

MWMA Policies & Procedures Manual

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Administration of Medication Policy

Mountain West Montessori Academy
Administration of Medication Policy
Adopted: January 28, 2014
Amended: May 3, 2016
Amended: November 29, 2017
Amended: May 16, 2023
Amended: March 24, 2026

PURPOSE

The purpose of this policy is to authorize personnel of Mountain West Montessori Academy (the "School") to administer medication to students consistent with applicable law.

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

As long as authorized personnel act in a prudent and responsible manner, Utah law provides that School personnel who provide assistance in substantial compliance with a student's licensed health care provider's written statement are not liable civilly or criminally for any adverse reaction suffered by the student as a result of taking the medication or discontinuing the administration of medication. The Board hopes that this policy will help ensure that School personnel act in a prudent and responsible manner in order to protect the health of students and the interests of School personnel.

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

POLICY

Administration of Medication by School Personnel

The School will comply with applicable state and federal laws, including but not limited to Utah Code Ann. § 53G-9-502, regarding the administration of medication to students by School personnel. Accordingly, pursuant to this policy, authorized School personnel may provide assistance in non-emergency situations in the administration of medication to students of the School during periods when the student is under the School's control.

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

(a) Glucagon. Glucagon is an emergency diabetic medication used to raise blood sugar. The School will comply with the requirements of Utah Code Ann. § 53G-9-504 regarding the emergency administration of glucagon to a student. Accordingly, the School may administer glucagon to a student if: (1) the School has received a glucagon authorization from the parent or guardian of a student with diabetes; (2) the student is exhibiting the symptoms that warrant the administration of glucagon; (3) School personnel who have been trained (as described in the statute) in the administration of glucagon are immediately available to administer the glucagon; and (4) a licensed health care professional is not immediately available. The School may not compel School personnel to become trained in the administration of glucagon nor may it obstruct School personnel from becoming trained in the administration of glucagon.

(b) Glucagon Kit. The School will comply with the requirements of Utah Code Ann. §§ 26B-4-401, *et seq*., regarding the emergency administration of a glucagon kit to a student. Accordingly, the School may administer a glucagon kit to a student if: (1) the student has a diagnosis of diabetes by a health care provider; (2) the School has received a glucagon authorization from the parent or guardian of the student; (3) the student is showing symptoms of hypoglycemia (a potentially life-threatening condition resulting from abnormally low blood glucose levels); and (4) a School employee who has become a "qualified adult" as defined in the statute is immediately available to administer the glucagon kit. If the School has a School nurse and the School nurse is immediately available to administer a glucagon kit to a student under the circumstances described above, the School nurse should administer the glucagon kit. If the School does not have a School nurse or the School nurse is not immediately available, another School employee who is a qualified adult may administer the glucagon kit in accordance with the statute. The School may make a glucagon kit available to a School employee who becomes a qualified adult. The School may not prohibit or dissuade School employees from receiving training to become a qualified adult, nor may it prohibit or dissuade School employees who become a qualified adult from possessing or storing a glucagon kit on School property or administering a glucagon kit to any person in accordance with the statute.

(c) Injectable Epinephrine Rescue Medication. The School will comply with the requirements of Utah Code Ann. §§ 26B-4-401, *et seq.*, regarding the emergency administration of an injectable epinephrine medication to a student. Accordingly, the School may administer an emergency injectable epinephrine rescue medication to a student if: (1) the student is exhibiting potentially life-threatening symptoms of anaphylaxis; (2) a physician or physician assistant is not immediately available; and (3) a School employee who has become a "qualified adult" as defined in the statute is immediately available to administer the injectable epinephrine rescue medication. The School will make an emergency injectable epinephrine rescue medication available to a School employee who becomes a qualified adult. The School may not prohibit or dissuade School employees from receiving training to become a qualified adult, nor may it prohibit or dissuade School employees who

become qualified adults from possessing or storing an emergency injectable epinephrine rescue medication on School property or administering an emergency injectable epinephrine rescue medication to any person in accordance with the statute.

(d) Seizure Rescue Medication. The School will comply with the requirements of Utah Code Ann. § 53G-9-505 regarding the emergency administration of seizure rescue medication to a student. Accordingly, the School may administer seizure rescue medication to a student if: (1) the School has received a seizure rescue authorization from the parent or guardian of the student; (2) the student is exhibiting a symptom, described on the student's seizure rescue authorization, that warrants the administration of a seizure rescue medication; (3) a School employee who has become a "trained school employee volunteer" as defined in the statute is immediately available to administer the seizure rescue medication; and (4) a licensed health care professional is not immediately available to administer the seizure rescue medication. The School may not compel a School employee to become a trained school employee volunteer nor may it obstruct a School employee from becoming a trained school employee volunteer.

(e) Opiate Antagonist. In accordance with Utah Code Ann. § 26B-4-509, School personnel may administer an opiate antagonist when acting in good faith to an individual whom the person believes to be experiencing an opiate-related drug overdose.

(f) Stock Albuterol. The School will comply with the requirements of Utah Code Ann. §§ 26B-4-101, *et seq*., regarding the emergency administration of stock albuterol to a student. Accordingly, the School may administer stock albuterol to a student if: (1) the student has a diagnosis of asthma by a health care provider; (2) the student has a current asthma action plan on file with the School; (3) the student is showing symptoms of an asthma emergency as described in the student's asthma action plan; and (4) a School employee who has become a "qualified adult" as defined in the statute is immediately available to administer the stock albuterol. If the School has a School nurse and the School nurse is immediately available to administer stock albuterol to a student under the circumstances described above, the School nurse should administer the stock albuterol. If the School does not have a School nurse or the School nurse is not immediately available, another School employee who is a qualified adult may administer the stock albuterol in accordance with the statute. In addition, if a School nurse is not immediately available and a student does not have a current asthma action plan, a School employee who is a qualified adult may administer stock albuterol to the student if the School employee identifies, based on their qualified adult training, that the student is experiencing an asthma emergency. The School may make stock albuterol available to a School employee who becomes a qualified adult. The School may not prohibit or dissuade School employees from receiving training to become a qualified adult, nor may it prohibit or dissuade School employees who become qualified adults from possessing or

storing stock albuterol on School property or administering stock albuterol to any person in accordance with the statute.

(g) Adrenal Crisis Rescue Medication. The School will comply with the requirements of Utah Code Ann. § 53G-9-507 regarding the emergency administration of adrenal crisis rescue medication to a student. Accordingly, the School may administer adrenal crisis rescue medication to a student if: (1) the School has received an adrenal crisis rescue authorization from the parent or guardian of the student; (2) the student exhibits a symptom, described on the student's adrenal crisis rescue authorization, that warrants the administration of an adrenal cris rescue medication; (3) a School employee who has become a "trained school employee volunteer" as defined in the statute is available to administer the adrenal crisis rescue medication; and (4) a licensed health care professional is not immediately available to administer the adrenal crisis rescue medication. The School may not compel a School employee to become a trained school employee volunteer nor may it obstruct a School employee from becoming a trained school employee volunteer.

The Director will establish administrative procedures that comply with applicable laws in order to set guidelines for when and how administration of medication under this policy will take place.

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

Self-Administration of Medication by Students

Students may possess and self-administer prescription medication at school in compliance with applicable law. The Director will establish administrative procedures that comply with applicable laws in order to set guidelines for when and how this will take place.

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

Observations and Medical Recommendations by School Personnel

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

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

Administration of Medication

Administrative Procedures

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

Administration of Medication by School Personnel

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

(1) The Director will designate a reasonable number of School employees who will be responsible for administering medication to students in the School.

(2) The Director will arrange for the Director and all designated School employees to receive adequate training from a licensed health care professional prior to administering any medication. Training should include indications for the medication, means of administration, dosage, adverse reactions, contraindications, and side effects.

(3) The student's parent or guardian must complete the parent/guardian section of the Student Medication Form requesting that medication be administered to the student during regular school hours. Parents are responsible for updating the Student Medication Form as necessary.

(4) The student's health care provider must complete the Health Care Provider section of the Student Medication Form indicating the child's name, the name of the medication, the purpose of the medication, the means of administration, the dosage, the time schedule for administration, the anticipated number of days the medication needs to be given at school, and possible side effects. The practitioner must also affirm that giving the medication during school hours is medically necessary.

(5) A Student Medication Log must be maintained for any student who has medication administered at school, and all employees authorized to administer medication will be notified regarding each student to whom they are authorized to administer medication.

(6) Each time medication is given, the person who gave it must document the administration in ink on the Student Medication Log. If the medication is not administered as scheduled, a notation must be made on the Student Medication Log

as to why the medication was not given, and the student's parent or guardian must be notified.

(7) The Student Medication Form and Student Medication Log will be retained in the student's records.

(8) Teachers of the student receiving medication during school hours will be notified.

(9) Medication (other than that carried by a student) must be delivered to the School by the student's parent or guardian or designated adult.

(10) Medication should be delivered to the School in a container properly labeled by a pharmacy, manufacturer or health care provider. Labeling must include the student's name, the name of the prescribing practitioner, date the prescription was filled, name and phone number of the dispensing pharmacy, name of the medication, dose, frequency of administration, and the expiration date.

(11) Medication must be stored in a secure, locked cabinet or container in a cool, dry place, except that:

a. medications that require refrigeration must be stored appropriately;

b. insulin or emergency medications such as EpiPens, Twinject Auto-Injectors, asthma inhalers and glucagon must not be stored in a locked area so that they are available when needed.

(12) Authorization for administration of medication by School personnel may be withdrawn by the School at any time following written or verbal notice to the student's parent or guardian, as long as this action does not conflict with federal laws such as IDEA and/or section 504 of the Rehabilitation Act. The Director may withdraw authorization for administration of medication in cases of noncompliance or lack of cooperation by parents or students unless the student's right to receive medication at school is protected by laws such as IDEA or section 504.

Self-Administration of Medication by Students

Students may possess and self-administer prescription medication if:

(1) The student's parent or guardian signs a statement:

a. Authorizing the student to self-administer the medication; and

b. Acknowledging that the student is responsible for, and capable of, self-administering the medication; and

(2) The student's health care provider provides a written statement that:

a. It is medically appropriate for the student to self-administer the medication and be in possession of the medication at all times; and

b. The name of the medication prescribed for the student's use.

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

Application of Sunscreen

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

If a student is unable to self-apply sunscreen, a school employee may apply the sunscreen on the student if the student's parent or legal guardian has provided written consent.

Arrest Reporting Policy

Mountain West Montessori Academy
Arrest Reporting Policy
Adopted: January 28, 2014
Amended: September 22, 2015
Amended: August 26, 2024

POLICY

The Board of Directors of Mountain West Montessori Academy (the "School") recognizes the importance of receiving information regarding arrests, convictions, and other offenses of employees, Board Members, and volunteers in order to assist the School in adequately safeguarding the safety of students.

Employees who are licensed by the Utah State Board of Education shall report arrests, citations, charges, and convictions as set forth in Utah Administrative Code R277-217-4.

The Director of the School will establish administrative procedures that comply with the requirements of Utah Administrative Code R277-316-4 with respect to the required reporting of arrests and convictions of the following individuals: employees that are not licensed by the Utah State Board of Education, volunteers who have significant unsupervised access to students in connection with their volunteer assignment, Board Members, and any other employee who drives a motor vehicle as part of his or her employment responsibilities at the School.

The Board acknowledges the requirement that Board Members report arrests and convictions as set forth in R277-316-4.

Arrest Reporting

Administrative Procedures

These procedures are established in order to comply with the Arrest Reporting Policy adopted by the School's Board of Directors.

Required Reports

(a) Non-USBE-licensed employees of the School, (b) School volunteers who are given significant unsupervised access to children in connection with their volunteer assignment, (c) Board Members, and (d) any School employees who drive a motor vehicle as part of their employment responsibilities must report to the Director information regarding the following matters:

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

Timeline for Reports

Current employees of the School must provide the required reports to the Director within 48 hours (or as soon as possible thereafter) of receiving notification of this policy. Thereafter, employees of the School must submit required reports to the Director within 48 hours (or as soon as possible thereafter) of the event necessitating the report. New employees of the School must report this information prior to commencing work for the School.

Procedure for Review of Reports

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

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

Required Action

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

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

Due Process

An employee or volunteer dismissed or suspended from employment or appointment shall receive adequate due process consistent with Utah Code § 53G-11-405, including written notice of the reasons for dismissal or suspension and have an opportunity to respond to the reasons.

Training

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

MWMA Arrest Reporting
ADMIN Procedures
Revised Date: 8-26-24

Articles of Incorporation

Mountain West Montessori Academy
Articles of Amendment & Restatement of the Articles of Incorporation of Mountain West Montessori Academy, Inc.
Adopted: December 12, 2013

ARTICLES OF AMENDMENT AND RESTATEMENT OF THE ARTICLES OF INCORPORATION OF MOUNTAIN WEST MONTESSORI ACADEMY, INC.

In accordance with Sections 16-6a-1001 through -1006 of the Utah Revised Nonprofit Corporation Act, Mountain West Montessori Academy, Inc., a Utah nonprofit corporation (the "Corporation") hereby declares and certifies as follows:

1. The name of the Corporation is Mountain West Montessori Academy, Inc.

2. The text of the Amendment and Restatement of the Articles of Incorporation of the Corporation (the "Amendment and Restatement") adopted by the Board of Directors of the Corporation is attached hereto as Exhibit "A" and is incorporated herein by this reference.

3. The Amendment and Restatement was adopted by the Board of Directors of the Corporation at a meeting of the board of directors held on December 12, 2013 in accordance with the requirements of the Utah Revised Nonprofit Corporation Act and the Articles of Incorporation and Bylaws of the Corporation.

4. The Corporation has no members, and member action was not required.

IN WITNESS WHEREOF, these Articles of Amendment and Restatement have been executed by the Corporation on the 12 day of December, 2013.

MOUNTAIN WEST MONTESSORI ACADEMY, INC., a Utah nonprofit corporation

EXHIBIT A
AMENDED AND RESTATED ARTICLES OF INCORPORATION OF MOUNTAIN WEST MONTESSORI ACADEMY, INC.

The undersigned natural persons over the age of eighteen (18) years, acting as directors of a nonprofit corporation under the Utah Revised Nonprofit Corporation Act, adopt the following Amended and Restated Articles of Incorporation for said corporation:

ARTICLE I
NAME

The name of this nonprofit corporation shall be Mountain West Montessori Academy, Inc.

ARTICLE II
DURATION

This corporation shall continue in existence perpetually unless dissolved pursuant to law.

ARTICLE III
PURPOSES

(1) To operate exclusively as a nonprofit corporation under the laws of the state of Utah.

(2) To operate exclusively for educational and charitable purposes under section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code").

(3) To engage in any and all other lawful purposes, activities and pursuits, which are substantially similar to the foregoing and which are or may hereafter be authorized by Section 501(c)(3) of the Code or corresponding provisions of any subsequent Federal tax laws and are consistent with those powers described in the Utah Revised Nonprofit Corporation Act, as amended.

(4) To solicit and receive contributions, purchase, own and sell real and personal property, to make contracts, to invest corporate funds, to spend corporate funds for corporate purposes, and to engage in any activity "in furtherance of, incidental to, or connected with any of the other purposes."

(5) No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, directors, officers, or other persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered to the corporation and to make payments and distributions in furtherance of the purposes set forth herein.

ARTICLE IV
VOTING MEMBERS

This corporation shall not issue shares of stock evidencing membership and shall have no voting members.

ARTICLE V
POWERS

A. Powers in General. Subject to the pursuits and objectives declared in Article III and any other limitations herein expressed, this corporation shall have the power to do any and all things which a nonprofit corporation may do under the laws of the State of Utah, including, but not limited to, the following:

(1) To receive, acquire, hold, manage, administer, and expend property and funds for purposes authorized by Section 501(c)(3) of the Code;
(2) To borrow money either upon or without security, giving such promissory notes or other evidences of indebtedness and such pledges, mortgages, or other instruments of hypothecation as it may be advised;
(3) To hold, in its own name and right, real and personal property of every nature and description without limitation as to extent, character or amount, and with all the powers of control, management, investment, change, and disposal incident to the absolute ownership of property or funds by a private person, subject only to the terms of particular trusts and to the general trust that all its properties and funds shall be held for purposes authorized by Section 501(c)(3) of the Code;
(4) To take property and funds by will, gift, or otherwise. The corporation shall not have the power to take or hold property or funds for any purpose other than purposes authorized by Section 501(c)(3) of the Code;
(5) To appoint and pay officers and agents to conduct and administer the affairs of the corporation;
(6) To adopt Bylaws prescribing the duties of the officers and agents of the corporation, the detail of the organization, the time and manner of its meetings, and any and all detail incident to its organization and the efficient conduct and management of its affairs;
(7) To do any and all things which a natural person might do which are necessary and desirable for the general purposes for which the corporation is organized;
(8) To receive and use funds obtained from private donations, devises and bequests, and from all lawful sources to be applied for purposes authorized by Section 501(c)(3) of the Code;
(9) No recital, expression or declaration of specific or special powers or purposes hereinabove enumerated shall be deemed exclusive, it being intended that this corporation shall have any and all other powers necessary or incidental to the accomplishment of its objects and purposes and each and all of the powers now conferred or that may hereafter be conferred by the laws of the State of Utah on nonprofit corporations.

B. Powers Relating to Specific Objects and Purposes. This corporation shall have the powers necessary or incidental to the carrying on of its objects and purpose.

C. Restrictions. Notwithstanding any statement to the contrary in these Amended and Restated Articles of Incorporation, no part of the net earnings of the corporation shall inure to the benefit of any director or officer of the corporation or any private individual, except

that reasonable compensation may be paid for services rendered to or for the corporation affecting one or more of its purposes; and no director or officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation. No substantial part of the activities of this corporation shall be the carrying on of propaganda or otherwise attempting to influence legislation (except as permitted by Section 501 of the Internal Revenue Code of 1986 or corresponding provisions or any subsequent Federal tax laws), and the corporation shall not participate in or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office. This corporation shall not carry on, otherwise than as an insubstantial part of its activities, activities which are not in furtherance of one or more of the aforementioned purposes for which the corporation is organized.

ARTICLE VI
REGISTERED OFFICE & AGENT

The street address of the corporation's registered office is 13962 Maple Hollow Circle, Draper, Utah 84020. The name of the corporation's registered agent at said registered office is Linda Hume.

ARTICLE VII
INCORPORATORS

ARTICLE VIII
DIRECTORS

The number of directors of the corporation shall be no less than five (5) and no more than seven (7), as fixed from time to time pursuant to the provisions contained in the corporation's Bylaws. The number of directors constituting the present Board of Directors is five (5), and the names and addresses of the persons who are to serve as directors until their successors are selected and qualified are:

ARTICLE IX
LIMITATIONS OF LIABILITY

The directors, officers and employees of the corporation shall not be personally liable in those capacities for the acts, debts, liabilities or obligations of the corporation.

ARTICLE X
BYLAWS

Provisions for the regulation and management of the internal affairs of the corporation shall be set forth in the Bylaws.

ARTICLE XI
AMENDMENT OF ARTICLES OF INCORPORATION

These Amended and Restated Articles of Incorporation may be amended at any time in any manner which is permissible under the laws of the State of Utah; provided, however, that these Amended and Restated Articles of Incorporation shall in no event be amended in any manner so as to change this corporation from a nonprofit corporation to a corporation organized or operated for pecuniary profit; nor shall these Amended and Restated Articles of Incorporation be amended so as to make the purposes of the corporation inconsistent with the purposes as specified in Article III herein.

ARTICLE XII
DISSOLUTION

This corporation does not contemplate pecuniary gain or profit to the directors thereof, and it is organized solely for nonprofit purposes. In accordance with Utah Code Annotated Sections 53A-1a-517 and 53A-1a-510.5, upon the winding up and dissolution of the corporation, assets held pursuant to written conditions or limitations must be disposed of in accordance therewith. Upon the winding up and dissolution of this corporation, after paying or adequately providing for the debts and obligations of the corporation, the remaining assets shall be distributed to the Utah Charter School Board, a governmental body established pursuant to Utah Code Annotated Section 53A-1a-501 for a public purpose. Any funds or assets not so disposed of shall be disposed of by the district court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations as said court shall determine that are organized and operated exclusively for such purposes. The corporation itself is liable for its own debts; Neither the Utah Charter School Board, nor the State of Utah, or any subdivision thereof, is liable for the debts or financial obligations of the corporation or persons or entities that are agents or employees of the corporation.

IN WITNESS WHEREOF, the undersigned have executed these Amended and Restated Articles of Incorporation in duplicate this 12 day of December 2013, and say: That they are all directors of the Corporation; that they have read the above and foregoing Amended and Restated Articles of Incorporation; that they know the contents thereof and that the same is true to the best of their knowledge and belief, excepting as to matters herein alleged upon information and belief and as to those matters they believe to be true.

Artificial Intelligence Policy

Mountain West Montessori Academy
Artificial Intelligence Policy
Adopted: June 23, 2025

PURPOSE

Mountain West Montessori Academy (the "School") acknowledges the benefits of integrating artificial intelligence ("AI") into public education and recognizes AI's potential to foster innovation, improve student outcomes, and provide support to educators in delivering more effective and personalized learning experiences to students.

The purpose of this policy is to allow the appropriate and responsible use of AI at the School. This policy applies to students, teachers, staff, and administrators of the School, as well as to third parties who develop, implement, or interact with AI technologies used in the School.

POLICY

The use and integration of AI at the School shall align with the Utah State Board of Education's AI Framework. Accordingly, AI may be used to improve student learning, teacher effectiveness, and School operations. However, AI shall not be used to bully, harass, or intimidate; cheat; or plagiarize. All use of AI at the School shall comply with School policy and all applicable state and federal data privacy and security laws and regulations.

School administration shall ensure that the School takes a balanced approach to AI use. While AI can enhance student learning, students should not become overly dependent on AI in their education at the School. Similarly, while the use of AI can improve teaching and help reduce educators' workloads, it should not replace the essential role of teachers in instructing, guiding, and supporting students on a personal, human level.

The Director shall establish administrative procedures regarding the use of specific AI tools and technologies at the School, including within classrooms. As an alternative to establishing administrative procedures, or in addition thereto, the Director may permit teachers to create their own classroom AI policies. Any classroom AI policy developed by a teacher shall be consistent with this policy and shall be approved by the Director or his/her designee.

The School shall review this policy regularly to ensure that it continues to meet its needs.

Assessment of Student Achievement Policy

Mountain West Montessori Academy
Assessment of Student Achievement Policy
Adopted: April 24, 2023

PURPOSE

Mountain West Montessori Academy (the "School") is required to measure student achievement, including by way of administering statewide assessments. When administered properly, statewide assessments give students an opportunity to demonstrate what they know and can do. In addition, the results of statewide assessments provide the School not only important data about their students' proficiency, but also valuable information that can be used to guide and improve instruction in the School.

The purpose of this policy is to help ensure that the School conducts statewide assessments in a fair and ethical manner and in compliance with applicable law and Utah State Board of Education ("USBE") rule. The School intends for this policy to comply with the requirements of Utah Administrative Code Rule R277-404.

POLICY

Statewide Assessment Plan

The School shall develop a plan to administer statewide assessments. The plan shall include at least the following:

(a) The dates the School will administer statewide assessments;
(b) Professional development for an educator to fully implement the assessment system;
(c) Training for an educator, appropriate paraprofessional, or third-party proctor in the requirements of assessment administration ethics; and
(d) Training for an educator and an appropriate paraprofessional to use statewide assessment results effectively to inform instruction.

The School shall submit the plan to the USBE by September 15 each year.

At least once each year the School shall provide professional development and training on statewide assessment administration as required by R277-404. The School shall use the Standard Test Administration Testing Ethics Policy for such professional development and training.

Student Participation in Statewide Assessments

(a) With the exception of those students described in subsection (b) immediately below and exempted students, the School shall administer statewide assessments to all students enrolled in the grade level or course to which the assessment applies.

(b) A student's IEP team, English Learner Team, or Section 504 accommodation plan team shall determine an individual student's participation in statewide assessments consistent with the Utah Participation and Accommodations Policy.

(c) An educator may use a student's score on a statewide assessment to improve the student's academic grade for or demonstrate the student's competency within a relevant course. However, a student's score on a statewide assessment may not be used in determining whether the student may advance to the next grade level.

(d) The School may not provide a nonacademic reward to a student for taking a statewide assessment.

Student Exemption from Statewide Assessments

(a) A student's parent has the right to exempt the student from a statewide assessment in accordance with Utah Code § 53G-6-803 and the exemption procedures in R277-404. The School shall not impose procedures beyond those in R277-404 to exercise this right nor may the School impose any penalty or adverse consequences upon a student who is exempted.

(b) School grading, teacher evaluation, and student progress reports or grades may not be negatively impacted by students exempted from taking a statewide assessment.

(c) The School may allow a student who has been exempted from a statewide assessment to be physically present in the room during test administration. The School shall ensure that exempted students who are in attendance are provided with an alternative learning experience during test administration.

Other Requirements

The School shall comply with all applicable requirements in R277-404, including adhering to the USBE's Standard Test Administration and Testing Ethics Policy which is incorporated by reference in the rule.

MWMA Assessment of Student Achievement Policy
Board Approval Date: 4-24-23

Attendance Policy

Mountain West Montessori Academy
Attendance Policy
Adopted: January 28, 2014
Amended: December 3, 2018
Amended: October 26, 2020
Amended: October 2, 2023
Amended: October 12, 2026

POLICY

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

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

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

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

Review and Evaluation

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

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

REVISION D
Board Approval Date: 10-12-26

MOUNTAIN WEST
Montessori Academy

Attendance

Administrative Procedures

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

Definitions

"Absence" or **"absent"** means the failure of a school-age child assigned to a class or class period to attend the class or class period for a given day or class period.

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

1. was enrolled in an LEA for at least 60 calendar days; and
2. has been absent for at least 10% of days of instruction, whether the absence was excused or not excused.

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

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

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

1. an illness, which may be either mental or physical, regardless of whether the school-age child or parent provides documentation from a medical professional;
2. a death of a family member or close friend;
3. a scheduled family event or a scheduled proactive visit to a health care provider in accordance with Section 53G-6-803(5);
4. a family emergency;
5. an approved school activity or suspension;
6. a preapproved extended absence for a family activity or travel, consistent with school policy;
7. an absence permitted by an individualized education program or accommodation plan, developed pursuant to relevant law;
8. mental or behavioral health of the school-age child;
9. a waiver of participation in accordance with Section 53G-10-205;
10. competition in a rodeo sanctioned by an international, non-profit organization dedicated to the development of sportsmanship, horsemanship, and character in youth through the sport of rodeo; or
11. any reason a parent provides to justify a student's absence if the student maintains a cumulative grade point average of at least 2.0, including an event related to participation in the following clubs:

a. mountain biking;
b. shooting sports; or
c. a youth development program Utah State University administers, which provides educational experience in areas including agriculture, science, technology, engineering, mathematics, civic engagement, leadership, and healthy living through hands-on learning, mentoring, and community-based clubs or activities.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This notice shall:

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

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

Chronic Absenteeism Prevention and Intervention Program

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

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

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

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

- When a student's attendance is negatively affecting the student's learning, the classroom teacher will notify the student and/or the student's parent/guardian of the concern. The teacher will set up a conference with the student and/or the student's parent/guardian to identify and resolve any problems that prevent the student from attending school. The student's progress will be monitored.
- If meeting with the student and parent/guardian does not adequately address the problems and the student's learning continues to suffer, then the School counselor or Director will work with the teacher and parent/guardian in finding a solution to the problems that are preventing the student from attending to his/her learning. Efforts to resolve the problems may include, but are not limited to, the following: making adjustments to the curriculum or the schedule; counseling of the student by School authorities; mentoring the student;

providing the student with increased academic support; teaching the student executive function skills such as planning, goal setting, understanding and following multi-step directions, and self-regulation; considering alternatives proposed by the parent/guardian; or providing the parent/guardian with a list of community resources to help the family.

- The Director may consult with a parent/guardian to determine if mitigating circumstances such as medical or psychological problems indicate the use of intervention methods for resolving the attendance problems.
- In the event that the preceding interventions fail, the Director will contact the parent/guardian and request a formal meeting to discuss and resolve the attendance problems. A copy of of the communication (letter, email, etc.) will be kept by the School.
- The Director will notify the student and a parent/guardian of the actions the School may take should the student be truant in the future.

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

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

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

A notice of truancy will:

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

A notice of truancy will be served on the parent/guardian by personal service or regular mail. The School shall maintain records of each notice of truancy and any resulting referrals and general outcomes.

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

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

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

- a mobile crisis outreach team;
- a youth services center, as defined in Section 80-5-102;
- a certified youth court, as defined in Section 80-6-901, or comparable restorative justice program;

- an evidence-based intervention created and developed by the School or other governmental entities as set forth in Section 53G-8-211(a); or
- truancy mediation.

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

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

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

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

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

Appeals Process

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

Students with Qualified Disabilities

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

regulations. Excused absences for known mental or behavioral health reasons do not absolve the School of FAPE responsibilities.

Attendance Data Quality and Review

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

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

Annual Report

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

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

Training

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

MWMA Attendance
ADMIN Procedures
Revised Date: 10-12-26

Background Check Policy

Mountain West Montessori Academy
Background Check Policy
Adopted: August 22, 2013
Amended: May 3, 2016
Amended: June 24, 2024

POLICY

The purpose of this policy is to protect the safety, health and security of Mountain West Montessori Academy (the "School") students, employees, and property.

The School will comply with the provisions of Utah Code § 53G-11-401 *et seq.* and Utah Administrative Code R277-316 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 Director will establish administrative procedures consistent with this policy and applicable law.

MWMA Background Check Policy
REVISION B
Board Approval Date: 06-24-24

MOUNTAIN WEST
Montessori Academy

Background Check

Administrative Procedures

These procedures are established pursuant to the Background Check Policy established by the School's Board of Directors.

Individuals Subject to Background Checks

The School requires that the following individuals submit to a criminal background check and ongoing monitoring as provided in Utah Code § 53G-11-402 as a condition for employment or appointment: (a) each employee who is not licensed by the Utah State Board of Education ("USBE"), including substitute teachers; (b) each volunteer who will be given significant unsupervised access to a student in connection with the volunteer's assignment; (c) each contract employee; and (d) each Board Member.

Additionally, each employee who is licensed by the USBE must obtain a background check and submit to ongoing monitoring as required in connection with USBE's licensure requirements.

Conducting the Background Check

Any person submitting to a background check for the School will sign a consent and waiver notifying the individual (a) that a criminal background check will be conducted, (b) who will see the information received as a result of the background check, and (c) how that information will be used.

The School will collect the following from an individual required to submit to a background check for the School:

(a) personal identifying information, including but not limited to:
  (i) current name, former names, nicknames, and aliases;
  (ii) date of birth,
  (iii) address,
  (iv) telephone number,
  (v) driver license number or other government-issued identification number,
  (vi) social security number, and
  (vii) fingerprints;

(b) a fee, subject to the "Payment of Fees for Background Check" section set forth below;

(c) consent and waiver on a form specified by the School for the:
  i. initial fingerprint-based background check by the FBI and the Utah Bureau of Criminal Identification; and
  ii. retention of personal identifying information for ongoing monitoring by the School through registration with the systems described in Utah Code § 53G-11-404.

The School will then submit such individuals' personal identifying information, including fingerprints, to the Utah Bureau of Criminal Identification for (a) an initial fingerprint-based background check and (b) ongoing monitoring (if the results of the initial criminal background check do not contain disqualifying criminal history information as determined by the School).

Payment of Fees for Background Check

The School shall pay the background check fee and fingerprinting fee for non-licensed and contract employees of the School, including substitutes, and for volunteers and Board members of the School.

Background Check Evaluation

When making decisions regarding employment or appointment based on the information received from a criminal background check, the School will consider:

(a) any convictions, including pleas in abeyance;
(b) any matters involving a felony; and
(c) any matters involving an alleged:
    (i) sexual offense;
    (ii) class A misdemeanor drug offense;
    (iii) offense against the person under Title 76, Chapter 5, Offenses Against the Person;
    (iv) class A misdemeanor property offense that is alleged to have occurred within the previous three years; and
    (v) any other type of criminal offense, if more than one occurrence of the same type of offense is alleged to have occurred within the previous eight years.

Only those convictions which are job-related for the employee, applicant, or volunteer will be considered by the School.

Opportunity to Respond to Background Check

The School will provide an individual an opportunity to review and respond to any criminal history information received as a result of submitting for a criminal background check or through ongoing monitoring.

If a person is denied employment or appointment or is dismissed from employment or appointment because of information obtained through a criminal background check or ongoing monitoring, the person may request a review of the information received and the reasons for the disqualification and shall be provided written notice of the reasons for denial or dismissal and of the individual's right to request a review of the disqualification.

Confidentiality

Information received by the School as a result of a background check will only be (a) available to individuals involved in the hiring or background investigation process for that individual and (b)

used for the purpose of assisting the School in making employment-related decisions. Any person who disseminates or uses any such information for any other purpose is subject to criminal penalties and civil liability as set forth in applicable law.

Privacy Risk Mitigation Strategy

The School will employ reasonable privacy risk mitigation strategies to ensure that the School only receives notifications for individuals with whom the School maintains an authorizing relationship. Specifically, the School shall terminate ongoing monitoring for employees upon the termination their employment with the School and for Board Members upon their resignation from the Board or upon the expiration of their Board member term without renewal, unless good cause exists to maintain ongoing monitoring for such individuals (such as if they request and are approved to continue on at the School in the capacity of a volunteer).

With respect to non-Board member volunteers, the School shall maintain a list of volunteers who are registered for ongoing monitoring, periodically consult with relevant School personnel to determine whether such individuals are still volunteering for the School, and ensure that ongoing monitoring for such individuals is terminated when appropriate. In addition, the School shall (a) upon receiving notification of criminal activity, review the current status of the individual in relation the School and (b) decline to accept and review the detail of the notification if the individual named is no longer employed or authorized to volunteer by the School.

Board & Administration Succession Plan

PURPOSE

To create an orderly process for replacing Mountain West Montessori Academy (the "School") Board members and administration in order to ensure continuity in governance and in operation at the School in the event of the departure of a Board member or the Lead Director.

PLAN

Board members or key administrative personnel intending to resign their position are requested to do so in a way that provides adequate time to identify and train new individuals to fill their position.

In order to maintain Board continuity, Board members' terms will be staggered, and the Board will ensure that a majority of Board members' terms do not expire in any one year. It is the intent of the Board to maintain five (5) board members.

Board Succession

1. Board members intending to resign their position shall notify the Board in writing and include a resignation effective date.
2. The Board will create a timeline for replacement of Board members who are resigning and whose terms are ending.
3. The Board may appoint a committee to conduct a search for a new Board member.
4. When conducting a search for a new Board member, the committee will solicit applications from the school community, seek applications in the broader community, and attempt to identify individuals with desirable experience and expertise to serve on the Board. The committee will determine finalists for the full Board to interview.
5. The Board will interview finalists. Interviews of prospective Board members will seek to determine whether individuals understand the mission of the School, are invested in that mission, have experience and expertise that will benefit the Board, and whether applicants understand and are willing to act in accordance with the Board's governance role.
6. A new Board member will be chosen by a majority vote of the remaining Board members.
7. The Board member replacement process will remain consistent with the School's charter and Bylaws.

Administrative Succession

Planned Departure of the Lead Director

The Board asks that the School's Lead Director give the Board at least three months' notice of his or her intent to leave the School. Upon learning of the individual's intent, the Board will appoint a search committee that includes members of the Board to coordinate the search for a successor. The search committee will develop a search process to present to the full Board for approval.

The Board will take steps in order to ensure that the replacement Lead Director is able to effectively lead the School and accomplish the mission and the goals established by the Board. When the search committee is organized, the Board will have a discussion in order to:

- Ensure that the Board is unified in its understanding of the School's mission;
- Ensure that the Board is unified in its understanding of the School's strategic direction;
- Ensure that the Board is unified in its understanding of the roles and responsibilities of the Lead Director position; and
- Ensure that the Board is unified in its understanding of the key competencies of an effective Lead Director.

Unplanned Departure of Lead Director

If the Lead Director's departure is unplanned or occurs in advance of the completion of the search process, the Board will appoint an acting Lead Director. The Board may also decide that it is in the School's best interest to identify individuals outside the School to provide additional short-term administrative assistance during the search process.

Capacity Building of Administrative Team

The Board realizes its responsibility to promote the vision and goals for the School. The Lead Director is expected to develop delivery practices of curriculum that aligns with the mission and vision of the school. When an entire educational team understand the mission, and clearly understand their role, it will help strengthen the School and facilitate an orderly transition in the event of the Lead Director's departure.

School Oversight During Search Process

During the search process, the Board or a committee of Board members will meet regularly with the acting Lead Director, review reports about the progress of the School and its programs, the performance of the organization, the financial condition of the School, and personnel issues in order to ensure adequate oversight on the part of the Board during the transition period.

The search committee will use the results of the prior Board discussions to develop a list of priority attributes to guide the search process and will evaluate candidates against these attributes. When a short of list of interviewees is identified, the search committee will establish a process for interviewing and evaluating candidates

The search committee will then recommend candidates to the Board for consideration. The Board will interview the candidates recommended by the search committee and make the final selection.

The succession plan will be considered and updated periodically.

Budgeting Policy

Mountain West Montessori Academy
Budgeting Policy
Adopted: June 22, 2020
Amended: January 24, 2022

POLICY

Mountain West Montessori Academy (the "School") will comply with the budgeting requirements of Utah law, including but not limited to Utah Code Title 53G, Chapter 7, Part 3.

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 Utah State Board of Education ("USBE").

Maintenance of Effort

Because the School receives federal funds, including Title I, Part A funds, the School is obligated to comply with certain maintenance of effort ("MOE") requirements. The School adopts this policy in order to ensure that the School complies with MOE requirements.

The School will not use applicable federal funds to reduce the level of expenditures from state and/or local funds for the education of students below the level of those expenditures for the preceding fiscal year. Unless an exception applies or a waiver is granted and taking into account allowable reductions, the School will budget from state and/or local funds at least the same total spent for that purpose from the same state and/or local funds source(s) for the most recent prior year for which information is available.

The School acknowledges that if MOE requirements are not satisfied, then the USBE may penalize the School by reducing the School's federal funding by a proportional amount the following year.

Building Rental Policy

Mountain West Montessori Academy
Building Rental Policy
Adopted: May 27, 2014
Amended: September 22, 2015

PURPOSE

The purpose of this policy is to establish procedures for the use of Mountain West Montessori Academy's (the "School") building and facilities by outside individuals and groups.

POLICY

In accordance with state law, the School's facilities are available for use as a "civic center" when such use does not interfere with a School function or purpose, does not violate any applicable law or regulation, and does not otherwise impose an unreasonable burden on the School or expose the School or participants to unreasonable risk.

Any permission to use School facilities is granted pursuant to Utah Code 53A-3-413 and -414 and is considered a permit for governmental immunity purposes under Utah Code 63G-7-201(4)(c). The School therefore has full governmental immunity under Utah Code 63G-7-301(5)(c) for claims arising in connection with such use of the facilities.

PROCEDURES

Fees for the use of facilities shall be charged as outlined in this Policy and will be collected prior to use.

A Building Use Agreement must be signed by the user prior to the date of use.

Usage time shall initially be computed from the time of requested opening to anticipated closing of the doors. Closing time shall be the time when all persons associated with the use have left the building, and the fee will be adjusted for additional time used. Persons lingering in the building are the user's responsibility.

Equipment, keys, and property shall not be loaned or removed from the building.

Facilities such as computer lab, media center, or kitchen shall not be used unless approved by the Director and school personnel are present during the entire time of the function.

Buildings may not be used without adequate School supervision as determined by the Director. The assigned supervisor is responsible for oversight of the facilities while in use.

In addition to the building supervision provided by the School, all use groups must provide supervision to maintain order and prevent damage to or loss of School property.

Any individual or entity using the facilities for commercial purposes must provide, before the use, a Certificate of Insurance evidencing public liability coverage of one million dollars ($1,000,000) per occurrence and naming the School as an additional insured.

The user must comply with any applicable standards of safety and behavior of the School and Utah law. Violation of any of these standards is grounds for termination of the use agreement and the immediate removal of individuals associated with the use. Violation may result in the forfeiting of all deposits, and additional charges may be assessed.

Additional fees may be charged for use of School equipment (spot lights, DVD players and televisions, microphones, etc.) and supplies.

The Director may establish conditions of use intended to protect the facilities from damage or unreasonable wear and tear.

Users shall pay for any damage to the facilities or School equipment caused by their use.

FEES

Except where the Director has discretion under this Policy, users will be charged fees as set forth in the Fee Schedule below, which is subject to periodic review and revision.

The school's Parent Organization and individual classes may use the facilities free of charge for qualifying school-related activities. Such use must be approved by and coordinated with the School's Director. These activities must be approved by the Director before notice of the event is distributed.

Charitable and non-profit rates apply to non-profit organizations such as service clubs, Boy Scouts, Girl Scouts, United Way, cities and counties. The Director may grant free use of the facilities to non-profit organizations at the Director's discretion when the use will not create additional expense for the School.

