filtering software already installed to prevent inappropriate content.

6. Network Etiquette

Users are expected to abide by the generally accepted rules of network etiquette. These include but are not limited to the following:

- Be polite
- Do not be abusive in your messages to others
- Use appropriate language
- Don't swear, use vulgarities or any other language inappropriate in a school setting.

7. Student Violation and Discipline

Any student who violates this policy and/or applicable administrative procedures may be subject to:

- Removal of student access to UTVA instructional computing resources, which could result in his/her inability to complete learning activities.
- Suspension or expulsion from UTVA,
- Involvement with law enforcement agencies and possible legal action.

8. Employee Violation and Discipline

Disciplinary actions will follow existing board policy. Obvious criminal violations will be investigated by proper authorities and the Administration.

9. Disclaimer

- 9.1 All computer users shall be responsible for any and all claims, losses, damages, or costs associated with their use of UTVA's computers, networks, email services, and Internet access, including, but not limited to, illegal uses (copyright and trademark violations, defamation, discrimination, harassment, etc.); violations of this policy and/or applicable administrative procedures, directives, and rules, etc., and shall hold harmless and indemnify UTVA and its employees and agents from such claims, losses, damages, and costs.
- 9.2 UTVA assumes no responsibility for any unauthorized charges made by computer system users, including, but not limited to, credit card charges, subscriptions, long distance telephone charges, equipment and line costs, etc., and shall hold harmless and indemnify UTVA and its employees and agents from such unauthorized charges.
- 9.3 UTVA specifically disavows legal responsibility for what a user may find on another external site or for personal opinions of individuals posted on any site, whether or not operated by UTVA.

10. Computer Use Agreements

Annually, each student and employee is required to sign Utah Virtual Academy's Computer Use Agreement.

References:

Children's Internet Protection Act of 2000, as amended, 15 U.S.C. §6501, et seq. (P.L. 106-554)

Protecting Children in the 21st Century Act, (P.L. 110-385)

Communications Act of 1934, as amended 47 U.S.C. §254, et seq.

Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. §7001, et seq.

Children's Internet Protection Act Certifications Required from Recipients of Discounts Under Federal Universal Service Support Mechanism for Schools and Libraries, 47 CFR 54.520

Utah Code Ann., §53A-3-422 & §53A-3-423

6/26/2012

2010 Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) provides parents and students over 18 years of age ("eligible students") certain rights regarding the student's education records. These rights are:

(1) The right to inspect and review the student's education records within 45 days of the day the School receives a request for access.

To request an inspection and review, the parent or eligible student should submit a written request to the program director that identifies the record (s) they wish to inspect. The program director makes arrangements for access and notifies the parent or eligible student of the time and place where the records may be inspected.

(2) The right to request an amendment of the student's education records that the parent or eligible student believes are inaccurate.

Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the program director, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School notifies the parent or eligible student of the decision and advises him/her of his/her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures is provided to the parent or eligible student when notified of the right to a hearing.

(3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA allows disclosure without consent.

One exception that permits the School to disclose information without consent is when the School discloses information to school officials with legitimate educational interests. A school official is a person employed by or contracted to provide services to or

designated by the contractor to provide services to the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Board of Directors of the School; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave., S.W.
Washington, D.C. 20202-4605

(5) FERPA requires that the School, with certain exceptions, obtain a parent's or eligible student's written consent prior to the disclosure of personally identifiable information from a child's education records. However, the School may disclose "directory information" without written consent, the parent or eligible student, have advised the School in writing that he/she does not want all or part of the directory information disclosed. The method for objecting to disclosure of directory information is specified below. The primary purpose of directory information is to allow the School to include the following information from education records in certain school publications or disclose it to certain parties. Examples include:

- Shipment of computer and school materials to and from student's home
- Entry of student enrollment information into a computer database for use by school officials
- Honor roll or other recognition lists
- Sports activity sheets, such as for wrestling, showing weight and height of team members
- School yearbook

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can be disclosed to outside organizations without a parent's prior written consent. In addition, federal laws requires the School to provide military recruiters, upon request, with three directory information categories – names, addresses and telephone listings – unless parents or eligible students have advised the

School in writing that they do not want their student's information disclosed without prior written consent.