Security Deposit

At the discretion of the Director, the user may be charged a refundable security deposit of up to $500. The Director shall determine the amount of the security deposit based on the size of the group, the location of the activity, and the type of activity involved. Security deposits shall be paid by the user in a separate check and deposited by the School.

Following the use period, the Director or designee shall inspect the facility for damage or mess requiring extra cleanup time. Any such extra charges will be deducted from the security deposit, and the remaining security deposit shall be refunded to the user. Should there be no extra charges assessed, the full amount of the security deposit shall be refunded.

Personnel
At least one School staff member must be present during any use of the facilities. The Director will set the fee based on the number and type of personnel required for a particular activity. General supervision of the facility may be assigned to a custodian, teacher, administrator or other qualified staff member.

Users must pay for any additional custodial services that are required.

At least one staff member is required for use of the kitchen.

COMMERCIAL AND CHARITABLE AND NONPROFIT BUILDING USE FEE SCHEDULES

Commercial and Charitable Nonprofit Building Use Fee Schedule		
FACILITY	**Commercial**	**Charitable/Nonprofit**
Parking lot	$40/day	$10/day
Cafeteria	$125/hr	$50/hr
Multipurpose room	$125/hr	$50/hr
Kitchen (When using the kitchen facility, it is mandatory to have at least one staff member present, for which there is an additional personnel charge.)	$125/hr	$50/hr
Classroom (each)	$40/hr	$20/hr
PERSONNEL	**Commercial**	**Charitable/Nonprofit**
Building Supervisor	$35/hr	$35/hr
Additional Staff	$20/hr	$20/hr
Kitchen Staff	$20/hr	$20/hr
EQUIPMENT	**Commercial**	**Charitable/Nonprofit**
This fee is done on a case by case basis. Fees are set by Director or designee. Fee shall be documented in Building Use Agreement	TBD	TBD

MWMA Building Rental Policy
REVISION B
Board Approval Date: 9-22-15

MOUNTAIN WEST Montessori Academy

BUILDING USE AGREEMENT (COMMERCIAL)

Applicant's Name: _____ Date: _____
Applicant's Address: _____ City: _____ Zip Code: _____
Phone _____ Business _____ Cell _____
Type of Activity: _____
Facilities Used by: _____

_____
Area (s) or Room(s) Requested: _____

Month	Date(s) Requested	Year	From	To

TO BE COMPLETED BY SCHOOL

Facility	Rental Fee per Hour	Hours	TOTAL	Deposit
			$	50%
			$	50%
			$	50%
			$	50%
			$	50%
Personnel Required	Staff Charge per Hour	Hours	TOTAL	Deposit
			$	100%
			$	100%
			$	100%
EQUIPMENT	Describe:		$	
TOTAL CHARGE for use of facilities as described above:			$	$
TOTAL CHARGE FOR ACTUAL USE OF FACILITIES			$	$

As users of the school facilities, we assume all responsibility for the activity and will not violate any city, county or state law. We understand and agree to comply with all use policies of the school. Any loss or damages to buildings, equipment or grounds as a result of this activity will be fully reimbursed. We hereby acknowledge having received, read and agree to abide by the school's use policies. We acknowledge that the school may terminate this agreement at any time.

Applicant shall indemnify and defend the school and its affiliates, and their officers, directors, and employees and agents, from and against any and all costs, losses, damages and liabilities (including, without limitation, reasonable attorneys, fees, interest and any penalties) incurred or suffered by the school or any of its affiliates (or any of their officers, directors, or employees) with respect to, in connection with or arising out of applicant's use of the school's facilities.

☐ $1,000,000.00 ACTIVE LIABILITY insurance is required by all applicants. A certificated of insurance shall be attached to this agreement.

☐ $_____ Cleaning Deposit has been collected with this agreement.

You are hereby granted this PERMIT to use the School's facilities as described above. Use at your own risk. The School is immune from liability for your use pursuant to UCA § 53A-3-413 and -414 and § 63G-7-301(5). You are advised to obtain insurance for your own liability.

Signature of Applicant: _____

Signature of School Personnel: _____

TOC

MOUNTAIN WEST Montessori Academy

BUILDING USE AGREEMENT (NON-COMMERCIAL)

Applicant's Name: _____ Date: _____
Applicant's Address: _____ City: _____ Zip Code: _____
Phone _____ Business _____ Cell _____
Type of Activity: _____
Facilities Used by: _____

_____
Area (s) or Room(s) Requested: _____

Month	Date(s) Requested	Year	From	To

TO BE COMPLETED BY SCHOOL

Facility	Rental Fee per Hour	Hours	TOTAL	Deposit
			$	50%
			$	50%
			$	50%
			$	50%
			$	50%
Personnel Required	Staff Charge per Hour	Hours	TOTAL	Deposit
			$	100%
			$	100%
			$	100%
EQUIPMENT	Describe:		$	
TOTAL CHARGE for use of facilities as described above:			$	$
TOTAL CHARGE FOR ACTUAL USE OF FACILITIES			$	$

As users of the school facilities, we assume all responsibility for the activity and will not violate any city, county or state law. We understand and agree to comply with all use policies of the school. Any loss or damages to buildings, equipment or grounds as a result of this activity will be fully reimbursed. We hereby acknowledge having received, read and agree to abide by the school's use policies. We acknowledge that the school may terminate this agreement at any time.

You are hereby granted this PERMIT to use the School's facilities as described above. Use at your own risk. The School is immune from liability for your use pursuant to UCA § 53A-3-413 and -414 and § 63G-7-301(5). You are advised to obtain insurance for your own liability.

Signature of Applicant: _____

Signature of School Personnel: _____

Bullying & Hazing Policy

Mountain West Montessori Academy
Bullying & Hazing Policy
Adopted: January 28, 2014
Amended: June 20, 2017
Amended: December 3, 2018
Amended: October 26, 2020
Amended: October 17, 2022
Amended: August 28, 2023
Amended: October 26, 2024
Amended: October 13, 2025
Amended: August 17, 2026

PURPOSE

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

POLICY

Prohibited Conduct

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

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

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

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

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

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

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

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

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

Definitions

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

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

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

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

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

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

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

(3) Section 504 of the Rehabilitation Act of 1973 (prohibits discrimination on the basis of disability); or

(4) Title II of the Americans with Disabilities Act (prohibits discrimination on the basis of disability).

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

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

(1) (a) endangers the mental or physical health or safety of a School employee or student;
(b) involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
(c) involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a School employee or student; or
(d) involves any activity that would subject a School employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a School employee or student to extreme embarrassment, shame, or humiliation; and

(2) (a)(i) is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in a School or School sponsored team, organization, program, club, or event; or
(ii) is directed toward a School employee or student whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a School or School sponsored team, organization, program, club, or event in which the individual who commits the act also participates.

(3) The conduct described above constitutes hazing, regardless of whether the School employee or student against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

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

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

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

(1) as retribution against a person for reporting bullying or hazing; or

(2) to improperly influence the investigation of, or the response to, a report of bullying or hazing.

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

(1) a School teacher;

(2) a School staff member;

(3) a School administrator; or

(4) an individual:
  (a) who is employed, directly or indirectly, by the School; and
  (b) who works on the School’s campus(es).

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

(1) creates an environment that a reasonable person would find hostile, threatening, or humiliating; and

(2) substantially interferes with a student’s or employee’s educational or professional performance, opportunities, or benefits.

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

(1) creates an environment that a reasonable person would find hostile; and

(2) interferes with a student’s educational performance, opportunities, or benefits.

"Student bullying" and "staff bullying" do not mean instances of:

(1) ordinary teasing, horseplay, argument, or peer conflict;

(2) reasonable correction of behavior by a School employee; or

(3) reasonable coaching strategies and techniques by a School employee who is a coach.

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

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

Reporting Prohibited Conduct

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

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

Each report of prohibited conduct shall include:

(1) the name of complaining party;

(2) the name of person subjected to the prohibited conduct (if different than complaining party);

(3) the name of perpetrator (if known);

(4) the date and location of the prohibited conduct; and

(5) a statement describing the prohibited conduct, including names of witnesses (if known).

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

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

The Director may report to OCR all incidents of bullying, hazing, cyber-bullying, abusive conduct, or retaliation that he/she reasonably determines may be violations of a student's or employee's civil rights.
It is the School's policy, in compliance with state and federal law, that students have a limited expectation of privacy on the School's computer equipment and network system, and routine monitoring or maintenance may lead to discovery that a user has violated School policy or law. Also, individual targeted searches will be conducted if there is reasonable suspicion that a user has violated policy or law. Personal electronic devices of any student suspected of violation of this policy will be confiscated for investigation and may be turned over to law enforcement.

Investigation of Alleged Incidents

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

The School will investigate these alleged incidents by interviewing:

(1) the individual who was allegedly targeted;

(2) the individual who is alleged to have engaged in the prohibited conduct;

(3) the parents or guardians of the students who were allegedly targeted and the individual who is alleged to have engaged in prohibited conduct;

(4) any witnesses;

(5) School staff familiar with the student who was allegedly targeted;

(6) School staff familiar with the individual who is alleged to have engaged in prohibited conduct; or

(7) Other individuals who may provide additional information.

The individual who investigates an alleged incident will inform an individual being interviewed that (1) to the extent allowed by law, the individual is required to keep all details of the interview confidential; and (2) further reports of bullying will become part of the review. However, the confidentiality requirement described in this paragraph does not apply to conversations with law

enforcement, requests for information pursuant to a warrant or subpoena, a state or federal reporting requirement, or other reporting required by R277-613.

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

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

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

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

(1) inform parents or guardians when an investigation is concluded;

(2) inform parents or guardians what safety measures will be in place for their child, as determined by the investigation;

(3) provide additional information about the investigation or the resolution consistent with the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. 1232g ("FERPA"); and

(4) inform parents or guardians of the School's Parent Grievance Policy if the parents or guardians disagree with the resolution of the investigation.

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

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

(1) use accountability practices in accordance with policies established by the School; and

(2) provide supportive services designed to preserve the student's access to educational opportunities and a sense of safety.

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

Parental Notification

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

(1) the student threatens suicide; or

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

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

The Director or his/her designee will attempt to contact the parent or guardian by telephone to provide this notification and to discuss the matter. If the parent or guardian is not available by telephone, the Director or his/her designee will leave a voicemail and then also provide the parent or guardian the required notification by email.

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

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

(2) tracks implementation of the action plan addressing the incident, if applicable.

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

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

(1) suicide prevention materials and information as recommended by the Utah State Board of Education in accordance with Utah Code § 53G-9-604(2)(b);

(2) information on ways to limit a student's access to fatal means, including firearms or medication; and

(3) information and resources on the healthy use of social media and online practices as provided in R277-613.

<u>Action Plan to Address Incidents</u>

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

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

(2) with respect to the student who caused the incident and in direct coordination with the student's parent or guardian:
   (a) a range of tailored and appropriate consequences, making reasonable effort to preserve the student's access to educational services and activities;
   (b) a process to determine and provide any needed resources related to the underlying cause of the incident;
   (c) supportive measures designed to preserve the student's access to educational services and opportunities while protecting the safety and well-being of other students; and
   (d) a process to remove the student from School in an emergency situation, including a description of what constitutes an emergency.

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

(1) educational schedule or placement; or

(2) participation in a School sponsored sport, club, or activity.

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

Communication Plan

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

(1) the outcome of the School's investigation (if not already provided at the conclusion of the investigation);

(2) a discussion of safety considerations for the student who is the subject of the incident; and

(3) an explanation of the School's process for addressing the incident.

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

Consequences of Prohibited Behavior

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

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

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

Grievance Process for School Employees

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

Grievance Process for Parents and Guardians

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

Additional Provisions

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

(1) Once the School knows or reasonably should know of possible student-on-student bullying, cyber-bullying, or hazing, the School must take immediate and appropriate action to investigate.

(2) If it is determined that the bullying, cyber-bulling, or hazing of a student did occur as a result of the student's membership in a protected class, the School shall take prompt and effective steps reasonably calculated to:
(a) end the bullying, cyber-bullying, or hazing;
(b) eliminate any hostile environment; and
(c) prevent its recurrence.

(3) These duties are the School's responsibilities even if the misconduct is also covered by a separate anti-bullying policy and regardless of whether the student makes a complaint, asks the School to take action, or identifies the bullying, cyber-bullying, or hazing as a form of discrimination.

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

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

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

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

Student Assessment

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

Training

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

(1) bullying, cyber-bullying, hazing, retaliation, and abusive conduct;

(2) discrimination under the following federal laws:
  (a) Title VI of the Civil Rights Act of 1964;
  (b) Title IX of the Education Amendments of 1972;
  (c) Section 504 of the Rehabilitation Act of 1973; and
  (d) Title II of the Americans with Disabilities Act of 1990;

(3) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are different from discrimination and may occur separately from each other or in combination;

(4) how bullying, cyber-bullying, hazing, retaliation, and abusive conduct are prohibited based upon race, color, national origin, sex, disability, or religion;

(5) the right of free speech and how it differs for students, employees, and parents or guardians; and

(6) safe digital citizenship.

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

The training shall be offered to:

(1) new school employees, coaches, and volunteers within the first year of employment or service;

(2) all School employees, coaches, and volunteers at least once every three years after the initial training; and

(3) all students (regardless of whether they are involved in athletics or extracurricular activities or clubs) at a frequency determined by the Director.

In addition to the training requirements described above, any student, employee, or volunteer coach participating in a School sponsored athletic program, both curricular and extracurricular, or extracurricular club or activity, shall, prior to participating in the athletic program or activity, participate in bullying, cyber-bullying, hazing, retaliation, and abusive conduct prevention training. This training shall be offered to new participants on an annual basis and to all participants at least once every three years. The School will inform student athletes and extracurricular club members of prohibited activities under R277-613 and potential consequences for violation of the law and the rule.

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

Liaison to Utah State Board of Education

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

Distribution of Policy and Signed Acknowledgement

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

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

Annual Reporting

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

(1) a copy of this policy;

(2) the School's implementation of the signed statement requirement described in Utah Code § 53G-9-605;

(3) verification of the School's training of its employees relating to bullying, cyber-bullying, hazing, retaliation, and abusive conduct described in Utah Code § 53G-9-607;

(4) incidents of student bullying, cyber-bullying, hazing, and retaliation; and

(5) the number and type of incidents described in subsection (4) immediately above that include a student who was alleged bullied, cyber-bullied, hazed, or retaliated against based on the student's actual or perceived characteristics, including disability, race, national origin, religion, sex, gender identity, or sexual orientation, including the federal reporting requirements for civil rights violations.

Bylaws

Mountain West Montessori Academy
Bylaws
Adopted: March 2, 2012

MOUNTAIN WEST MONTESSORI ACADEMY, INC.
BYLAWS

ARTICLE I
Name & Purpose

SECTION 1.1: Name. The name of the organization is Mountain West Montessori Academy, Inc. (the "corporation").

SECTION 1.2: Purpose. The corporation was formed to manage, operate, guide, direct and promote a Utah Public Charter School. The corporation is organized under the Utah Revised Nonprofit Corporation Act (the "Act") for public purposes and is not organized for the private gain of any person.

ARTICLE II
Members

SECTION 2.1: No Members. The corporation shall have no members. Any action which would otherwise by law require approval by a majority of all members or approval by the members shall require only approval of the Board. All rights which would otherwise by law vest in the members shall vest in the board.

ARTICLE III
Meetings of Directors

SECTION 3.1: Annual Meeting. The Board of Directors of the corporation (the "Board") shall hold an annual meeting for the purposes of organization, selection of Directors and officers, and the transaction of other business.

SECTION 3.2: Regular Meetings. Regular meetings will be held as often as the Board determines is appropriate. Regular meetings of the Board, including the annual meeting, shall be held on such dates and at such times and places as may be from time to time fixed by the Board.

SECTION 3.3: Special Meetings. Special meetings of the Board for any purpose(s) may be called at any time by the President of the Board, the Secretary, or one-third of the members of the Board.

SECTION 3.4: Notice. Special meetings of the Board and regular meetings that are held other than at the regularly scheduled time or place may be held only after each Director has received twenty-four (24) hours' notice given personally or by telephone, e-mail or other similar means of communication.

ARTICLE IV
Board of Directors – Officers

SECTION 4.1: General Powers. Subject to the limitations of the Act, the corporation's Articles of Incorporation and these Bylaws, the activities and affairs of the corporation shall be conducted and all corporate powers shall be exercised by or under the direction of the Board. The Board may delegate the management of the corporation's activities to any person(s), company or committees, however composed, provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board. No assignment, referral or delegation of authority by the Board or anyone acting under such delegation shall preclude the Board from exercising full authority over the conduct of the corporation's activities, and the Board may, subject to contractual obligations as may exist, rescind any such assignment, referral or delegation at any time.

SECTION 4.2: Specific Powers. Without prejudice to its general powers, but subject to the same limitations set forth above, the Board shall have the following powers in addition to any other powers enumerated in these Bylaws and permitted by law:

4.2.1: To select and remove all of the officers, agents and employees of the corporation; to prescribe powers and duties for them which are not inconsistent with law, the corporation's Articles of Incorporation or these Bylaws; and to fix their compensation;

4.2.2: To conduct, manage and control the affairs and activities of the corporation and to make such rules and regulations therefore which are not inconsistent with the law, the corporation's Articles of Incorporation or these Bylaws, as it deems best;

4.2.3: To adopt, make and use a corporate seal and to alter the form of the seal from time to time, as it deems best;

4.2.4: To borrow money and incur indebtedness for the purpose of the corporation, and to cause to be executed and delivered therefore, in the corporate name, promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations and other evidences of debt and securities therefore;

4.2.5: To act as trustee under any trust incidental to the principal object of the corporation, and receive, hold, administer, exchange and expend funds and property subject to such trust;

4.2.6: To acquire by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of real and personal property;

4.2.7: To assume any obligations, enter into any contracts or other instruments, and do any and all other things incidental or expedient to the attainment of any corporate purpose; and

4.2.8: To carry out such other duties as are described in the Charter.

SECTION 4.3: Board Role, Size, Composition. The Board is responsible for overall policy and direction of the school and delegates responsibility for day-to-day operations to the Director/Principal and committees established by the Board. The Board shall consist of no fewer than five (5) and no more than seven (7) members. Directors shall receive no compensation other than reasonable expenses.

SECTION 4.4: Quorum. A quorum consists of a majority of the current Directors. Every act or decision done or made requires a majority vote of the Directors present at a meeting duly held at which a quorum is present. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of Directors, if any action taken is approved by at least a majority of the required quorum for such meeting. Notwithstanding the foregoing, the provisions of Utah Code § 16-6a-825 shall apply.

SECTION 4.5: Terms. The initial Directors shall serve staggered terms as determined by the Board. All subsequent Directors shall serve three (3) year terms and are eligible for re-election.

SECTION 4.6: Resignation & Removal. Resignation from the Board must be in writing and received by the Secretary. The resignation is effective upon receipt or at the time specified in the writing. If the resignation is effective at a future time, a successor may be selected before such time, to take office when the resignation becomes effective. A Board member may be removed with or without cause by the vote of two-thirds (2/3) of the remaining directors.

SECTION 4.7: Vacancies. Vacancies on the Board will exist: (1) on the death, resignation, or removal of any Director; or (2) when the term of a current Director has expired. A Director elected to fill a vacancy created by the death, resignation, or removal of a Director shall be elected to fill the unexpired term of his/her predecessor in office.

SECTION 4.8: Board Elections. In order to fill a vacancy in the Board, the Board will solicit applications from the school community or members of the community at large. The Board may then elect a candidate to fill the vacancy. Directors will be elected by the vote of a majority of the remaining members of the Board. Directors elected to fill the seats of directors whose terms have expired shall be elected at the annual meeting of the Board of Directors.

SECTION 4.9: Fees and Compensation. Directors shall not receive compensation for their services; however, the Board may approve the reimbursement of a Director's actual and necessary expenses incurred in the conduct of the corporation's business.

SECTION 4.10: Standard of Care.

4.10.1 A Director shall perform all duties of a Director in good faith, in a manner such Director believes to be in the best interests of the corporation and with such care, including the duty to make reasonable inquiries, as an ordinarily prudent person in a like situation would use under similar circumstances.

4.10.2 In performing the duties of a Director, a Director may rely on information, opinions, reports or statements, including financial statements and other financial data, in each case prepared or presented by: (i) one or more officers or employees of the corporation whom the Director believes to be reliable and competent in the matters presented; (ii) legal counsel, independent accountants or other persons as to matters that the Director believes to be within such person's professional or expert competence; or (iii) a committee of the Board upon which the Director does not serve as to matters within a designated authority, provided the Director believes that the committee merits confidence and the Director acts in good faith, after reasonable inquiry when the need therefore is indicated by the circumstances, and without knowledge that would cause such reliance to be unwarranted.

ARTICLE V
Officers

SECTION 5.1: Officers. The officers of the corporation shall be President, Secretary, and Treasurer. All officers must be Directors of the corporation. The corporation may also have, at the discretion of the Board, one or more Vice Presidents, one or more Assistant Secretaries, one or more Assistant Treasurers, and such other officers as may be elected or appointed. Any number of offices may be held by the same person.

SECTION 5.2: Election. The officers of the corporation shall be chosen at the annual meeting of the Board by and shall serve at the pleasure of the Board and shall hold their respective offices until their resignation, removal or other disqualification from service, or until their respective successors shall be elected.

SECTION 5.3: Subordinate Officers. The Board may elect, and may empower the President to appoint, such other officers as the business of the corporation may require, each of whom shall hold office for such period, have such authority, and perform such duties as are provided in these Bylaws or as the Board may from time to time determine.

SECTION 5.4: Removal. Any officer may be removed, either with or without cause, by the Board at any time.

SECTION 5.5: Resignation. Any officer may resign at any time by giving written notice to the Board; such resignation may not prejudice the rights, if any, of the corporation under any contract to which the officer is a party. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein; the acceptance of such resignation shall not be necessary to make it effective.

SECTION 5.6: Vacancies. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed in these Bylaws for regular election to such office, provided that such vacancies shall be filled as they occur and not on an annual basis.

SECTION 5.7: President. The President shall preside at all meetings of the Board and shall exercise such powers and duties as the Board may prescribe from time to time.

SECTION 5.8: Vice Presidents. In the absence or disability of the President, the Vice President(s), if any are appointed shall, in order of their ranks as fixed by the Board or, if not ranked, the Vice President designated by the Board, perform all duties of the President and, when so acting, shall have all the powers of, and subject to all the restrictions upon, the President. The Vice President(s) shall have such other powers and perform such other duties as the Board may prescribe from time to time.

SECTION 5.9: Secretary. The Secretary shall keep or cause to be kept, at the principal office or such other place as the Board may order, a book of minutes of all meetings of the Board including the following information for all such meetings: the time and place of holding; whether regular or special; if special, how authorized; the notice thereof given; the names of those present and absent, and the proceedings thereof. The Secretary shall keep, or cause to be kept, at the principal office in the State of Utah, the original or a copy of the corporation's Articles of Incorporation and Bylaws, as amended to date, and a register showing the names of all directors and their respective addresses.

SECTION 5.10: Treasurer. The Treasurer of the corporation shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of the properties and business transactions of the corporation, including accounts of its assets, liabilities, receipts and disbursements. The books of account shall at all times be open to inspection by any Director. The Treasurer shall deposit, or cause to be deposited, all money and other valuables in the name and to the credit of the corporation with such depositaries as may be designated from time to time by the Board. The Treasurer shall disburse, or cause to be disbursed, the funds of the corporation as may be ordered by the Board, and shall render, or cause to be rendered, to the Directors, upon request, an account of all transactions as Secretary or President and of the financial condition of the corporation. The Treasurer shall have such powers and perform such other duties as may be prescribed from time to time by the Board.

ARTICLE VI
Indemnification

SECTION 6.1: Indemnification of Directors and Corporation Agents. The corporation hereby declares that any person who serves at its request as a Director, officer, employee, or member of any committee, or on behalf of the organization as a trustee, Director, or officer of another organization, whether for profit or not for profit, shall be deemed the corporation's agent for the purposes of this Article and to the extent allowed by law, shall be indemnified by the corporation against expenses (including attorney's fees), judgment, fines, excise taxes, and amounts paid in settlement actually and reasonably incurred by such person who was or is a party

or threatened to be made a party to any threatened, pending, or completed action, suit or proceeding, whether civil, criminal, administrative, or investigative by reason of such service, provided such person acted in good faith and in a manner he reasonably believed to be in the best interest of the corporation and, with respect to any criminal action or proceedings, had no reasonable cause to believe his conduct was unlawful. Except as provided in Article VI, Section 3, below, termination of such action, suit, or proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not of itself create either a presumption that such person did not act in good faith and in a manner which he reasonably believed to be in the best interest of the corporation or, with respect to any criminal action or proceeding, a presumption that such person had reasonable cause to believe that his conduct was unlawful.

SECTION 6.2: Indemnification Against Liability to the Corporation. No indemnification shall be made with respect to any claim, issue, or matter as to which a person covered by Article VI, Section 6.1. shall have been adjudged to be liable for negligence or misconduct in the performance of his/her duty to the corporation unless and only to the extent that the court in which such action, suit, or proceeding was brought shall determine upon application that, despite the adjudication of the liability, but in view of all the circumstances of a case, such person is fairly and reasonably entitled to indemnification for such expenses which such court deems proper.

SECTION 6.3: Indemnification of Criminal Actions. No indemnification shall be made in respect of any criminal action or proceeding as to which a person covered in Article VI, Section 6.1. shall have been adjudged to be guilty unless and only to the extent that the court in which such action or proceeding was brought shall determine upon application that, despite the adjudication of guilt, but in view of all the circumstances of the case, such person is entitled to indemnification for such expenses, or fines which such court shall deem proper.

SECTION 6.4: Period of Indemnification. Any indemnification pursuant to this Article shall: (a) be applicable to acts or omissions which occurred prior to the adoption of this Article, and (b) continue as to any indemnified party who has ceased to be a Director, officer, employee, or agent of the corporation and shall inure to the benefit of the heirs and personal representatives of such indemnified party. The repeal or amendment of all or any portion of these Bylaws which would have the effect of limiting, qualifying, restricting any of the powers or rights of indemnification provided or permitted in this Article shall not solely by reason of such repeal or amendment, eliminate, restrict, or otherwise affect the right or power of the corporation to indemnify any person, or affect any right of indemnification of such person, with respect to any acts or omissions which occurred prior to such repeal or amendment.

SECTION 6.5: Advances of Costs and Expenses. The corporation may pay costs and expenses incurred by a Director, officer, employee or agent in defending a civil or criminal action, suit or proceeding, in advance of the final disposition of the action, suit or proceeding upon receipt of an undertaking by or on behalf of the person that he or she shall repay the amount advanced if it is ultimately determined that he or she is not entitled to be indemnified by the corporation as authorized by these Bylaws.

SECTION 6.6: Personal Liabilities of Directors and Officers. No Director or officer of the corporation shall be personally liable to the corporation for civil claims arising from acts or omissions made in the performance of his or her duties as a Director or officer, unless the acts or omissions are the result of his or her fraud, or malicious or willful misconduct, or the illegal use of alcohol or a controlled substance.

ARTICLE VII
Amendments

SECTION 7.1: These Bylaws may be amended when necessary by the vote of a majority of the Board.

IN WITNESS WHEREOF, the undersigned have executed these Bylaws this **2nd** day of **March 2012**.

Capitalization & Expense Policy

Mountain West Montessori Academy
Capitalization and Expense Policy
Adopted: October 22, 2013
Amended: September 27, 2021
Amended: October 12, 2026

PURPOSE

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

POLICY

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

Cash Handling Policy

Mountain West Montessori Academy
Cash Handling Policy
Adopted: August 22, 2013
Amended: November 29, 2017

Mountain West Montessori Academy (the "School") adopts this policy to ensure that the School utilizes sound internal controls and properly handles cash received by School personnel.

The Director will designate at least two (2) School employees who are authorized to handle cash paid to the School, and only those employees may handle cash for the School. The Director will ensure that all employees who are authorized to handle cash receive appropriate annual training.

Receipts must be issued for all cash received by School.

All cash received must be deposited no later than once every three (3) banking days. Two individuals should prepare each deposit using tamper resistant deposit bags.

The Director may establish additional procedures associated with the handling of cash that are not inconsistent with this policy or applicable laws and regulations.

No School employee should handle cash associated with a non-school-sponsored activity in their capacity as a School employee. In the event such an individual does handle such cash, they must make it clear to the organization sponsoring the activity that they are not acting as a School employee.

Child Abuse & Neglect Reporting Policy

Mountain West Montessori Academy
Child Abuse & Neglect Reporting Policy
Adopted: December 2, 2013
Amended: December 3, 2018
Amended: August 25, 2025

PURPOSE

Mountain West Montessori 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.

POLICY

School personnel shall report suspected child abuse and neglect in accordance with Utah Code § 80-2-602, § 53E-6-701, and Utah Administrative Code Rule R277-401. The law provides serious penalties for failure to fulfill one's duty to report.

Whenever any School employee, contracted or temporary employee, or volunteer has reason to believe that a child is, or has been, the subject of abuse or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in abuse or neglect, he/she shall immediately report the suspected abuse or neglect the nearest peace officer, law enforcement agency, or the Division of Child and Family Services.

In addition, whenever any School employee, contracted or temporary employee, or volunteer has reasonable cause to believe that a student may have been physically or sexually abused by a School employee or volunteer, he/she shall immediately report that belief and all other relevant information to the Director. The Director, after having received such a report or otherwise having his/her own reasonable cause to believe that a student may have been physically or sexually abused by a School employee or volunteer, shall immediately report that information to the Utah State Board of Education.

All reports made regarding child abuse or neglect shall be documented in writing.

The Director shall establish administrative procedures that comply with the provisions of Utah Code Ann. § 53E-6-701, § 80-2-602 et seq., and Utah Administrative Code Rule R277-401 and will help the School's personnel to understand and fulfill their legal responsibilities concerning child abuse and neglect.

MOUNTAIN WEST Montessori Academy

Child Abuse & Neglect Reporting

Administrative Procedures

These procedures are established pursuant to the Child Abuse and Neglect Reporting Policy adopted by the Board of Directors.

1. If a School employee or volunteer ***has reason to believe*** that a child is, or has been, the subject of abuse or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in such, the person shall immediately make an oral report to the nearest peace officer, law enforcement agency or Division of Child and Family Service ("DCFS"). The person shall also make a report to the School's Director, but the requirement to notify the Director does not satisfy the person's personal duty to report to law enforcement or DCFS.

    a. The oral report to law enforcement or DCFS may be made with the Director present but must be made by the person making the report.

    b. The reporting person must record the name of the individual and the agency contacted to make the required report.

    c. The reporting person must complete and provide the Child Abuse and Neglect Reporting Form to the Director within twenty-four (24) hours. The Director will keep the form in a separate file, and it shall not be placed in the student's permanent file. The form should also be sent to the agency to which the oral report was given.

    d. The School will preserve the anonymity of the person making the report and any others involved in any investigation.

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

    a. Investigations by staff prior to submitting a report shall not go beyond what is minimally necessary to support a reasonable belief that a reportable problem exists.

    b. It is not the responsibility of the Director or any other school employees to prove who the abuser is or that the child has been abused or neglected, or to determine whether the child is in need of protection.

    c. 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.

d. School employees shall not conduct interviews with the child or contact the suspected abuser.

e. Notes of voluntary or spontaneous statements by the child shall be given to the investigational agency.

3. Investigations of reports of abuse for children seventeen (17) years of age and younger are the responsibility of DCFS.

   a. School employees shall not contact the child's parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

   b. School personnel shall cooperate with DCFS and share all information with the DCFS that is relevant to DCFS's investigation of an allegation of abuse or neglect. Additionally, School employees shall cooperate with DCFS and law enforcement employees authorized to investigate reports of alleged child abuse and neglect, including:
      i. allowing appropriate access to students;
      ii. allowing authorized agency employees to interview children consistent with DCFS and local law enforcement protocols;
      iii. making no contact with the parents or legal guardians of children being questioned by DCFS or law enforcement authorities; and
      iv. maintaining appropriate confidentiality.

   c. If school officials are contacted by parents about child abuse reports, school personnel shall not confirm or deny that a contact or investigation is taking place. A school employee should refer the caller to law enforcement or DCFS.

4. If the suspected perpetrator of child abuse or neglect is a School employee or volunteer, that report shall be made immediately to the Director. The Director shall then immediately report the allegation to the Utah State Board of Education. Steps shall be taken to ensure that further abuse or neglect is prevented by the suspected perpetrator.

5. Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune from any civil or criminal liability that otherwise might arise from those actions, as provided by law.

6. The Director shall annually (a) provide each School employee with the School's Child Abuse and Neglect Reporting Policy and Procedures, including a copy of the Child Abuse and Neglect Reporting Form and (b) notify each School employee of the mandatory reporting requirements of this Policy and Procedure and Utah Code § 53E-6-701 and§ 80-2-602.

7. The School, under the direction of the Director, will provide School personnel once every three years with training and instruction on child sexual abuse and human trafficking prevention and awareness, including (a) responding to a disclosure of child sexual abuse

in a supportive, appropriate manner; (b) identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; (c) the mandatory reporting requirements of this Policy, Utah Code § 53E-6-701 and§ 80-2-602; and (d) appropriate responses to incidents of sexual extortion, including connecting victims with support services. Newly hired staff will be provided with the same training and the written policy at the beginning of their employment.

8. The School, under the direction of the Director, will provide the parents or guardians of elementary school students with training and instruction once every three years on child sexual abuse and human trafficking prevention and awareness, including (a) recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation; (b) effective, age-appropriate methods for discussing the topic of child sexual abuse with a child; and (c) resources available for victims of sexual extortion.

9. The training and distribution of materials will be documented.

10. Educational neglect means that, after receiving a notice of compulsory education violation under Utah Code Section 53G-6-202, the parent or guardian fails to make a good faith effort to ensure that the child receives an appropriate education.

    a. When School personnel have reason to believe that a child may be subject to educational neglect, school personnel shall submit the report described in Utah Code Subsection 53G-6-202(8) to DCFS.

    b. When School personnel have a reason to believe that a child is subject to both educational neglect and another form of neglect or abuse, School personnel may not wait to report the other form of neglect or abuse pending preparation of a report regarding educational neglect.

TOC

CONFIDENTIAL

Child Abuse & Neglect Reporting Form

ORAL REPORT MADE TO PRINCIPAL:	
Date:	**Time:**

CHILD'S INFORMATION:			
Name:	**Age:**	**Sex:**	**Birth Date:**
Address:			

PARENT/GUARDIAN INFORMATION:	
Father Name:	**Mother Name:**
Father Address:	**Mother Address:**
Father Phone:	**Mother Phone:**
Guardian #1 Name:	**Guardian #2 Name:**
Guardian #1 Address:	**Guardian #2 Address:**
Guardian #1 Phone:	**Guardian #2 Phone:**

DATE AND TIME OF OBSERVATIONS	
Date:	**Time:**

CIRCUMSTANCES LEADING TO THE SUSPICION THAT THE CHILD IS A VICTIM OF ABUSE OR NEGLECT:

ADDITIONAL INFORMATION:

Oral Report Made To:	Written Report Made To:
Agency:	**Agency:**
Individual's Name:	**Individual's Name:**
Date:	**Date:**
Time:	**Time:**

Reporting Individual:		Principal:	
Name:		Name:	
Date:		Date:	
Signature		Signature:	

*****DO NOT PLACE THIS FORM IN THE STUDENT'S CUM FILE*****

Civil Rights Policy

Mountain West Montessori Academy
Civil Rights Policy
Adopted: December 2, 2013
Amended: September 22, 2015

Amended: August 24, 2020

Policy Against Discrimination, Harassment and Sexual Harassment

It is policy of Mountain West Montessori Academy (the "School") not to discriminate on the basis of sex, race, color, national origin, creed, religion, age, marital status, or disability in its educational programs, activities, or employment policies as required by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. The policy against non-discrimination applies in all aspects of the School's programs and activities, including but not limited to admissions and the administration of discipline.

It shall be a violation of this policy for any student or employee of the School to harass a student or an employee through conduct or communication in any form as defined by this policy or to retaliate against any individual for filing, receiving, investigating, or providing information concerning any complaint alleging violation of a federal civil rights law under this policy.

This policy will be posted on the School's website and distributed as part of the annual online registration process.

Title VI of the Civil Rights Act of 1964

Title VI of the Civil Rights Acts of 1964 is a federal law that prohibits discrimination on the basis of race, color, or national origin. In compliance with Title VI, the School prohibits all discriminatory practices, including but not limited to the following:

1. Preventing a person from enrolling in a school, class, or extracurricular school activity based on race, color, or national origin.

2. Arbitrarily placing a student in a school or class with the intent of separating the student from the general population of students because of the student's race, color, or national origin.

3. Setting higher standards or requirements as a prerequisite before allowing minorities to enroll in a school, class, or activity.

4. Unequally applying disciplinary action based on a student's race, color, or national origin.

5. Failing to provide the necessary language assistance to allow limited English proficient students the same opportunity to learn as English proficient students.

6. Administering tests or other evaluative measures, which by design or by grading do not allow minority students the same opportunity to present a true measure of their abilities.

7. Providing advice or guidance to minority with the intent to direct minority students away from schools, classes, or educational activities based on their race, color, or national origin.

8. Providing instructional and related services to minority students that are inferior to those provided to non-minority students.

Title IX of the Education Amendments of 1972

Title IX of the Education Amendments of 1972 is a federal law that prohibits discrimination on the basis of sex in providing educational programs and services.

It is policy of the School not to discriminate against any student, employee, or applicant on the basis of sex. The School will ensure that no student will be excluded from participating in or having access to any course offerings, student athletics, or other school resources based on unlawful discrimination. The School will take all necessary steps to ensure that each employee's work environment is free of unlawful discrimination based on sex. No employee of the School, including any person representing the School, shall intimidate, threaten, harass, coerce, discriminate against, or commit or seek reprisal against anyone who participates in any aspect of the discrimination complaint process associated with this policy.

The School Director will designate a Title IX Coordinator and provide notice of the name and contact information on the School's website and otherwise as appropriate.

Response to Sexual Harassment

The School will respond promptly in a manner that is not deliberately indifferent to any actual knowledge of sexual harassment in its educational program.

Therefore, in the event of any actual knowledge of sexual harassment, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.

The School will thereafter treat complainants and respondents equitably by offering supportive measures to a complainant and by following the grievance process defined below for formal complaints of sexual harassment.

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to the School's Title IX Coordinator or any official of the School who has authority to institute corrective measures on behalf of the School, or to any employee of the School. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official of the School with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment or to inform a student about how to report sexual harassment, or having been trained to do so, does not qualify an individual as one who has authority to institute corrective measures on behalf of the School. "Notice" as used in this paragraph includes, but is not limited to, a report of sexual harassment to the Title IX Coordinator.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:
(a) An employee of the School conditioning the provision of an aid, benefit, or service of the School on an individual's participation in unwelcome sexual conduct;
(b) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Schools education program; or
(c) "Sexual assault" as defined by 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

"Supportive measures" are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. The School will make supportive measures available to complainants and respondents, as appropriate, which may include measures such as:

- No-contact orders
- Leaves of absence
- Class schedule changes, teacher reassignment, or other academic adjustments
- Increased monitoring of certain areas

Personnel; Training Requirements

No individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or the facilitator of an informal resolution process will have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

The School will ensure that any individual designated by the School as a Title IX Coordinator, investigator, decision-maker, or the facilitator of an informal resolution process will receive training on the applicable definition of sexual harassment; the scope of the School's educational

program and activities; how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable; and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The School will ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train a Title IX Coordinator, investigator, decision-maker, or the facilitator of an informal resolution process must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Grievance Process Time Frames

The School will promptly carry out the grievance process for formal complaints of sexual harassment. Unless reasonable cause exists, the School will conclude the grievance process of a formal complaint of sexual harassment within forty-five (45) calendar days of receipt of a formal complaint. Informal resolution processes will be concluded within forty-five (45) calendar days of when the School obtains the parties' voluntary, written consent to the informal resolution process.

The grievance process for formal complaints of sexual harassment may be temporarily delayed, and time frames may be extended by the School for good cause with written notice to the complainant and the respondent that describes the reasons for the delay or extension. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

Notice of Formal Complaints of Sexual Harassment

Upon receipt of a formal complaint of sexual harassment, the School will provide the following written notice to the parties who are known:

(a) Notice of the School's grievance process for formal complaints, including any informal resolution process;

(b) Notice of allegations of sexual harassment potentially constituting sexual harassment as defined in 34 C.F.R. § 106.30, including sufficient details known at the time and with sufficient time for the respondent to prepare a response before any initial review. Sufficient details include the identities of the parties involved in the incident, if known; the conduct allegedly constituting sexual harassment under 34 C.F.R. § 106.30; and the date and location of the alleged incident, if known.

The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.

The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence.

The written notice will inform the parties that they are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process.

If, during the course of an investigation, the School decides to investigate allegations about the complainant or respondent that are not included in the notice provided above, the School will provide notice of the additional allegations to the parties whose identities are known.

Grievance Process for Formal Complaints of Sexual Harassment

A "formal complaint" means a document, including an electronic submission, filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment. Formal complaints should be filed with the Title IX Coordinator.

In response to a formal complaint of sexual harassment, the School will follow the grievance process set forth below and in accordance with 34 C.F.R. § 106.45. The grievance process for formal complaints will treat complainants and respondents equitably. Before the imposition of any disciplinary sanctions or other actions that are not supportive measures against a respondent in connection with a formal complaint, the School will follow this policy and applicable legal requirements.

The grievance process for formal complaints will provide remedies to a complainant where a determination of responsibility has been made against the respondent. Such remedies may include the same individualized services included in the supportive measures. However, such remedies need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

The grievance process for formal complaints will involve an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

The grievance process for formal complaints will be conducted with a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Following a determination of responsibility for sexual harassment, the School will take prompt remedial action, including appropriate disciplinary actions. These actions may include, for a respondent who is a student, disciplinary actions in accordance with the School's Student Conduct and Discipline Policy, which may include suspension or expulsion. These actions may include, for a respondent who is an employee, discipline up to and including termination.

The standard of evidence to be used to determine responsibility is the preponderance of the evidence standard. This standard will be applied to all formal complaints of sexual harassment, including formal complaints against both students and employees.

The grievance process for formal complaints will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

The School will investigate the allegations in a formal complaint of sexual harassment. If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in 34 C.F.R. § 106.30 even if proved, did not occur in the School's educational program, or did not occur against a person in the United States, then the School must dismiss the formal complaint with regard to that conduct for purposes of sexual harassment under Title IX. Such a dismissal does not preclude action under another provision of the School's policies.

The School may also dismiss a formal complaint of sexual harassment, or any allegations in the complaint, if at any time during the investigation (a) a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; (b) the respondent is no longer enrolled or employed by the School; or (c) specific circumstances prevent the School from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint of sexual harassment as provided above, the School will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties.

The School may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of sexual harassment arise out of the same facts or circumstances.

When investigating a formal complaint of sexual harassment and throughout the grievance process, the School will do the following:

(a) Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the School and not on the parties provided that the School cannot access, consider, disclose, or otherwise use medical and psychological records of the party without the party's consent, as provided in 34 C.F.R. § 106.45(b)(5)(i);

(b) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;

(c) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;

(d) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney, and not limit the choice or presence of advisor for either the complainant or respondent in any meeting or grievance

proceeding; however, the School may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties;

(e) Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate;

(f) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation. Prior to completion of the investigative report, the School will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties will have at least ten (10) days to submit a written response, which the investigator will consider prior to completion of the investigative report. The School will make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination; and

(g) Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to the time of determination regarding responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

The School will not conduct a hearing on formal complaints of sexual harassment. After the School has sent the investigative report as provided above and before reaching a determination regarding responsibility, the decision-maker(s) will afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers provided, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) will explain to the party proposing the questions any decision to exclude a question as not relevant.

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), must issue a written determination regarding responsibility. To reach this determination, the School must apply the standard of evidence described above. The written determination must include the following:

(a) Identification of the allegations potentially constituting sexual harassment as defined in 34 C.F.R. § 106.30;

(b) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;

(c) Findings of fact supporting the determination;

(d) Conclusions regarding the application of the School's policies to the facts;

(e) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the School imposes on the respondent, and whether remedies designed to restore or preserve equal access to the School's education program will be provided by the School to the complainant; and

(f) The School's procedures and permissible bases for the complainant and respondent to appeal.

The School will provide the written determination to the parties simultaneously. The determination regarding responsibility becomes final either on the date that the School provides the parties with the written determination of the result of an appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

The Title IX Coordinator (and the School Director, if the Title IX Coordinator is not the School Director) is responsible for effective implementation of any remedies.

Nothing in this Policy precludes the School from removing a respondent from the School's education program or activity on an emergency basis, provided that the School undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Nothing in this this Policy precludes the School from placing a non-student employee respondent on administrative leave during the pendency of a grievance process under this Policy. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

Appeals

The School will offer both parties an appeal from a determination regarding responsibility, and from the School's dismissal of a formal complaint of any allegations therein, on the following bases: (a) Procedural irregularity that affected the outcome of the matter; (b) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and (c) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants

or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Appeals must be submitted to the Title IX Coordinator in writing within ten (10) business days of receipt of the written determination regarding responsibility.

As to all appeals, the School will (a) Notify the other party in writing within five (5) business days when an appeal is filed and implement appeal procedures equally for both parties; (b) Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator; (c) Ensure that the decision-maker(s) for the appeal complies with the standards for decision-makers set forth above and in in 34 C.F.R. § 106.45(b)(1)(iii); (d) Give both parties a reasonable, equal opportunity to submit, within ten (10) business days, a written statement in support of, or challenging, the outcome; (e) Issue, within ten (10) business days of receipt of both parties' written statements, a written decision describing the result of the appeal and the rationale for the result; and (f) Provide the written decision simultaneously to both parties.

Informal Resolution

The School will not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment as provided above. Similarly, the School will not require parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed.

However, at any time prior to reaching a determination regarding responsibility the School may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the School:

(i) Provides to the parties a written notice disclosing: the allegations; the requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared;

(ii) Obtains the parties' voluntary, written consent to the informal resolution process; and

(iii) Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Recordkeeping

The School will maintain for a period of seven years records of:

(a) Each sexual harassment investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript required, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the School's education program;

(b) Any appeal and the result therefrom;

(c) Any informal resolution and the result therefrom; and

(d) All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The School will make these training materials publicly available on its website.

For each response to sexual harassment required above and under 34 C.F.R. § 106.44, the School will create, and maintain for a period of seven years, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment. In each instance, the School will document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the School's education program. If the School does not provide a complainant with supportive measures, then the School will document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the School in the future from providing additional explanations or detailing additional measures taken.

Retaliation

The School and its personnel will not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for policy violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, constitutes retaliation. The School will keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the School's grievance procedures for sex discrimination.

The exercise of rights protected under the First Amendment does not constitute prohibited retaliation.

Charging an individual with a policy violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute prohibited retaliation, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973

Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973 are federal laws that prohibit discrimination on the basis of disability. The School does not discriminate on the basis of disability in admission or access to, or treatment or employment in, its programs and activities. Because of the affirmative obligation under Section 504 to provide a free appropriate public education as well as to avoid harassment and discrimination based on disability, the School Director may establish additional procedures regarding issues related to compliance with Section 504.

Other Complaint Procedures

Any person who believes he or she has been the victim of discrimination or harassment by another student or an employee of the School, or any third person with knowledge of conduct that may constitute discrimination or harassment should immediately report the alleged acts to the School Director. Notice of sexual harassment should be given to the Title IX Coordinator designated by the School Director.

If the complaint is against the School Director, the complaint should be submitted to the president of the School's Board of Directors.

The School is committed to investigating all complaints of discrimination or harassment under federal civil rights laws and will take action to stop any harassment or discrimination that is discovered.

The Director will establish a process for handling complaints alleging harassment or discrimination under federal civil rights laws that complies with applicable legal requirements.

Any complaints related to the School's lunch program will be reported to the Utah State Office of Education, Child Nutrition Programs.

Compliance Officer

The School Director is designated the compliance officer for all federal civil rights matters under any of the foregoing federal laws and shall coordinate the School's efforts to comply with federal civil rights laws. Any questions concerning this policy should be directed to the School's Director.

Concussion & Head Injury Policy

Mountain West Montessori Academy
Concussion & Head Injury Policy
Adopted: January 28, 2014

PURPOSE

The purpose of this policy is to protect the safety and health of Mountain West Montessori 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 -301 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 Director to establish administrative procedures consistent with this policy and applicable law.

MOUNTAIN WEST
Montessori Academy

Concussion & Head Injury

Administrative Procedures

These procedures are established pursuant to the Concussion and Head Injury Policy established by the School's Board of Directors.

A concussion is a type of traumatic brain injury that interferes with normal function of the brain. It occurs when the brain is rocked back and forth or twisted inside the skull as a result of a blow to the head or body. What may appear to be only a mild jolt or blow to the head or body can result in a concussion. A concussion can occur even if a player or student in an activity is not knocked out or loses consciousness.

The School will ensure that each agent of the School is familiar with, and has a copy of, the Concussion and Head Injury Policy and these Procedures. Before permitting a child to participate in a sporting event of the School, the School will:

(a) provide a written copy of the Concussion and Head Injury Policy and these Procedures to a parent or legal guardian of a child; and

(b) obtain the signature of a parent or legal guardian of the child, acknowledging that the parent or legal guardian has read, understands, and agrees to abide by, the Concussion and Head Injury Policy and these Procedures.

The following definitions apply to these Procedures:

(2) "Agent" means a coach, teacher, employee, representative, or volunteer.

(3) "Qualified health care provider" means a health care provider who:

(a) is licensed under Title 58, Occupations and Professions; and

(b) may evaluate and manage a concussion within the health care provider's scope of practice.

(4) "Sporting event" means any of the following athletic activities that is organized, operated, managed, or sponsored by the School:

(a) a game;

(b) a practice;

(c) a sports camp;

(d) a physical education class;

(e) a competition; or

(f) a tryout.

(5) "Traumatic head injury" means an injury to the head arising from blunt trauma, an acceleration force, or a deceleration force, with one of the following observed or self-reported conditions attributable to the injury:

(a) transient confusion, disorientation, or impaired consciousness;

(b) dysfunction of memory;

(c) loss of consciousness; or

(d) signs of other neurological or neuropsychological dysfunction, including:

i. seizures;

ii. irritability;

iii. lethargy;

iv. vomiting;

v. headache;

vi. dizziness; or

vii. fatigue.

The following signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion:

Signs (observed by others):

- Student appears dazed or stunned
- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Moves clumsily (altered coordination)
- Balance problems
- Personality change
- Responds slowly to questions
- Forgets events prior to hit

- Forgets events after the hit
- Loss of consciousness (any duration)

Symptoms (reported by student):

- Headache
- Fatigue
- Nausea or vomiting
- Double vision, blurry vision
- Sensitive to light or noise
- Feels sluggish
- Feels "foggy"
- Problems concentrating
- Problems remembering

The School will (a) immediately remove a child from participating in a sporting event of the School if the child exhibits signs, symptoms, or behaviors consistent with a concussion or is otherwise suspected of sustaining a concussion or a traumatic head injury; and (b) prohibit the child from participating in a sporting event of the School until the child:

(i) is evaluated by a qualified health care provider who is trained in the evaluation and management of a concussion; and

(ii) provides the School with a written statement from the qualified health care provider described in Subsection (1)(b)(i) stating that:

A. the qualified health care provider has, within three years before the day on which the written statement is made, successfully completed a continuing education course in the evaluation and management of a concussion; and

B. the child is cleared to resume participation in the sporting event of the School.

The school will follow any return-to-play guidelines established by the student's qualified health care provider.

Emergency Procedures

The following situations constitute a medical emergency and require notification of emergency medical personnel:

(1) Any student with a witnessed loss of consciousness (LOC) of any duration should be spine boarded and transported immediately to nearest emergency department via emergency vehicle.

(2) Any student who has symptoms of a concussion, and who is not stable (i.e., condition is worsening), should be transported immediately to the nearest emergency department via emergency vehicle.

(3) A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle:

a. Deterioration of neurological function

b. Decreasing level of consciousness

c. Decrease or irregularity in respirations

d. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding

e. Mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation

f. Seizure activity

A student who is symptomatic but stable may be transported by his or her parents. The parents should be advised to contact the student's primary care provider or seek care at the nearest emergency department on the day of the injury.

Guidelines and Procedures for Coaches and Teachers Supervising Contests and Games

Recognize concussion

1. All agents of the school should become familiar with the signs and symptoms of concussion that are described above.

2. Agents of the school shall have appropriate training about recognizing and responding to traumatic head injuries, consistent with the employees' responsibilities for supervising students and athletes.

Remove from activity

Any student who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion, or balance problems) shall be immediately removed from the sporting event and shall not return to play until cleared by an appropriate health care professional.

Refer the athlete/student for medical evaluation

1. The school's agent is responsible for notifying the student's parent(s) of the injury.

a. Contact the parent(s) to inform a parent of the injury. Depending on the injury, either an emergency vehicle will transport or parent(s) will pick the student up at the event for transport.

b. A medical evaluation is required before returning to play.

2. In the event that a student's parent(s) cannot be reached, and the student is able to be sent home (rather than directly to a doctor):

a. The school's agent should ensure that the student will be with a responsible individual who is capable of monitoring the student and understanding the home care instructions before allowing the student to go home.

b. The school's agent should continue efforts to reach a parent.

c. If there is any question about the status of the student, or if the student cannot be monitored appropriately, the student should be referred to an Emergency Department for evaluation. A school's agent should accompany the student and remain with the student until a parent arrives.

d. The school's agent shall provide for supervision of other students for whom he or she is responsible when accompanying the injured student.

Conflict of Interest Policy

Mountain West Montessori Academy
Conflict of Interest Policy
Adopted: May 23, 2013
Amended: August 27, 2018

PURPOSE

The purpose of this Conflict of Interest Policy is to protect Mountain West Montessori Academy (the "School") when it contemplates any transaction or arrangement that could benefit the private interest of an officer or director of the School. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit or charitable organizations or charter schools organized and operating in the State of Utah.

Compensation & Duty to Disclose

A Board Member shall not have any direct or indirect pecuniary interest in a contract or other arrangement with the School. A relative of a Board Member may not be employed at the school, unless: the Board Member discloses the relationship in writing to the Board, submits the employment decision to the Board, abstains from voting, and is absent from the portion of the meeting where the employment is being considered.

In connection with any actual or possible direct or indirect pecuniary interest in a contract or other arrangement with the School, an interested person must disclose the existence of a pecuniary or financial interest in any contract or other arrangement with the School. An "interested person" is any director who has a direct or indirect financial interest in a contract or other arrangement with the School. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family: (i) an ownership or investment interest in any entity with which the School has a transaction or arrangement; (ii) a compensation arrangement with the School or with any entity or individual with which the School has a transaction or arrangement, or; (iii) a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the School is negotiating a transaction or arrangement. Compensation includes direct or indirect remuneration as well as gifts or favors that are not insubstantial.

Conflict of Interest Determination

After disclosure of the financial interest to the governing board and discussion of all material facts, the interested person shall leave the meeting while the governing board discusses the situation and determines whether a conflict of interest exists. The interested person must abstain from voting on the issue.

The meeting minutes shall contain the names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature

of the financial interest, the names of all directors present at the meeting, and a record of any action taken by the governing board.

Review

On an annual basis, the Board shall review all conflict of interest disclosures made by Board Members. The Board shall also review this policy annually.

Copyright Compliance Policy

Mountain West Montessori Academy
Copyright Compliance Policy
Adopted: February 25, 2014

POLICY

In order to protect Mountain West Montessori Academy from potential liability, it is important that school employees follow copyright laws. Failure to follow copyright laws may subject employees to discipline. The Director shall provide guidance to school employees to assist them in complying with copyright laws.

MOUNTAIN WEST
Montessori Academy

Copyright Compliance

Administrative Procedures

These guidelines are provided pursuant to the Copyright Compliance Policy established by the Board of Directors.

Employees of Mountain West Montessori Academy are to follow all copyright laws. Failure to do so may result in disciplinary action. To avoid confusion by educators, Congress published "safe harbor" guidelines for educational uses of copyrighted material. While these guidelines are not a part of the law they represent the minimum standards for fair use of copyrighted materials in the classroom. School employees that have questions regarding the application of copyright laws to a specific situation should request assistance from the Principal.

Guidelines for printed materials:

Educators may make a single copy for research or use in teaching of:

- A chapter from a book
- An article from a periodical or newspaper
- A short story, essay or poem
- A chart, graph, diagram, drawing, or cartoon (syndicated cartoons may not be copied)

Educators may make multiple copies for classroom use provided the copying meets the test of:

- Brevity
- Spontaneity
- Cumulative Effect

Brevity

The more material you take, the less likely it is that your use will be fair use. Some guidelines include:

- A complete poem of less than 250 words, printed on no more than two pages; or an excerpt from a long poem, but not more than 250 words.
- A copyrighted article, story, or essay of less than 2,500 or an excerpt of not more than 1,000 words, from a larger printed work or 10%, whichever is less.
- One chart, diagram, cartoon (syndicated cartoons may not be copied), or picture per book or periodical issue.
- Special works combining prose, poetry and illustrations, limited to no more than 10% of the total.

Spontaneity

The copying should be at the instance and inspiration of the individual educator, the decision to use the work and the moment of use are so close in time that it would be unreasonable to expect a timely reply to a request for permission.

Cumulative Effect

- Copying is made for one course.
- The same item cannot be reproduced for more than one term.
- No more than nine instances of copying per class during a term.
- There is only one work from a single author.
- No more than three authors from a collective work.
- The copying does not replace an anthology or collective work.
- No copying of "consumable" works.
- Copying should not simply substitute for purchase of original material.
- No charge is made to students beyond the actual cost of photocopying.
- All of the preceding must bear the copyright

Course Substitution Policy

Mountain West Montessori Academy
Course Substitution Policy
Approved: December 3, 2018

POLICY

Mountain West Montessori 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 Director 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 Director will decide whether to grant course substitution requests based on the Director'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 Director'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 Director's decision.

The Board President or another Board member designated by the Board President will review the appeal and the Director'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.

Credit Evaluation Policy

Mountain West Montessori Academy
Credit Evaluation Policy
Adopted: January 28, 2014

PURPOSE

The purpose of this policy is to ensure equity and fairness to all students when evaluating credit earned at institutions other than Mountain West Montessori Academy (the "School") and to be in compliance with Utah State Rule R277-705-3.

POLICY

1. Pursuant with Utah Code § 53A-13-108.5, the School shall accept student credit and grades at face value from public and non-public schools accredited by Northwest Accreditation Commission ("NAC") and by regional or third party accrediting associations recognized by NAC.

2. Requests for acceptance of credit from a school that is not accredited will be referred to the Credit Evaluation Committee for credit determination. The School's Credit Evaluation Committee findings will be based on the following forms of evidence:

    a. Course title and description
    b. List of instructional materials used
    c. Student achievement (progress)
        i. Formative evaluations (sample)
        ii. Summative evaluations (sample)
    d. Correlation of course objectives with the Utah State Core Curriculum standards and objectives
    e. Course length and student attendance
        i. Number of days the class met
        ii. Normal class length
        iii. Number of classes attended by the student
    f. Grading criteria used
    g. Teacher name, qualifications, certifications, endorsements, etc.
    h. Course requirements for credit (representative sample of student work)
    i. Copy of student records
    j. In addition to the forms of evidence listed above, students seeking credit may be required to demonstrate competency through end-of-level testing approved by the School in areas where competency tests are available.

3. The School will have the final decision-making authority for the awarding of credit and grades from non-accredited sources consistent with state law and due process.

4. Costs associated with the determination of credit, including competency level testing, will be borne by the parent/guardian of the student requesting credit consideration.

Students released for home instruction do not earn School credits. If students re-enter the School, requests for credit for home instruction studies will be evaluated under the provisions of this policy.

MOUNTAIN WEST Montessori Academy

DATA CONFIDENTIALITY ADDENDUM

This Data Confidentiality Addendum (the "**Addendum**") is entered into this ____ day of _____, 2017, between **Mountain West Montessori Academy** a Utah nonprofit corporation ("**School**"), and _____ ("**Contractor**").

Recitals

A. School and Contractor are parties to a contract (the "**Contract**") regarding products and/or services to be provided and/or licensed by Contractor to School (the "**Contractor Services**").

B. Utah Code § 53A-1-1410 establishes requirements for contracts between educational entities such as School and third-party contractors such as Contractor.

C. The parties are entering into this Addendum, in order to ensure that the agreement between the parties complies with Section 53A-1-1410.

Agreement

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

1. Except as provided in Utah Code § 53A-1-1410(4), Contractor will not use any personally identifiable student data received from School for any purpose other than to provide the Contractor Services to School.

   a. "Personally identifiable student data" means student data that identifies or is used by the holder to identify a student and includes:

      i. a student's first and last name;

      ii. the first and last name of a student's family member;

      iii. a student's or a student's family's home or physical address;

      iv. a student's email address or other online contact information;

      v. a student's telephone number;

      vi. a student's social security number;

      vii. a student's biometric identifier;

viii. a student's health or disability data;

ix. a student's education entity student identification number;

x. a student's social media user name and password or alias;

xi. if associated with personally identifiable student data, the student's persistent identifier, including:

1. a customer number held in a cookie; or

2. a processor serial number;

xii. a combination of a student's last name or photograph with other information that together permits a person to contact the student online;

xiii. information about a student or a student's family that a person collects online and combines with other personally identifiable student data to identify the student; and

xiv. other information that is linked to a specific student that would allow a reasonable person in the school community, who does not have first-hand knowledge of the student, to identify the student with reasonable certainty.

2. Contractor will collect, use, store, and share personally identifiable student data only in accordance with the Contract, this Addendum, Utah Code § 53A-1-1410, as it may be amended, and any administrative rules adopted by the Utah State Board of Education. The parties acknowledge and agree that the terms of Utah Code § 53A-1-1410, as it may be amended, and any administrative rules adopted by the Utah State Board of Education implementing Utah Code § 53A-1-1410 govern the relationship between the parties.

3. Contractor may only share personally identifiable student data with employees and independent contractors of Contractor who have a legitimate need to such data in order to enable Contractor to provide the Contractor Services to School. School may request that Contractor notify School of independent contractors with whom Contractor shares such data and the purpose for which such data is shared and to verify to School that such independent contractors are bound by confidentiality agreements similar in scope to this Addendum.

4. At the request of School, Contractor will allow School or its designee to audit Contractor in order to verify compliance with the terms of the Addendum that relate to the confidentiality and protection of personally identifiable student data. This right to conduct an audit is subject to Contractor's confidentiality obligations to other customers and third parties.

5. During the term of the Contract, Contractor will delete personally identifiable student data at the request and direction of School.

6. At the completion of the parties' agreement, if the Contract has not been renewed, Contractor shall return or delete upon the School's request all personally identifiable student data of the School in Contractor's possession and provide to the School written verification of the return or deletion of such data, including deletion from Contractor's back-up system.

7. The Contractor covenants and agrees that it shall defend School from and against any and all third-party claims related to the unauthorized disclosure of Personally Identifiable Student Data by Contractor or its employees, agents, officers and directors, and indemnify School against any final judgements entered by a court of competent jurisdiction, and associated legal fees.

8. In the event of any conflict between the Addendum and the Contract, the terms of this Addendum shall govern.

The parties have executed this Addendum as of the date first set forth above.

MOUNTAIN WEST MONTESSORI ACADEMY, a Utah non-profit corporation

_____

Angie Johnson
Director

Contractor:

_____

_____

Name: _____

Title: _____

Data Governance Plan

1. PURPOSE

Mountain West Montessori Academy (the "School") takes seriously its moral and legal responsibility to protect student data privacy and ensure student data security. The School is required by Utah's student data protection laws and the School's Student Data Privacy and Security Policy to establish a Data Governance Plan. This administrative Data Governance Plan encompasses the full life cycle of the School's student data, from acquisition, to use, to disposal.

2. SCOPE AND APPLICABILITY

This Plan is applicable to all employees, volunteers, and third-party contractors of the School. The School will use this Plan, along with all policies and procedures of the School concerning student data privacy and security, to manage and address student data issues, assess agreements that permit disclosure of student data to third parties, assess the risk of conducting business with such third parties, and help ensure that the School makes only authorized disclosures of personally identifiable student data to third parties.

This Plan contains the School's data governance procedures and processes related to the following:

1. Roles and Responsibilities;
2. Data Collection;
3. Data Use;
4. Data Storage;
5. Data Sharing;
6. Record Retention and Expungement;
7. Data Breach;
8. Data Transparency;
9. Data Privacy and Security Auditing; and
10. Data Privacy and Security Training.

This Plan refers to and works in conjunction with the School's Student Data Privacy and Security Policy, Family Educational Rights and Privacy Policy and Administrative Procedures ("FERPA Policy" and "FERPA Administrative Procedures"), Metadata Dictionary, and Student Data Collection Notice.

In addition, this Plan works in conjunction with the School's Information Technology Security Policy and accompanying Information Technology Systems Security Plan. The Information Technology Systems Security Plan contains procedures and processes related to the following:

1. System Administration;
2. Network Security;
3. Application Security;
4. Endpoint, Server, and Device Security;
5. Identity, Authentication, and Access Management;

6. Data Protection and Cryptography;
7. Monitoring, Vulnerability, and Patch Management;
8. High Availability, Disaster Recovery, and Physical Protection;
9. Incident Responses;
10. Acquisition and Asset Management; and
11. Policy, Audit, and E-Discovery Training.

3. ROLES AND RESPONSIBILITIES

All student data utilized by the School is protected pursuant to the Family Educational Rights and Privacy Act and its regulations (20 U.S.C. § 1232g, 34 CFR Part 99) ("FERPA"), the Protection of Pupil Rights Amendment and its regulations (20 U.S.C. § 1232h, 34 CFR Part 98) ("PPRA"), and Utah's student privacy and data protection laws and related USBE rules (Utah Code, Title 53E, Chapter 9, Parts 1-3, R277-487). The School designates managers to fulfill certain responsibilities regarding student data privacy and security. The School also imposes responsibilities on School employees and volunteers. The roles and responsibilities listed below outline some of the ways School managers, employees, volunteers, and third-party contractors are to utilize and protect personally identifiable student data.

3.1 Student Data Manager

The School's Director serves as the School's Student Data Manager and is responsible for student data privacy and security, including the following:

1. Acting as the primary local point of contact for the state student data officer described in Utah Code § 53E-9-302;
2. Authorizing and managing the sharing, outside of the School, of personally identifiable student data for the School as described in Utah Code § 53E-9-308;
3. Ensuring that no personally identifiable student data is shared without written consent (as defined in Utah Code § 53E-9-301) unless such sharing is:
    a. To the student or student's parent or guardian;
    b. In accordance with FERPA and PPRA;
    c. As required by federal law; or
    d. As described in Utah's student data protection laws, including Utah Code § 53E-9-308;
4. Ensuring that no personally identifiable student data is shared for the purpose of external research or evaluation unless all the requirements listed in Utah Code § 53E-9-308 are satisfied and the School's review process set forth in Section 7 of this Plan is followed;
5. Ensuring that all aggregate data shared outside of the School without written consent is shared in accordance with Utah Code § 53E-9-308 and the School's review process set forth in Section 7 of this Plan;
6. Ensuring that a list of all School employees who have access to personally identifiable student data is created, maintained, and provided to the School's Board of Directors, in accordance with Utah Code § 53E-9-204;
7. Ensuring all School employees and volunteers who are authorized by the School to have access to education records (1) receive annual student data privacy training

and (2) that employees sign a statement certifying that they have completed the training and understand student data privacy requirements. Document names of all those who are trained, as well as the training dates, times, locations, and agendas;

8. Ensuring that the School's Student Data Collection Notice is created, annually updated, published, and distributed to parents and students as required by law;
9. Ensuring that the School's metadata dictionary is created, maintained, published, and provided to the Utah State Board of Education ("USBE") as required by law; and
10. Ensuring that this Plan is maintained, published, and provided to the USBE as required by law.

3.2 IT Security Manager

The School's contracted IT provider will function as the School's IT Security Manager. The IT Security Manager's responsibilities include the following:

1. Overseeing IT security at the School;
2. Helping the School to comply with IT security laws applicable to the School;
3. Providing training and support to School employees on IT security matters;
4. Investigating complaints of alleged violations of the School's IT security policies, procedures, or plans;
5. Investigating alleged security breaches of the School's IT systems; and
6. Reporting periodically to the School's Board of Directors on the security of the School's IT systems.

3.3 Employees and Volunteers with Access to Education Records

Employees and volunteers of the School who have access to education records have responsibilities with respect to student data privacy and security, including:

1. Participating in student data privacy training each year as required by the School;
2. Signing a statement each year certifying completion of student data privacy training and understanding of student data privacy requirements as required by the School (not required of volunteers);
3. NOT sharing personally identifiable student data outside of the School unless authorized to do so by law and the Student Data Manager;
4. Using password-protected School-authorized computers when accessing the School's data systems or viewing or downloading any student-level records;
5. NOT sharing or exchanging individual passwords for School-authorized computers or School data systems with anyone;
6. Logging out of any School data system or portal and closing the browser after each use or extended absence;
7. Storing personally identifiable student data on appropriate, secured locations. Unsecured access and flash drives, DVD, CD-ROM or other removable media, or personally owned computers or devices, are not deemed appropriate for storage of personally identifiable student data unless authorized by the Student Data Manager;

8. Keeping printed documents with personally identifiable student data in a locked, secured location and using School-approved document destruction methods when disposing of such records;
9. NOT sharing personally identifiable student data during public presentations;
10. Using secure methods when sharing or transmitting personally identifiable student data with authorized individuals. Secure electronic methods include, but are not limited to, telephone calls, MoveIt (when sending data to the State), and, where practical, encrypted email. Also, sharing within secured server folders is appropriate for School internal file transfer;
11. Taking steps to avoid disclosure of personally identifiable student data in authorized reports or materials available to the public, such as aggregating, data suppression, rounding, blurring, etc.;
12. Only accessing and using student data as authorized by the School to fulfil job or volunteer duties, and not for any other purpose;
13. Immediately reporting to the Student Data Manager any data breaches, suspected data breaches, or any other suspicious activity related to data access;
14. Consulting with the Student Data Manager regarding any questions about personally identifiable student data and related privacy laws, requirements, or concerns; and
15. Abiding by the requirements, processes, and procedures of this Plan.

3.4 Educators

In addition to abiding by the employee responsibilities listed above, educators at the School are also responsible for the following:

1. NOT sharing personally identifiable student data through educational apps (or any other apps used for classroom instruction) unless and until the app has been approved as required by the Student Data Manager; and
2. Completing the student data security and privacy training for educators developed by the State Superintendent when required for the educator's re-licensure pursuant to R277-487.

3.5 Third-Party Contractors

Third-party contractors who are not educational entities and have access to, collect, or receive personally identifiable student data pursuant to a contract with the School shall only use the data strictly for the purpose of providing the contracted product or service within the negotiated contract terms. Each third-party contractor is also responsible for:

1. Complying with the contract and entering into and complying with the School's Data Confidentiality Addendum or another approved data privacy agreement approved by the School;
2. Sharing, as authorized by law or a court order, student data as requested by law enforcement;
3. At the completion of a contract with the School (if the contract has not been renewed), returning or deleting upon request of the School all personally identifiable student data under the control of the School unless a student or the

student's parent consents to the maintenance of the personally identifiable student data;

4. Not selling student data (except in connection with a purchase, merger, or acquisition of the third-party contractor as described in Utah Code § 53E-9-309);
5. Not collecting, using, or sharing student data if the collection, use, or sharing is inconsistent with the third-party's contractor's contract with the School; and
6. Not using student data for targeted advertising.

Third-party contractors are allowed to use student data and do other actions related to students and parents as set forth in Utah Code § 53E-9-309(4). Also, the provisions in Utah Code § 53E-9-309 do not apply to certain third-party contractors and providers as explained in Utah Code § 53E-9-309(7). In addition, provisions in Utah Code § 53E-9-309 relating to a student's student data does not apply to a third-party contractor if the School or third-party contractor obtains authorization from the following individual, in writing, to waive that provision: (1) the student's parent, if the student is not an adult student; or (2) the student, if the student is an adult student.

3.6 Consequences for Non-Compliance

The responsibilities listed above are intended to minimize the risk of human error and the misuse of School students' personally identifiable student data. A person or entity's non-compliance with the roles and responsibilities listed above shall result in consequences for the person or entity up to and including removal of access to the School's network. If this access is required for employment or contracted services, employees and third-party contractors may be subject to dismissal.

4. DATA COLLECTION

The School collects student data for two main purposes: to comply with state or federal law and to improve students' educational experience. Student data enables the School to participate in state and federal education programs and to qualify for state and federal education funds. Student data also helps the School to better plan and personalize classroom instruction, increase student and teacher performance, and make informed decisions. The School collects student data primarily through parents or guardians completing the School's lottery and registration packet, but it may also collect additional student data during the school year.

4.1 Data Elements Collected by the School

4.1.1 Necessary Student Data. The School collects student data defined as "necessary student data" in Utah Code § 53E-9-301(12). *See* the School's Student Data Collection Notice for a list of necessary student data that the School collects.

4.1.2 Optional Student Data. The School collects student data defined as "optional student data" in Utah Code § 53E-9-301(13). *See* the School's Student Data Collection Notice for a list of optional student data that the School collects.

4.1.3 Personally Identifiable Student Data. The School collects student data defined as "personally identifiable student data" in Utah Code § 53E-9-301(15), including:

1. A student's first and last name;
2. The first and last name of a student's family member (e.g., parent or guardian);
3. A student's or a student's family's (e.g., a parent or guardian's) home or physical address;
4. A student's email address or other online contact information;
5. A student's telephone number;
6. A student's health or disability data (health data collected includes vision and hearing impairment, medical conditions, medications taken during school hours, allergies, special dietary needs, and other); and
7. A student's education entity student identification number.

4.2 Records Collected by the School

In addition to the records collected by the School as explained above, the School collects the following records as required or allowed by Utah law:

1. A copy of a student's birth certificate;
2. A copy of a student's yellow immunization card from the state, other proof of immunizations, or an Immunization Exemption Waiver;
3. If applicable, a copy of a student's IEP, IHCP, or Section 504 Plan;
4. Proof of a vision exam for students under 8 years of age entering school for the first time in Utah;
5. If applicable, copy of legal documents such as a divorce decree, custody order, restraining order, protective order, power of attorney, or guardianship letters or orders;
6. A copy of a transfer student's record from the student's previous school;
7. Fee Waiver Application, as applicable; and
8. Household Application for Free and Reduced Price School Meals, as applicable.

4.3 Data Not Collected by the School

The School does not collect a student's social security number or, except as required in Utah Code § 80-6-103, criminal record.

4.4 Data Not Collected by the School Without Prior Written Consent

The School follows Utah Code § 53E-9-203 by not collecting certain information from a student by way of a psychological or psychiatric examination, test, treatment, survey, analysis, or evaluation unless the School has received the prior written consent of the student's parent or legal guardian or an exception to the prior written consent rule applies. Please refer to the School's FERPA Administrative Procedures (particularly the "Activities Prohibited Without Prior Written Consent" Section) to see the types of information governed by Utah Code § 53E-9-203, the accompanying notice and consent requirements, and exceptions. These administrative procedures explain how the School complies with the statute.

5. DATA USE

The School uses the student data it collects to conduct the regular activities of the School. School employees and volunteers shall only have access to student data for which they have a legitimate educational interest and shall not use student data for any improper or non-educational purpose. School employees and volunteers shall use student data only as authorized by the School to fulfill their respective job or volunteer duties. Please see the School's FERPA Administrative Procedures (particularly the "Student Education Records Management" Section) for a summary of School personnel who, generally, have a legitimate educational interest in having access to student data and the particular data to which they have access. To help protect the privacy and security of student data, School employees and volunteers who have access to student data will participate in student data privacy training each year as required by the School and employees will sign a statement certifying that they have completed the training and understand student data privacy requirements.

Student data use by outside parties shall be limited to those to whom the School has shared the data in accordance with the law and who have a legitimate need to use the data. For example, outside parties with whom the School has contracted to provide services or functions that the School's employees would typically perform may use student data for the purpose of providing the contracted product or service. Third-party contractors' use of student data shall be in accordance with their contract and Data Confidentiality Addendum or other approved data privacy agreement with the School, and in compliance with applicable law, including Utah Code § 53E-9-309 and administrative rules adopted by the USBE.

6. DATA STORAGE

Please see the "Physical Protection" and "Technological Protection" Sections of the School's FERPA Administrative Procedures to review the ways in which the School stores student data and protects stored data.

6.1 Electronic Storage. As explained in the School's FERPA Administrative Procedures, most of the student data collected by the School (including the data collected through the School's registration) is stored electronically by the School in Aspire, which is the student information system provided to Utah schools by the USBE. Aspire provides a secure location for the storage, maintenance, and transmission of student data. If the School chooses to use any additional student information systems, it will ensure that the system has adequate security protections. School employees and volunteers shall not store personally identifiable student data on their personal computers or devices, flash drives, or any other removable data storage media unless authorized by the Student Data Manager.

6.2 Physical Storage. Any printed documents containing personally identifiable student data is to be stored by the School in a secured, locked location, and access to such locations shall be determined by the Student Data Manager. School employees and volunteers shall not store documents with personally identifiable student data in physical locations away from the School, such as in their homes or vehicles, unless authorized by the Student Data Manager.

6.3 Third-Party Contractors. Third-party contractors shall store personally identifiable student data received from the School only in accordance with their contract and Data Confidentiality Addendum or other approved data privacy agreement with the School and applicable law.

7. DATA SHARING

The School shall not share a student's personally identifiable student data outside of the School unless the data is shared in accordance with FERPA the PPRA, Utah student privacy and data protection laws and related USBE rules, and any other applicable law. The School's Student Data Manager authorizes and manages such data sharing and ensures compliance with applicable law.

7.1 Prior Written Consent

Except as provided by law, the School shall not share a student's personally identifiable data with anyone other than the student or the student's parent or legal guardian unless the School first obtains prior consent from the student's parent or guardian (or the student if the student is 18 years old or older). In order to be valid, the prior consent must:

1. Be in writing;
2. Be signed by the student's parent or guardian, or the student if he or she is 18 or older (electronic signatures are sufficient);
3. Specify the records or data to be disclosed;
4. State the purpose of the disclosure; and
5. Identify the party to whom the disclosure may be made.

As provided in the "Student Education Records Management" Section of the School's FERPA Administrative Procedures, a student's parent or guardian (or the student if the student is 18 years old or older) has the right to inspect and review all of the student's education records maintained by the School and the School must grant such requests within a reasonable period of time, not to exceed 45 days after the request has been received by the School. The School may impose requirements related to such requests, such that the request be in writing, signed, dated, and contain certain information. The School may also require proof of identity and relationship (parent or guardian) to the student before granting access to the student's records.

7.2. Exceptions to the Prior Consent Rule

The School shall not share, outside of the School, a student's personally identifiable student data without obtaining prior written consent unless such sharing is:

1. To the student or student's parent or guardian;
2. In accordance with federal and Utah law, including FERPA, PPRA, and Utah's student data privacy and protection laws. Such authorized sharing includes:
    a. To a school official who has a legitimate educational interest (a school official could be an employee or agent of the School that the School has authorized to request or receive student data on behalf of the School);
    b. To a contractor, consultant, volunteer, or other party to whom the School has outsourced a service or function provided that the party (1) performs an institutional service or function for which the School would otherwise use

employees; (2) is under the direct control of the School with respect to the use and maintenance of student data; and (3) is subject to the requirements of 34 CFR § 99.33(a) governing the use and redisclosure of personal identifiable information from education records;

c. To an authorized caseworker or other representative of the Department of Health and Human Services, but only as described in Utah Code § 53E-9-308(3);
d. To other schools that have requested the data and in which the student seeks or intends to enroll, or where the student is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
e. To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals;
f. To officials in the juvenile justice system as permitted by law;
g. To the Comptroller General of the United States, the Attorney General of the United States, the Secretary of the U.S. Department of Education, or State and local educational authorities in connection with an audit or evaluation of federally or state supported education programs, or for the enforcement of, or compliance with, federal legal requirements relating to those programs;
h. To the applicable entities/agencies within the Department of Homeland Security for foreign students attending the School under a visa;
i. To the Attorney General of the United States in response to an *ex parte* order in connection with the investigation or prosecution of terrorism crimes;
j. In response to a valid subpoena or court order; or
k. The sharing of personally identifiable student data that is directory information, but only if the School (1) has given the student's parent annual notice of the types of data it has designated as directory information and of the parent's right to request that any or all of student's directory information not be released by the School; and (2) the parent has not notified the School that he or she does not want the student's directory information to be released.

7.3 Directory Information

The School designates the following student data as directory information:

1. Name;
2. Photograph;
3. Grade Level;
4. Participation in officially recognized activities and sports; and
5. Parent names and contact information.

The student data designated as directory information may change from time to time. Parents will be given notice of such changes as required by law.

7.4 Third-Party Contractor Addendum

The School may share personally identifiable student data with third-party contractors pursuant to subsections (a) and (b) immediately above if the contractors have entered into a contract and Data Confidentiality Addendum (or other approved data privacy agreement) with the School. Third-party contractors must comply with the contract, Addendum/approved data privacy agreement, and Utah student data protection laws, including Utah Code § 53E-9-309, and related administrative rules adopted by the USBE.

7.5 Aggregate Data

7.5.1 Definition. "Aggregate data" has the same meaning as set forth in Utah Code § 53E-9-301(2). Aggregate data does not reveal any personally identifiable student data and contains data of at least 10 individuals.