The School has designated the following information as directory information:

- name
- address
- telephone number
- e-mail address
- photo
- athletic information
- honor roll status
- grade level
- activities and clubs
- awards

If there are certain items the School has chosen to designate as directory information that parents/learning coaches do not want disclosed from their student's education records, without their prior written consent, parents/learning coaches are encouraged to send an e-mail identifying the information they do not want disclosed, the student's name, and the name of the virtual academy or affiliate school in which the student is enrolled to: directoryinformation@k12.com. This e-mail must be sent within 30 days of the first day the student attends school.

Risk of Suicide

If a school employee or agent believes a student is at risk of attempting suicide, physical self-harm or harming others, the school employee or agent may intervene and ask a student questions regarding the student's suicidal thoughts, physical self-harming behavior, or thoughts of harming others for the purposes of: (i) referring the student to appropriate prevention services; and (ii) informing the student's parent or legal guardian.

Notice of these rights is available, upon request, on audiotape, in Braille, and in languages other than English. The Utah Department of Education may be contacted at (801) 538-7500.

6/12/08

2011 Objectionable Materials Policy

There may be times a parent finds certain lessons, books or materials objectionable for various reasons. If a parent finds objectionable material, he/she should contact his/her UTVA teacher via e-mail. Teachers work with parents to find alternative lessons to meet the lesson objectives. The assessment for the lesson must be completed to show that the objectives have been met. Parents should also contact K12 directly using the feedback option of the OLS.

6/12/08

2013 Dual Enrollment Policy

A student who is “dual enrolled” is enrolled at two or more public schools at the same time. It is the expectation that students will be enrolled at the Utah Virtual Academy full time. Students enrolled less than full time affect the funding of the school and take a slot from another student who would provide full time funding to UTVA. Students will be expected to attend full time at 6 credits per year. A student taking less than the 6 credits per year runs the risk of not graduating in the specified 9-12 grade timeframe. Exceptions to this policy will be Special Education students whose IEP stipulates that a lesser class load provides Free Appropriate Public Education (FAPE) in the least restrictive environment (LRE). UTVA will refuse to accept regular education students wishing to enroll at less than full time or will un-enroll a regular education student wishing to reduce their class load during the school year.

9/16/08

2014 Awarding High School Credit by Examination

- Students may take a proctored paper-based exam to earn high school credit in courses offered by UTVA.
- Tests are administered in a proctored setting by a UTVA staff member.
- Grades are not issued to students who earn credit by examination. Students earn credit and a “pass” grade is assigned to students who earn at least 75 percent on the examination. These courses do not factor into students’ grade point averages.
- UTVA may award credit by examination for courses in the UTVA catalog.

5/19/09

2015 Fees for Enrolling in Seventh High School Course

The Utah Virtual Academy provides opportunities for high school students to advance through more than 140 courses within the school’s catalog. The traditional UTVA student enrolls in six courses per semester. There are instances when students desire or require a seventh course. Students who are on track for graduation may be interested in enrolling in a seventh course to earn additional credits or to take courses of interest. Students who are not on track for graduation may be required to take a seventh course to graduate with his/her cohort.

Students who are on track for graduation have the opportunity to enroll in a seventh course for \$50 per semester. Students who are not on track for graduation may be required to take a seventh course at UTVA’s expense. Students with Individualized Education Plans or who are eligible for free/reduced lunch are not charged a fee for a seventh high school course.

5/19/09

2016 Mandatory State Testing and Continued Enrollment

All students will be required to participate in each assessment required by the school. A schedule of testing timeframes for the year will be provided to parents at the beginning of each school year. Testing centers will be scheduled geographically to accommodate parents in that area. Parents are expected to adjust their calendar to meet testing dates. Students unable to test at their given location and timeframe for legitimate reasons, i.e. illness, death of immediate family members, must make arrangements with the school administration to retest at another location during the proscribed testing period. Any other reason for absence from testing must be approved by the school administration. As these assessments are measures of curriculum and not the curriculum itself, they are not subject to waivers of participation. Failure to participate in the assessments required of the school will result in the student being withdrawn from the school. The only exception to this policy will be military or government employed families required to be assigned to posts outside Utah as long as they maintain a residence in the state. If they are unable to test in Utah or an out of state proctor is not found to administer state examinations, UTVA will include those students in the allowable non-student percentages granted by the state office of education.

7/2/09

Finance and Business Policies

4001 Procurement

The Utah Virtual Academy will follow accounting policies and procedures that comply with generally accepted accounting principles (GAAP). Procurement of goods and services shall be made by the person responsible for school finance/authorized agent, in the best interest of the school, upon considering the totality of the circumstances surrounding the procurement, which may include but not be limited to price, quality, availability, timelines, reputation and prior dealings.