7.5.2 Sharing Aggregate Data. The School may share aggregate data outside of the School without obtaining prior written consent so long as it is shared in accordance with Utah Code § 53E-9-308 and this paragraph. If the School receives a request for aggregate data, including for the purpose of external research or evaluation, the School shall follow the review process set forth below:

1. All requests shall be submitted in writing to the Student Data Manager;
2. The written request to the Student Data Manager shall describe the purpose of the request, the desired student data, how the student data will be used, and details about how the student data will be disclosed or published by the requestor;
3. The Student Data Manager shall review the written request and consult with the School's management company about any potential data privacy issues relevant to the request;
4. If the Student Data Manager approves of the request, an MOU shall be prepared and presented (along with the requestor's written request) to the School's Board of Directors for review and approval; if the Student Data Manager disapproves of the request, the requestor shall be so notified;
5. If the Board approves of the request and MOU, the MOU shall be signed by the Board's president or designee, as applicable, and the requestor; if the Board disapproves of the request, the requestor shall be so notified;
6. After approval by the Board and execution of the MOU, the Student Data Manager or a responsible person designated by the Student Data Manager, shall, as applicable, de-identify the requested student data through disclosure avoidance techniques (such as data suppression, rounding, recoding, blurring, perturbation, etc.) and/or other pertinent techniques;
7. After all requested student data has been de-identified and reviewed by the Student Data Manager, the requested student data shall be saved, physically or electronically, in a secure location managed by the Student Data Manager and then sent to the requestor through a secure method approved by the Student Data Manager.

The School may not share personally identifiable student data with external persons or organizations to conduct research or evaluations unless such research or evaluations are directly

related to a state or federal program audit or evaluation.

8. RECORD RETENTION AND EXPUNGEMENT

Record retention and expungement procedures promote efficient management of records, preservation of records of enduring value, quality access to public information, and data privacy.

8.1 Retention. The School shall retain and dispose of student records in accordance with Utah Code § 63G-2-604, Utah Code § 53E-9-306, rules adopted by the USBE, including R277-487-4. Unless the School adopts its own approved retention schedule, the School shall comply with the model retention schedule for student records published by the Utah Division of Archives and Records Service, which is currently the Utah RAMP Utah Education Records Retention Schedule.

8.2 Expungement. The School shall comply with Utah Code § 53E-9-306 and R277-487-4 in terms of what student data it may and may not expunge. Accordingly, the School may not expunge a student's grades, transcripts, record of enrollment, or assessment information. The School may, on its own volition or at the request of a student's parent or an adult student, expunge other student data, including a student's medical records and behavioral assessments, so long as the administrative need for the student data has passed. A request to expunge such student data shall be made in writing to the School's Student Data Manager and describe in detail the data requested to be expunged.

In addition, a student's parent or an adult student may also request that the School expunge any student data or record not subject to a retention schedule under Utah Code § 63G-2-604, and believed to be

1. Inaccurate;
2. Misleading; or
3. In violation of the privacy rights of the student.

Such a request to expunge a student's student data or records shall be made in writing to the School's Student Data Manager and describe in detail the data or records requested to be expunged. The School will process such requests following the same procedures outlined for a request to amend a student record in 34 CFR Part 99, Subpart C. These procedures are outlined below:

1. If a parent or adult student believes that a record is misleading, inaccurate, or in violation of the student's privacy, they may request that the record be expunged.
2. The School shall decide whether to expunge the data within a reasonable time after the request.
3. If the School decides not to expunge the record, the School will inform the parent or adult student of its decision as well as the right to an appeal hearing.
4. The School shall hold a hearing within a reasonable time after receiving the request for a hearing.
5. The School shall provide the parent or adult student notice of the date, time, and place in advance of the hearing.
6. The hearing shall be conducted by any individual that does not have a direct interest in the outcome of the hearing.

7. The School shall give the parent or adult student a full and fair opportunity to present relevant evidence. At the parents' expense and choice, they may be represented by an individual of their choice, including an attorney.
8. The School shall make its decision in writing within a reasonable time following the hearing.
9. The decision must be based exclusively on evidence presented at the hearing and include a summary of the evidence and reasons for the decision.
10. If the decision is to expunge the record, the School will seal it or make it otherwise unavailable to other School staff and educators.

The School may consult with the Utah Division of Archives and Records Service and/or USBE when issues or questions arise with respect to record retention and expungement.

8.3 Disciplinary Record. The School may create and maintain a disciplinary record for a student in accordance with rules adopted by the USBE.

9. DATA BREACH

9.1 Definition of Data Breach. A data breach for purposes of this Plan is any instance in which there is an unauthorized release or access of personally identifiable student data. This definition applies regardless of whether the School stores and manages the data directly or through a third-party contractor.

9.2 Types of Data Breaches. Data breaches can take many forms, including:

1. Hackers gaining access to personally identifiable student data through a malicious attack (such as phishing, virus, bait and switch, keylogger, denial of service, etc.);
2. A School employee losing School equipment on which personally identifiable student data is stored (such as a laptop, thumb drive, cell phone, etc.) or having such equipment stolen;
3. An unauthorized third party retrieving personally identifiable student data from a School's physical files;
4. A School employee accidentally emailing personally identifiable student data to an unauthorized third party; or
5. A School employee or third-party contractor saving files containing personally identifiable student data in a web folder that is publicly accessible online.

9.3 Industry Best Practices. The School takes a variety of measures to protect personally identifiable student data, including imposing disclosure prevention responsibilities on School employees, educators, volunteers, and third-party contractors. The School also follows industry best practices to maintain and protect personally identifiable student data and to prevent data breaches, some of which are outlined in the School's Information Technology Systems Security Plan.

9.4 Responding to a Data Breach.

9.4.1 Reporting a data breach. School employees, volunteers, and third-party contractors shall immediately report a data breach or a suspected data breach to the Student Data Manager. Students and parents of students who become aware of a data breach or that suspect a data breach shall also immediately notify the Student Data Manager.

9.4.2 Data Breach Protocol. The Student Data Manager shall collaborate with the IT Security Manager and others, as appropriate, to determine whether a data breach has occurred. If it is determined that a data breach has occurred, the School shall, under the direction of the Student Data Manager and IT Security Manager, follow the protocol described below:

1. Lock down systems and data that have been breached or suspected to have been breached, including changing applicable passwords, encryption keys, locks, etc.;
2. Assemble a Data Breach Response Team, which could include the Student Data Manager, IT Security Manager, School employees, Board members, members of the School's management company, the School's IT provider, etc.;
3. Record as many details about the data breach as possible, including:
    a. Date and time data breach was discovered;
    b. Data elements involved (for example, students' first and last name, SSIDs, DOBs, passwords, account information, employee social security numbers, etc);
    c. Data systems involved (for example, Aspire or other School data system); and
    d. Type of data breach (physical, such as stolen/lost paperwork or computer equipment; or electronic, such as hacking or unauthorized email transmission).
4. Assign an incident manager that has the appropriate qualifications and skills to be responsible for the investigation of the data breach;
    a. Investigate scope of data breach to determine types of information compromised and number of affected individuals; and
    b. Investigate the data breach in a way that will ensure that the investigative evidence is appropriately handled and preserved;
5. Attempt to retrieve lost, stolen, or otherwise compromised data;
6. Determine whether notification of affected individuals is appropriate and, if so, when and how to provide such notification; notification timeframes and requirements should be identified as soon as possible and notices developed and delivered to affected individuals and agencies in accordance with regulatory mandates and timeframes;
7. If the data breach involved the release of a student's personally identifiable student data, notify the student (if the student is an adult student) or the student's parent or legal guardian if the student is not an adult student in a manner reasonable under the circumstances;
8. If the data breach constitutes a "significant data breach" as defined in R277-487, notify:
    a. The student (if the student is an adult student) or the student's parent or legal guardian if the student is not an adult student; and
    b. The USBE within ten business days of the initial discovery of the significant data breach as required in R277-487-3;

9. Determine whether to notify the authorities/law enforcement (situation dependent); involve legal counsel to analyze legal obligations;
10. If the School has cyber liability and/or data breach insurance coverage, determine whether to notify the insurance provider and make a claim on such coverage; and
11. Consult with appropriate security professionals, as necessary, to identify the possible reason(s) for the data breach and how to prevent similar data breaches in the future.

Following the steps above and clearly defining the roles and responsibilities of all those involved in the steps will promote better response coordination and help the School shorten its incident response time. Prompt response is essential for minimizing the risk of any further data loss and, therefore, plays an important role in mitigating any negative consequences of the breach, including potential harm to affected individuals. All work and activities performed under each of the steps above should be well documented and all documentation should be retained as required.

9.4.3 Coordination with Management Company and/or Legal Counsel

The School shall coordinate with its management company and/or separate legal counsel on the preparation and method of delivery of written materials, including notifications, related to a data breach.

9.5 Cooperation

The School shall cooperate with regulatory and governmental agencies that make inquiries regarding a data breach.

10. DATA TRANSPARENCY

The School's policies concerning data privacy and security are published on the School's website. In addition, each year the School shall publish its current version of the following on its website:

1. Metadata Dictionary;
2. Student Data Collection Notice;
3. Information Technology Systems Security Plan; and
4. Data Governance Plan.

11. DATA PRIVACY AND SECURITY AUDITING

The School shall periodically conduct audits to determine compliance with this Plan and to assess the quality and effectiveness of the data privacy and security processes and procedures set forth in this Plan. The School shall use the results of such audits to determine ways in which this Plan and the School's student data governance and management can be improved. The School may use third-party experts to assist with and/or conduct such audits.

The School or its designee may audit its third-party contractors to verify compliance with the terms of the School's Data Confidentiality Addendum or other data privacy agreement approved by the School that relate to the confidentiality and protection of personally identifiable student data.

12. DATA PRIVACY AND SECURITY TRAINING

On an annual basis, the School shall provide appropriate student data privacy training to its employees, aides, and volunteers who are authorized by the School to have access to education records as defined in FERPA.

The School shall also provide its employees with appropriate training on IT security matters.

Where required by R277-487, educators at the School shall complete the student data security and privacy training for educators developed by the State Superintendent as a condition of re-licensure.

Disclosure Policy & Procedures

Mountain West Montessori Academy
Disclosure Policy & Procedures
Adopted: October 24, 2019

1. Purpose. These Disclosure Procedures are designed to (a) ensure the completeness and accuracy of the federal securities disclosures made by Mountain West Montessori Academy (the "School") and the School's Board of Directors (the "Board") (including the Board's officers, and School's staff and business manager in the exercise of their official duties) as well as their compliance with all applicable federal and state securities laws in connection with issuance and disclosure undertakings relating to outstanding bonds issued on its behalf and annual financial information filings, and (b) promote best practices regarding disclosures disseminated to investors and the municipal securities markets by the School.

2. Disclosure. The controls and procedures set forth herein shall apply to all Disclosure disseminated or communicated by the School. "Disclosure" includes any information or communications reasonably likely to reach investors or the securities markets, such as preliminary and final official statements relating to bonds issued for the benefit of the School, filings made by the School with the Municipal Securities Rulemaking Board or the national repositories (whether required by contract or made voluntarily), press releases which could reasonably be construed as intended for the financial markets, investor calls, rating agency presentations and other communications, and certain postings on the School's website.

3. Disclosure – Issuance of Bonds.

   a. *Responsibilities of the Board Financial Coordinator*. The School's Board Financial Coordinator or his or her designee (the "Oversight Officer") shall be responsible for overseeing the compilation of both the preliminary official statement ("POS") and the final Official Statement (individually referred to herein as an "Official Statement" and collectively, the "Official Statements") to be used in connection with the offering and issuance of the associated bonds issued for the School's benefit (the "Bonds") and annual financial information filings and for review of other disclosure obligations of the School undertaken in connection with such bond issuance. In the carrying out of these responsibilities, the Oversight Officer shall coordinate with, and be provided with assistance from, among other professionals, Disclosure Counsel, the School's Counsel and the financial advisor to the School. This oversight responsibility shall include the following:

      - Develop a separate checklist or similar outline for the School's Official Statements for each bond issuance benefitting the School. Each of these checklists shall list the categories of information in the applicable Official

Statement and identify the person or persons (whether internal to the School or a third-party consultant to the School) who should be responsible for reviewing or contributing the information in each portion of such applicable Official Statement (a "Contributor").

- Ensure that each Contributor receives a copy of each draft of the applicable Official Statement and the checklist indicating his or her responsibilities with sufficient time to permit such Contributor to perform a thoughtful and thorough review or preparation of information for the applicable portion of the Official Statement. Gather such applicable information and comments from each Contributor.

- Provide information and comments submitted by Contributors to Disclosure Counsel and coordinate with Disclosure Counsel to develop a draft POS for the Bond issue.

- Distribute applicable sections of such applicable Official Statement or annual financial information filing as revised to the respective Contributors for further review and comment. Document confirmation by each Contributor that the information provided by such Contributor has been properly incorporated in such applicable Official Statement draft and is accurate and complete as so incorporated. Contributor confirmation may be provided by means of indications on checklist.

- Schedule and conduct periodic internal and external meetings of Contributors, either in groups or individually, and Disclosure Counsel for the purpose of discussing the School's financial status generally and its annual audited financial statements, its related programs, the related industries, and other issues affecting the School and the Bonds that may be material to investors.

- Review all continuing disclosure obligations in connection with the Bonds.

b. *Responsibilities of Contributors*. All Contributors to the School's Official Statements shall be responsible for the following:

- Delivery and review of comments and information as requested (by means of a checklist or otherwise) for purposes of inclusion in the applicable Official Statement.

- Review of applicable portions of the revised applicable Official Statement and provide confirmation (which may be provided by means of indications on a checklist) that the information provided by such Contributor has been incorporated correctly and, as so incorporated, such portions of the applicable Official Statement present accurate and complete information to investors about the items so covered by such portions.

- Attend periodic meetings (as applicable) to discuss broad issues concerning the School and its Official Statements.

- In the case of third party or expert Contributors, provide certifications and opinions relating to their contributions to Official Statements as appropriate.

c. *Responsibilities of Disclosure Counsel*. Disclosure Counsel shall have the following responsibilities with respect to Disclosure by the School:

- Provide an initial draft POS to the School's Board Financial Coordinator for distribution to Contributors and, at the request of the School's Board Financial Coordinator, distribute drafts or sections to Contributors and draft timelines for review by the School's Board Financial Coordinator.

- Confirm that all steps required by the Disclosure Procedures have been followed in connection with preparation of a particular Official Statement. No Official Statement relating to the Bonds shall be submitted to the Board Financial Coordinator for approval or to the School's Board Financial Coordinator for certification until and unless Disclosure Counsel has completed this confirmation.

- Provide School packages to participants for review and confirm with participants that no issues have been raised regarding the draft Official Statement based on such review.

- Perform review and evaluation of the Disclosure Procedures as requested and confirm to the School whether changes to such Disclosure Procedures are recommended.

- Review and approve any continuing disclosure obligations or statements in connection with any Bond issuance.

- Cause an opinion to be provided regarding the necessity of filing a material event notice, where such an opinion is requested.

4. Disclosure in Connection with Outstanding Bonds.

a. *Continuing Disclosure Obligations*. The Oversight Officer shall be responsible for overseeing compliance by the School with its continuing disclosure obligations, including but not limited to the compilation and filing of all annual financial reports and filing of all annual financial statements of the School on EMMA, as applicable. The Oversight Officer shall also consult with its dissemination agent appointed in connection with the applicable Bond issue (the "Dissemination Agent"), Disclosure Counsel and the School's Counsel to determine the materiality of any events and whether an event notice is required to be filed under the circumstances. If a determination is made that an event is material and a notice is required, the

Oversight Officer shall work with the Dissemination Agent and Disclosure Counsel to prepare a draft of such notice in a timely manner and shall provide such draft notice to the School's Counsel for review and comment. The Dissemination Agent shall be directed to file such notice in the required repositories once the notice has been approved by the School's Board Financial Coordinator and the School's Counsel.

b. *Voluntary Filings*. The Oversight Officer, in consultation with Disclosure Counsel and the School's Counsel, shall evaluate whether an event is appropriate for disclosure by the School on a voluntary basis, based on investor demand or otherwise. Upon a determination that a voluntary notice should be filed, the Oversight Officer shall work with the Dissemination Agent, Disclosure Counsel and the School's Counsel to prepare a draft of such notice. The Dissemination Agent shall be directed to file such voluntary notice in the appropriate repositories once such notice has been approved by the School's Board Financial Coordinator and the School's Counsel.

c. *Press Releases*. Press releases for the School are prepared in coordination with the Oversight Officer, who shall consult with Disclosure Counsel prior to approving such press release.

d. *Investor Communications*. The Oversight Officer shall be responsible for overseeing the responses to all telephone, email and other inquiries from existing and potential investors in the Bonds. All School staff shall transfer such inquiries to the Oversight Officer (or delegated staff under his/her supervision). Investors shall be directed to information provided on the School's website or shall be given a written response to any inquiry whenever practicable.

e. *Rating Agency Communications*. All information provided by the School or for the School at its direction to any rating agency providing a rating for the Bonds shall be reviewed for accuracy and completeness and approved by the Oversight Officer.

5. Training. The Oversight Officer, in consultation with Disclosure Counsel or the School's Counsel, shall be responsible for coordinating training sessions for School staff and Board members about their obligations under the federal securities laws and regulations and other federal and state laws affecting the issuance of Bonds. Training shall be provided for general background and overview purposes and, as applicable, to update School staff and Board members concerning recent changes in applicable laws or regulations.

Donation & Fundraising Policy

Mountain West Montessori Academy
Donation & Fundraising Policy
Adopted: August 22, 2013

Although Mountain West Montessori 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 Director is also responsible for ensuring that donor restrictions on accepted donations are complied with and that compliance can be verified. The Director will ensure that charitable donation receipts are provided to donors as necessary.

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

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

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

Fundraising

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

For the purposes of this policy, "school-sponsored" means activities that are expressly authorized by the School's Director or Board of Directors that support the School or authorized curricular clubs, activities, sports, classes, or programs that are themselves school sponsored. School-sponsored activities must be managed or supervised by School employees. Activities sponsored

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

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

1. The fundraising activity must be undertaken with the intent of obtaining a benefit consistent with the School 's mission.

2. The fundraising activity must not violate the School's charter, Board policies, or applicable law.

3. Proposals for fundraising activities must be submitted to the School's Director for approval.

4. The Director may restrict the time, place, and manner of any approved fundraising activity.

5. Fundraising activities should be planned and scheduled in a manner that does not create conflict, confusion, or excessive fundraising pressures on students, families or potential donors.

6. Fundraising activities that may expose the School to risk of financial loss or liability if the activity is not successful should not be approved.

7. The pa11icipation of School employees, students and parents in any fundraising activity must be voluntary. However, School employees may be assigned to supervise students in connection with School-sponsored fundraising activities in connection with their employment. Such employees may be compensated for such work as appropriate as determined by the Director.

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 Director.

10. The Director 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 Director 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 Director 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 Director any financial or controlling interest in or access to bank accounts of the fundraising organization or company.

16. The School may cooperate with outside entities such as the parent organization in connection with non-school-sponsored fundraising activities. The School may allow these groups to use School facilities at little or no charge. At the Director's discretion, the School may provide some level of support or pay for portions of these activities. The details of the arrangements for non- school-sponsored fundraising activities shall be understood and agreed to by the Director and the representatives of the outside entity. This must take into consideration the School's fiduciary responsibility for the management and use of public funds and assets.

17. The School is committed to principles of gender equity and compliance with Title IX guidance. The School commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles. The School reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. Fundraising opportunities should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.

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

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

Donation of Paid Time Off Policy

Mountain West Montessori Academy
Donation of Paid Time Off Policy
Adopted: November 16, 2015
Amended: March 28, 2022

PURPOSE

The purpose of this policy is to provide a mechanism by which employees of Mountain West Montessori Academy (the "School") can voluntarily donate paid time off ("PTO") days to other staff members under extraordinary circumstances.

POLICY

1. An employee, or an employee's immediate family member, must be experiencing a catastrophic illness in order to be eligible to receive donated leave. Catastrophic illness includes but is not limited to a life threatening illness that requires the employee to be absent from work for an intermittent and/or extended period of time or a medical emergency that results in absence from work for at least one week for personal illness or to attend to an immediate family member.

2. Employees must use all of their available PTO balance before they can access donated days.

3. Employees may only donate time from their current PTO balance.

4. An employee may donate a maximum of five (5) PTO days to a particular employee in any one school year.

5. All donations must be made in full day increments.

6. Once donated time has been transferred to the recipient's PTO balance, the donor has no rights to that time for any reason. Approved donations will be immediately deducted from the donor's PTO balance and credited to the recipient's balance.

7. The decision to donate PTO should be an individual and personal decision and is completely voluntary.

8. All PTO donations must be approved by the Director. Employees desiring to donate PTO to an employee must submit an Employee Donation of PTO Form to the Director identifying the recipient employee, the number of days donated, the date of donation, and an acknowledgement of the donor employee's remaining days after the donation. Both the

Director and donor employee will sign the Employee Donation of PTO Form. Requests that do not meet the conditions of this policy will be denied.

9. All donated PTO days must be used for their intended purpose.

10. The Director will coordinate with the School's Management Company to assure proper documentation of these transactions. The Director will notify the donor and the recipient after the transaction has occurred.

Mountain West Montessori Academy
Employee Donation of PTO Form

Name of Donating Employee: _____

I am requesting that _____ days of my Paid Time Off balance be transferred to:

_____
(Name of Receiving Employee)

I am aware of the rules regarding the donation of Paid Time Off and of the use of donated Paid Time Off. I have read and understand the criteria on the back of this form which will be used in determining my eligibility to participate and how it will affect my Paid Time Off balance.

_____ _____
Signature of Donating Employee Date

Acknowledgement:

___ Request Granted
___ Request Denied

Comments: _____
_____

Beginning Balance: _____ PTO days
Donated Days: _____ PTO days
Ending Balance: _____ PTO days

_____ _____
Signature of Principal Date

****ORIGINAL SENT TO ACADEMICA WEST TO BE PLACED IN EMPLOYEE FILE****

Employees who are interested in donating Paid Time Off days must meet the following qualifications and understand the following guidelines:

1. Employees may only donate PTO days from their current PTO balance.

2. An employee may donate a maximum of five (5) PTO days to a particular employee in any one school year.

3. All donations must be made in full day increments.

4. Once donated PTO days have been transferred to the recipient's PTO balance, the donor has no rights to those PTO days for any reason. Approved donations will be immediately deducted from the donor's PTO balance and credited to the recipient's balance.

5. The decision to donate PTO should be an individual and personal decision and is completely voluntary.

6. All PTO donations must be approved by the Principal.

Dress Code Policy

Mountain West Montessori Academy
Dress Code Policy
Adopted: December 2, 2013
Amended: April 28, 2015
Ratified: March 29, 2016
Amended: April 25, 2017
Amended: January 27, 2025

PURPOSE

The purpose of Mountain West Montessori Academy's dress code policy is to provide a safe and secure learning environment at the school where students can concentrate on their work without undue focus on external appearances. The dress code is intended to balance the benefits of school uniforms with the principle of individual choice. Some of these benefits include: reducing distractions, instilling a sense of community, leveling economic distinctions, and helping to identify those who do not belong on campus.

POLICY

The following comprises MWMA's general dress policies. In general, students are expected to wear clothing which is clean, well-fitting, worn correctly, and free of tears and/or holes.

Bottoms

Pants must be in solid colors only, in the following colors: black, grey, brown, khaki, or navy blue. Cargo pants (pants with outside leg pockets) are not allowed. No jeans of any color are allowed. Pants must be worn at the waistline and cover all undergarments. Shorts, skirts, skorts, jumpers, or capris which come to mid-thigh may be worn in any of the same solid colors. ; further, tights, leggings, or inconspicuous shorts must be worn underneath skirts and jumpers. Tights, socks, and leggings may be any color, solid, print, or patterned. No style of bottoms may have characters, words, or logos.

Tops

Shirts must be of a collared style (polo, oxford, blouse, turtleneck, or dress shirt) with long or short sleeves, and in one of any of the following SOLID colors: white, blue (baby blue, true blue, or navy blue), yellow, true red (not pink or maroon) or purple. Shirts may not display characters, words, logos, or drawings with the exception of the MWMA school logo or name. Solid color t-shirts may be worn underneath the collared shirt, and shirts must long enough to be tucked in. All buttoned down shirts must remain buttoned even when wearing an undershirt. Students may wear a tie with oxford or dress shirt.

Sweaters or sweater vests, as well as cardigans and fleece vests may be worn in plain SOLID red, navy blue, black, white, or gray. No hoodies or outerwear will be allowed in class. Winter parkas, jackets, and coats that have an attached hood may be worn to school and placed in a locker. No clothing item may display characters, words, logos, or drawings with the exception of the MWMA school logo or name.

Shoes and Boots

Shoes and boots may not be open-toed, backless, character, sandals, lighted, heels or wedges over 1/2", make sounds, or overly distracting. "Heelys" are not allowed for safety reasons. All shoes and boots must be worn with socks or tights. Shoes must be tied or fastened.

Snow boots must be changed into school-approved socks or socks and slippers while inside the building.

Inside Socks and Slippers

Because Montessori students often work on the floor, students will remove their outside shoes and wear socks or socks with slippers in the classroom to promote comfort, cleanliness, and a quiet classroom environment. Appropriate slippers include: croc slippers, slipper socks, or any slippers that are not open-toed, backless, character, sandals, lighted, or otherwise distracting. The slippers may stay at the school.

Hats/Caps

No hats or caps, including winter hats and baseball caps, may be worn inside the building.

Accessories/Body Adornment

Brown or black belts may be worn but cannot include logos, chains, or other distracting paraphernalia. Jewelry, make-up, and hair accessories may be worn as long as they are not a distraction or danger. Hair must not obstruct student vision. Sunglasses may not be worn in the building. Ear gauges, spike jewelry, and visible tattoos (temporary or permanent) are not permitted.

Field Trips

For field trips, outings, or presentations, the Executive Director may require a school-wide shirt color to help identify our students and enhance school spirit. Information regarding this policy will be presented to families prior to school starting each year.

School Spirit Shirts

Students may choose to purchase "school spirit shirts" that may be worn on Fridays in addition to the other allowable shirts.

Free Dress Day Standards

On free dress days, students are still expected to dress in a manner that positively impacts the learning environment. Clothing must be tasteful and not compromise safety standards for our students. The following are not permitted: saggy pants, tank tops, shorts or skirts higher than mid-thigh, bare feet, open toe or high-heeled (over 1/2") shoes, hats, and clothing that displays obscene, vulgar, lewd, or sexually explicit words, messages, or pictures. Clothing must not expose midriffs, buttocks, or undergarments. No clothing assumed as gang-related is allowed.

Middle School Privilege

Students in grades 7 through 9 may choose to participate, through Student Council or other means, in parliamentary procedure to formulate recommendations about the following dress code additions for each new school year:

1. The wearing of blue jeans (that are free from holes, rips, fraying, logos, & distractions)
2. Additional solid color(s) for middle school shirts

Based upon these procedures each year, a student committee may present student recommendations to the school board. The school board and administration will decide whether to allow these additional dress codes privileges for Middle School students only. These decisions will be made on a yearly basis, and will not automatically carry over to the next year.

Administration Has Discretion

This policy is intended to create a framework to meet the purpose as stated at the beginning of this policy. As styles change, or if questions arise, the Executive Director, as the Governing Boards' designee, has the authority to determine whether or not a student's dress is in keeping with this policy.

Dropout Prevention & Recovery Policy

Mountain West Montessori Academy
Dropout Prevention & Recovery Policy
Adopted: April 24, 2023

POLICY

Mountain West Montessori Academy (the "School") adopts this policy in accordance with the requirements of Utah Code § 53G-9-801 *et seq.* and Utah Administrative Code R277-606.

For purposes of this policy, a "designated student" is a ninth-grade student:

1. Who has withdrawn from the School before completing ninth grade, who was dropped from average daily membership, and whose cohort has not yet graduated; or
2. Who is at risk of meeting the above criteria as determined by the School using the following risk factors:
    a. Low academic performance, as measured by grades, test scores, or course failure;
    b. Poor behavior, as measured by office disciplinary referrals, suspensions, or expulsions; and
    c. Absenteeism, whether excused or unexcused absences, and including days tardy or truant.

The School will engage with or attempt to engage with designated students in order to offer dropout prevention and recovery services to them. Designated students may choose whether to enroll in the School's dropout prevention and recovery program. The services provided to designated students who enroll in this program will include:

1. Consulting with designated students and developing a learning plan to identify:
    a. Barriers to regular school attendance;
    b. An attainment goal; and
    c. Means for achieving the attainment goal.

2. Monitoring a designated student's progress toward reaching the designated student's attainment goal. The attainment goal will be measurable and correlated with what would be considered a year's worth of progress.

3. Providing tiered interventions and flexible enrollment options for a designated student who is not making progress toward reaching the student's attainment goal, including meeting regularly with the designated student. Membership days for the student will be determined according to the School's attendance and enrollment policies and procedures.

Board Approval Date: 4-24-23

Dual Enrollment Policy

Mountain West Montessori Academy
Dual Enrollment Policy
Adopted: October 22, 2013

PURPOSE

The purpose of this policy is to articulate Mountain West Montessori Academy's (the "School") position on the dual enrollment of private school and home schooled students in the School.

POLICY

Pursuant to Utah Code Ann. § 53A-11-102.5, students may be dually enrolled in both the School and in a private school or home school under the conditions set forth herein.

A parent seeking to dually enroll a student must certify that the student will receive instruction (a) in the subjects the State Board of Education requires to be taught in public schools and (b) for the same length of time as minors are required to receive instruction in public schools, as provided by rules of the State Board of Education.

All students of the School must be enrolled in the School for at least ¾ of each school day. Therefore, no student of the School will be allowed to dually enroll if they do not plan to attend at least ¾ of each school day.

Requests for dual enrollment should be provided to the School's Director using the Application for Home School Dual Enrollment.

Students who are dually enrolled in the School and in a private school or home school will only take the state standardized tests and other assessments for the subjects for which they receive instruction at the School.

E-Rate Gift Policy

Mountain West Montessori Academy
E-Rate Gift Policy
Adopted: January 28, 2014

It is the policy of Mountain West Montessori Academy (the "School") to comply with the gift rules outlined in the FCC's 6th Report and Order. Specifically, as an E-Rate applicant, the School and its employees and agents will not solicit or accept any gift or other thing of value from a service provider participating in or seeking to participate in the E-Rate program. This policy is applicable at all times regardless of whether a competitive bidding process is taking place. Notwithstanding the foregoing, this policy is not intended to discourage charitable giving.

E-Rate Procurement Policy

Mountain West Montessori Academy
E-Rate Procurement Policy
Adopted: January 28, 2014

In selecting service providers for all eligible goods and/or services for which Universal Service Fund ("E-Rate") support will be requested, Mountain West Montessori Academy (the "School") shall:

Make a request for competitive bids for all eligible goods and/or services for which E-Rate support will be requested and comply with all applicable state procurement processes.

Wait at least twenty-eight (28) days after the posting date of the FCC Form 470 on the USAC Schools and Libraries website before making commitments with the selected service providers.

Consider all bids submitted and select the most cost-effective service offering, with price being the primary factor considered.

Maintain control over the competitive bidding process; shall not surrender control of the process to a service provider who is participating in the bidding process; and shall not include service provider contact information on the FCC Forms 470.

If a situation is not addressed by this policy, the School will follow 47 C.F.R., section 54.503.

E-Rate Record Retention Policy

Mountain West Montessori Academy
E-Rate Record Retention Policy
Adopted: January 28, 2014

It is the policy of Mountain West Montessori Academy (the "School") to retain all e-Rate records for a period of five (5) years after the last date of service in accordance with FCC Fifth Report and Order (Para. 47, FCC 04-190, Adopted August 4, 2004).

Electronic Meetings Policy

Mountain West Montessori Academy
Electronic Meetings Policy
Adopted: October 22, 2013
Amended: November 16, 2015
Amended: October 17, 2022
Amended: June 24, 2024

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 (hereinafter "the Act"), including Utah Code Ann. § 52-4-207.

POLICY

Definitions

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

Electronic Meetings

The Board may, from time to time as needed, convene and conduct electronic meetings. For the purpose of this policy, an "electronic meeting" is defined as a Board meeting that some or all Board members attend through an electronic video, audio, or both video and audio connection, as provided in the Act at § 52-4-207.
The Board will establish one or more anchor locations for an electronic meeting, unless the following two circumstances exist:

a. All Board members attend the electronic meeting remotely through an electronic video, audio, or both video and audio connection; and
b. The Board has not received a written request, at least 12 hours before the scheduled meeting time, to provide an anchor location for members of the public to attend in person the open portions of the electronic meeting.

For an electronic meeting where the Board provides an anchor location, the following apply:

a. The anchor location will be:
    i. The building where the Board would normally meet if they were not holding an electronic meeting; or
    ii. Another location that is reasonably as accessible to the public as the building described in subsection (i) above.
b. 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 electronic meeting.

c. 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.

Board members who are able to both hear and verbally participate in the meeting electronically are considered present for purposes of determining the presence of a quorum at an electronic meeting.

The Board shall take all votes by roll call during an electronic meeting, with the exception of a unanimous vote.

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, if applicable, the anchor location.

MWMA Electronic Meetings Policy
REVISION C
Board Approval Date: 06-24-24

Electronic Resources Policy

Mountain West Montessori Academy
Electronic Resources Policy
Adopted: February 24, 2014
Re-Approved: August 15, 2022
Re-Approved: June 23,2025
Approved: August 25, 2025
Approved: August 17, 2026

PURPOSE

Mountain West Montessori 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, Utah Code § 53G-7-227, Utah Code § 53G-7-1001 *et seq.*, 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 Principal 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 Principal shall establish rules and 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 other electronic devices 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 Principal 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 Principal 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 Principal 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 Principal shall establish rules and procedures regarding employees' use of the School's electronic resources.

Availability of Rules and Procedures

The Principal shall ensure that all rules and procedures established pursuant to this policy are available for review at the School.

Review and Approval

This policy will be reviewed and approved at least every three years to ensure that it continues to meet the School's needs.

MWMA Electronic Resources Policy
REVISION B
Board Approval Date: 8-17-26

Electronic Resources

Administrative Procedures

These procedures are established in order to comply with and implement the Electronic Resources Policy adopted by the School's Board of Directors.

Electronic Devices

Definitions

"**Electronic device**" means a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument including but not limited to: a cellphone or smart phone, a smart or electronic watch, a tablet, a virtual reality device, or AI glasses.

"**Privately-owned electronic device**" means an electronic device that is not owned or issued by the School to a student or employee, including any emerging technology (which includes any device that has or will be able to act in place of or as an extension of an individual's cellphone).

"**School hours**" means the time from the beginning of the School day, as designated by the School's bell schedule, until the end of the School day, as designated by the School's bell schedule, including all instructional time, lunch periods, recess, and transition times between classes.

"**School-owned electronic device**" means an electronic device that is owned, provided, issued, or lent by the School to a student or employee.

"**School-sponsored activities**" means field trips, curricular and extracurricular activities, and extended School-sponsored trips or activities, including School-provided transportation to and from such activities.

Student Use of Electronic Devices

Electronic devices may only be possessed and used by students during School hours and during School-sponsored activities in accordance with the following standards:

- Electronic devices may not be used to view, access, download, store, or transmit pornography or other obscene or inappropriate material.
- Electronic devices may not be used to bully, threaten, humiliate, embarrass, harass, or intimidate other students, teachers, volunteers, School guests, or School employees.
- Electronic devices may not be used in ways that violate local, state, or federal laws.
- Electronic devices may not be used during quizzes, tests, and standardized assessments except as otherwise provided herein.
- Electronic toys are not allowed in the School.

- Students may have privately-owned electronic devices at School during School hours. However, with the exception of during the lunch period, privately-owned electronic devices must remain out of sight in a bag or locker and be turned off or set to a mode where notifications can't be received during School hours, unless an exception provided herein applies.
- Students may use or respond to privately-owned electronic devices during the lunch period, but they may not do so during the remainder of the School hours unless an exception provided herein applies.

Exceptions

The Principal may give permission for a student to possess and use a privately-owned electronic device at all times during School hours and during School-sponsored activities for good cause if the device does not distract from the instructional or educational process and is not otherwise used inappropriately.

Parents may request that the Principal allow a student to possess and use a privately-owned electronic device on active mode at all times during School hours and during School-sponsored activities, with the exception of during tests and standardized assessments, for good cause, including medical needs or unusual family situations. Parents may also request that the Principal allow a student to briefly use a privately-owned electronic device during non-instructional time in a specified location designated by the School.

Students may use a privately-owned electronic device to address a medical necessity.

A student may possess and use a privately-owned electronic device on active mode at all times during School hours and during School-sponsored activities, including during assessments, if such an accommodation is specified in a written Section 504 plan, an Individualized Education Plan, or in connection with other legitimate circumstances determined by the Principal.

Privately-owned electronic devices may be possessed and used in the event of an emergency during the limited period of the emergency in order to protect the safety of a student or School employee, visitor or volunteer. This includes using a privately-owned electronic device to respond to an imminent threat to health or safety of an individual or to respond to a School-wide emergency. Students also have access to a landline phone in each classroom which may be used in case of emergency. During a school-wide emergency, teachers and administrators should communicate with emergency services and student cell phone use should not be excessive to avoid overloading the cellular network.

Students may also use a privately-owned electronic device during School hours and during School-sponsored activities to use the SafeUT Crisis Line.

Parents may make other individualized requests for exceptions to these procedures to the Principal.

Consequences for Violation

A student will receive one warning prior to discipline for violating the policy or these procedures unless the violation involves cheating or constitutes a violation of the School's Student Conduct and Discipline Policy or Bullying and Hazing Policy or at the discretion of the Principal. On the second violation of the policy or these procedures, if the violation involves a privately-owned electronic device, the privately-owned electronic device will be confiscated, labeled, and held in a secure location. The Principal, teachers, and other individuals designated by the Principal may confiscate privately-owned electronic devices under the policy and these procedures.

Despite the foregoing, a privately-owned electronic device may be confiscated after an initial or other violation of these procedures if the violation is deemed serious by the Principal, teacher, or another individual designated by the Principal. Serious violations include but are not limited to a student using a privately-owned electronic device to:

- Threaten, harass, bully, or intimidate another person;
- Access pornography or obscene material;
- Engage in academic dishonesty;
- Participate in criminal behavior; or
- Repeatedly or egregiously disrupt classroom or other School instruction.

An individual other than a student that finds or confiscates a privately-owned electronic device may search the device for the purpose of determining the device's owner. Students may not search privately-owned electronic devices that do not belong to them. Privately-owned electronic devices that are used inappropriately may be subject to search by the Principal or other individuals designated by the Principal if there is a reasonable suspicion that the device contains obscene or pornographic material or has been used to cheat or to threaten, embarrass, harass, or intimidate other students, teachers, volunteers, School guests, or School employees. School-owned electronic devices may be searched at any time by School officials, with or without cause.

The School is not responsible for loss, damage or theft of any privately-owned electronic devices. The School will make reasonable efforts to notify parents/guardians if the School has confiscated a student's privately-owned electronic device. Parents/guardians who show identification may retrieve confiscated electronic devices during School hours or by appointment. *The School will retain un-retrieved privately-owned electronic devices until the end of the School year, at which time the devices will be disposed of in a manner that ensures that no data stored on the device may be retrieved.*

The Principal may, subject to applicable law, impose additional disciplinary consequences for a student's violation of the policy or these procedures, considering the nature of the violation and other disciplinary actions in which the student has been involved. Such disciplinary actions may include:

- Loss of the privilege to possess or use electronic devices
- Disciplinary letter to the student's parent/guardian that is placed in the student's file
- Detention
- In-School suspension
- Suspension
- Expulsion

- Loss of the privilege of participating in School-sponsored activities or of receiving honor recognition

The School may contact law enforcement if School employees believe that a student has used an electronic device in connection with a violation of criminal law, and criminal penalties may arise from inappropriate use of electronic devices.

Notice of the Policy

The School will make the Electronic Resources Policy and these procedures accessible on the School's website, including in the same location as the School's Data Governance Plan required in R277-487.

Creative and Innovative Uses for Electronic Devices

Teachers and other School employees are encouraged to use electronic devices creatively in order to effectively communicate with students and parents/guardians and to enhance instruction. Creative uses might include notifying absent students of assignments, communicating with parents when students excel or if they are behind or absent, notifying students and parents of news articles or events that would enhance the learning experience, providing feedback to students on tests and assignments, parents notifying the School when students are absent or tardy.

Other Provisions

Picture taking or sound or video recording by students is prohibited in School unless authorized by a teacher or the Principal. Picture taking or sound or video recording by students is prohibited in private areas of the School such as locker rooms, counseling sessions, washrooms, and dressing areas. Violations of this may subject students to discipline, and any suspected illegal activity may be reported to law enforcement.

Students bring privately-owned electronic devices on School property at their own risk. The School is not responsible for lost, stolen or damaged privately-owned electronic devices.

Students are responsible for their privately-owned electronic devices and may be subject to discipline if their device is misused by another.

Parents, guests and visitors to the School may use privately-owned electronic devices at School and at School-sponsored activities only in accordance with rules established by the Principal. Such individuals who use the School's electronic resources, including the School's equipment, services, or connectivity, whether on or off School property, may not use such resources to access inappropriate material or information.

Internet Safety

The School has established a 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).

Definitions

Key terms are as defined in the Children's Internet Protection Act.

"Technology Protection Measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

1- Obscene, which means material that is obscene under section 1460 of title 18, United States Code, and applicable United States Supreme Court precent.
2- Child Pornography, as that term is defined in section 2256 of title 18, United States Code; or
3- Harmful to minors.

"Harmful to Minors" means, as set forth in section 254 of title 47, United States Code, any picture, image, graphic image file, or other visual depiction that:

1- Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2- Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3- Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

"Sexual Act" and **"Sexual Contact"** have the meanings given such terms in section 2246 of title 18, United States Code.

Access to Inappropriate Material

The School employs technology protection measures (or "Internet filters") to block or filter Internet access to—or other forms of electronic communications containing—inappropriate information over the School's network or by School-owned electronic devices. These technology protection measures constitute the School's preapproved content filtering system as described in Utah Code § 53G-7-1003, and they are employed by the School regardless of whether a parent requests them or not. The School also employs a parent-accessible monitoring system, which is a technology platform that enables a parent to review the activity of the parent's student on School-owned electronic devices.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes. Procedures for disabling

or otherwise modifying any technology protection measures shall be the responsibility of the Principal or designated representatives.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the School online computer network when using electronic mail, chat rooms, instant messaging, social media, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called "hacking" and other unlawful activities and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Education, Supervision and Monitoring

It shall be the responsibility of all School employees to educate, supervise and monitor appropriate usage of the School's online computer network and access to the Internet in accordance with the policy and these procedures, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21st Century Act. This includes educating students about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, as well as cyberbullying awareness and response. The School will also provide information regarding these matters to parents/guardians.

Student Acceptable Use of School Electronic Resources

The School makes various electronic resources available to students. These resources include computers and other electronic devices 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 School has initiated safeguards to restrict access to inappropriate materials, and use of the Internet and other electronic resources is monitored as well.

In order to use the School's electronic resources, students must be willing to abide by the rules of acceptable use. Use of the School's electronic resources is a privilege, and students have no expectation of privacy in connection with their use of the School's electronic resources.

Students who abuse this privilege by actions such as damaging the School's electronic resources; violating copyrights; bullying, hazing, intimidation, humiliation, harassment and threats; accessing pornography or other obscene or inappropriate material; inappropriate language; gambling; unauthorized games; hacking; invasion of the reasonable expectations of privacy of students or

employees; or other unauthorized or inappropriate use, will be subject to discipline. Violation of policies and rules regarding use of the School's electronic resources may also result in confiscation of School-issued devices and denial of access to the School's electronic resources. This may result in missed assignments, inability to participate in required assignments and assessments, and possible loss of credit or academic grade consequences.

The School may contact law enforcement if School employees believe that a student has used School electronic resources in connection with a violation of criminal law, and criminal penalties may arise from inappropriate use of electronic resources. This applies to use of the School's electronic resources at any time and place, whether on or off School grounds.

Students are personally responsible for School electronic resources provided to them and the students and their parents/guardians may be held responsible for loss or damage to such electronic resources.

Parents play an important role in helping students understand what does and does not constitute acceptable use.

The School may establish agreements for students to sign acknowledging that they understand the rules for use of the School's electronic resources.

Staff Acceptable Use of School Electronic Resources

These procedures apply to employees' and volunteers' use of the School's electronic resources, and employees must agree to these terms as a condition of employment.

At-Will Employment

Nothing in the policy or these procedures is intended to create additional rights for any employee or to otherwise alter or amend the at-will nature of the employment relationship between the School and any employee.

The School's Rights

It is the School's policy to maintain an environment that promotes safe, ethical and responsible conduct in all activities involving the use of the School's electronic resources. The School recognizes its legal and moral obligation to protect the well-being of students and to preserve the integrity of its electronic resources. The School's rights in connection with its electronic resources include but are not limited to the following:

1. All data, files, programs, and materials downloaded with or used, sent, received, or stored upon the School's electronic resources are the School's property, and the School may deal with such items as it deems appropriate.
2. The School may log network use and monitor server space utilization by users and assumes no responsibility or liability for files deleted due to violation of server space allotments.
3. The School may remove a user account on the network with or without notice.

4. The School may monitor all user activities on the School's electronic resources, including but not limited to real-time monitoring of network activity and/or maintaining a log of Internet activity for later review.
5. The School may provide internal and external controls of network usage as appropriate and feasible, including but not limited to restricting online destinations through software or other means.
6. The School may limit or restrict, with or without notice, access to the School's electronic resources for those who do not abide by the policy, these procedures, or other direction governing the use of the School's electronic resources.
7. The School may determine, in its sole discretion, what materials, files, information, software, communications, and other content or activity are permitted or prohibited.
8. The School may delete or remove, with or without notice, any files, programs, data or other materials from any of the School's electronic resources.
9. The School may provide additional policies or guidelines regarding acceptable use of electronic resources.

Employees' Responsibilities Regarding Students' Use of Electronic Resources

Employees who supervise students, control electronic resources, or otherwise have the ability to observe student use of School electronic resources are responsible for educating students on appropriate use of the School's electronic resources. Such employees shall make reasonable efforts to monitor such use to ensure that it is consistent with applicable rules. Employees should make reasonable efforts to become familiar with the Internet and the use of the School's electronic resources to help ensure effective monitoring, instruction, and assistance.

User Responsibilities

Use of the School's electronic resources is a privilege intended to help employees fulfill their responsibilities and promote the School's mission. In order to maintain this privilege, users must agree to comply with the policy and these procedures. Users who are aware of any violation of the policy or these procedures by any employee must report the violation to the Principal. Employees are responsible for any School electronic resources issued to them at all times and may be held responsible for any inappropriate use, regardless of the user.

Employees may use privately-owned electronic devices at School or at School-sponsored activities in accordance with rules and procedures established by the Principal. Employees may not use privately-owned electronic devices at School or at School-sponsored activities to access inappropriate matter.

Violation of the policy or these procedures is grounds for discipline, up to and including termination. The School may also notify law enforcement as appropriate, and such actions may subject an employee to criminal penalties.

Acceptable Use

Standards for acceptable use of the School's electronic resources include but are not limited to the following:

1. All use of the School's electronic resources, including but not limited to use of computers and other electronic devices, use of e-mail, and network and Internet access must be consistent with the School's mission.
2. Network accounts are to be used only by the authorized user of the account for the authorized purpose.
3. Users must take reasonable steps to protect the privacy of students, School employees and other members of the School community and must strictly maintain the confidentiality of information regarding such individuals.
4. Use of the School's electronic resources, whether inside or outside the School, must comply with the School's employee handbook, as established from time to time.
5. Employees must comply with applicable copyright laws, ethical rules, and other applicable laws and regulations.
6. Users must exercise appropriate professional judgment and common sense when transporting files to and from school, keeping in mind copyright and other legal issues, as well as ensuring that the non-School computers to or from which files are being transferred are employing appropriate virus-control technologies.
7. Users must exhibit professionally appropriate behavior when using the School's electronic resources in order to professionally represent and preserve the image the School.
8. Users must take reasonable precautions to protect the School's electronic resources in order to reduce repair costs, maintain the integrity of the network, and protect the School's assets. Employees who damage School electronic resources may be financially responsible for the cost of repair or replacement.
9. From time to time, the School will make determinations on whether specific uses of the School's electronic resources are consistent with the intent of the policy and these procedures.

Unacceptable Use

The following uses of the School's electronic resources are prohibited:

1. Excessive use of the School's electronic resources for personal matters. "Excessive use" includes but is not limited to use of electronic resources in a manner that interferes with an employee's performance of work-related responsibilities or with the functioning of the School's electronic resources.
2. Use of the School's electronic resources in connection with social networking sites for non-academic purposes is prohibited.
3. Use of the School's electronic resources for commercial or for-profit purposes.
4. Use of the School's electronic resources for product advertisement or political lobbying.
5. Personal electronic devices may only be connected to the School's network with appropriate authorization.
6. Intentionally seeking information on, obtaining copies of, or modifying files, other data, or passwords belonging to other users, or impersonating or misrepresenting other users of the School's network.

7. Unauthorized use or disclosure of personal student information in violation of R277-487 and the Family Educational Rights and Privacy Act, 34 CFR, Part 99.
8. Use of the School's electronic resources in a manner that disrupts the use of the network by others.
9. Destroying, modifying, or abusing the School's electronic resources in any way.
10. Use of the School's electronic resources in a manner that threatens or impairs the integrity or security of the network.
11. Use of the School's electronic resources for hate mail, chain letters, harassment, discriminatory remarks, and other antisocial behaviors.
12. Downloading or installation of any software, including shareware and freeware, for use on the School's electronic resources without the approval of the Principal or designee.
13. Use of any software on the School's electronic resources in violation of the applicable license or use agreement.
14. Use of the School's electronic resources to access, process, store, send or receive pornographic, sexually explicit or otherwise inappropriate material (as determined by the Principal).
15. Use of the School's electronic resources for downloading entertainment software, files or other material not related to the mission of the School. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of the School.
16. Downloading, copying, otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner, except that duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of federal copyright law.
17. Use of the School's electronic resources for any unlawful purpose.
18. Use of the School's electronic resources to intentionally access, process, store, send or receive materials containing profanity, obscenity, racist terms, or other harassing, abusive, intimidating, threatening, discriminatory or otherwise offensive language or images.
19. Use of the School's electronic resources for playing games unless it is for instructional purposes or otherwise approved by the Principal or designee.
20. Participating in activities, including but not limited to the preparation or dissemination of content, which could damage the School's professional image, reputation and/or financial stability.
21. Permitting or granting access to the School's electronic resources, including but not limited to granting use of an e-mail or network account or password, to another individual, including but not limited to someone whose access has been denied or terminated.
22. Portable data storage devices may only be used to backup or transport files and data between computers and use of such devices for the operation of unauthorized portable applications is prohibited.
23. Establishing connections to live communications, including text, voice, or video, may only be done in a manner approved by the Principal or designee.
24. Malicious use of the School's electronic resources to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system.

Disclaimer

1. The School cannot be held responsible for information that is retrieved via the network.
2. Pursuant to the Electronic Communications Privacy Act of 1986 (18 U.S.C. § 2510, et seq.), notice is hereby given that there are no facilities provided by the School's system for sending or receiving private or confidential electronic communications. System administrators have access to all mail and will monitor messages. Messages relating to or in support of illegal activities will be reported to the appropriate authorities.
3. The School is not responsible for any damage users may suffer, including loss of data resulting from delays, non-deliveries, or service interruptions caused by the School's negligence or your errors or omissions.
4. Use of any information obtained is at the user's own risk.
5. The School makes no warranties (expressed or implied) with respect to:
    - The content of any advice or information received by a user, or any costs or charges incurred as a result of seeing or accepting any information;
    - Any costs, liability, or damages caused by the way the user chooses to use his or her access to the network.
6. The School reserves the right to change its policies and rules at any time.

Privacy

Use of and access to the School's electronic resources is provided to employees as a tool for the School's business. The School reserves the right to monitor, inspect, copy, review, store or remove, at any time, without prior notice, any and all usage of the School's electronic resources such as the network and the Internet, including but not limited to e-mail, as well as any and all materials, files, information, software, electronic communications, and other content transmitted, received or stored in connection with this usage. All such information, content, and files are the property of the School. Employees should have no expectation of privacy regarding them. Network administrators may review files and intercept communications for any reason, including but not limited to maintaining system integrity and ensuring employees are using the system consistently with the policy and these procedures.

Training

The School will provide, within the first 45 days of each school year, a school-wide or in-classroom training to employees and students that covers:

- The contents of the policy and these procedures;
- The importance of digital citizenship;
- The School's conduct and discipline related consequences as related to a violation of the policy or these procedures;
- The School's general conduct and discipline policies;
- The benefits of connecting to the Internet and utilizing the School's Internet filters while on School property; and
- Any specific rules governing the permissible and restricted uses of privately-owned electronic devices while in a classroom.

Each educator who allows the use of a privately-owned electronic device in the classroom must clearly communicate to parents and students the conditions under which the use of such a device is allowed.

The School will provide an annual notice to all parents of the location of information for in-home network filtering options (https://consumerprotection.utah.gov/edu/filtering.html) as provided for in Utah Code § 76-5c-402.

Complaints

Complaints about the policy and these procedures or their enforcement, or complaints about observed behavior regarding the policy and these procedures, should be addressed in accordance with the School's grievance policies.

Staff Acceptable Use of School Electronic Resources
Acknowledgement of Receipt and Understanding

I hereby certify that I have read and fully understand the contents of the School's policies regarding use of the School's electronic resources. Furthermore, I have been given the opportunity to discuss any information contained therein or any concerns that I may have. I understand that my employment and continued employment is based in part upon my willingness to abide by and the School's policies, rules, regulations and procedures. I acknowledge that the School reserves the right to modify or amend its policies at any time, without prior notice. I acknowledge that these policies do not create any promises or contractual obligations between the School and its employees and that my employment with the School continues to be at will. My signature below certifies my knowledge, acceptance and adherence to the School's policies, rules, regulations and procedures regarding the use of its electronic resources. I acknowledge that violation of any of these policies may be grounds for discipline, up to and including termination.

_____
Employee Signature

_____
Employee Name

_____
Date

Emergency Response Plan Policy

Mountain West Montessori Academy
Emergency Response Plan Policy
Adopted: March 25, 2014

POLICY

It is the policy of Mountain West Montessori Academy (the "School") to develop and maintain an up-to-date plan for responding to emergencies involving the School. Accordingly, the School's Director will ensure that the School adopts and keeps updated an Emergency Response Plan that provides adequately for the safety of students and staff members.

Employee Compensation During School Closure & Other Extraordinary Circumstances Policy

Mountain West Montessori Academy
Employee Compensation During School Closure & Other Extraordinary Circumstances Policy
Adopted: April 27, 2020

POLICY

Mountain West Montessori Academy's (the "School") Board of Directors (the "Board") adopts this policy in order to authorize compensation to employees during school closure and other temporary extraordinary circumstances when employees are not able to perform all of the duties that they would normally be assigned to do and/or work all of the hours they would normally be scheduled to work in exchange for their agreed-upon compensation.

The Board delegates to the Director the authority to assess all relevant factors, including but not limited to the anticipated availability and security of state and federal funding over the short and long term, and implement this policy when the situation warrants.

This policy may be applied retroactively.

Continued Employment and Compensation

The Board recognizes that closures and other temporary extraordinary circumstances impact normal school operations in many different ways, some of which are not foreseeable. The School nonetheless intends to keep employees employed and engaged in serving the School's students to the maximum extent possible during such circumstances. The School also desires to pay employees in full, as provided for in their employment agreements, to the maximum extent possible during such circumstances, including by providing paid time off when necessary.

Paid Time Off

Criteria for Paid Time Off

All of the following criteria must be met before paid time off may be given to an employee under this policy for any portion of an employee's compensation:

- The employee and the Director or the Director's designee have explored all reasonable alternatives for the employee to provide services in connection with their current position(s) and have determined that there are none;
- The employee and the Director or the Director's designee have determined that the employee has completed all possible training and professional development opportunities that can be conducted online or through self-directed opportunities; and

- The employee and the Director or the Director's designee have determined that there are no other reasonable work opportunities available for the employee—including work opportunities in other programs and work from home.

Substitute teachers are not eligible for paid time off under this policy. However, the School will explore opportunities for substitute teachers to provide services for their regular rate of pay during a closure or other extraordinary circumstances.

Documentation

For each employee receiving paid time off under this policy, the Director and the employee will identify the expectations for what duties the employee will perform, the hours the employee will work, and the amount of paid time off the employee will receive.

Other Paid Time Off and Leave

This policy does not apply to or affect other paid time off or leave an employee may receive or be eligible for under other School policies or applicable law.

Compensation Expenditures Charged to Federal & State Grants & Programs

Compensation-related expenditures for employees who qualify for paid time off under this policy will be charged to the employee's regular position and program. This includes compensation-related expenditures for Federal and State grants and programs.

Only the portion of the employee's compensation that would normally be associated with a program will be charged to such program. Compensation charged to a program during extraordinary circumstances, including paid time off under this policy, will be calculated based upon the employee's employment agreement and normal average hours per day/week the employee worked before the extraordinary circumstances occurred.

If an employee is not able to complete all of his or her normal average hours by working in the employee's regular position and program but is able to make up the difference by working in a different program, the School will charge the employee's compensation to both programs in accordance with the hours the employee worked in each program. However, the employee will not be compensated beyond the normal average hours that the employee worked before the extraordinary circumstances began.

Notwithstanding the foregoing, if an employee receives paid time off under this policy and that paid time off is charged to the employee's regular position and program, the employee may not be compensated for additional time worked in another program.

Maximum Compensation

The School will pay employees in full, as provided in employment agreements, for all work performed under extraordinary circumstances, including any overtime as required by law.

However, paid time off under this policy is intended to make employees whole and reduce the financial burden caused by the extraordinary circumstances. This policy is not intended to provide an employee with a windfall.

Therefore, an employee's total compensation that includes paid time off under this policy may not exceed the amount provided for in the employee's employment agreement and may not exceed what the employee typically earned prior to when the extraordinary circumstances began.

The School will treat all employees the same under this policy, regardless of whether they are compensated through Federal or State grants or programs.

Employee Handbook Policy

Mountain West Montessori Academy
Employee Handbook Policy
Adopted: March 25, 2014

POLICY

The purpose of this policy is to ensure that Mountain West Montessori Academy (the "School") operates in accordance with applicable employment laws.

The School's Director will adopt and keep updated an Employee Handbook and establish administrative procedures that comply with federal and state employment laws.

Employees Engaging in Private Activities Related to Public Education Administrative Procedures

PURPOSE

Mountain West Montessori Academy (the "School") recognizes that its employees may have opportunities to engage with students in private activities related to public education that are not sponsored by the School. The School supports its employees participating in such activities so long as they are done appropriately.

These procedures are intended to help ensure that any private, but public education-related activity involving School employees is conducted in a manner that complies with state law and rules, including R277-107, and maintains the integrity of the public education system. These procedures outline expectations for School employees who sponsor or participate in private activities related to public education and delineate boundaries between public employment and private enterprise.

Definitions

For purposes of these procedures:

"Employee" means a person who is employed on a full-time, part-time, or contract basis by the School.

"Private, but public education-related activity" means any type of private activity for which:
a. An employee of the School receives compensation; and
b. The principal clients are students at the School.

"Private, but public education-related activity" may include:
a. Tutoring;
b. Lessons;
c. Clinics;
d. Camps; or
e. Travel opportunities.

General Rules for School Employee Participation in Private, But Public Education-Related Activities

Employees may participate in a private, but public education-related activity in accordance with R277-107 and these procedures.

1. Separation of Private and Public Roles
    a. Employees who participate in a private, but public education-related activity must ensure that such participation is separate and distinguishable from their employment with the School. For example, such employees may not:
        i. Contact students at the School during School hours to promote such private activities; or

ii. Use student education records, School resources, or information gained through employment with the School in connection with such private activities, unless that information is readily available to the general public.

2. Prohibited Use of School Time and Resources

a. Employees who participate in a private activity or a private, but public education-related activity may not use School time or resources to:
   i. Discuss, promote, or prepare for such private activities; or
   ii. Organize or advertise such private activities.

3. Permissible Activities by Employees

a. Employees who participate in a private, but public education-related activity may:
   i. Offer such private activities to students outside of regular School hours;
   ii. Discuss such private activities with students or parents outside of the classroom and regular School hours;
   iii. Use student directories or online resources which are available to the general public; or
   iv. Advertise or promote such private activities in accordance with the rules in R277-107-3 and -4, including in School publications that allow commercial advertising.

4. Equity and Access

a. Employees may not condition credit or participation in a School program or activity on a student's participation in such activities as clinics, camps, private programs, or travel activities that are not equally and freely available to all students.
b. Employees may not state or imply to any person that participation in a regular School activity or program is conditioned on participation in a private activity.

5. Student-Initiated Educational Opportunities

a. Nothing in these procedures prohibit students from requesting or petitioning the School for academic credit for educational experiences obtained outside of School consistent with School policy and applicable state law.

6. Contracts Governing Private, But Public Education-Related Activities

a. Contracts between an employee and a sponsor of a private, but public education-related activity shall be signed by the employee and include the acknowledgments set forth in R277-107-6.
b. An employee shall provide the School with a signed copy of all contracts between the employee and a sponsor of a private, but public education-related activity. The School shall maintain a copy of such contracts in the employee's personnel file.

Enrollment & Lottery Policy

Mountain West Montessori Academy
Enrollment and Lottery Policy
Adopted: December 2, 2013
Amended: May 23, 2017
Amended: October 12, 2026

PURPOSE

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

POLICY

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

General Information

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

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

Lottery

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

In accordance with Utah Code § 53G-6-502, the following students will receive preference in the School's lottery in the following order: children or grandchildren of "founders"; children of full time School employees (individuals employed by the School who work more than twenty hours per week for the School; children of independent contractors are not eligible for preference); siblings of children enrolled in the School; and children or grandchildren of a member of the School's Governing Board of Directors (the "Board"). Such students will not, however, be given

priority notice or guaranteed admission to the School. No more than 5% of the total student population will be enrolled as a result of priority based on founder or employment status of the student's parent(s).
Individuals who played a significant role in the development of the School are eligible to receive "Founder" status. The School's Board has approved each Founder. Inasmuch as preferential enrollment will be extended to no more than 5% of enrolled students, each Founder, employee, and Board member is allotted preferential enrollment for one child.

The School will not give preference to any student and will not make any enrollment decision on any basis prohibited by state or federal law, including Utah Code § 53G-6-403(3)(a), federal civil rights laws, and the Individuals with Disabilities Education Improvement Act of 2004 ("IDEA") .

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

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

Past Disciplinary Issues

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

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

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

In accordance with Utah Code § 53G-6-403(3)(b), the School may deny admission to students who (i) have committed serious infractions of the law or school policies, including policies of the School; (ii) have been guilty of chronic misbehavior which would, if it were to continue after the student was admitted to the School, endanger persons or property, cause serious disruptions in the School, or place unreasonable burdens on School staff; or (iii) have any school safety incidents or safe-school violations.

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

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

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

Equipment & Other Capital Assets Acquired with Federal Funds Administrative Procedures

Mountain West Montessori Academy (the "School") will purchase, use, manage, and dispose of equipment and other capital assets acquired in whole or in part with federal funds in accordance with applicable federal law, including 2 CFR 200.439 and 2 CFR 200.313(c)-(e).

Definitions

The definitions in 2 CFR 200.1 apply to this administrative procedure, including but not limited to the following:

"Capital assets" means:

a. Tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:
    i. Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, exchange, or through a lease accounted for as financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards; and
    ii. Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).
b. For purpose of this procedure, capital assets do not include intangible right-to-use assets (per GASB) and right-to-use operating lease assets (per FASB). For example, assets capitalized that recognize a lessee's right to control the use of property and/or equipment for a period of time under a lease contract. See also § 200.465.

"Capital expenditures" means expenditures to acquire capital assets or expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life.

"Equipment" means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the School for financial statement purposes, or $5,000.

"General purpose equipment" means equipment which is not limited to research, medical, scientific or other technical activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.

"Special purpose equipment" means equipment which is used only for research, medical, scientific, or other technical activities. Examples of special purpose equipment include microscopes, x-ray machines, surgical instruments, and spectrometers.

Equipment

Management Requirements

With respect to managing equipment acquired in whole or in part with federal funds, the School will:

a. Maintain property records that include:
    i. A description of the equipment;
    ii. A serial number or other identification number for the equipment;
    iii. The source of funding for the equipment;
    iv. Who holds title to the equipment;
    v. The date the equipment was acquired by the School;
    vi. The cost of the equipment;
    vii. The percentage of participation in the project costs for the federal award under which the equipment was acquired;
    viii. The location of the equipment;
    ix. The use and condition of the equipment; and
    x. Any ultimate disposition data with respect to the equipment, including the date of disposal and sale price of the equipment.
b. Take physical inventory of the equipment and update/reconcile the property records accordingly at least once every two years.
c. Develop and implement a control system that will provide adequate safeguards to prevent loss, damage, or theft of the equipment.
d. Investigate any loss or damage to or theft of the equipment.
e. Regularly maintain and/or service the equipment to help ensure the equipment remains in good condition.
f. If authorized or required to sell the equipment, engage in a sales process that will help ensure the School receives the highest possible return on the sale of the equipment.

Use and Disposition Requirements

Regarding the use and disposition of equipment acquired with federal funds, the School will follow the requirements in 2 CFR 200.313(c) and (e).

Purchasing Requirements

The School shall follow the procedure below in order to purchase equipment with federal funds.

Capital Expenditures

The School shall comply with federal law in connection with purchasing equipment and other capital assets with federal funds, including but not limited to 2 CFR 200.439. Below are some of the purchasing rules the School shall follow:

a. The School shall not use federal funds to pay for improvements to land, buildings, or equipment which materially increase their value or useful life unless the School receives prior written approval of the federal awarding agency or the pass-through entity (the USBE) to do so (note: this applies to School construction, alteration, or repair projects);
    a. And with respect to construction, alteration, or repair projects that cost in excess of $2,000, the School shall not use federal funds to pay for such projects unless the School follows other applicable laws, including but not limited to the Davis-Bacon and Related Acts;
b. The School shall not use federal funds to purchase general purpose equipment (note: this includes, for example, computers and other tech devices), buildings, or land unless the School receives prior written approval of the federal awarding agency or the pass-through entity (the USBE) to do so; and
c. The School may use federal funds to purchase special purpose equipment; however, if any such item of equipment has a unit cost of $5,000 or more, the School shall obtain prior written approval of the federal awarding agency or the pass-through entity (the USBE) in order to purchase those items with federal funds.

Ethics Policy

Mountain West Montessori Academy
Ethics Policy
Adopted: August 22, 2013

Mountain West Montessori (the "School") adopts this policy to ensure that individuals associated with the School, including Board Members and employees, conduct themselves consistent with high standards of ethics and with applicable law.

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

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

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

> (a) accepting employment or engaging in any business or professional activity that he/she might reasonably expect would require or induce him/her to improperly disclose controlled information that he/she has gained by reason of his/her official position;
>
> (b) disclosing or improperly using controlled, private, or protected information acquired by reason of his/her official position or in the course of official duties in order to further substantially his/her personal economic interest or to secure special privileges or exemptions for himself/herself or others;
>
> (c) using or attempting to use his/her official position to:
>
> > (i) further substantially his/her personal economic interest; or
> >
> > (ii) secure special privileges or exemptions for himself/herself or others;
>
> (d) accepting other employment that he/she might expect would impair his/her independence of judgment in the performance of his/her public duties;
>
> (e) accepting other employment that he/she might expect would interfere with the ethical performance of his/her public duties; or

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

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

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

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

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

Family Educational Rights and Privacy Act
Notice of Directory Information

Directory Information
The Family Educational Rights and Privacy Act ("FERPA"), a federal law, requires that Mountain West Montessori Academy (the "School"), with certain exceptions, obtain a parent or eligible student's (eligible students are students 18 years of age or older) written consent prior to the disclosure of personally identifiable information ("PII") from a student's education records. However, the School may disclose appropriately designated "directory information" without written consent, unless a parent or eligible student has advised the School to the contrary in accordance with School procedures.

Purpose of Directory Information
The primary purpose of directory information is to allow the School to include information from a student's education records in certain school publications. Examples include:

- A playbill, showing a student's role in a drama production;
- The annual School yearbook;
- Honor roll or other recognition lists;
- Graduation/promotion programs; and
- Sports programs or activity sheets showing the weight and/or height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent or eligible student's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks.

Military Recruiters and Institutions of Higher Education
In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (the "ESEA"), to provide military recruiters and institutions of higher education, upon request, with secondary student names, addresses and telephone listings unless parents or eligible students have advised the LEA that they do not want such information disclosed without their prior written consent. *See* Section 9528 of the ESEA (20 U.S.C. § 7908) and 10 U.S.C. § 503(c).

Opting Out
If a parent or eligible student does not want the School to disclose any or all of the types of information designated below as directory information from the student's education records without prior written consent, the parent or eligible student must so notify the School in the "Notice for Directory Information" Section in the student's Registration Packet **prior to** submitting the Registration Packet to the School.

What Information is Designated as Directory Information?
The School has designated the following student information as directory information:

- Name;
- Photograph;
- Grade level;
- Participation in officially recognized activities and sports; and
- Parent names and contact information.

Family Educational Rights and Privacy Act
Notification of Rights

The Family Educational Rights and Privacy Act ("FERPA") affords parents and students 18 years of age or older ("eligible students") certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Mountain West Montessori Academy (the "School") receives a request for access. A parent or eligible student should submit to the School Principal/Director a written request that identifies the record(s) the parent or eligible student wishes to inspect. The School will make arrangements for access and notify 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 is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

   Parents or eligible students who wish to ask the School to amend a record should write the School Principal/Director, clearly identify the part of the record they want changed, and specify why it should be changed.

   If the School decides not to amend the record as requested, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the School discloses personally identifiable information ("PII") from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

   One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official typically includes a person employed by the School in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the School's board of directors; contractors, consultants, volunteers, and other outside parties to whom the School has outsourced institutional services or functions that the School would otherwise use its own employees to perform and who is under the direct control of the School and subject to the same conditions governing the use and redisclosure of education records that apply to other school officials, such as an attorney, auditor, therapist, medical consultant, or education service provider; or a parent, student, or other School volunteer assisting another school official in performing his or her tasks. A school official typically has a legitimate educational interest if the school official needs to review an education record in order to fulfill his or her professional responsibilities for the School.

Upon request, the School may also disclose education records without a parent or eligible student's prior written consent to officials of another school in which a student seeks or intends to enroll, or is already enrolled, if the disclosure is for purposes of the student's enrollment or transfer.

Please refer to the list on the following page for a summary of disclosures schools may make without receiving prior written consent from a parent or eligible student.

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 is:

    Family Policy Compliance Office
    U.S. Department of Education
    400 Maryland Avenue, SW
    Washington, DC 20202

Disclosures Schools May Make Without Prior Written Consent

FERPA permits the disclosure of PII from students' education records without consent of the parent or eligible student if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. A school may disclose PII from the education records of a student without obtaining prior written consent from a parent or eligible student as follows:

- To other school officials, including teachers, within the school whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(*1*)-(a)(1)(i)(B)(*3*) are met. (§ 99.31(a)(1))

- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled, if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))

- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the State Education Agency (SEA) in the parent or eligible student's State. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))

- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))

- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))

- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8))

- To comply with a judicial order or lawfully issued subpoena if applicable requirements are met. (§ 99.31(a)(9))

- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))

- Information the school has designated as "directory information" if applicable requirements under § 99.37 are met. (§ 99.31(a)(11))

- To an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. (20 U.S.C. § 1232g(b)(1)(L))

- To the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. (20 U.S.C. § 1232g(b)(1)(K))

Family Educational Rights & Privacy Act Policy

Mountain West Montessori Academy
Family Educational Rights and Privacy Act Policy
Adopted: December 2, 2013
Amended: December 2, 2024

PURPOSE

The purpose of this policy is to protect the privacy of Mountain West Montessori Academy (the "School") students and their families in accordance with applicable law.

POLICY

The School shall protect the privacy of its students and their families and shall support parental involvement in the education of their children by complying with state and federal law concerning family educational rights and privacy, including but not limited to the federal Family Educational Rights and Privacy Act ("FERPA") and Utah Code § 53E-9-201 *et seq*.

The School's Director shall establish administrative procedures that provide standards under Utah law for the protection of student and family privacy within the School, including in the curriculum, in School activities, in the administration of psychological or psychiatric examinations, tests, or treatments to students, and in any survey, analysis or evaluation of students that seek protected information. The procedures shall also address the management of student education records under FERPA, including rules regarding parental access to and the School's disclosure of such education records.

Family Educational Rights and Privacy Act

Administrative Procedures

These procedures are established pursuant to the Board's Family Educational Rights and Privacy Act Policy

Activities Prohibited Without Prior Written Consent

Prior Written Consent Requirement

Any School employee or agent who plans to administer to a student in any grade any psychological or psychiatric examination, test, or treatment, or any survey, analysis or evaluation that has the purpose or evident intended effect of causing the student to reveal information, whether the information is personally identifiable or not, concerning the student's or any family member's:

(a) political affiliations or, except as provided under Utah Code § 53G-10-202 or rules of the Utah State Board of Education, political philosophies;
(b) mental or psychological problems;
(c) sexual behavior, orientation, gender identity, or attitudes;
(d) illegal, anti-social, self-incriminating, or demeaning behavior;
(e) critical appraisals of individuals with whom the student or family member has close family relationships;
(f) religious affiliations or beliefs;
(g) legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers; or
(h) income, except as required by law;

shall obtain prior written consent from the student's parent or guardian at least two (2) weeks before the test/treatment/survey/analysis/evaluation is administered or the information listed above is sought, unless the employee or agent must seek this type of private information due to an emergency, or unless a student spontaneously discloses the information.

The prohibitions above also apply within the curriculum and other School activities.

If the School chooses to administer any of the surveys listed below, the School shall, on an annual basis, obtain prior written consent for the survey(s) from students' parents or guardians at the time students register with the School:

(a) surveys related to an early warning system described in Utah Code § 53F-4-207;
(b) surveys that include social emotional learning questions; and
(c) the school climate survey described in Utah Code § 53G-8-802.

Parental Notice and Consent Checklist

For a consent from a student's parent or guardian to be valid, the consent must be in writing and signed. In addition, prior to the written consent being signed by a parent or guardian, a written notice shall be given to the parent or guardian that includes:

(a) notice that the parent has a reasonable opportunity to obtain written information concerning:
  (i) relationships and other information that may be examined or requested in the test, treatment, survey, analysis, or evaluation to be administered;
  (ii) how the test, treatment, survey, analysis, or evaluation will be administered;
  (iii) why (*i.e.*, the purpose) the test, treatment, survey, analysis, or evaluation is needed; and
  (iv) who will have access to the information gathered from the test, treatment, survey, analysis, or evaluation to be administered;

(b) if it is a survey that is to be administered, notice:
  (i) that a copy of the survey is available at the School and online (a link to the survey shall be included in the notice);
  (ii) of the intended purpose and use of the data collected through the survey;
  (iii) of the types of persons or governmental entities that share the data collected from the survey (including a list of recipients who will receive the student-level data), or receive the data collected from the survey from a governmental entity on a regular or contract basis; and
  (iv) of the record series as defined in Utah Code § 63G-2-103 in which the data is or will be included, if applicable.

A general consent used to approve admission to School or involvement in special education, remedial education, or a School activity does not constitute written consent for these purposes.

Duration of Parental Authorization

Unless otherwise agreed to by a student's parent or guardian and the person requesting written consent, the authorization is valid only for the activity for which it was granted. However, a written withdrawal of authorization submitted to the School Director by the authorizing parent or guardian terminates the authorization.

Waiver of Parental Notice Period

A parent or guardian may waive the 2-week notice period by signing and returning a written waiver to the School.

Well-Being of a Student

If a School employee or agent believes that a situation exists that presents a serious threat to the well-being of a student, that employee or agent shall notify the student's parent or guardian without delay. If, however, the matter has been reported to the Division of Child and Family Services

(DCFS), it is the responsibility of DCFS to notify the student's parent or guardian of any possible investigation, prior to the student's return home from School.

Risk of Suicide

If a School employee, agent, or School resource officer (if any) believes a student is at risk of attempting suicide, physical self-harm, or harming others, the School employee, agent, or School resource officer may intervene and ask a student questions regarding the student's suicidal thoughts, physically self-harming behavior, or thoughts of harming others for the purposes of:

(a) referring the student to appropriate prevention services; and
(b) informing the student's parent or guardian.

Student Education Records Management

Inspecting and Reviewing Education Records

Parents or guardians have the right to inspect and review their student's education records, subject to certain exceptions. If the education records of a student contain information on more than one student, the parent or guardian may inspect and review or be informed of only the specific information about their student.

- The School will grant a request by a parent or guardian for access to the education records of their child within a reasonable period of time, but in no case more than forty-five (45) days after the request has been received by the School.

Amending Education Records

Parents or guardians have the right to challenge and request the School to amend any portion of their student's education record that they believe is inaccurate, misleading, or in violation of the privacy rights of the student.

- The School shall consider the request and decide whether to amend the records within a reasonable amount of time. If the Director decides not to amend the record as requested, the Director shall inform the parent or guardian of the decision and of their right to a hearing.
- Upon request of a parent or guardian, the School shall provide an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.
- Such hearing shall be informal and shall be conducted by an individual who does not have a direct interest in the outcome of the hearing.
- If, as result of the hearing, the School decides that the challenged information is inaccurate, misleading, or in violation of the privacy rights of the student, the record should be amended accordingly and the parent or guardian informed in writing.

- If, as result of the hearing, the School decides that the challenged information is not inaccurate, misleading, or in violation of the privacy rights of the student, it shall inform the parent or guardian of their right to place a statement in the record, commenting on the challenged information in the record or stating why they disagree with the decision. Any such document must remain with the contested part of the record for as long as the record is maintained, and shall be disclosed whenever the portion of the record to which the statement relates is disclosed.

Disclosing Education Records

The School shall not disclose personally identifiable information from a student's education records without first obtaining parental consent, except as provided by law. Such exceptions under FERPA include, but are not limited to, disclosures:

- To School officials within the School who have legitimate educational interests;
- To a contractor, consultant, volunteer or other party to whom the School has outsourced a service or function provided that the outside party::
    - Performs an institutional service or function for which the School would otherwise use employees;
    - Is under the direct control of the School with respect to the use and maintenance of education records; and
    - Is subject to the requirements of 34 CFR § 99.33(a) governing the use and redisclosure of personal identifiable information from education records.
- To an authorized caseworker or other representative of the Department of Health and Human Services, but only as described in Utah Code § 53E-9-308(3);
- To other schools that have requested the records and in which the student seeks or intends to enroll, or where the student is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- In response to valid court orders or subpoenas;
- To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals;
- To officials in the juvenile justice system as permitted by law;
- To the Comptroller General of the United States, the Attorney General of the United States, the Secretary, or State and local educational authorities in connection with an audit and evaluation of federally or state supported education programs, or for the enforcement of, or compliance with, federal legal requirements relating to those programs;
- To the applicable entities/agencies within the Department of Homeland Security for foreign students attending the School under a visa; or
- To the Attorney General of the United States in response to an *ex parte* order in connection with the investigation or prosecution of terrorism crimes.

The School may disclose a student's directory information without parental consent for appropriate reasons if it has given the parent or guardian proper annual notice of their right to request that their student's directory information not be released by the School and the parent or guardian has not notified the School that they do not want the student's directory information to be released.

- The following information relating to students may be declared directory information from time to time:

  (a) name, address, e-mail address, and telephone number;
  (b) date and place of birth;
  (c) major field of study;
  (d) participation in officially recognized activities and sports;
  (e) weight and height of members of athletic teams;
  (f) dates of attendance;
  (g) degrees, honors, and awards received;
  (h) most recent previous education agency or institution attended;
  (i) photograph;
  (j) grade level; and
  (k) parent names and contact information.

- The School shall not release directory information to any individual or organization for commercial use.

Parent or Guardian Right to Access Education Records

The School shall give full rights to student education records to either parent or guardian, unless the School has been provided with evidence that there is a court order or other legally binding instrument relating to matters such as divorce, separation, or custody that specifically revokes or limits these rights.

Confidentiality of Student Information

The School and all employees, volunteers, third party contractors, or other agents of the School shall protect the privacy of the student and the student's family through compliance with the protections established under state and federal law, including FERPA and the student privacy and data protection statutes in Title 53E, Chapter 9 of the Utah Code.

Access to confidential student information will be limited to individuals with a legitimate educational interest in the data. The Director will determine which individuals have a legitimate educational interest in having access to particular data. In general, this will include the Director, other administrative personnel such as an assistant administrator or counselor, members of the School's front office staff, members of the School's special education staff (in accordance with special education regulations regarding school records), teachers (typically for students in their classes, but sometimes other students as well), and third parties with which the School has contracted to perform special tasks for the School. The School will ensure that all individuals who have access to student information will understand how, where, and when they can access this data and will commit to fulfill their obligations to protect the confidentiality of the information.
Data Collection and Storage Procedures

The School will ensure that its school enrollment verification data, student performance data, and personally identifiable student information are collected, maintained, and transmitted in a secure manner and consistent with sound data collection and storage procedures.

Physical Protection
Any physical documents containing confidential student information will be stored in a secured, locked location. Access to the storage location will be determined by the Director.

Technological Protection
The School will ensure that appropriate technological protections are in place, as described below, whenever the School gathers, transmits, or stores confidential information electronically.

The School currently uses Aspire as its Student Information System. This is the primary location in which the School will store electronic data. This program provides a secure location for the maintenance and transmission of confidential student information. The School also uses the Aspire online registration system for the registration and enrollment of all new and returning students entering the School. In the event the School decides to use a Student Information System other than Aspire, the School will ensure that the system is approved by USBE and is adequately secure.

All confidential student information that is stored electronically will be in a location that is password protected. Such data will not be stored on local device drives or on removable data storage media.

The School will ensure that its network, including servers and wireless access components, employs industry standard security measures.

School personnel will not share log in information for any system in which confidential student information is stored unless authorized by the Director.

Confidential student information will only be transmitted through secure means such as Movelt and, where practical, will not be transmitted via e-mail in an unencrypted format.