The Utah Virtual Academy shall not purchase goods or services from any members of the governing board, an immediate family member or any member of the governing board nor from any entity in which any member of the governing board or an immediate family member of a governing board member may benefit from such a procurement, unless authorized by the governing board after a full disclosure of the potential benefits and after the consideration set forth in the paragraph above.

For purchases less than \$2500, no quote will be required but pre-approval by the Program Director for restricted funds and the head of school will be required.

For purchases between \$2500 and \$50,000, the Utah Virtual Academy will secure at least three quotations via phone, fax or email. Supporting documentation will be maintained for audit purposes. Pre-approval by the Program Director for restricted funds, head of school and the board and or designee will be required.

Consistent with state law, all purchases or contracts greater than \$50,000 will be negotiated through a formal bid. All contracts will be awarded to the lowest, responsible, qualified bidder, as determined by the board.

When formal bidding procedures are used, bids shall be advertised appropriately. Vendors shall be invited to have their names on mailing lists to receive invitations to bid. When bid specifications are prepared, bids will be mailed to all vendors who have indicated an interest in bidding.

All bids will be opened at the time and place specific and all bidders and other interested persons will be invited to be present.

The board reserves the right to reject any or all bids and to accept that bid which appears to be in the best interest of the school. The board reserves the right to waive any informality, or reject, any and all bids or any part of any bid. Any bid may be withdrawn prior to the scheduled time for the opening bids. Any bid received after the time and dates specified will not be considered.

The bidder to whom the award is made may be required to enter into a written contract with the board of trustees.

All contracts and major purchases of supplies, materials, equipment, and contractual services above \$50,000 shall be based, when possible, on at least (3) competitive bids. Lease agreements – All lease agreements will be evidenced by a lease or sublease agreement approved by the board of trustees and signed by the board chair. The agreement will identify all the terms and conditions of the lease.

Leasing and renting – Lease agreements may be negotiated by the school. Lease agreements will be competitively bid as with any purchase. Leases in excess of \$5000 per year will be approved by the board of trustees.

Equipment which is furnished for school use by outside agencies on a rental or lease basis, whether for a definite period, will be covered by a purchase order. In case of leased equipment, the school will clearly mark the requisition “lease agreement” and specify whether it is a new or renewal lease. The same dollar limits apply as for all other purchases.

Emergency purchases – In case of emergency, the head of school is authorized to purchase supplies that exceed the \$2500 limit but not more than \$10,000.

5/24/2007

4002 Internal Controls

Separation of Duties: Duties are divided so that no one person has complete control over

a key function or activity. The check signatory must not be the person who creates checks or who does the bookkeeping. Someone, other than the check signer, reconciles bank statements. A person other than the one recording the receipts prepares deposit documentation and reconciliations.

Authorization and Approval - Proposed transactions are authorized by the governing board when they are consistent with policies, procedures, regulations and laws.

Custodial and Security Arrangements - Responsibility for custody of assets is separated from the related record keeping.

Review and Reconciliation - Records are examined and reconciled to determine that transactions were properly processed and approved. Reconciliations are presented to the finance committee monthly.

Physical Controls - Equipment, inventories, and other assets are secured physically, counted periodically and compared with amounts shown on control records.

Training - Employees are trained to ensure that control processes function properly.

Expense Reports - To properly control reimbursement activities, the operations manager or head of school are responsible for approving all expense reimbursements submitted by academy staff. The head of school is responsible for approving expense reimbursements submitted by the operations manager. The K12 accountant is

responsible for entering all payments into the appropriate general ledger and creating the checks. The finance committee members or head of school signs the checks and expense reports approved through the procedure as defined above.

Authorization and Approval - Employees never approve actions affecting their own reimbursement. The head of school and finance committee members have signature authority.

Review and Reconciliation – The Utah Virtual Academy bank statements are addressed to the school’s administrative office. Bank statements shall be reviewed and reconciled monthly by the operations manager. The head of school reviews the bank statements in advance of the reconciliation by the operations manager. Copies of the bank reconciliation are forwarded to the finance committee and the K12 Controller monthly.

6/12/08

4003 Asset Tracking

The regional technology manager is responsible for taking quarterly inventory of all materials, computers, and supplies. The report is reviewed by the head of school and approved by the governing board. Assets valued at \$2000 and higher will be capitalized.