Personnel Responsibilities
School personnel are responsible for entering student data into the School's Student Information System. This includes information obtained through the Aspire online registration system and other data gathered throughout the course of the school year. School personnel also manage the maintenance and reporting of records and data required by governmental entities.

Third Party Access to Confidential Information

The School's Educational Services Provider, Academica West, will have access to the personally identifiable student data and school enrollment verification data collected and maintained by the School in connection with legitimate educational purposes of the School.

Data Breach

The School will notify the parent or guardian of a student if there is a release of the student's personally identifiable student data due to a security breach. The School will also notify the State Superintendent of significant data breaches of student data as required in R277-487.

Training

On an annual basis, the School shall provide appropriate student data privacy training to its employees, aides, and volunteers who are authorized by the School to have access to education records as defined in FERPA. The training shall cover federal and state student data privacy laws and rules. The School shall ensure that its authorized employees sign a statement certifying that they have completed the training and understand student privacy requirements. The School shall create and maintain a list of the authorized employees and provide it to the Board of Directors as required in Utah Code § 53E-9-204.

The School shall also provide its employees with appropriate training on IT security matters.

Where required by R277-487, educators at the School shall also complete the student data security and privacy training for educators developed by the State Superintendent as a condition of re-licensure.

Fee Waiver Policy

Mountain West Montessori Academy
Fee Waiver Policy
Adopted: January 28, 2014
Amended: December 3, 2018
Amended: February 24, 2020
Amended: August 24, 2020
Re-Approved: March 22, 2021
Amended: March 28, 2022
Re-Approved: February 27, 2023
Amended: August 28, 2023
Re-Approved: February 21, 2024
Amended: October 26, 2024
Amended: March 24, 2026
Amended: October 12, 2026

PURPOSE

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

POLICY

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

Definitions

"Common education expense"

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

"Course" or "class"

(a) means an activity, a course, or a program that the School:

(i) intends to deliver instruction;
(ii) provides, sponsors, or supports; and
(iii)conducts primarily during school hours.

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

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

"Extracurricular activity"

(a) means an activity or a program that:
(i) is not a course; and
(ii) the School provides, sponsors, or supports.

(b) does not include a noncurricular club as defined in Section 53G-7-701.

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

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

“Fee” includes:

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

“Fee” does not include:

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

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

“Instructional equipment”

(a) means an activity-, course-, or program-related tool that:
  (i) a student is required to use as part of an activity, course, or program in a secondary school; and
  (ii) becomes the property of the student upon exiting the activity, course, or program.
(b) does not include School equipment, an instructional supply, or a personal student supply for a secondary student.

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

“Non-fee course” means a course that results in course credit or a course grade within the core standards the USBE establishes under Section 53E-4-202 and other statutory requirements for:
(a) English language arts;
(b) health education;
(c) mathematics;
(d) science; and
(e) social studies

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

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

(b) includes pencils, papers, notebooks, crayons, scissors, and basic clothing.

"Provided, sponsored, or supported by the School"

(a) means an activity, class, program, club, camp, clinic, or other event that:
  (i) is authorized by the School; or
  (ii) satisfies at least one of the following conditions:
    (A) the activity, class, program, club, camp, clinic, or other event is managed or supervised by the School, or a School employee in the employees School employment capacity;
    (B) the activity, class, program, club, camp, clinic, or other event uses, more than inconsequentially, the School's facilities, equipment, or other School resources; or
    (C) the activity, class, program, club, camp, clinic, or other event is supported or subsidized, more than inconsequentially, by public funds, including the School's activity funds or minimum school program dollars.

(b) does not include an activity, class, or program that meets the criteria of a noncurricular club as described in Title 53G, Chapter 7, Part 7, Student Clubs.

“Provision in lieu of fee”

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

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

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

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

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

“School activity clothing” does not include:

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

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

(a) is durable;
(b) is reusable;
(c) a secondary school owns; and
(d) a student uses as part of an activity, course, or program in a secondary school.

"Something of monetary value"

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

“Textbook”

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

“Waiver” means a full release from:

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

General School Fees Provisions

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

If the School imposes a fee:

(a) the fee shall be directly related to the expense incurred by the School in providing for a student the activity, course, or program for which the School imposes a fee;
(b) the fee shall be equal to or less than the expense described immediately above; and

(c) the School may not impose an additional fee or increase a fee to supplant or subsidize another fee that the School is prohibited from charging, including the normal expense of delivering instruction in a course.

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

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

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

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

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

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

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

Fees for Classes & Activities During the Regular School Day

Fees for Students in Kindergarten through Sixth Grade

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

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

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

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

(a) the School has students in any of the grades seven through twelve;
(b) the School follows a secondary model of delivering instruction to the School's grade six students; and

(c) The School annually provides notice to parents that the School will collect fees from grade six students and that the fees are subject to waiver.

Fees for Students in Seventh through Ninth Grade

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

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

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

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

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

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

Fees for Optional Projects

The School may require students at any grade level to provide materials or pay for an additional discretionary project if the student chooses a project in lieu of, or in addition to a required classroom project. A student may not be required to select an additional project as a condition to enrolling, completing, or receiving the highest possible grade for a course. The School will avoid allowing high cost additional projects, particularly when authorizing an additional discretionary project results in pressure on a student by teachers or peers to also complete a similar high cost project.

Fees for Activities Outside of the Regular School Day

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

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

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

Fees for Extracurricular Activities

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

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

Other Miscellaneous Fees

Fees for Adult Education

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

Fees for Remediation Programs

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

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

Fees for Charter School Application Processing

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

Fee Schedule

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

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

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

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

Maximum Fee Amounts

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

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

Notice to Parents

The Director will annually provide written notice of the School's Fee Schedule and Fee Waiver Policy to the parent or guardian of each student in the School by ensuring that a written copy of the School's Fee Schedule and Fee Waiver Policy is included with all registration materials

provided to potential or continuing students each year. The Fee Schedule shall clearly identify any fee for each activity, course, or program alongside the description of the activity, course, or program.

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

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

Donations

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

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

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

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

Fee Collection

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

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

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

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

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

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

Fee Refunds

Student fees are non-refundable.

Budgeting and Spending Revenue Collected Through Fees

The School will follow the general accounting standards described in Rule R277-113 for treatment of fee revenue.
The School will establish a spend plan for the revenue collected from each fee charged. The spend plan will (a) provide students, parents, and employees transparency by identifying a fee's funding uses; (b) identify the needs of the activity, course, or program for the fee being charged and include a list or description of the anticipated types of expenditures, for the current fiscal year or as carryover for use in a future fiscal year, funded by the fee charged.

School Fee Collections & Accounting Procedures

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

Fees must be received and deposited in a timely manner.

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

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

Fee Waiver Provisions

To ensure that no student is denied the opportunity to participate in a class or activity that is provided, sponsored, or supported by the School because of an inability to pay a fee, the School

provides fee waivers or other provisions in lieu of a fee. Fee waivers or other provisions in lieu of a fee payment will be available to any student whose parent cannot pay a fee.

All fees are subject to waiver.

Non-waivable charges are not subject to waiver.

Fee Waiver Administration

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

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

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

Fee Waiver Eligibility

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

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

student qualifies for McKenney-Vento, verification is obtained through the School's McKinney-Vento liaison.

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

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

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

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

Fee Waiver Approval Process

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

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

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

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

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

Appeal Process

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

ten (10) school days of receiving notice of denial to the Board.

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

Alternatives to Fees and Fee Waivers

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

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

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

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

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

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

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

Students may be granted a fee waiver for no more than two School-sponsored trips per school year. A student who has been granted a fee waiver for one School-sponsored trip may request a fee waiver for a second School-sponsored trip during the same school year. The fee waiver request for a second School-sponsored trip shall be accompanied by an action plan, developed in consultation with and approved by the Director, that addresses how the student or family will contribute to the School or community through one or more of: (a) participation in approved fundraising; (b) approved custodial work or service in lieu of fees consistent with R277-407 and the Fair Labor

Standards Act; (c) installment-payment arrangements for ancillary trip costs not covered by waiver; or (d) other contributions specified in the action plan.

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

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

Annual Review, Approval, and Training

The Board will review and approve this policy annually.

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

MWMA Fee Waiver Policy
REVISION H
Board Approval Date: 10-12-26

Field Trip Administrative Procedures

Montessori philosophy emphasizes "going out"—the act of bringing learning outside the classroom. This can range from a kindergarten nature walk around the school to a weeks-long out-of-country experience for the middle schoolers. Experiential learning outside the classroom, in all its forms, is an exploration of the world and all the amazing things it has to offer. Our students' brains are formed and changed by the stimulus they receive. Being out in the world offers a broad range of learning benefits because it broadens experience.

Field trips are a primary way to get students learning outside the school. Our goal is to provide our students with field trips each year that support and enhance our curriculum.
The School recognizes the importance of field trips as a connection to, and an extension of, the regular curriculum. Fees for field trips cannot be charged for students in grades K-6; however, donations for field trips may be solicited. Students in grades 7-9 may be requested to pay a field trip fee. Fee Waiver policies apply. No student will remain behind during a field trip simply for failure to provide a donation or field trip fee.

FIELD TRIP COORDINATORS – Teachers will serve as Field Trip Coordinators for all field trips. They will be responsible for estimating costs to formulate the field trip budget as well as scheduling bus transportation if needed and providing permission forms. Additionally, the Field Trip Coordinators will ensure that all procedures are followed in order that field trips are well planned and are enjoyable and educational experiences for all.

SUPERVISION – Field Trip Coordinators are responsible for ensuring that adequate adult supervision is maintained on all field trips. Proper ratios of adult chaperones (parent volunteers or school staff) to students for typical field trips are as follows:

K and 1st – 1 : 5
2nd and 3rd – 1 : 6
4th thru 6th – 1 : 6
7th and 8th – 1 : 8
9th – 1 : 8

The nature of some field trips may require additional supervision as determined by the Director.

LUNCH – The School may provide sack lunches for students on field trips, with advance notice on the permission form. Students may also provide their own home lunch. This must be communicated to parents and students.

DRESS CODE – Students are required to comply with the School's Dress Code while on School-sponsored field trips. Exceptions may include if the School Dress Code apparel is not appropriate for the activities of the field trip, such as swimming or skiing.

PERMISSION – Parents or guardians must provide written permission prior to their student attending a field trip. A scanned, faxed or other form of a written signature is acceptable. Phone

calls and emails are not acceptable forms of signed, written permission. Permission forms must be returned prior to the day of the field trip and must be approved by an administrator before being distributed to students and parents.

PAYMENT – All donations or fees must be made to the office. The front office staff will track the money collected and issue receipts. It is the responsibility of the scheduling teacher to arrange payment with the field trip venue. If payment must be made by check or credit card, the scheduling teacher must notify the administration at least two weeks prior to the field trip.

FIELD TRIP AUTHORIZATION FORM – Each scheduling teacher must complete the School's Field Trip Authorization Form and submit it to the Director for review and approval prior to any field trip.

STUDENTS WITH DISABILITIES – The School does not discriminate on the basis of disability in its educational programs or activities, including with respect to field trips, as demonstrated by the following:

A. The School provides non-academic and extracurricular services and activities in such manner as is necessary to afford students with disabilities an equal opportunity to participate in such services and activities;

B. The School provides non-academic and extracurricular services and activities in such manner as is necessary to afford students with disabilities an opportunity to participate, to the maximum extent appropriate, in such services and activities with students without disabilities;

C. Students' Individualized Education Programs (IEPs) and Section 504 Plans are in effect for field trips; and

D. If a parent or guardian of a student with a disability believes the student has been discriminated against by the School with respect to a field trip, the parent or guardian may contact the U.S. Department of Education for Civil Rights ("OCR") to file a complaint. The phone number and email address for OCR's Denver Office (the office that serves the state of Utah) is as follows: phone (303-844-5695) and email (OCR.Denver@ed.gov).

MWMA Field Trip
ADMIN Procedures
Last Updated: 2-08-18
OCR Accepted: 3-19-18

Financial, Debt & Risk Management Plan

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

Financial

General Financial Management

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

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

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

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

In addition, the School understands and complies with all applicable fiscal rules and regulations, including completion and submission of an annual financial audit of the current fiscal year conducted by an independent certified public accounting firm by November 30th of the following fiscal year, submission of October and December student counts in accordance with state-mandated deadlines, Utah Money Management reports, wages and benefits negotiation reports, Utah Transparency Act reports and updates, October 1st AFR and APR submissions, and any other

regular enrollment and financial reports as required by the State Board of Education now or in the future.

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

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

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

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

Minimum Reserve and Coverage Levels

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

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

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

Financial Forecasting and Budgeting

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

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

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

Debt

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

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

Risk Management

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

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

The administration is also directed to work with qualified professionals, including the School management company and loss control representatives of the School insurer, to recognize, manage and avoid risks associated with the operation of the School. In particular, the administration will be cognizant of risks associated with human resources activities, student safety and security, facility matters, and state and federal legal compliance, including civil rights issues. The administration will establish procedures in order to address key issues pertaining to the School

operations and will ensure that all the School employees and, to the extent necessary, students and parents, are aware of such procedures. The administration will periodically review and revise administrative procedures in order to ensure that they adequately address the pertinent issues and are consistent with the School situation and needs.

Financial Reporting Policy

Mountain West Montessori Academy
Financial Reporting Policy
Adopted: November 29, 2017
Amended: October 12, 2026

PURPOSE

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

POLICY

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

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

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

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

Government Records Access Management Act (GRAMA) Policy

Mountain West Montessori Academy
GRAMA Policy
Adopted: December 2, 2013
Amended: December 3, 2018

POLICY

The purpose of this policy is to establish criteria for managing, classifying, accessing, disposing and retaining records of Mountain West Montessori Academy (the "School") in compliance with the Government Records Access and Management Act (GRAMA). It is the policy of the School's Board of Directors to provide fair and timely public access to information contained in the School's records and at the same time protect individual privacy rights in relation to personal data gathered by the School. This policy does not apply to student records. Student records are governed by the Family Education Privacy Act (FERPA) and the School's FERPA Policy.

Records Officer

The School's Director is designated as the Records Officer for all records requests. The Director may delegate responsibility for complying with GRAMA and responding to records requests to other individuals as appropriate.

The records officer shall perform the duties set forth in Utah Code § 63A-2-103 and review and respond to requests for access to records.

Records Classification

As records requests are made, the records officer shall evaluate School records and make designations and classifications as set forth in Utah Code § 63G-2-307.

Records shall be classified under the following general categories:

- Public records as described in Utah Code § 63G-2-301;
- Private records as described in Utah Code § 63G-2-302;
- Controlled records as described in Utah Code § 63G-2-304;
- Protected records as described in Utah Code § 63G-2-305; and
- Limited records as described in Utah Code § 63G-2-201 (3)(b).

Record Access

A person requesting a record must make a written request directed to the records officer. Upon request, records classified as public may be inspected by any person during normal working hours in accordance with Utah Code § 63G-2-201.

Upon request, private, controlled and protected records shall be disclosed in accordance with Utah Code § 63G-2-202.

The records officer (or designee) shall respond to requests for access to records within established time limits described in Utah Code § 63G-2-204.

Fees

The records officer (or designee) may charge up to ten cents (10¢) per page to cover the actual costs, as described in Utah Code § 63G-2-203(2), of duplicating a record.

Fees for duplication and compilation of a record may be waived by the records officer under certain circumstances described in Utah Code § 63G-2-203(4).

Appeals

If a requester is dissatisfied with the records officer's (or designee's) initial decision, the requester may appeal the decision in writing to the School's Board President according to time limits and provisions of Utah Code § 63G-2-401.
If the denial of access is affirmed in whole or part, the requester may then appeal the decision to the State Records Committee as outlined under Utah Code § 63G-2-403, or petition for judicial review in district court as provided in Utah Code § 63G-2-404.

An individual may contest the accuracy or completeness of a document pertaining to that individual pursuant to Utah Code § 63G-2-603. The request should be made to the records officer (or designee).

Approval of Board Meeting Minutes

The Board of Directors will approve minutes of board meetings at the next regularly scheduled meeting of the Board as set forth on the annual board meeting calendar.

Health & Safety Policy

Mountain West Montessori Academy
Health and Safety Policy
Adopted: March 25, 2014

POLICY

It is the policy of Mountain West Montessori Academy (the "School") to develop and maintain up-to-date procedures to ensure the health and safety of students and staff of the School. Accordingly, the School's Director will ensure that the School adopts and keeps updated procedures that provide adequate protection for the health and safety of students and staff members.

Home School Student Participation in Statewide Assessments Policy

Mountain West Montessori Academy
Home School Student Participation in Statewide Assessments Policy
Adopted: March 28, 2017
Amended: October 26, 2020

PURPOSE

The purpose of this policy is to set forth the responsibilities of Mountain West Montessori Academy (the "School") in the event a home school student requests to participate in the statewide assessments at the School.

POLICY

A home school student may participate in statewide assessments at the School if each of the following conditions are met:

(1) The student is a Utah resident as defined in Utah Code Ann. § 53A-2-201 and proof of residency has been provided to the School;

(2) The student has satisfied the home schooling requirements of Utah Code Ann. § 53A-11-102 and a copy of the certificate from a local school board excusing the student from attendance at school during the applicable school year has been provided to the School;

(3) The request for the student to participate in statewide assessments at the School is provided to the School at least thirty (30) days prior to the opening of the applicable state assessment window; and

(4) The parent or guardian of the student, or a responsible adult designated by the student's parent or guardian, will remain at the School in a designated area while school personnel administer and proctor the test. The parent or guardian of the student agree that they will not participate in the monitoring or proctoring of the student's statewide assessments at the School.

The School will respond to a home school student's request to participate in statewide assessments at the School in a timely manner. If the request is approved, the School will notify the student's parent or guardian of the date(s) and time(s) of the applicable statewide assessments at the School in which the student may participate and any other information deemed relevant by the School.

The School may not require a home school student to pay a fee for participating in statewide assessments at the School that is not charged to traditional students.

A home school student or the student's parent or guardian may request from the School an annual schedule of statewide assessment dates at the School, the location of the School campus(es) at which home school students may be tested, and a copy of the School's written policies for home school student participation in statewide assessments at the School. The School will provide such requested information in a timely fashion.

The School will comply with Utah Administrative Code R277-404 and the Standard Test Administration and Testing Ethics Policy described therein when administering statewide assessments to its students and home school students who participate in statewide assessments at the School in accordance with this policy and applicable law.

The School intends for this policy to be consistent with the provisions of Utah Administrative Code R277-604-4.

MWMA Home School Student Participation in Statewide Assessments Policy
REVISION A
Board Approval Date: 10-26-20

Hotline Compliant Policy

Mountain West Montessori Academy
Hotline Complaint Policy
Adopted: October 13, 2025

PURPOSE

The purpose of this policy is to outline, in accordance with Utah Administrative Code R277-123-7, how Mountain West Montessori Academy (the "School") responds to and resolves Utah State Board of Education ("USBE") public education hotline complaints received as referrals from the USBE Internal Audit Department.

POLICY

After the School receives a hotline complaint, if contact information for the complainant is available, designated School personnel will contact the complainant promptly and document (a) the School personnel that contacted the complainant; (b) the type of contact made (phone, email, etc.); (c) the date of the contact; and (d) the resolution of the concern or action steps to be taken.

The School will make at least two good faith attempts to contact a complainant when contact information is available.

The School will investigate, respond to, and attempt to resolve hotline complaints in accordance with the requirements set forth in R277-123-7 and School policy. If the School determines that a hotline complaint should have been addressed by way of the School's applicable grievance policy, the School may inform the USBE Internal Audit Department. To the extent allowed by R277-123 and applicable law, complainants should not use the hotline to bypass the School's grievance policies.

Infants at Work Administrative Procedures

Mountain West Montessori Academy ("the School") values families and desires to be flexible and accommodate employees who are new parents. These procedures clarify the expectations and conditions for employees to bring their young infants to work.

Timeframe: When an employee returns to work following maternity leave, they may bring an infant to school until the infant becomes mobile (including crawling, scooting, or rolling).

Disruption: If an infant is colicky or often cries and becomes a disruption to the learning environment (as determined by the Director at their sole discretion), the infant may no longer be brought to school, and alternative daycare must be secured by the employee.

Nursing: In addition to the employee's lunch break, the employee may take one 20 minute break in the morning and one in the afternoon to nurse their infant, unless other arrangements have been made with the Director in accordance with the School's Breastfeeding Policy as set forth in the School's Faculty & Staff Handbook. Nursing can be done in the teacher's lounge/workroom.

Privacy: Nursing should take place privately for the benefit of mother and child as well as the avoidance of confusion with students, who may not understand why the employee cannot help them right away or may not be considerate of this time.

Furniture: The employee may have a small cradle or portable crib (not to exceed 2 ft. x 3 ft.) in the classroom for the infant.

Notice: Employees who wish to bring their infant to work must notify the Director as soon as possible into their pregnancy or adoption so that arrangements can be made well in advance.

Parent Notification: The Director will notify the parents of the students of an employee who plans to bring their infant to work. The School would prefer to notify parents before the beginning of the school year about the potential of having the infant in the classroom. When this situation arises, the School will give parents the option to request that their student be placed in another class and will make reasonable efforts to accommodate those requests.

Students: The employee is solely responsible for supervising and caring for the infant and managing any interactions between students and the infant. The employee should not allow the infant to cause students to be off-task or otherwise interrupt or disrupt students' lessons or academic work.

Illness: The employee may not bring a sick infant to school. In case of illness, the employee must use PTO time to stay home or find alternative care for the infant until the infant is well.

Disposal: The employee must dispose of dirty diapers in the manner established by the Director.

Professional Development/Team Meetings: Infants may be brought to meetings as long as they are quiet and not distracting. Infants who become noisy must be taken out of meetings, and if removing

an infant becomes so common as to cause the employee to miss important information, the Director may ask that the employee find alternative care during these times.

Work: Employees who bring their infant to work must still complete all assigned tasks and required duties, even if this requires the employee to complete some work at home or outside the hours of the standard work day.

Quiet: Employees who bring their infant to work must be aware that schools, students, and classrooms may frequently be noisy places, and students cannot be expected to be quiet at all times for the infant. Employees may not, for the infant's sake, try to maintain an unreasonable degree of silence in the classroom or otherwise chastise students for reasonable noise and/or excitement.

General Courtesy: Employees who bring their infant to work should be open to feedback and considerate of the time and feelings of coworkers regarding the infant. Communication between coworkers should be open and frequent, and administration may become involved in discussing any concerns or issues that arise.

Liability Waiver: Employees who bring their infant to work are solely responsible for the infant's supervision, safety, and care while on School property. Employees must sign a liability waiver in order to bring their infant to work with them.

Permission to bring an infant to work is at the Director's sole discretion and may be revoked at any time and for any reason or no reason.

MWMA Infants at Work
ADMIN Procedures
Last Updated: 6-19-19

Information Technology Security Policy

Mountain West Montessori Academy
Information Technology Security Policy
Adopted: September 27, 2017

PURPOSE

Mountain West Montessori Academy (the "School") has a duty to ensure the security of the School's computer equipment, systems, and networks so that the sensitive data maintained or stored on them is protected. The purpose of this policy is to explain how the School will perform this duty in compliance with state and federal law.

POLICY

The School will protect sensitive data, including personally identifiable student data, in accordance with reasonable data industry best practices and state and federal law. Applicable state and federal law includes but is not limited to the Utah Student Data Protection Act, the Utah Family Educational Rights and Privacy Act, Utah Administrative Code Rule R277-487 Public School Data Confidentiality and Disclosure, the federal Family Educational Rights and Privacy Act, and the Government Records Access and Management Act.

Information Technology Systems Security Plan

Utah Administrative Code Rule R277-487 requires the School to, among other things, have an Information Technology Systems Security Plan that addresses the following:

(1) System Administration;
(2) Network Security;
(3) Application Security;
(4) Endpoint, Server, and Device Security;
(5) Identity, Authentication, and Access Management;
(6) Data Protection and Cryptography;
(7) Monitoring, Vulnerability, and Patch Management;
(8) High Availability, Disaster Recovery, and Physical Protection;
(9) Incident Responses;
(10) Acquisition and Asset Management; and
(11) Policy, Audit, and E-Discovery Training.

The Director shall establish an administrative Information Technology Systems Security Plan that complies with Utah Administrative Code Rule R277-487 and other applicable law.

The Information Technology Systems Security Plan shall work in conjunction with this policy and the School's Student Data Privacy and Security Policy, Data Governance Plan, metadata dictionary, and any other School policy, procedure, or plan concerning data privacy and security.
Training

On an annual basis, the School shall provide appropriate training to its employees, aides, and volunteers regarding information technology security matters.

Information Technology Systems Security Plan

1. PURPOSE

The primary purpose of this Information Technology Systems Security Plan is to establish security measures that will help Mountain West Montessori Academy (the "School") protect sensitive data that is stored or maintained on its computer equipment, systems, and networks. The School is required to establish this Plan pursuant to Utah Administrative Code Rule R277-487 and the School's Information Technology Security Policy.

2. SCOPE AND APPLICABILITY

This Plan is applicable to employees, volunteers, and third-party contractors of the School. The School will use this Plan to protect its computer equipment, systems, and networks from, among other things, unauthorized access, inappropriate disclosure, and compromise.

This Plan works in conjunction with the School's Information Technology Security Policy, Student Data Privacy and Security Policy, Family Educational Rights and Privacy Policy and Administrative Procedures, Data Governance Plan, and policies and procedures pertaining to the School's electronic resources and devices.

This Plan contains security measures related to the following:

1. System Administration;
2. Network Security;
3. Application Security;
4. Endpoint, Server, and Device Security;
5. Identity, Authentication, and Access Management;
6. Data Protection and Cryptography;
7. Monitoring, Vulnerability, and Patch Management;
8. High Availability, Disaster Recovery, and Physical Protection;
9. Incident Responses;
10. Acquisition and Asset Management; and
11. Policy, Audit, and E-Discovery Training.

3. ROLES AND RESPONSIBILITIES

The School's contracted IT provider functions as the School's IT Security Manager and will help the School implement this Plan and comply with it. The responsibilities of the IT Security Manager set forth in this Plan supplement the responsibilities of the IT Security Manager outlined in the School's Data Governance Plan, which include the following:

1. Overseeing IT security at the School;
2. Helping the School to comply with IT security laws applicable to the School;
3. Providing training and support to School employees on IT security matters;

4. Investigating complaints of alleged violations of the School's IT security policies, procedures, or plans;
5. Investigating alleged security breaches of the School's IT systems; and
6. Reporting periodically to the School's Board of Directors on the security of the School's IT systems.

Please refer to the School's Data Governance Plan to review the data privacy and security roles and responsibilities of the School's Student Data Manager, employees, educators, volunteers, and third-party contractors.

4. COMPLIANCE

School employees, volunteers, and third-party contractors must comply with this Plan. Failure to comply shall result in consequences for the person or entity up to and including removal of access to the School's computer equipment, systems, and networks. If such access is required for employment or contracted services, employees and third-party contractors may be subject to dismissal.

5. REPORTING

All persons who are granted access to the School's computer equipment, systems, and networks are expected to be careful and aware of suspicious communications and unauthorized use of the School's IT assets. When School personnel or other users become aware of suspicious activity, they shall immediately contact the Student Data Manager or IT Security Manager with the relevant information.

6. SYSTEM ADMINISTRATION

System administration is a critical function that provides management of the School's information systems that contain sensitive data, including personally identifiable student data. If malicious actors compromise system administration, they have access to the School's sensitive data and information systems.

The School's information systems will be administered by the IT Security Manager. The IT Security Manager will use a combination of preventative, detective, forensic, and audit controls to protect system administration channels from exploitation by attackers.

7. NETWORK SECURITY

It is essential for the School to protect its network from both internal and external malicious actors. The School recognizes that appropriate network security procedures are necessary for identifying, evaluating, controlling, and mitigating network vulnerabilities and for protecting the School's technology assets.

The IT Security Manager will manage the School's network according to industry best practices. In so doing the IT Security Manager will provide a secure and robust computing environment at

the School; protect the School's information technology assets and systems; and preserve the privacy of sensitive data belonging to the School's employees, students, and associated entities.

All wireless access networks at the School shall conform to current best practices and shall utilize at minimum WPA encryption for any connections. No wireless access point shall be installed on the School's network that does not conform to current network standards as defined by the IT Security Manager.

The School shall ensure that any remote access with connectivity to the School's internal network is achieved using the School's centralized VPN service that is protected by multiple factor authentication systems.

8. APPLICATION SECURITY

Web application vulnerabilities account for the largest portion of attack vectors outside of malware. To help protect the School from harm, it is essential to perform security assessments of web applications used by the School.

The IT Security Manager shall perform a security assessment of all web applications that are used (or will be used) by the School to house sensitive data. The purpose of the security assessments is to identify potential or realized weaknesses. Any vulnerabilities found in a web application used by the School shall be remediated. If serious vulnerabilities in a web application cannot be remediated, the web application shall be removed.

The IT Security Manager shall determine which web application security assessment tools to use.

9. ENDPOINT, SERVER, AND DEVICE SECURITY

The School understands the importance of preventing, detecting, and remediating attacks and compromises of the School's computers, servers, and other computing devices.

School employees' computers or computing devices shall not be left unattended and unlocked for extended periods of time, especially when logged into sensitive systems or data, including personally identifiable student or employee data. Automatic log off, locks, and password screen savers should be used to enforce this requirement.

The IT Security Manager shall ensure that all servers at the School undergo a security audit and evaluation before they are used by the School. Administrative access to servers shall be password protected. Any and all new servers must be registered and approved by the IT Security Manager. The maintenance and support of all new servers should be managed by the School's IT Security Manager, if possible.

The School shall install, distribute, and maintain spyware, malware, and virus protection software on all School-owned technology assets, including computers, computing devices, and servers.

Server rooms and telecommunication rooms/closets shall be protected by appropriate access control which segregates and restricts access from general office areas at the School. Access control shall be enforced using keys, electronic card readers, or another similar method. Only IT and other School personnel whose job functions require access to such rooms shall be allowed unescorted access.

Before any third-party contractor is allowed access to any computer system, server room, or telecommunication room, the contractor shall be required to present a company issued identification card and his or her access must be confirmed directly by the School employee who issued the service request or by the IT Security Manager.

10. IDENTITY, AUTHENTICATION, AND ACCESS MANAGEMENT

The School shall grant access to its systems and network in accordance with the principles of least privilege and need-to-know. In addition, the School shall require unique identities and authentication in order to access the School's systems and network. This will ensure that users are identifiable and unable to repudiate their activities on the School's systems and network.

Passwords are a critical component of information security and the school shall enforce strong password management. All individual passwords connected to the use of the School's computer equipment, systems, and networks shall:

1. Be created and maintained in accordance with industry best practices;
2. Be maintained in a manner that reduces the threat of unauthorized access to sensitive data;
3. Be treated as confidential information and not be shared with anyone; and
4. Not be inserted into email messages or any other forms of electronic communication.

Any user suspecting that his or her password may have been compromised shall report the incident to the IT Security Manager and change all passwords.

11. DATA PROTECTION AND CRYPTOGRAPHY

One of the most effective ways to achieve data security is through encryption. To read an encrypted file, a person must have access to a secret key or password that enables the person to decrypt it.

Where technologically feasible, the School shall utilize encryption when transmitting sensitive data over the network.

All computers and other computing devices owned by the School, such as desktop computers, laptops, and tablets, that connect to the School's network and that may contain or transmit personally identifiable data must be configured to encrypt such data on any internal hard drive. Users must protect these devices from unauthorized use or access.

Personally identifiable data shall not be stored on external storage media such as external hard drives, flash drives, or DVDs unless such storage is authorized by the Student Data Manager and the personally identifiable data on the external storage media is encrypted. Users must protect these external storage media from unauthorized use or access.

All employees or other users that need assistance or guidance on encrypting sensitive data on any School computer or device described in this section shall contact the IT Security Manager.

12. MONITORING, VULNERABILITY, AND PATCH MANAGEMENT

This area is concerned with minimizing the School's attack surface through the detection and mitigation of vulnerabilities and the early detection of intrusions.

The IT Security Manager shall:

1. Monitor the School's network so that it may detect and investigate security incidents when they occur;
2. Engage in effective vulnerability management and penetration testing in order to detect and remediate vulnerabilities when they occur in the School's computer equipment, systems, and applications; and
3. Perform regular patch management in order to maintain the School's information systems in a secure state.

13. HIGH AVAILABILITY, DISASTER RECOVERY, AND PHYSICAL PROTECTION

Procedures related to high availability, disaster recovery, and physical protection are intended to make it possible for the School to continue to operate successfully in the face of adversity, which may range from mild, routine failures of School computers to severe natural or man-made catastrophes.

The School will ensure the availability and recoverability of the School's data and data systems in accordance with industry best practices.

Physical access to the School's data centers shall be governed by the same access requirements applicable to server rooms and telecommunications rooms at the School.

14. INCIDENT RESPONSES

All incidents of network or system shutdown or failure shall be reported to the IT Security Manager immediately. The IT Security Manager shall utilize industry standards and current best practices in responding to and resolving such incidents.

Incidents involving a data breach shall be reported to the Student Data Manager who, along with the IT Security Manager, shall follow the data breach protocol set forth in the School's Data Governance Plan.

15. ACQUISITION AND ASSET MANAGEMENT

The School shall follow its purchasing and procurement policies when purchasing technology equipment.

The School will track, support, and manage all of its acquired technology assets (hardware and software) in a reasonable and effective manner.

16. POLICY, AUDIT, AND E-DISCOVERY TRAINING

The School shall provide training on its policies as required by law. This includes providing training to its employees, aids, and volunteers regarding information technology security matters on an annual basis. The School shall also provide training on audits and e-discovery as required by law.

17. REVIEWS AND AUDITS

The IT Security Manager shall periodically review the School's security policies, procedures, plans. The IT Security Manager shall ensure that security and privacy audits are performed as required by this Plan or by law.

Instructional Materials Policy

Mountain West Montessori Academy
Instructional Materials Policy
Adopted: February 27, 2023
Amended: November 27, 2023
Amended: August 26, 2024
Amended: January 26, 2026

PURPOSE

The purpose of this policy is to establish the parameters by which Mountain West Montessori Academy (the "School") will select, approve, and purchase instructional materials. The purpose of this policy and accompanying procedures is to also set forth the School's process for reviewing challenges to instructional materials.

DEFINITIONS

"Instructional materials" are the resources used by educators to deliver curriculum or support student learning. These materials may be commercially available or School-created and include such materials as textbooks, reading materials, videos, digital materials, websites, online applications, and live presentations. "Instructional materials" do not include learning material used in a concurrent enrollment, advanced placement, or international baccalaureate program or class, or another class with required instructional material that is not subject to selection by the School.

"Sensitive material" means an instructional material that constitutes objective sensitive material or subjective sensitive material. "Sensitive material" does not include the instructional material outlined in Utah Code § 53G-10-103(1)(h)(ii).

"Objective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code §76-5C-208, under the non-discretionary standards described in Utah Code § 76-5c-207(1)(a)(i), or (ii), or (iii).

"Subjective sensitive material" means an instructional material that constitutes pornographic or indecent material, as that term is defined in Utah Code §76-5c-208, under the following factor-balancing standards:

(a) material that is harmful to minors under Utah Code §76-5c-101;
(b) material that is pornographic under Utah Code §76-5c-101; or
(c) material that includes certain fondling or other erotic touching under Utah Code §76-5c-207(1)(a)(i)(C)-(D).

"School community parent" means a parent who has a student currently attending the School, or will have a student enrolled in the School within one year, where the challenged instructional material is being reviewed in accordance with this policy and Utah Code § 53G-10-103(4).

"School setting" means the School's classrooms, library, and property. "School setting" also includes School-sponsored or required activities, including assemblies, guest lectures, live presentations, or other events.

"Stakeholder" for purposes of this policy means:

(a) an employee of the School;
(b) a student who is enrolled in the School;
(c) a parent of a child who is enrolled in the School; or
(d) a member of the School's Board of Directors.

POLICY

The School shall comply with the requirements of Utah law and Utah State Board of Education ("USBE") rule regarding the selection, approval, purchase, and review of instructional materials, including but not limited to Utah Administrative Code R277-468 and R277-469, Utah Code § 53G-10-103 and, when applicable, Utah Code § 53G-5-404.

The School's purpose in managing the selection, approval, purchase, and review of instructional materials is to implement, enrich, and support the School's educational program. It is also to prioritize protecting students from the harmful effects of illicit pornography over other considerations in evaluating instructional materials.

Criteria for Instructional Materials

Instructional materials should contribute to the intellectual development and positive character of students. Instructional materials used by the School shall:

(a) be consistent with the Utah Core standards;
(b) be consistent with the principles of individual freedom as defined in Utah Code § 53G-10-206;
(c) not constitute sensitive material as defined in Utah Code § 53G-10-103;
(d) not be prohibited discriminatory practice as described in Utah Code § 53B-1-118; and
(e) comply with all other applicable state laws and USBE rules.

Selection and Approval of Instructional Materials by the Director

The Board of Directors (the "Board") delegates to the School Director the authority and responsibility to select and approve instructional materials for the School, except under circumstances where the Board is specifically required by law or a different School policy to approve instructional materials.

The Director shall select and approve instructional materials that meet the criteria set forth in this policy. When considering instructional materials, the Director may review the USBE's recommended instructional materials (RIMs), but the Director is not required to select RIMs if there are other instructional materials available that meet the criteria set forth in this policy.

The Director shall involve School community parents and instructional staff in the consideration of instructional materials. The Director has discretion as to how to involve such parents and instructional staff in this process.

Selection and Approval of Instructional Materials by the Board

If the Board is required by law or School policy to approve instructional materials for use in the classroom, the Board shall do the following (in order) prior to approving the instructional materials:

(a) post the recommended instructional materials online to allow for public review or, for copyrighted material, make the instructional materials available at the School for public review; and

(b) hold at least two Board meetings where the recommended instructional materials is on the agenda and allow an opportunity at those Board meetings for School educators and parents of students enrolled in the School to express views and opinions on the recommended instructional material.

The Board may approve the recommended instructional materials in an open and regular Board meeting after the requirements above have been satisfied. The vote to approve the recommended instructional materials may occur at the second of the two Board meetings described in subsection (b) above.

In accordance with Utah Code § 53G-5-404(13), the requirements in this section apply only if the Board is approving instructional materials. The requirements do not apply if the Board is not approving instructional materials and instead only the Director is selecting and approving instructional materials (which Utah Code § 53G-5-404(13) refers to as "learning material"). In addition, the requirements in this section do not apply to educators' selection of supplemental materials or resources.

Any instructional materials approved by the Board shall meet the criteria set forth in this policy.

Purchase of Instructional Materials

The School shall follow its Purchasing and Disbursement Policy in connection with the purchase of any instructional materials, regardless of whether the instructional materials are selected and approved by the Director or by the Board. The School shall identify all costs associated with instructional materials prior to purchasing the instructional materials, including any implementation and professional development costs.

Educator Selection of Additional Supplemental Materials or Resources

Despite the foregoing, educators at the School may select and use supplemental materials or resources in their classroom to augment instructional materials already selected and approved by the Director or the Board so long as each of the following are satisfied:

(a) the educator has reviewed the supplemental materials or resources in their entirety prior to using them in the classroom;
(b) the supplemental materials or resources meet the criteria set forth in this policy; and
(c) the supplemental materials or resources have not previously been prohibited by the Director or the Board.

Contract Requirements

If the School contracts with a third party to provide online or digital materials, the School shall include in the contract a requirement that the provider give notice to the School any time that the provider makes a material change to the content of the online or digital materials, excluding regular informational updates on current events. The School shall also comply with applicable requirements in R277-469 related to School contracts with publishers for instructional materials.

Sensitive Material Review Procedures

Sensitive materials are prohibited in the School setting. In accordance with Utah law, USBE rule, and the School's administrative procedures, stakeholders may initiate a sensitive material review by the School if they feel an instructional material used by the School constitutes sensitive material.

The Director shall establish administrative procedures that set forth how stakeholders may initiate a sensitive material review by the School and the review process the School will follow. The administrative procedures shall comply with applicable Utah law and USBE rule.

Sensitive Material Review

Administrative Procedures

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

SENSITIVE MATERIAL REVIEW PROCESS

Stakeholders may initiate a sensitive material review by the School if they feel an instructional material used by the School constitutes sensitive material.

However, notwithstanding the foregoing, if a stakeholder makes three unsuccessful challenges during a given academic year, that individual may not trigger a sensitive material review during the remainder of the given school year. An "unsuccessful challenge" means an allegation that a given instructional material constitutes sensitive material that the School concludes to be erroneous, either on direct review or on appeal to the Board, resulting in the retention of the given instructional material.

Stakeholders may allege that an instructional material used by the School constitutes sensitive material by submitting the Sensitive Material Review Request Form accompanying these procedures. Upon receipt of the completed form by a stakeholder, the School shall:

Step One – Initial Review

(a)(i) Make an initial determination as to whether the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material, including whether the allegation includes excerpts and other evidence to support the allegation. The Director shall designate two or more School employees to make this initial determination for the School (the Director can be one of the two employees if he/she desires); and

(ii) If the School's initial determination is that that the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material as described above, the School shall immediately remove the challenged material until the School completes the School's full review of the challenged material as set forth below;

Step Two – Objective Sensitive Material Standards Review (if necessary)

(b)(i) If the School's initial determination is that the allegation presents a plausible claim that the challenged instructional material constitutes sensitive material, engage in a review of the allegations and the challenged instructional material using the objective sensitive material standards. The Director shall designate three or more individuals to conduct this review, one of which must be a School community

parent (the School employees who conducted the initial review may also be designated to conduct this review); and

(ii) If the School determines that the challenged instructional material constitutes objective sensitive material, the School shall ensure that the material remains inaccessible to students in any School setting;

Step Three - Subjective Sensitive Material Standards Review (if necessary)

(c) If, and only if, the School determines that the challenged instructional material does not constitute objective sensitive material, the School shall:

(i) Review the allegations and the challenged instructional material under the subjective material standards to determine if an instructional material is subjective sensitive material. The Director shall designate three or more individuals to conduct this review, but at least two of the individuals must be School community parents (the individuals who conducted the objective sensitive material standards review may also be designated to conduct this review, but at least two of the individuals must be School community parents);

(ii) Allow student access to the challenged instructional material during the School's subjective sensitive material review if the student's parent gives consent regarding the specific challenged instructional material; and

(iii) If the School determines that the challenged instructional material constitutes subjective sensitive material, ensure that the material is inaccessible to students in any School setting, including the termination of the parent consent option described above.

Miscellaneous Review Rules

Neither the individuals responsible for procurement of the challenged instructional materials nor the stakeholder who is challenging the instructional materials may serve on any of the review committees described in the steps above.

If the School requires a School employee to participate on a sensitive materials review committee requiring engagement outside of contract hours, the School shall compensate the employee for the employee's time participating on the committee.

Communication

Soon after the completion of a sensitive material review, the School shall communicate its final determination (regardless of in which step the final determination comes) in writing to the stakeholder who requested the review.

The School shall also communicate to the USBE each stakeholder sensitive material review request, the final determination by the School on each request, and the School's rationale for its final determination on each request. The Director shall communicate this information to the USBE on behalf of the School using the form provided by the USBE:

(a) within 30 school days of the final determination; or

(b) if an appeal is in process, at the conclusion of the appeal.

Appeal

A stakeholder may appeal the School's decision to the Board regarding a sensitive material review by submitting to the Board President the Sensitive Material Appeal Request Form within fourteen days of receiving the School's decision. A stakeholder may file such an appeal regardless of whether the School removed or retained the challenged instructional material. The Board shall vote in a public board meeting to decide the outcome of a sensitive material review appeal. In the board meeting, the Board shall clearly identify:

(a) the Board's rational for its decision; and
(b) the Board's determination on each component of the statutory and any additional policy standards used by the Board to reach the Board's conclusion.

REMOVING INSTRUCTIONAL MATERIALS THAT CONSTITUTE SENSITIVE MATERIAL

Removing Instructional Material if State Threshold is Met

In accordance with Utah Code § 53G-10-103(7), the School shall remove instructional material from student access upon being notified by the USBE that the following number of LEAs in the state have determined that the instructional material constitutes objective sensitive material:

(a) at least three school districts; or
(b) at least two school districts and five charter schools.

However, removal from student access under these circumstances is subject to the USBE voting to overturn the application of the statewide removal requirement with respect to the instructional material. If the USBE votes to overturn the application of the statewide removal requirement with respect to the instructional material, the statewide removal requirement no longer applies and the School may choose to return access to the instructional material to its students.

Removing Instructional Material After Sensitive Material Review

The School shall follow the applicable removal requirements described in Steps One through Three of the School's sensitive material review process. In addition, if at the completion of the sensitive material review process the School makes a final determination that an instructional material constitutes sensitive material, the School shall remove the instructional material.

Disposal of Instructional Material

When removing instructional material because it constitutes sensitive material, the School shall:

(a) physically remove the sensitive material from the School;
(b) remove all access by students to the sensitive material;

(c) communicate with the relevant vendors and publishers regarding the School's decision;
(d) legally dispose of the sensitive material; and
(e) not sell or distribute the sensitive material.

MOUNTAIN WEST Montessori Academy

Sensitive Material Review Request Form

Information about Instructional Material Requested to be Reviewed:

1) Title:
2) Author:
3) Publisher:
4) Do you believe this instructional material constitutes sensitive material as that term is defined in Utah Code § 53G-10-103? Yes No

Information about Requestor:

1) Name:
2) Phone:
3) Address:
4) Email:
5) Are you a student of Early Light Academy? Yes No
6) Are you a parent of a student of Early Light Academy? Yes No
7) Are you an employee of Early Light Academy? Yes No
8) Are you a board member of Early Light Academy? Yes No

Information about Review Request:

1) Was this instructional material recommended, assigned, used, or made available through the school? If so, please explain.

2) In your opinion, how does this instructional material constitute sensitive material? Please provide examples, page numbers, links, or other information to help in locating or identifying the content you believe qualifies as sensitive material. Please attach any images or other corroborating evidence. You may attach additional pages as needed.

Requestor's Signature:_____ Date: _____

After you submit this Form, you will receive an acknowledgment of receipt and an estimated timeline for when a decision will be made by the School. The School generally completes its review and makes its final decision between thirty to sixty (30-60) days after its receipt of a request for review.

Sensitive Material Appeal Request Form

Instructions:

A requestor must submit this Form along with a copy of the School's written decision on the sensitive material review request within fourteen (14) days of receiving the School's written decision.

Information about Requestor:

1) Name:
2) Phone:
3) Address:
4) Email:
5) Date you received the School's written decision on your sensitive material review request: _____
6) Are you a student of Early Light Academy? Yes No
7) Are you a parent of a student of Early Light Academy? Yes No
8) Are you an employee of Early Light Academy? Yes No
9) Are you a board member of Early Light Academy? Yes No

Information about Challenged Instructional Material:

1) Title:
2) Author:
3) Publisher:
4) Please provide a written statement setting forth your rationale for appealing the School's decision regarding the challenged instructional material (attach additional pages as needed).

Requestor's Signature:_____ Date: _____

After you submit this Form, you will receive an acknowledgment of receipt and an estimated timeline for when a decision will be made by the Board in a public board meeting. The Board generally tries to make its decision at a public board meeting between thirty to sixty (30-60) days after its receipt of an appeal.

Investment Policy

Mountain West Montessori Academy
Investment Policy
Adopted: January 28, 2019

PURPOSE

Mountain West Montessori Academy (the "School") shall invest its cash assets in such a manner as to comply with the requirements of the State Money Management Act (the "Act") as set forth in Utah Code Ann. § 51-7-1 et seq.

Although certain market conditions may allow for short-term investment of funds in a vehicle other than the Utah Public Treasurers' Investment Fund ("PTIF"), the primary purpose of this policy is for the investment of funds for periods of 24 months or longer.

The objectives of this policy include the following:

A. To provide for the safety of principal, preservation of capital, and mitigation of risk.

B. To provide for the liquidity necessary to match the School's cash requirements.

C. To increase interest income through higher yielding investments.

POLICY

The School shall make investment decisions as follows:

A. All investment activities shall be conducted with the same degree of judgment and care which an ordinary reasonable person exercises in the management of their own affairs.

B. Professionals retained by the School as defined in the Act, so long as they are acting in accordance with the Act and this policy and exercise due diligence, shall be relieved of personal responsibility for credit or market price changes, provided that deviations are reported to the Board of Directors in a timely fashion and appropriate action, if necessary, is taken to control adverse developments.

C. Individuals involved in the School's investments shall refrain from personal business activity in conflict with proper execution of this policy.

D. The Board of Directors shall manage investment activities authorized by the Act in consultation with the School's financial advisor. The Board of Directors shall maintain a system of internal controls so that School funds are protected at all times from loss, theft, and fraud.

E. The Board of Directors shall name a financial institution with a Utah office as the custodian for all investments made by the School other th an PTIF investments, which are held by financial institutions designated by the State Treasurer. In addition, the School shall purchase investments only from those certified dealers and registered agents that have registered with the State Money Management Council.

F. To the extent possible, the School shall attempt to match investments with anticipated cash requirements, although the PTIF is preferred for periods up to two years.

Transfers into and out of the School's investment accounts to accomplish the objectives of this policy may be made when approved by both the Director and the School's Management Company. Any transfer approved by both the Director and the School's Management Company shall be reported to the School's Board of Directors.

MWMA Investment Policy
Board Approval Date: 1-28-19

Jury Duty Administrative Procedures

Mountain West Montessori Academy ("the School") will follow Utah law, which states that employers are required to allow employees to take time off to serve on a jury and cannot require the employee to use vacation, sick leave, or PTO.

The state pays jurors a small fee for their service. Although employers are not required to pay employees for the time spent serving on a jury, the School would like to share the financial burden that could be placed on full time employees. Therefore, the School will pay full time employees their normal rate of pay, minus the stipend they make from the state, for up to three days of jury duty. This will help offset the cost the school incurs for hiring a substitute and no PTO will be deducted.

Part time employees will not receive their hourly wages while serving on jury duty.

MWMA Judy Duty
ADMIN Procedures
Last Updated: 9-01-17

Language Access Policy

Mountain West Montessori Academy
Language Access Policy
Adopted: April 24, 2023

PURPOSE

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

DEFINITIONS

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

"Primary language" means the first language spoken by a student and a student's parent/guardian.

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

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

POLICY

Language Access Coordinator

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

Notification to Employees

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

Determination of Primary Language

Within thirty (30) calendar days of a student's enrollment (or re-enrollment) in the School, the School shall determine the primary language spoken by the student and the student's

parent/guardian, and if such language is not English, whether the student and parent/guardian require language assistance to communicate effectively with the School.

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

Obligation to Provide Language Assistance Services

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

Interpretation Services

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

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

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

Translation Services

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

(a) registration or enrollment materials, including home language surveys and English learning program entrance and exit notifications;
(b) assignments and accompanying materials;

(c) report cards or other progress reports;
(d) student discipline policies and procedures;
(e) grievance procedures and notices of rights and nondiscrimination;
(f) parent or family handbooks;
(g) requests for parent permission; and
(h) any other guidance, including guidance on when oral interpretation is preferable to written translation, to improve instruction and assistance by teachers, counselors, and administrators to a student learning English and the student's parents/guardians and family.

Centrally Produced Critical Communications

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

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

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

Student-Specific Critical Documents

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

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

Qualifications of Interpreters and/or Translators

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

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

COMPLAINTS

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

ANNUAL REVIEW OF POLICY

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

MWMA Language Access Policy
Board Approval Date: 4-24-23

LEA-Specific Educator License Policy

Mountain West Montessori Academy
LEA-Specific Educator License Policy
Adopted: June 22, 2020
Amended: March 28, 2022

PURPOSE

Mountain West Montessori Academy (the "School") is committed to employing educators who are properly licensed and qualified for their positions. This policy is adopted in accordance with Rule R277-301 and governs the School's application for LEA-specific educator licenses and its employment of educators on such licenses.

The School acknowledges that the purpose of LEA-specific educator licenses is to allow the School to hire otherwise qualified educators during the period that they are preparing and completing requirements to qualify for an associate educator license or a professional educator license.

POLICY

Applying for an LEA-Specific Educator License

The School's administration will propose to the Board of Directors (the "Board") candidates for an LEA-specific educator license as the need arises.

When the administration proposes a candidate for an LEA-specific license, they will follow the procedures below and provide the Board with an explanation and rationale for requesting an LEA-specific educator license under the criteria contained in this Policy.

When the Board determines that it is appropriate under this policy, the Board will approve the request for an LEA-specific educator license in a public meeting. Approval will take place no more than 60 days prior to submitting the application to the USBE on behalf of the candidate.

The Board will apply for the LEA-specific educator license for one, two, or three years as requested by the administration and approved by the Board, and in accordance with R277-301-7.

The School may not issue an LEA-specific license area of concentration to an educator for the license areas identified in R277-301-7, including special education, pre-school special education, deaf education, school psychologist, school social worker, audiologist, speech language therapist, or speech language pathologist.

In accordance with R277-301-8, the Board may request an eminence designation for an LEA-Specific license, license area, or endorsement for a teacher whose employment with the School is no more than 37% of a teacher's regular instruction load.

Criteria for Employing Educators with an LEA-Specific Educator License

The School will use the following processes and consider the following criteria in determining whether to employ an educator and apply for an LEA-specific educator license:

1. Vet each candidate and contact references in order to verify that they are a strong candidate. In particular, ensure that the candidate does not have any prior misconduct that would impair their success in teaching.

2. Interview each candidate and verify that they support the School's Montessori philosophy of education.

3. Consider the extent to which each candidate has training in the content area and the ability to facilitate student learning in that content area.

4. Consider the extent to which each candidate has experience and the ability to effectively teach courses.

5. Consider whether the LEA-specific educator license is sought in a content area in which there is a shortage of qualified educators in the state.

When an LEA-specific license, license area, or endorsement is sought for an educator for a subject that comprises less than 50% of the educator's course load, the following criteria will also be considered:

1. Consider whether the educator is a certified teacher in other content areas.

2. Consider whether the number of periods to be taught under the LEA-specific license, license area, or endorsement constitutes a full teaching load.

3. Consider whether the School currently employs or is hiring a teacher who does not have a degree or endorsement in the content area but who can also teach other areas in which they are licensed.

4. Consider whether the educator has demonstrated proficiency in teaching these courses.

The School will also ensure that a candidate for an LEA-specific educator license has completed (or will timely complete) the required criminal background check and educator ethics review described in R277-301-7.

Educator Preparation and Support

Within the first year of employment, the School will train each educator holding an LEA-specific educator license on:

(a) educator ethics;

(b) classroom management and instruction;

(c) basic special education law and instruction; and

(d) the Utah Effective Teaching Standards described in R277-530.

Website Posting

This policy will be posted on the School's website.

The School will also prominently post the following information on its website:

(a) disclosure of the fact that the School employs individuals holding LEA-specific licenses, license areas, or endorsements;

(b) an explanation of the types of licenses issued by the USBE;

(c) the percentage of the types of licenses, license areas, and endorsements held by educators employed in the School based on the employees' FTE as reported to the USBE Superintendent; and

(d) a link to the Utah Educator Look-up Tool provided by the USBE Superintendent in accordance with Subsection R277-312-7(6).

Library Materials Policy

Mountain West Montessori Academy
Library Materials Policy
Adopted: August 15, 2022
Amended: October 28, 2024

Philosophy:

The purpose of Mountain West Montessori Academy's (the "School") Library and its programming is to support the School's curriculum, goals, and mission.

The School's Board of Directors ("The Board"), School administration, and Library staff are dedicated to the stewardship of a Library that:

1. Promotes intellectual freedom through thoughtful access to information and ideas.
2. Promotes materials and programs rich in diversity that act as both mirrors that reflect student lives, which they can relate to, as well as windows into the wonderful and diverse world around them.
3. Complies with state and federal law and Utah State Board of Education Rule.

In accordance, the Library serves as a learning environment for students as they acquire the skills needed in the 21st Century and where students can expand their intellectual world and engage in an open exchange of ideas and information.

Intellectual Freedom:

In order to encourage the open exchange of information and ideas, the Library (in accordance with those principles set forth in the Library Bill of Rights and the Freedom to Read Statement, adopted by the American Library Association) will provide unrestricted access to materials that comply with this policy and that support the School's curricular goals as well as the personal interests of students, faculty, and staff.

Library Objectives

The objectives of the Library are:

1. To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, learning styles and maturity levels of the students served.
2. To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic value, and ethical standards.
3. To provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our national heritage and the world community.

4. To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate to the school community.

Acceptable Use Statement

The Library contains valuable materials and resources, including electronic devices and resources. The School recognizes the educational value and opportunities they provide to students and staff. Use of and access to electronics and electronic resources shall be governed by the School's Electronic Resources Policy. The Librarian, in conjunction with the School's Director, will establish additional administrative procedures regarding acceptable use of non-electronic library materials.

Materials Selection and Purchasing:

Selection Criteria

Selection of materials in the Library shall be in full accordance with those principles set forth in the Library Bill of Rights and the Freedom to Read Statement adopted by the American Library Association Council. In general, materials should:

a. Support and enrich the curriculum and/or students' personal interests and learning.
b. Meet high standards in literary, artistic, or aesthetic quality; technical aspects, and format.
c. Be appropriate for the subject area and for the age, emotional development, ability level, learning styles, and social, emotional, and intellectual development of the students in a K-9 setting.
d. Incorporate accurate and authentic factual content from authoritative sources.
e. Earn favorable reviews in standard reviewing sources and/or favorable recommendations based on preview and examination of materials by professional personnel.
f. Exhibit a high degree of potential user appeal and interest.
g. Represent differing viewpoints on controversial issues.
h. Provide a global perspective relevant to today's issues, aspirations, attitudes, and ideals of a global society.
i. Balance cost with need.
j. Be considered on individual merit regardless of their status as best-seller or popular author.
k. Include works of artistic, historic, and literary significance.
l. Be accessible to students of varied abilities.
m. Be reflective of the contribution to our country and our society by many varied groups, including (but not limited to) women, minorities, and ethnic groups.

In accordance with state law, materials in the School's Library shall:

a. Not contain any "sensitive material" as that term is defined by Utah Code § 53G-10-103.

b. Be consistent with the principles of individual freedom as defined in Utah Code § 53G-10-206.
c. Not be prohibited discriminatory practice as described in Utah Code § 53B-1-118.
d. Comply with all other applicable state laws and Utah State Board of Education rules.

Final decisions on purchases reside with the Librarian. The Director and Librarian will develop procedures to guide the selection of materials.

Material Reconsideration

Despite the care taken to select worthwhile texts for student reading and the qualifications of teachers selecting and recommending books, occasional objections to a work will undoubtedly be made.

Employees, currently enrolled students, parents or guardians of currently enrolled students, and Board members may initiate a sensitive material review by the School if they find material in the Library objectionable on the basis that it constitutes sensitive material. This must be done in accordance with the School's Instructional Materials Policy and its accompanying sensitive material review procedures.

The Director and Librarian will develop procedures to handle situations in which employees, currently enrolled students, parents or guardians of currently enrolled students, and Board members may challenge material in the Library on grounds other than they constitute sensitive material.

Donations and Gifts

The Library welcomes gifts that are consistent with the mission and selection principles, are in good condition, and for which the Library has sufficient space and appropriate resources to maintain. The Director and Librarian will develop procedures to handle materials donations.

Discarding Materials

To promote high quality in the collection and to allow space for acquiring new materials, the librarian oversees ongoing weeding, or discarding of materials. The Director and Librarian will develop procedures to handle the discarding of Library materials.

MOUNTAIN WEST Montessori Academy

Library Materials

Administrative Procedures

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

I. Selection of Materials for School's Library Collection

a. The School's librarian will select all library materials, including materials provided as gifts or donations to the School's library. The selection of library materials will be consistent with the School's Library Materials Policy and will be performed under the direction of the Director.
b. The following selection criteria will be used in addition to those outlined in the Library Materials Policy:
    i. Support and enrich the curriculum and/or students' personal interests and learning
    ii. Meet high standards in literary, artistic, and aesthetic quality; technical aspects; and physical format
    iii. Be appropriate for the subject area and for the age, emotional development, ability level, learning styles, and social, emotional, and intellectual development of the students in a K-9 setting
    iv. Incorporate accurate and authentic factual content from authoritative sources
    v. Earn favorable reviews in standard reviewing sources and/or favorable recommendations based on preview and examination of materials by professional personnel
        1. Sources include, but are not limited to: Bulletin of the Center for Children's Books; The Horn Book Review; Kirkus Reviews; Booklist; Publishers Weekly; School Library Journal; Multicultural Review; VOYA; and the American Library Association Youth Media Awards
c. The School's library collection will reflect a diversity of ideas, varying viewpoints, and adhere to applicable law.
d. Any electronic databases and other web-based searches and content will be filtered through the School's state-required internet filter.
e. The Library welcomes gifts that are consistent with the mission and selection principles, are in good condition, and for which the Library has sufficient space and appropriate resources to maintain. Books and other materials not added to the collection will be offered to classroom teachers or will be disposed of at the discretion of the Librarian.

II. Library Collection Maintenance

a. Library materials will be maintained consistent with the criteria listed above and applicable state and federal laws, including Utah Code § 53G-10-103.
b. The librarian or another employee designated by the School's Director will inventory the School's library collection and equipment at an interval determined by the Director. The inventory may be used to:
    i. Determine losses and remove damaged or worn materials to be considered for replacement;
    ii. Deselect and remove materials that are no longer consistent with the law or that are no longer relevant to the curriculum or of interest to students; or
    iii. Identify gaps or deficits in the School's library collection.
c. To promote high quality in the collection and to allow space for acquiring new materials, the librarian oversees ongoing weeding, or discarding of materials, bearing in mind the MUSTIE technique:
    i. *Misleading*—factually inaccurate information should be discarded from the collection
    ii. *Ugly*—books that are worn out beyond repair should be discarded
    iii. *Superseded*—by a new edition or a better book on the same subject. These books should be discarded as well.
    iv. *Trivial*—if there is no discernible literary, historical, or scientific merit, and it does not circulate, it should be discarded.
    v. *Irrelevant*—if it does not meet the needs of the Library and the community, it would better to be discarded where someone would make use of the book.
    vi. *Elsewhere*—if the material is easily attained in another library or another/ preferable format in the Library, the material may be discarded.
d. The Library's main focus is in providing up-to-date and relevant material to support the curriculum, in order to inspire learning that leads to responsible action. The school Library does not serve as an archive, and the efforts of the Library staff lean more toward replacement than preservation.
    i. Discarded materials will be offered to classroom teachers or will be disposed of at the discretion of the Librarian.

III. Library Materials Review Process

a. Mountain West Montessori Academy believes that censorship is a purely individual matter and declares that while anyone is free to reject materials not personally approved of, no person or group (except as otherwise provided in Utah Code § 53G-10-103(7)) may exercise this right of personal censorship to restrict the freedom of others.

Challenges Based on Sensitive Material Standard:

b. The following individuals may challenge a library material on the basis that it constitutes sensitive material by initiating a sensitive material review by the School in accordance with the School's Instructional Materials Policy and its accompanying sensitive material review procedures:
    i. A parent of a student who attends the School;
    ii. A student who attends the School;
    iii. An employee of the School; or

iv. A Board member of the School.

c. All challenges to library materials based on them constituting sensitive material shall be done pursuant to the School's Instructional Materials Policy and its accompanying sensitive material review procedures.

Challenges Based on Other Grounds:

d. The same individuals referenced in subsection (b) above may also challenge a library material on other grounds by first scheduling a meeting with the Librarian to voice their concern. The Librarian, in an effort to explain why the material was selected, will share the collection development procedure and seek to clarify why the material is appropriate for a K-9 public school setting.
e. If the party desires further consideration of the item, a library materials review request must be made in writing by completing the School's Library Materials Review Request Form and submitting the Form to the School's Director. The requestor must provide all information requested on the Form.
    i. The Library Materials Review Request Form is available by request from the School's Director.
    ii. All library material review requests shall be reported to the Utah State Library and to the American Library Association Office of Intellectual Freedom.
f. To the extent practicable, the identity of a requestor will be protected and kept confidential from all individuals outside of the School's review process outlined in these procedures.
g. The material that is subject to a review request will remain available to students until the processes described in these procedures are completed. The material will be considered to be in compliance with the Library Materials Policy unless it is determined otherwise by the Review Committee.
h. After receipt of a request for review, the School's Director or another employee designated by the School's Director will acknowledge receipt of the request and convene a Library Materials Review Committee (the "Review Committee") within a reasonable time according to the procedure outlined below:
    i. Members of the Review Committee will be selected by the Director and include at least the following:
        1. The School's Assistant Director or another member of the School's administration;
        2. A licensed teacher at the School (if practicable, the teacher will be a teacher who teaches a subject that is relevant to the challenged material);
        3. The School's librarian; and
        4. When possible, at least two parents of current students at the School that are reflective of the School community, appointed by the School's Director.
i. The Review Committee will determine the amount of time needed for an adequate review of the challenged material to make a thorough and thoughtful decision and inform the requestor of the determined timeline. The Review Committee will strive to

complete all reviews and make its final decision between thirty to sixty (30-60) days of its receipt of the request for review.

j. Each member of the Review Committee will receive materials to complete the review process, including the following:
    i. A copy of the Library Materials Review Request Form that was submitted;
    ii. Access to the challenged material being;
    iii. A copy of the School's Library Materials Policy and these procedures; and
    iv. Any relevant information about the challenged material from the School's librarian, including the reason(s) the material was selected to be in the School's library collection.
k. The Review Committee will schedule a meeting (or multiple meetings, if the Review Committee determines that is necessary) to complete the review process.
l. The Review Committee will determine whether the challenged material was in violation of the School's Library Materials Policy and these procedures.
m. The Review Committee will make a final decision on a challenged material as follows:
    i. **Retained**: the decision to maintain access in the School to the challenged material for all students or;
    ii. **Removed**: the decision to prohibit access in the School to the challenged material for all students.
n. The decision of the Review Committee will be determined by majority vote of the Review Committee members.
o. The final decision of the Review Committee will be communicated in writing to the requestor and appropriate School employees within seven (7) days of the decision being made.
p. The challenged material may not be reviewed again for three (3) school years following the Review Committee's decision.
q. The School will maintain a list of all materials that receive a "removed" decision from the Review Committee and share the list with all School employees. The list will also be made available to the public upon request.
r. The School will also maintain a list of all Review Committee final decisions on challenged material and share the list with all School employees, whether the final decision was retained or removed.
s. If library materials review requests become unduly burdensome, the School may limit the number of review requests an individual may make in the course of a school year.

IV. Appeals Process

a. The original requestor or another individual listed in Section III(b) who was not on the Review Committee may appeal the decision of the Review Committee in writing to the School's Board of Directors (the "Board") within fourteen (14) days of receipt of the Review Committee's final written decision using the School's Library Materials Appeal Request Form.
    i. The Library Materials Appeal Request Form is available by request from the School's Director.

b. After receipt of a completed Library Materials Appeal Request Form, the Board President or another Board member designated by the Board President will acknowledge receipt of the appeal and appoint a Library Materials Appeals Committee (the "Appeals Committee") within a reasonable time according to the procedure outlined below:
    i. The Appeals Committee will include at least three individuals.
    ii. Members of the Appeals Committee will be selected by the Board President or another Board member designated by the Board President and include at least the following:
        1. Two or more Board members;
        2. The School Director and/or other School employee who did not participate in the initial Review Committee.
    iii. The Board President or another Board member designated by the Board President may, in his/her discretion, also add to the Appeals Committee a parent or licensed teacher at the School who did not participate in the initial Review Committee.
    iv. If a quorum of the Board is selected to serve on the Appeals Committee, the Appeals Committee will follow the Open and Public Meetings Act in its deliberations.
    v. Notwithstanding the foregoing, neither the Board President nor any other Board member may do the following if the Board President or other Board member is the person challenging the library material or was on the initial Review Committee:
        1. Appoint the Appeals Committee; or
        2. Serve on the Appeals Committee,
c. The Appeals Committee will determine the amount of time needed for an adequate review of the challenged material to make a thorough and thoughtful decision and inform the requestor of the determined timeline. The Appeals Committee will strive to complete its review and make its final decision between thirty to sixty (30-60) days of its receipt of the appeal.
d. Each member of the Appeals Committee will receive materials to complete the review process, including the following:
    i. A copy of the Library Materials Review Request Form;
    ii. A copy of the Library Materials Appeal Request Form;
    iii. A copy of the challenged material;
    iv. The Review Committee's final decision and rationale for the decision; and
    v. A copy of the School's Library Materials Policy and these procedures.
e. The Appeals Committee will schedule a meeting (or multiple meetings if the Appeals Committee determines that is necessary) to complete the appeals process.
f. The Appeals Committee may make a final decision of a reviewed material as follows:
    i. **Retained**: the decision to maintain access in a school setting to the challenged material for all students;
    ii. **Removed**: the decision to prohibit access in a school setting to the challenged material for all students; or
    iii. Another decision as decided by the Appeals Committee.

g. The decision of the Appeals Committee will be determined by majority vote. This decision is final, subject to Section V below.
h. A challenged material may not be reviewed again for three (3) school years if the Appeals Committee votes to uphold the Review Committee's decision.
i. The final decision of the Appeals Committee will be communicated in writing to the requestor and appropriate employees within seven (7) days of the decision.
j. The School will maintain a list of the final decisions made by the Appeals Committee and share the list with all School employees. The list will also be made available to the public upon request.

MOUNTAIN WEST Montessori Academy

Library Materials Review Request Form

Information about Library Material Requested to be Reviewed:

1) Title: _____
2) Author: _____
3) Format: (book, magazine, a/v, other) _____

Information about Requestor:

1) Name: _____
2) Telephone: _____
3) Address: _____
4) Email: _____
5) Are you a student of this school? Yes No
6) Are you a parent of a student of this school? Yes No
7) Are you an employee of this school? Yes No
8) Are you a Board member of this school? Yes No

Information about Review Request:

1) After reviewing the School's Library Materials Policy (available on the school web page) how do you believe this item violates that policy? _____
   _____

2) What specific complaints, objections, or concerns do you have about this library material? Please provide examples, page numbers, links, or any other information to help in locating or identifying the content of concern. Please attach any images or other corroborating evidence. You may attach other additional pages as needed. _____
   _____

3) What action(s) are you requesting the Library Materials Review Committee to consider taking? _____

4) What suggestion do you have for additions to the collection that would complement or balance this title? _____

Requestor's Signature: _____ Date: _____

After you submit this Form, you will receive an acknowledgment of receipt and an estimated timeline for when a decision will be made by the Review Committee. The Review Committee generally completes its review and makes its final decision between thirty to sixty (30-60) days after its receipt of a request for review.

****************************Below is for Internal Use Only***************************

Name of Administrator Convening the Review Committee: _____

Anticipated Date by Which Review will be Completed: _____

MOUNTAIN WEST Montessori Academy

Library Materials Appeal Request Form

Instructions:
A requestor must submit this Form along with a copy of the Review Committee's written decision within fourteen (14) days of receiving the Review Committee's written decision.

Information about Requestor:

1) Name: _____
2) Telephone: _____
3) Address: _____
4) Email: _____
5) Date you received Review Committee's written decision:
6) Are you a student of this school? Yes No
7) Are you a parent of a student of this school? Yes No
8) Are you an employee of this school? Yes No
9) Are you a Board member of this school? Yes No

Information about Challenged Library Material:

1) Title: _____
2) Author: _____
3) School: _____
4) Please provide a written statement setting forth your rationale to appeal the Review Committee's decision regarding the challenged library material (attach additional pages as needed). _____

Meal Charge & Alternate Meal Procedures

I. Purpose

Mountain West Montessori Academy ("the School") participates in the National School Lunch Program ("NSLP"). The School provides meals to its students pursuant to these programs and offers free or reduced price meals to eligible students. Participating students who are not eligible for free or reduced price meals may receive meals at the School at the normal paid rate.

These procedures address how the School will handle situations where students eligible to receive reduced price or paid rate meals at school do not have money in their account or in hand to pay for the cost of a meal at the time of meal service. These procedures also address, among other things, where families can find assistance with applying for free or reduced price school meals, alternate meals, notification and collection of unpaid meal charges, and how the School will communicate these procedures to families and School personnel.

II. Information about Free or Reduced Price Meals

A. Prior to or at the beginning of each school year, the School will provide to the parent or guardian of each student:
   (i) Information about school meals, including prices for the meals and acceptable methods of paying for the meals;
   (ii) Information about the NSLP, including how students qualify for free or reduced priced meals under the programs; and
   (iii) An application for free or reduced priced meals under the NSLP.

B. The School will provide the information and application as follows:
   (i) The School website provides parents with the current lunch menu, pricing, and links to online lunch payment information as well as free and reduced lunch applications and information. Hard copies are available in the front office upon request.
   (ii) The School will not provide the information and application at the end of the school year for the next school year, but will provide the information and application on or after July 1 of each year.

C. Completed applications should be returned to the School as soon as possible, but completed applications will be accepted by the School throughout the year. Parents or guardians should contact Ms. Terra in the front office at (801)566-6962 for questions about or assistance with applying for free or reduced priced school meals.

III. Students Unable to Pay for Meals

A. Students who are unable to pay for a meal at the time of meal service, either because they don't have sufficient money in their meal account or on their person, will be allowed to charge the meal to their meal account unless their meal account balance is negative in the amount of $10.00 or more.

B. Students allowed to charge a meal to their meal account under the terms described above will receive a regular reimbursable meal as opposed to an alternate meal.

C. This Section does not apply to students who have qualified for free meals under the NSLP, as such students are not required to pay for reimbursable meals at the School.

D. This Section also does not apply to the lunches of students who have qualified for reduced-price meals under the NSLP. Per Utah Code § 53F-2-423, students who have qualified for reduced-price meals under the NSLP are not required to pay for reimbursable lunches at the School.

IV. Alternate Meals

A. Students whose meal accounts have a negative balance of $10.00 or more will not be allowed to charge a regular reimbursable meal to their account. Under those circumstances the School will offer such students an alternate meal. The School will not charge such students for an alternate meal. This paragraph does not apply to students who have qualified for free meals under the NSLP, as such students are not required to pay for reimbursable meals at the School and will never be denied a regular reimbursable meal by the School. Per Utah Code § 53F-2-423, this paragraph also does not apply to the lunches of students who have qualified for reduced-price meals under the NSLP, as such students are not required to pay for reimbursable lunches at the School and will never be denied a regular reimbursable lunch by the School.

B. Alternate meals may consist of a sandwich and carton of milk or other low-cost entrée.

C. Alternate meals will be presented in the same manner as regular reimbursable meals, on a lunch tray in the lunch line.

V. Notifications Regarding Balances; Collection Efforts

A. The School will notify parents or guardians of low meal account balances. When a student's meal account reaches a balance of $5.00 or lower, the School will notify the student's parent or guardian of the low balance by email and request that payment on the account be made prior to the account reaching a negative balance.

B. The School will notify parents or guardians of negative meal account balances. When a student's meal account has a negative balance, the School will notify the student's parent or guardian of the negative account balance by phone call and request payment on the account be made as soon as possible.

C. When a student's meal account reaches a negative balance of at least $50.00, the School will continue to notify parents or guardians as described above and may also turn the account over to collections.

D. The School may contact parents or guardians of students with delinquent meal accounts to inquire if the household might be eligible for free or reduced price meal benefits under NSLP.

E. Ms. Terra at the School is generally responsible for managing meal account balances and balance notifications and can be reached at (801)566-6962 for questions or concerns related to such matters.

F. Ms. Karen at the School is generally responsible for managing the School's collection efforts and can be reached at (801)566-6962 for questions or concerns related to such matters.

G. The School will maintain documentation of the balance notifications and collection efforts described above, as this may be requested as part of federal or state audits.

H. The School will do the following when a student has a positive meal account balance but has left the School (e.g., transferred, entered high school, etc) and will not be returning to the School:

(i) Contact the parent or guardian of the student to inquire what he or she wants the School to do with the money (e.g., issue a refund, transfer the money to the meal account of the student's sibling (if any) still attending the School, or apply to other School students' meal accounts who aren't able to pay for their School meals (such as those students who have negative and/or delinquent meal account balance)). The School will attempt to contact the parent or guardian multiple times and will document all contact and attempts to contact the parent or guardian;

(ii) If the parent or guardian responds to the School's inquiry, the School will do what the parent or guardian requests with respect to the money in the student's meal account; and

(iii) If the parent or guardian does not respond to the School's inquiries within 180 days of the School's first attempt to contact the parent or guardian, the School will apply the money in student's positive meal account balance toward other School students' meal account balances that are negative and/or delinquent.

VI. Communication of Procedures

A. Prior to or at the beginning of each school year, and upon a student transferring to the School during the school year, the School will provide to the parent or guardian of each student a written copy of these procedures by including them in registration materials and including them in the School's Policies and Procedures manual.

B. In order to ensure that these procedures are applied consistently and correctly, the School will also annually provide a copy of these procedures to all School personnel who are responsible for or involved in:
   (i) Collecting payment for meals at the time of meal service;
   (ii) Notifying parents or guardians of low or negative meal account balances;
   (iii) Collection efforts for delinquent meal accounts;
   (iv) Distributing these procedures and the information described in Section II; and
   (v) Enforcing any aspect of these procedures.

C. The School will post these procedures on its website and may also choose to provide additional copies to parents or guardians of students whose meal accounts reach a negative balance.

D. The School will maintain documentation of the communication methods described above, as this may be requested as part of federal or state audits.

E. Various stakeholders in the School community were involved in developing these communication procedures.

VII. Review of Procedures

A. The School will review these procedures annually and revise them as it deems necessary.

Notice of Nondiscrimination

Mountain West Montessori Academy (the "School") does not discriminate on the basis of sex, race, color, national origin, creed, religion, age, marital status, or disability in admission or access to, or treatment or employment in, its educational programs or activities as required by Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Title II of the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. The School's policy against discrimination applies in all aspects of the School's programs and activities.

The following persons at the School have been designated to handle inquiries regarding the School's nondiscrimination policies:

Title IX Coordinator – handles all complaints of sex discrimination and sexual harassment
Sheri Ebert, Assistant Principal
4125 West Foxview Drive
South Jordan, Utah 84095
Telephone: 801-566-6962
Fax: 801-727-7109
Email: sebert@mwmacademy.org

Person designated to handle all other complaints of discrimination
Angie Johnson, Principal
4125 West Foxview Drive
South Jordan, Utah 84095
Telephone: 801-566-6962
Fax: 801-727-7109
Email: ajohnson@mwmacademy.org

Parents of students or other concerned individuals may contact Ms. Johnson to make inquiries or complaints regarding the School's policy against discrimination, including if they suspect that the School has engaged in disability discrimination in admissions and enrollment.

In addition, if an individual believes that he or she, or his or her child, has been discriminated against by the School on the basis of disability, that individual may contact the U.S. Department of Education for Civil Rights ("OCR"). OCR is a federal agency responsible for enforcing numerous federal civil rights laws that prohibit discrimination in programs or activities that receive federal financial assistance from the Department of Education, including public schools. The contact information for OCR's headquarters (in Washington, D.C.) and its Denver Office (the office that serves Utah) is as follows:

U.S. Department of Education Office for Civil Rights Lyndon B. Johnson Department of Education Bldg 400 Maryland Avenue, SW Washington, DC 2020-1100 Telephone: 800-421-3481 Fax: 202-453-6012; TDD: 800-877-8339 Email: OCR@ed.gov	Denver Office Office for Civil Rights U.S. Department of Education Cesar E. Chavez Memorial Building 1244 Speer Boulevard, Suite 310 Denver, CO 80204-3582 Telephone: 303-844-5695 Fax: 303-844-4303; TDD: 800-877-8339 Email: OCR.Denver@ed.gov

MWMA Notice of Nondiscrimination
Last Revised: 1-05-21

Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)/Utah FERPA

Mountain West Montessori Academy (the "School") recognizes that the federal Protection of Pupil Rights Amendment (or PPRA) in 20 U.S.C. § 1232h and Utah FERPA in Utah Code § 53E-9-203 affords the parents of each elementary and secondary student certain rights with respect to the administration of surveys, collection and use of information for marketing purposes, and administration of certain physical examinations at school. These rights include, but are not limited to:

- **The right to prior written parental consent*** before a student is required to submit to any psychological or psychiatric examination, test, or treatment, or any survey, analysis, or evaluation in which the purpose or evident intended effect is to cause the student to reveal information concerning one or more of the following protected areas about the student or his/her family member's ("protected information survey"):
  1. Political affiliations or, except as provided under Utah Code § 53G-10-202 or rules of the Utah State Board of Education, political philosophies;
  2. Mental or psychological problems;
  3. Sexual behavior, orientation, or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of individuals with whom the student or family member has close family relationships;
  6. Religious affiliations or beliefs;
  7. Legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers; or
  8. Income, except as required by law.

  > * *Such prior written parental consent is not required in connection with a protected information survey that is part of a youth suicide prevention program as described in Utah Code § 53G-9-702 or that is administered by the State of Utah; neither is such prior written consent required in circumstances where there is a reasonable belief that there is an emergency, child abuse, neglect, or a serious threat to the well-being of the student.*

- **The right to receive notice and an opportunity to opt a student out of:**
  1. Any protected information survey that is part of a suicide prevention program described in Utah Code § 53G-9-702;
  2. Any protected information survey administered by the State of Utah;
  3. Any non-emergency, invasive physical examination or screening required as a condition of attendance, administered by the School or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical examination or screening permitted or required under Utah law; and
  4. Activities involving collection, disclosure, or use of personal information collected from students for marketing or to sell or otherwise distribute the information to

others. (This does not apply to the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions.)

- **The right to inspect**, upon request and before administration or use:
  1. Protected information surveys of students and surveys created by a third party;
  2. Instruments used to collect personal information from students for any of the above marketing,sales, or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who reaches 18 years old or becomes an emancipated minor under Utah law.