6/12/08; amended on 8/10/11

4005 Home Office Set Up Policy

Teachers can be reimbursed up to \$100 for home office set up including phone and internet installation fees. The Utah Virtual Academy will not reimburse teachers for furniture or equipment expenses. Equipment includes phones, modems, routers, desks, chairs etc. Phones and Phone Headsets will not be reimbursed. The Utah Virtual Academy requires that teachers acquire a phone line with unlimited long distance for the home office. All supplies should be ordered through the main office. Teachers will not be reimbursed for supplies purchased individually unless the teacher seeks and receives approval in advance from the business manager.

6/12/08

Records and Operations Policies

5001 Records Retention

~~UTVA will retain school operation, business and board records pursuant to the Utah School Districts General Retention Schedule.~~

~~6/12/08~~

“Records” means all documents of any type (including, but not limited to, correspondence, letters, memoranda, contracts, minutes and agendas) and in any format (including, but not limited to, tangible, electronic, audio and video) whether now in existence or developed in the future.

Preamble:

As a matter of good practice, UTAH VIRTUAL ACADEMY desires to have a records management policy to facilitate the sufficient retention of records for business needs, to properly manage the usage of storage space and media and their resulting costs, and to better comply with legal and regulatory requirements.

Policy:

General Principle

Records of UTAH VIRTUAL ACADEMY must be maintained for the period of time set forth in the records retention schedule set forth below and then shall be destroyed. Records for which more than one schedule is applicable must be maintained for the longer period of time.

Records may be destroyed by any convenient and economical method except that records containing confidential information (such as, but not limited to, student “education records,” personnel records, financial records and records subject to any confidentiality agreements) shall be destroyed by a means reasonably certain to preserve confidentiality, such as by cross-cut shredding or pulping or transfer to third parties that provide written assurance of confidential destruction.

Exceptions to General Principle

Contractors – Records of UTAH VIRTUAL ACADEMY that are in the possession, custody or control of a contractor to UTAH VIRTUAL ACADEMY may be maintained for the period of time set forth in that Contractor’s written records management policy provided that such time is at least as long as required by applicable law.

Litigation Relevant Records – Records shall not be destroyed if those records are the subject of or relevant to known pending or potential litigation, government audit, government investigation, or government administrative charge. In such circumstances, destruction of such Records is suspended until it is determined that the Records are no longer needed for such purpose.

Schedule

Type of Record	Maintenance Period
Accounts payable ledgers and schedules	7 years
Audit reports, attorney contingent liability records	Permanently
Bank Reconciliations	2 years
Bank statements and reconciliations	3 years
Business licenses	Permanently
Checks (for important payments and purchases)	Permanently
Contracts, notes and leases (expired)	7 years
Contracts (still in effect)	Permanently
Correspondence (general)	2 years
Correspondence (legal matters)	Permanently
Deeds, mortgages, and bills of sale	Permanently
Depreciation Schedules	Permanently
Duplicate deposit slips	2 years
Email and attached files (unless other provisions to this schedule apply)	90 days
Employment applications	3 years
Expense Analyses/expense distribution schedules	7 years
Year End Financial Statements	Permanently
Insurance Policies	Permanently
Insurance records (claim notices, accident reports)	6 years
Insurance records, current accident reports, claims, policies, etc.	Permanently
Internal audit reports	3 years
Inventories of products, materials, and supplies	7 years
Invoices (to customers, from vendors)	7 years
Minute books, articles of incorporation, bylaws and charter	Permanently
Payroll records and summaries	7 years
Personnel files (terminated employees)	7 years
Personnel files (current employees)	Permanently
Retirement and pension records	Permanently
Settlement Agreements for litigation and other claims	Permanently
Tax returns and worksheets, local, state and federal applications for exemption from tax (such as income, sales and use, personal property), tax exemption determination correspondence	Permanently
Timesheets	7 years
Withholding tax statements	7 years

Revised and adopted September 29, 2009

Facility Policies

6001 School Building Liaison

Pursuant to R277-471-3, Doug Shaw was elected the school district building official for the purposes of securing and opening an administrative headquarters for UTVA.

2/12/08

6002 Epinephrine Pen Location

UTVA administration and board will not prohibit or dissuade a teacher or other school employee from receiving training to administer, possessing, storing, or administering an epinephrine auto-injector. UTVA will make an emergency epinephrine auto-injector available to any school employee who is qualified to administer an epinephrine auto-injector. UTVA will make training available regarding the storage and use of an epinephrine auto-injector to any school employee who volunteers to take the training.

6/12/08