The School has developed and adopted policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The School will directly notify parents of these policies at least annually during registration and will also provide notice of the policies within a reasonable period of time after any substantive changes in the polices. The School will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in any of the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The School will make this notification to parents at the beginning of the school year if the School has identified the specific or approximate dates of the activities or surveys at that time. For any surveys and activities scheduled after the school year starts, parents will be provided at least two weeks' notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Below is a list of the specific activities and surveys covered under this direct notification requirement:

- Collection, disclosure, or use of personal information collected from students for marketing,sales, or other distribution;
- Administration of any protected information survey; or
- Any non-emergency, invasive physical examination or screening as described on the previous page.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

Paid Parental, Postpartum Recovery, Adoption & Foster Leave Policy

Mountain West Montessori Academy
Paid Parental, Postpartum Recovery, Adoption & Foster Leave Policy
Adopted: May 19, 2025
Amended: January 26, 2026
Amended: August 17, 2026

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

Definitions

For purposes of this policy:

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

"Adoption leave eligible employee" means a School employee who:
(a) receives regular paid personal time off (PTO) benefits from the School; and
(b) is legally adopting a young child, unless the employee is the spouse of the young child's pre-existing parent.

"Child" means an individual younger than 18 years old.

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

"Foster leave eligible employee" means a School employee who:
(a) receives regular paid personal time off (PTO) benefits from the School; and
(b) is the foster parent of a child.

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

"Parental leave eligible employee" means a School employee who receives regular paid personal time off (PTO) benefits from the School and is:
(a) a birth parent as defined in Utah Code § 81-13-101;
(b) legally adopting a child, unless the employee is the spouse of the child's pre-existing parent;
(c) the intended parent of a child born under a validated gestational agreement in accordance with Title 81, Chapter 5, Part 8, Gestational Agreement; or
(d) appointed the legal guardian of a child or incapacitated adult.

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

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

"Qualified employee" means:

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

"Qualified leave" means:

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

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

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

"Young child" means an individual younger than six years old.

Postpartum Recovery Leave

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

Postpartum recovery leave as described above:

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

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

Parental Leave

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

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

Parental leave as described above:

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

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

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

A parental leave eligible employee may not use more than 15 contracted workdays of parental leave within a single 12-month period, regardless of whether during that 12-month period the parental leave eligible employee:

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

Adoption Leave

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

Adoption leave as described above:

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

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

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

Foster Leave

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

Foster leave as described above:

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

A foster leave eligible employee's foster leave does not increase if a foster leave eligible employee has more than one child placed in foster care with the foster leave eligible employee. Accordingly,

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

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

A qualified employee may not use:

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

Leave Period

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

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

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

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

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

Notice of Plan to Take Leave

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

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

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

All such notices shall be reviewed by the Director. If the employee providing notice does not meet the definition of a qualified employee under this policy (and is therefore not entitled to qualified

leave), the Director shall inform the employee. Employees may be required to provide documentation supporting the need for qualified leave.

Other Leave

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

Employee Benefits During Leave

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

Employee Position after Leave

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

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

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

Retaliatory Action

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

Part-Time Qualified Employees

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

Paid Professional Hours for Educators Policy

Mountain West Montessori Academy
Paid Professional Hours for Educators Policy
Adopted: December 2, 2024

PURPOSE

The purpose of this policy is to establish the parameters by which Mountain West Montessori Academy (the "School") will provide paid professional hours to its educators.

DEFINITIONS

For purposes of this policy:

"Educator" means full-time and part-time educators employed by the School in the following positions:

(a) general education teachers;
(b) special education teachers;
(c) counselors;
(d) administrators;
(e) specialists;
(f) student support (may include librarians, instructional coaches, or other certified positions that work 50% or more in a School building);
(g) psychologists;
(h) speech language pathologists; and
(i) audiologists.

"Paid professional hours" means hours outside of an educator's contracted hours.

"Program funds" means funds allocated to the School in accordance with Utah Code § 53F-7-203 to provide paid professional hours to the School's educators.

"Qualifying time" means the hours spent engaged in professional learning, including:

(a) time spent traveling for the professional learning; and
(b) time engaged in the professional learning.

POLICY

The School shall follow Utah Code § 53F-7-203 and Utah Administrative Code R277-629 regarding providing paid professional hours from program funds to the School's educators.

Allowable Uses of Program Funds

Program funds for paid professional hours shall be used to provide educators with the knowledge and skills necessary to enable students to succeed in a well-rounded education and to meet the challenging state academic standards. Accordingly, program funds may be used by the School to provide paid professional hours to its educators for the:

(a) activities described in Utah Code § 53F-7-203(4)(b), including but not limited to qualifying time for professional learning as determined between an educator and the School's Director; and
(b) professional learning expenses described in Utah Code § 53F-7-203(4)(c).

The School shall not use program funds to cover costs that are not outlined in Utah Code § 53F-7-203, including indirect costs.

The maximum number of paid professional hours from program funds that an educator may receive from the School in one fiscal year is 32.

Educator Responsibilities

As a condition to receiving program funds, an educator shall, except as provided in Utah Code § 53F-7-203(5)(b)(i):

(a) on or before September 30 of each year, create a plan, in consultation with the School's Director, on how the educator plans to use the paid professional hours; and
(b) before the end of a given fiscal year, provide a written statement to the School's Director of how the educator used the paid professional hours.

Notwithstanding the foregoing, all educators' plans regarding their proposed use of paid professional hours are subject to review by the School's Director. The Director has discretion to approve or deny an educator's plan to the extent allowed by law. Educators may not receive paid professional hours until their plan has been approved by the Director.

Timing and Method of Payment of Paid Professional Hours

The School's Director shall decide, in consultation with the School's accounting and payroll staff, the timing and method in which paid professional hours will be paid out to the School's educators. However, the School shall pay out an educator's paid professional hours by June 30 annually.

Paid professional hours for an educator's qualifying time for professional learning shall be paid out at the educator's approximate contracted hourly rate for the most recent school year. Program funds used to pay for an educator's professional learning expenses shall count toward the educator's paid professional hours allocation and shall be paid out in an amount and manner that ensures the School's paid professional hours allocation for the educator is not exceeded.

The School may, in the Director's discretion, pro-rate program funds for an educator's paid professional hours if the educator's employment with the School ends before the end of the School year.

Parent & Family Engagement Policy

Mountain West Montessori Academy
Parent & Family Engagement Policy
Adopted: October 29, 2018
Re-Approved: August 15, 2022
Amended: October 17, 2022
Re-Approved: June 24, 2024
Re-Approved: June 29, 2026

PURPOSE

In support of strengthening student academic achievement, Mountain West Montessori 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.

Parents and Family Members of Children Learning English

Any time this policy references "parents," "family," or "family members," it includes parents and family members of students who are English language learners, regardless of the prevalence of children English language learners in the geographic area in which the School is located.

The School may seek assistance from community organizations to assist the School in communicating with parents and family members of students who are English language learners. If the School provides such assistance, it will try to determine the method of communication preferred by the parents and family members of students who are English language learners.

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.

MWMA Parent & Family Engagement Policy
REVISION A
Board Approval Date: 10-17-22
Re-Approved: 6-29-26

Parent Compact

Mountain West Montessori Academy
Parent Compact
Adopted: June 24, 2014
Amended: January 24, 2022

PARENT/GUARDIAN RESPONSIBILITIES

I want my child to achieve, therefore I will:

- Make certain my child attends school regularly and on time.
- See that my child is well rested and has breakfast each day.
- Set aside a specific time and place for homework, assisting as necessary.
- Attend parent-teacher conferences and communicate regularly with my child's teacher to ensure his/her academic success.
- Support the school and staff in maintaining proper discipline.
- Read with my child and let him/her see me read regularly.
- Encourage positive attitudes toward school.
- Review information and work sent home and respond as necessary.
- Stay up on my student's grades and assignments by checking the online student information system and his/her planner/folder.
- Access the resources listed on the School's website for literacy and math and avail myself of the educational evening offered by the school.
- Understand and support the focus of the school.
- Look for opportunities to volunteer in the classroom and/or school activities.
- Know, understand, review and support the school dress code policy.

STUDENT RESPONSIBILITIES

It is important that I learn, therefore I will:

- Attend school regularly and on time.
- Complete assignments and homework.
- Bring homework and supplies to school each day.
- Work to the best of my ability.
- Work cooperatively with classmates, teachers and staff.
- Respect myself, other people, and my school.
- Follow all school rules.
- Accept responsibility for my own actions.
- Know, understand, review and support the school dress code policy.

TEACHER RESPONSIBILITIES

It is important that my students achieve, therefore I will:

- Hold expectations high for all students, believing that all students can learn.
- Provide high-quality instruction in a supportive and non-threatening environment.
- Provide meaningful homework.
- Utilize assessment data to inform instruction.
- Participate in on-going professional development to increase and enhance instructional strategies.
- Enforce the policies of the school.
- Communicate regularly with my students and their families through conferences, notes, phone calls, updated teacher website, student planners/folders, etc.
- Provide opportunities for parents to assist in the classroom in meaningful ways and to observe classroom activities.

DIRECTOR RESPONSIBILITIES

I support this compact, therefore I will:

- Provide an equitable learning environment for all children.
- Promote the school's mission and vision with students, parents, faculty, and staff.
- Encourage the staff to provide parents with the information about the total school program.
- Enforce the policies of the school.
- Encourage our staff to provide avenues for positive and meaningful parent involvement.

Date: _____

_____
Parent/Guardian Signature

_____
Student Signature

_____
Teacher Signature

_____
Director Signature

Parent Grievance Policy

Mountain West Montessori Academy
Parent Grievance Policy
Adopted: October 22, 2013
Amended: June 29, 2026

PURPOSE

The purpose of this policy is to clarify for parents a process by which concerns can be addressed. The Board of Directors of Mountain West Montessori (the "School") embraces the Montessori values of grace, courtesy, respect and responsibility and therefore values open communication between parents, faculty, staff, administration, and the Board. The Board encourages active parent participation in their children's education, and hopes that parents will feel empowered to voice their opinions, volunteer in and out of the classroom for the School, and work as a team to provide the best education for their children. The Board also believes that individuals can generally resolve their own disputes through open, respectful communication. If a situation arises that cannot be resolved between a parent and the other parties involved, then this policy will be used. The purpose of this policy is to ensure that parents understand how to pursue the resolution of grievances, concerns and disputes involving the School.

POLICY

Concerns Involving School Personnel

A parent who has a complaint involving a teacher, staff member or member of the School's administration (including the Director) must first address the issue with the other individual involved and work reasonably and in good faith to resolve the concern. The parent should raise this concern with the individual within ten (10) calendar days of when the issue arises. If the complaint is of such a nature that it would not be safe or appropriate to address the matter directly with the employee involved, the parent should raise the issue with the School's Director as explained below.

A parent that is not able to resolve the dispute himself or herself may then raise the issue with the School's Director. The parent should first send to the Director a written complaint specifying the individual(s) involved, details of the incident(s) giving rise to the complaint, including dates and approximate times, details of an attempt to rectify the situation, and the requested solution. The parent and the Director should schedule a time within ten (10) working days of the Director's receipt of the complaint to discuss the concern in person or via telephone.

If a parent's complaint involves the Director, the parent must first address the issue with the Director and work reasonably and in good faith to resolve the problem. The parent is not required to send the Director a written complaint in this situation. The parent and the Director should schedule a time within ten (10) working days to discuss the concern in person or via telephone. If

the complaint is of such a nature that it would not be safe or appropriate to address the matter directly with the Director, the parent may raise the issue with the Board as described below.

In the event the parent and the Director are unable to resolve a complaint and the parent wishes to bring the issue to the Board's attention, the complaint may be directed to the Board President in writing. Complaints shall specify the individual(s) involved, details of the incident(s) giving rise to the complaint, including dates and approximate times, details of attempts to resolve the problem, and the requested solution. The Board will consider the complaint and take whatever action it deems appropriate, which may include declining to take action. The Board's decision shall be final and shall conclude the School's internal complaint process.

After a complaint has been submitted to the appropriate individual or to the Board as set forth above, it shall be processed as promptly as reasonably practicable. While this policy does not require that complaints be resolved by the individual receiving the complaint, all complaints must be given appropriate consideration. The Director or the Board may, at their discretion, elect to conduct an internal investigation into any misconduct alleged in a complaint. However, the time required to review and/or investigate a complaint will vary depending on the nature and complexity of the issues presented, and therefore no specific timeline for consideration or action is required by this policy. The School shall keep parents reasonably informed regarding the status of their complaints throughout the process, including providing appropriate updates when there are significant developments or delays. The School shall not, in doing so, disclose to parents any student or employee information that is confidential or otherwise protected from disclosure by law.

Concerns Involving Board Policy

If a parent has a concern regarding Board policy as opposed to an individual, the parent may communicate with any or all members of the Board in person, via telephone, or through e-mail and may address the Board during the "public comment" portion of a Board of Directors meeting. Parents may also request to be added to the Board meeting agenda by contacting the Board President at least three (3) working days prior to the scheduled meeting date. However, the Board President has discretion over the Board meeting agenda items and may elect not to place the item on the agenda.

Concerns Involving Administrative Procedures

Concerns that involve administrative practices or procedures should be addressed with the Director rather than the Board.

Concerns Governed by a Different Policy or Procedure

Complaints about issues covered by a different School policy or procedure must be made using the process set forth in that specific policy or procedure. For example, complaints alleging sexual harassment must be made pursuant to the School's Civil Rights Policy, and complaints alleging that instructional material used by the School constitutes sensitive material shall be made pursuant to the School's Sensitive Material Review Procedures.

In the event the Director or Board determines, at their discretion, that another School policy or procedure more specifically addresses the nature of a complaint, that policy or procedure shall govern the procedures for handling the complaint, and the parent shall be notified accordingly.

Limited Role of Board in Resolving Complaints

The Board has a limited role in addressing and resolving general School management type complaints. The Board typically does not intervene in such matters unless the parent has strictly complied with the complaint process set forth in this policy, the complaint alleges serious misconduct or illegal activity, and the Board determines that its involvement is appropriate under the circumstances.

In addition, the Board will not consider complaints that should properly be directed to law enforcement, a prosecuting authority, or another governmental agency with jurisdiction over the matter, or that are the subject of pending or reasonably anticipated litigation.

MWMA Parent Grievance Policy
REVISION A
Board Approved Date: 6-29-26

Pest Management Policy

Mountain West Montessori Academy
Pest Management Policy
Adopted: November 25, 2014

Mountain West Montessori Academy (the "School") is committed to providing a safe environment for our students and staff. We recognize that, to provide a safe environment, is important to protect students from exposure to both pests and pesticides. The School has therefore adopted the Integrated Pest Management ("IPM") approach to pest control in accordance with Utah state law. IPM is an ecologically-based pest management strategy that seeks to provide long-term solutions to pest problems with minimum impact on human health and the environment. The IPM approach minimizes the exposure of students and staff to pesticides by incorporating a variety of non-chemical and chemical methods to prevent and eradicate pests. The Principal is responsible for ensuring that the IPM approach is implemented in accordance with Utah Administrative Code R392-200-7(12).

Political Signs on School Property Policy

Mountain West Montessori Academy
Political Signs on School Property Policy
Adopted: September 22, 2015

PURPOSE

The purpose of this policy is to address the posting of political signs on Mountain West Montessori Academy's (the "School") property.

POLICY

In accordance with Utah Code 20A-17-103, the School will not allow the posting of any political signs on School property.

Procurement Policy

Mountain West Montessori Academy
Procurement Policy
Adopted: August 22, 2013
Amended: November 29, 2017
Amended: March 28, 2022
Amended: October 12, 2026

POLICY

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

Procurement Processes

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

Quotes or Bids Not Required

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

Quotes or Bids Required

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

Formal Procurement Process Necessary

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

Professional Services

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

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

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

Construction Projects

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

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

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

Other Requirements

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

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

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

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

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

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

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

MWMA Procurement Policy
REVISION C
Board Approval Date: 10-12-26

Proper Use of Public Funds & Assets Policy

Mountain West Montessori Academy
Proper Use of Public Funds & Assets Policy
Adopted: January 30, 2023

PURPOSE

The purpose of this policy is to establish that Mountain West Montessori Academy (the "School") will not misuse its public funds or assets to try to persuade students to enroll in the School or participate in any of the School's programs.

POLICY

The School shall comply with Utah Administrative Code Rule R277-417 regarding providing incentives, disbursements, or equipment to its students or potential students.

The School may use public funds to provide its students with equipment as set forth in R277-417. However, if the School or a third-party provider of the School purchases equipment and provides the equipment to a student or a student's parent or guardian, the equipment remains the property of the School. Upon receipt of such equipment, the student and the student's parent or guardian shall take reasonable precautions to protect the equipment. If the equipment is damaged or lost while under the care of the student or the student's parent or guardian, they may be financially responsible for the cost of repair or replacement.

The School shall use, manage, and dispose of equipment and other assets in accordance with applicable law and rule.

Public Education Engagement & Exit Survey Administrative Procedures

Mountain West Montessori Academy (the "School") recognizes the importance of understanding factors that influence public educator satisfaction and the reasons public educators choose to leave the School or public education in general. The School believes that collecting such information may help the School improve their educators' morale, engagement, and job satisfaction, as well as help the School improve its recruitment and retention of educators.

The School shall abide by Utah Code § 53G-11-304 and Utah Administrative Code Rule R277-325 with respect to the administration of the Public Education Engagement Survey and the Public Education Exit Survey.

The purpose of these administrative procedures is to help the School comply with all requirements related to the surveys as set forth in the law.

Definitions

"Educator" for purposes of these administrative procedures means:
(a) a general education classroom teacher;
(b) a preschool teacher;
(c) a special education teacher; or
(d) a school based specialist.

"Public Education Engagement Survey" for purposes of these administrative procedures means the model Public Education Engagement Survey referenced in and available at R277-325-3(2)(a).

"Public Education Exit Survey" for purposes of these administrative procedures means the model Public Education Exit Survey referenced in and available at R277-325-3(2)(b).

Administering Surveys

Public Education Engagement Survey

The School shall request that its educators complete the Public Education Engagement Survey, at a minimum, every other year beginning in the 2019-20 school year. Except as provided below with respect to new educators, the School shall request that its educators complete the Public Education Engagement Survey in the opposite years from those in which it administers the school climate survey described in Rule R277-623 (for example, if the School administers the school climate survey in the 2020-21 school year, the School should request that its educators complete the Public Education Engagement survey in the 2019-20 school year).

With respect to new educators, the School shall request that its new educators complete the Public Education Engagement Survey every year for the first three years the educator is in the profession.

Public Education Exit Survey

The School shall request that an educator leaving the School complete the Public Education Exit Survey at the time of the educator's separation from employment with the School.

Survey Providers

The School shall use a USBE-approved online provider or a provider approved by the LEA to administer the Public Education Engagement Survey and Public Education Exit Survey. If the School administers the Public Education Engagement Survey or the Public Education Exit Survey through a provider other than a USBE-approved online provider, the School shall provide the data from the surveys to the State Superintendent by June 30 annually in a manner prescribed by the State Superintendent.

Survey Questions

The School may add additional questions to the model Public Education Engagement Survey or Public Education Exit Survey when it administers such surveys to its educators, but any additional questions:

(a) must allow each educator to remain anonymous;
(b) must not request the educator's CACTUS ID number; and
(c) may ask each educator to voluntarily identify the educator's school.

Survey Results

Only the School's Director, Board of Directors, and appropriate personnel specifically authorized by the Director may have access to results of the Public Education Engagement and Exit Surveys.

The Director shall implement whatever protective measures are necessary to prevent the identification of educators who complete the surveys, including but not limited to:

(a) instructing educators to not share personally identifiable information in their survey responses; and
(b) redacting any personally identifiable information that educators inadvertently (or intentionally) include in survey responses before giving access to the survey results to authorized individuals identified in the paragraph above.

Public Education Materials Development Policy

Mountain West Montessori Academy
Public Education Materials Development Policy
Adopted: April 24, 2023

PURPOSE

The purpose of this policy is to establish rules related to the sharing of public education materials developed by employees with Mountain West Montessori Academy (the "School") funds or on contract time. The School intends for this policy to comply with the applicable requirements in Utah Administrative Code Rule R277-120.

POLICY

Definitions

For purposes of this policy, "public education materials" means courseware and materials developed with School funds or on contract time and includes, but is not limited to:

(a) syllabi;
(b) instructional materials;
(c) modules;
(d) textbooks, including teacher's editions;
(e) student guides;
(f) supplemental materials;
(g) formative and summative assessment supports;
(h) laboratory activities;
(i) simulations;
(j) musical or dramatic compositions;
(k) audio, video, or photographic material;
(l) manuals;
(m) codes; and
(n) software.

For purposes of this policy, "sensitive materials" means the same as that term is defined in Utah Code § 53G-10-103.

Public Education Materials Developed with School Funds or on Contract Time

All public education materials developed by School employees with School funds or on contract time shall, upon review and approval of the School's Director, be eligible to be shared with third parties under a Creative Commons attribution license ("CC-BY license"). Public education materials developed by School employees with School funds or on contract time that have not been

reviewed and approved for sharing by the School's Director shall not be shared with third parties for their personal use.

The CC-BY license covering public education materials developed by School employees with School funds or on contract time shall include the name of the School and the author(s). Third parties who use the public education materials shall (1) provide proper attribution to the School and author(s); (2) provide a link to the CC-BY license; and (3) indicate if any changes were made to the materials.

All public education materials developed by School employees with School funds or on contract time shall be the property of the School, subject to the CC-BY licensing described above. With the exception of other educators in Utah public schools, the School may charge third parties for using public education materials developed by School employees with School funds or on contract time. The School shall not charge other educators in Utah public schools for using public education materials developed by School employees with School funds or on contract time.

Consistent with R277-120, no School employee shall sell for personal gain public education materials developed with School funds, with funds from the Utah State Board of Education, or on contract time. School employees who violate this provision may be in violation of the Utah Public Officers' and Employees' Ethics Act.

School employees are prohibited from developing sensitive materials with School funds.

Public Education Materials Developed Without School Funds

School employees may develop public education materials using their own personal time and resources, and they may share such materials through a CC-BY license or otherwise share (or sell) the materials without permission from the School. However, Utah licensed educators (1) may only share public education materials that are consistent with the Utah Professional Educator Standards contained in Utah Administrative Code Rule R277-217; and (2) may not share materials that advocate illegal activities or materials that are inconsistent with the educator's legal and role model responsibilities.

MWMA Public Education Materials Development Policy
Board Approval Date: 4-24-23

Purchasing & Disbursement Policy

Mountain West Montessori Academy
Purchasing Policy & Procedures
Adopted: March 16, 2012
Amended: November 16, 2015
Revised: December 3, 2018
Revised: May 20, 2024

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 Mountain West Montessori Academy (the "School"), without approval of the Board of Directors (the "Board").

PURCHASING

The responsibility for approving purchases is delegated to the School's Principal by the Board of Directors as set forth below:

- All purchases up to $5,000 must be approved by the Principal;
- All purchases between $5,000 and $15,000 must be approved by either the Board President or Board Treasurer;
- All purchases between $15,000 and $25,000 must be approved by the Board President and the Board Treasurer; and
- All purchases above $25,000 must be approved by a majority vote of the Board.

Employee purchases that require reimbursement are discouraged.

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 the School's management company and the Principal as set forth below:

Disbursements will be charged to one of two School accounts: (i) the General Operating Account; or (ii) the Petty Cash Account. The School's management company is responsible for disbursements charged to the General Operating Account, and the School's Principal is responsible for disbursements charged to the Petty Cash 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 the School's management company.
- The School's management company must be given a valid invoice and properly completed purchase order prior to making payment.
- Disbursements are to be made primarily by check with counter signatures to provide additional control.

Petty Cash Account

In addition to the General Operating Account, the Board may approve a Petty Cash Account with corresponding checks and a debit card to be utilized at the discretion of the Principal. The purpose of the Petty Cash Account is to provide a convenient way to pay for small expenses while minimizing exposure of School funds to the risk of misuse or theft.

Blank warrants/checks and/or a debit card for the Petty Cash Account may be kept in locked storage under the control of the Principal or their designated alternate. Disbursements charged to the Petty Cash Account shall be made in accordance with the following provisions to ensure payments are properly authorized and recorded:

- In general, the Petty Cash Account should maintain a balance between $500 and $5,000.
- Access to the Petty Cash Account debit card is limited to the School's Principal or their designated alternate;
- Access to blank checks is limited to the School's Principal or their designated alternate. When blank checks are received; the date, quantity, and inclusive serial numbers are recorded and added to the total balance on hand. When a blank check is used, the stub along with a copy of the receipt is to be signed by the Principal and forwarded to the

management company. The use of these blank checks should be kept to an absolute minimum;

- The School's Principal or their designated alternate is responsible for: (i) maintaining records and receipts for each transaction charged to this account; and (ii) entering the information into the School's accounting software on a regular basis. Information should be uploaded in a timely manner to allow the School's management company adequate time to provide accurate monthly financial reports to the Board.

- The School's Principal or their designated alternate is responsible for replenishment of the account when petty cash is low. To replenish petty cash, the Principal must request the School's management company to transfer funds.

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.

Records Management Policy

Mountain West Montessori Academy
Records Management Policy
Adopted: August 22, 2013

POLICY

Mountain West Montessori Academy will follow applicable state and federal laws regarding the management, retention, and disclosure of school records.

Religion & Education
Administrative Procedures

PURPOSE

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

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

General Rules Regarding Religion and Education

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

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

The School shall ensure that:

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

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

The School shall not, in any aspect of school:

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

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

Procedures for Implementation

1. The Director will periodically review these procedures with teachers and staff. This review will stress the School's expectation that School personnel will recognize, protect, and accommodate religious belief and individual rights of conscience in the operation of the School, while fostering mutual understanding and respect for all individuals and beliefs.

2. The School encourages teachers and employees at the School to discuss, equitably and with civility, and, if possible, resolve with students, parents, and guardians, any concerns regarding curricular content, activities, or student participation.

3. Students, parents, and legal guardians will be provided with a copy of these procedures annually through the posting of these procedures on the School's website.

4. A student or parent or legal guardian of any student may make a complaint to the Director that a portion of the curriculum, a School activity, or the conduct of a School employee violates state or federal law insofar as it "endorses[s], promote[s], or disparage[s] a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint." See Utah Code § 53G-10-202(4).

5. The Director may discuss annually with the Board any requests for accommodation, or complaints about religion in the curriculum, made within the last year in order to determine how the School can more effectively recognize, protect, and accommodate religious belief and individual rights of conscience in the operation of the School. In discussing these matters with the Board, the Director will take care to protect the privacy rights of those who made complaints or requests. The Director may also submit the written record of each complaint received and any decisions made regarding such complaints to the Board President.

Waivers of Participation

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

a. Shall promptly notify the student's parent or guardian;

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

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

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

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

Complaints Alleging Violation of Law

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

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

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

Appeals Process

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

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

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

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

The decision of the Board President will be final.

Repeat Courses, Comparable Courses, & Revising Transcripts Administrative Procedures

Mountain West Montessori Academy (the "School") shall follow these procedures with respect to a student repeating a course, a student taking a comparable course, and the School revising a student's records and transcripts if the student receives his or her highest grade in the repeat or comparable course. These procedures are intended to be consistent with Utah Administrative Code Rule R277-717.

Definitions

For purposes of these procedures, the terms below are defined as follows:

(1) "Comparable course" means a course that fulfills the same graduation credit requirements as a course for which a student seeks to improve a grade.

(2) "Course" means a course that a student:
(a) is enrolled in; and
(b)(i) completes; or
(ii) withdraws from but still receives a grade.

(3) "Highest grade" means a grade that reflects the higher grade of:
(a) a course and a repeat of the course; or
(b) a course and a comparable course.

(4) "Recurring course" means a course that a student takes more than once to:
(a) further the student's understanding and skills in the course subject, such as journalism or band; or
(b) satisfy a different credit requirement that the course may fulfill, such as an art class that fulfills an elective requirement and an art requirement.

(5) "Student" means an individual enrolled in the School in grade 9.

Repeat Courses

(1) A student may, to improve a course grade received by the student, repeat the course one or more times.

(2) A student may not repeat a course for purposes other than improving a course grade unless the student receives prior approval from the School's Director.

Comparable Courses

(1) A student may, to improve a course grade received by the student, enroll in and complete a comparable course.

(2) A student who wishes to enroll in a comparable course for purposes of improving a course grade shall, prior to enrolling in the comparable course, notify the School's Director of the comparable course in which the student wishes to enroll and request confirmation that the comparable course fulfills the same credit requirements as the course for which the student seeks to improve a grade. The student's notification and request to the School's Director shall be in writing.

(3) The School's Director shall determine if the comparable course fulfills the same credit requirements as the course for which the student seeks to improve a grade and send that determination, in writing, to the student. The School's Director may consult with the School's Credit Evaluation Committee prior to making the determination.

(4) If the comparable course in which the student wishes to enroll for purposes of improving a course grade is from a school, provider, or other source that is not accredited, approved, or recognized by the Utah State Board of Education or the Northwest Accreditation Commission (formerly known as the Northwest Association of Accredited Schools), the School's Director shall refer the matter to the School's Credit Evaluation Committee for determination in accordance with the School's Credit Evaluation Policy. The Credit Evaluation Committee's determination as to whether the comparable course fulfills the same credit requirements as the course for which the student seeks to improve a grade shall be communicated in writing to the student by the School's Director.

Revising Records and Transcripts

(1) If a student repeats a course to improve a course grade received by the student, the School:
(a) shall adjust, if necessary, the student's course grade and grade point average to reflect the student's highest grade and exclude a lower grade;
(b) shall exclude from the student's permanent record and transcripts the course grade that is not the highest grade; and
(c) may not otherwise indicate on the student's current record that the student repeated the course.

(2) If a student completes a comparable course to improve a course grade received by the student, the School:
(a) shall update the student's current record and grade point average to reflect the highest grade between the course and the comparable course and exclude the lower grade and corresponding course; and
(b) may not otherwise indicate the course or comparable course for which the student did not receive the highest grade on the student's permanent record or transcripts.

(3) A grade for an additional unit of a recurring course does not change a student's original course grade for purposes of this section.

No other grade, grade point average, or other related revision shall be made to a student's permanent record or transcripts unless the revision is first requested to and approved by the School's Director.

Revenue Recognition Policy & Procedures

Mountain West Montessori Academy
Revenue Recognition Policy and Procedures
Adopted: October 22, 2013

PURPOSE

The purpose of this policy is to specify the approach taken in recognizing revenues received by Mountain West Montessori Academy (the "School") and to specify the priority under which revenues will be allocated to associated expenses.

The principal source of operating funds the School receives is derived from federal, state, and local funds.

POLICY

Federal Funding – The School receives federal charter school grants, which are paid through the Utah State Office of Education (the "USOE"). Funds are generally received on a reimbursement basis and, accordingly, revenues related to these federal grants are recognized when qualifying expenses have been incurred and when all other grant requirements have been met.

State Funding – The School receives funding from the State of Utah as administered by the USOE based on the number of students enrolled in the School. The State provides unrestricted funding for normal school operations and restricted funds for specific school-related activities or functions. Unrestricted funding is recognized as revenue when received.

Contributions and Donated Services (local and other) – Unrestricted contributions are recognized as revenue when received. Contributions of services are recognized as revenue at the time the service is rendered when specialized skills are required and when the School would otherwise purchase the services. Temporarily restricted contributions are recognized as revenue when the terms of the restrictions are met. Permanently restricted contributions represent the cumulative amount of endowment contributions received. Endowment contributions are principal amounts donated with the agreement that only future earnings on the principal be available for the operations of the School. All contributions are considered to be available for unrestricted use unless specifically restricted by the donor.

Salary Supplement for Highly Needed Educators Program Policy

Mountain West Montessori Academy
Salary Supplement for Highly Needed Educators Program Policy
Adopted: May 19, 2025
Amended: June 29,2026

PURPOSE

The purpose of this policy is to describe how Mountain West Montessori Academy (the "School") administers the Salary Supplement for Highly Needed Educators ("SHiNE") Program. This policy is meant to comply with the requirements of Utah Code § 53F-2-504.

Definitions

"Eligible teacher" means a teacher who:
(a) has a qualifying assignment;
(b) qualifies for the teacher's assignment in accordance with an LEA's policy; and
(c) is a new employee or has not received an unsatisfactory rating on the teacher's three most recent evaluations.

"Qualifying assignment" means a teacher who is assigned to a high-needs area.

"High-needs area" means at least two and up to five teaching assignments that an LEA designates in a policy as challenging to fill or retain.

POLICY

High-Needs Areas

The following teaching assignments are designated as high-needs areas at the School:

(a) Secondary Math (7-9); and
(b) Elementary and Secondary Teachers (K-9).

Process for Determining if a Teacher is an Eligible Teacher

The School's Director or his/her designee shall perform due diligence in determining whether a teacher meets the definition of eligible teacher as set forth in this policy. Due diligence includes, at a minimum, verifying that a teacher:

(a) is assigned to teach in one of the high-needs areas listed above;
(b) has a professional educator license in one of the high-needs areas listed above;

(c) is a new employee of the School or is not a new employee of the School but has not received an unsatisfactory rating on the teacher's three most recent evaluations from the School; and
(d) with respect to the second high-needs area listed above, has successfully completed a round of consultation and coaching on the School's schoolwide behavior model, Collaborative and Proactive Solutions (CPS).

On an annual basis, the School's Director or his/her designee shall create a list of all teachers who have been determined to meet the definition of eligible teacher under this policy.

Process for Certifying a List of Eligible Teachers to be Awarded a Salary Supplement

On an annual basis, the School's Director or his/her designee shall review the list of all teachers who have been determined to meet the definition of eligible teacher under this policy and shall make any changes to the list he/she feels is necessary. The list is considered certified by the School's Director or his/her designee when he/she finalizes the list with accounting or human resources.

Salary Supplement Amount

All teachers at the School determined to be eligible teachers under this policy (i.e., all teachers on the certified list described above) shall receive a salary supplement under the SHiNE Program in an amount consistent with this policy and the funds allocated to and received by the School under the SHiNE Program.

Eligible teachers who are assigned 1.0 FTE in a high needs area shall receive the full salary supplement. Eligible teachers who are assigned less than 1.0 FTE in a high needs area shall receive a prorated salary supplement based on the percentage of their FTE in the high needs area. However, if an eligible teacher's employment with the School ends before the salary supplement is paid, the teacher shall receive only a prorated portion of the salary supplement based on the portion of the school year the teacher worked at the School.

In addition, an eligible teacher who begins employment with the School after the certified list described above has been finalized shall not be entitled to a salary supplement. However, the Director may, in the Director's sole discretion and subject to available SHiNE Program funding, award such teacher a prorated salary supplement based on the portion of the school year the teacher worked at the School.

The School may increase the amount of funds the School provides to eligible teachers if the School:

(a) first ensures proper distribution of funds the School receives under the SHiNE Program to the School's eligible teachers; and
(b) experiences a carry forward or leftover balance.

Appeals

If the School's Director or his/her designee determines that a teacher does not meet the definition of eligible teacher and therefore does not qualify for a salary supplement under the SHiNE Program, the teacher may appeal that decision in writing to the School's Board of Directors (the "Board") if the teacher:

(a) believes he/she does meet the definition of eligible teacher under this policy; or
(b) has a teaching assignment at the School that is substantially equivalent to a high-needs area and otherwise meets the definition of eligible teacher under this policy.

When submitting an appeal, a teacher is required, at minimum, to provide transcripts and other documentation to the Board in order for the Board to determine if the teacher is an eligible teacher with a qualifying teaching background.

The Board shall make a decision on the appeal within thirty (30) school days.

Administrative Procedures

Each school year the Director shall establish, through administrative procedures, the salary supplement amount that each eligible teacher will receive for that school year.

Updating Policy

The School shall update this policy annually and provide notice of any changes to the policy to teachers within the School.

MWMA SHiNE Policy
REVISION A
Board Approval Date: 6-29-26

School LAND Trust Council Membership & Election Procedures

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

1. **LAND Council Size & Composition**. The LAND Council shall consist of no fewer than five (5) and no more than thirteen (13) members. The LAND Council shall determine the size of its membership by a majority vote. The number of LAND Council members who are parents or grandparents of students enrolled at the School *shall* exceed all other members combined by at least two.

    a. If the School's governing board meets the size and composition requirements above, the governing board will serve as the LAND Council.

    b. If the governing board does not serve as the Council, the Council shall consist of at least four of parents/grandparents. In addition, membership may also include staff members, School's Principal, and other members that desire to serve on the Council.

2. **Election Procedures for Parents/Grandparents**. On or before October 1st each year, the Principal will notify parents/guardians about Council membership opportunities and the necessary steps to become a member. Notification will be posted on website and school newsletter as well as the Parent Teacher Conference in September.

    a. If the number of interested individuals exceeds the number of open positions, an election will take place. If an election is required, the school will notify families of the election process at least ten (10) days before voting commences.

        i. Only parents of students currently attending the school are eligible to vote.

        ii. Each parent will be given one (1) vote regardless of the number of family members that attend the school.

        iii. Voting by secret ballot will be done through Google Forms and instructions for voting (including when voting opens/closes, submission information as well as the candidate list will be included in the election notice described in paragraph 2(a) above.

        iv. Absentee voting is not allowed.

        v. If two or more candidates receive the same number of votes, the person who informed the Principal of their desire to serve first, based on date

and time of email to Principal, will be given the place on the Council. Notice of desire stated in paragraph 2(a) above.

vi. The School's Principal will oversee the election to ensure compliance with these election procedures.

b. If the number of interested individuals is less than or equal to the number of open positions, an election is not required. Appointments by Principal will be made to fill any open seats.

3. **Parent/Grandparent Terms**. Terms shall be a 2-year term, and members are eligible for re-election. See paragraph (1) for eligibility to serve.

4. **Staff and Other Members Terms**. Terms shall be a 1-year term, and members are eligible for re-election.

5. **Officers**. Once established, the Council members shall elect from its membership a parent or grandparent of a student enrolled at the school to serve as Chair. The Principal may not hold an officer position.

6. **Filling Vacancies**. If a Council member resigns a replacement will be appointed by the Principal using the elections list if an election was held. If no election was held then the Principal will appoint a willing parent/grandparent to finish the incomplete term if the Council is not a parent majority or less than five (5) Council members.

7. **Quorum**. A quorum consists of a majority of the current members of the Council.

8. **Meetings**. The Chair shall schedule, provide notice, and convene the meetings of the Council consistent with the School Community Council Open and Public Meeting Act, 53G-7-1203.

9. **Council Responsibilities**. In accordance with state board rule regarding Charter Trust LAND Council expenditures and funding limits, a Council shall:

a. Prepare a plan for the use of School LAND Trust Program money.

b. Work with students, families, and educators and hold at least an annual discussion with charter school administrators to develop and incorporate safety principles at the school level.

c. Provide input to the School's Principal on a Positive Behaviors Plan.

Service Animal Policy

Mountain West Montessori Academy
Service Animal Policy
Adopted: May 12, 2026

PURPOSE

Mountain West Montessori Academy (the "School") adopts this policy to ensure that individuals with disabilities are able to participate in and benefit from School services, programs, and activities, and to ensure that the School does not discriminate against individuals on the basis of disability. As provided by the Americans with Disabilities Act, as amended (the "Act") and its accompanying regulations, and as provided in Utah Code § 26B-6-801 through -805, individuals with disabilities will be permitted to bring their service animals on School property in accordance with this policy.

POLICY

Individuals with disabilities, including students, employees, and visitors, will be permitted to be accompanied by their service animal in School facilities and vehicles, on School grounds, and at School functions in accordance with applicable law and this policy. Pets and other animals, except as allowed for pre-approved educational purposes, are restricted from the School. The School's Principal is responsible for the administration of this policy.

Definition of Service Animal

"Service animal" includes any dog that:

(a) is trained, or is in training, to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability; and

(b) performs work or tasks, or is in training to perform work or tasks, that are directly related to the individual's disability, including:
  (i) assisting an individual who is blind or has low vision with navigation or other tasks;
  (ii) alerting an individual who is deaf or hard of hearing to the presence of people or sounds;
  (iii) providing non-violent protection or rescue work;
  (iv) pulling a wheelchair;
  (v) assisting an individual during a seizure;
  (vi) alerting an individual to the presence of an allergen;
  (vii) retrieving an item for the individual;

(viii) providing physical support and assistance with balance and stability to an individual with a mobility disability; or
(ix) helping an individual with a psychiatric or neurological disability by preventing or interrupting impulsive or destructive behaviors.

"Service animal" does not include:

(a) an animal other than a dog, whether wild or domestic, trained or untrained; or

(b) an animal used solely to provide:
(i) a crime deterrent;
(ii) emotional support;
(iii) well-being;
(iv) comfort; or
(iv) companionship.

Guidelines and Procedures

Due to the School's need to accommodate a variety of disabilities and conditions, the Principal should be notified when an individual with a disability desires to be accompanied by a service animal on School property or during a School function.

In response to this notification, the Principal may ask the following two questions:

(a) Is the animal required because of a disability?

(b) What work or task has the service animal been trained to perform for the person with the disability?

Notwithstanding the foregoing, the Principal shall not ask the questions above if it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability (e.g., the service animal is observed by the Principal or other School personnel guiding an individual who is blind or has low vision, pulling a person's wheelchair, or providing assistance with stability or balance to an individual with an observable mobility disability).

The Principal shall request proof that the service animal complies with applicable animal control and public health requirements, including those related to licensure and/or rabies immunization, required by the municipality in which the individual with a disability resides.

Service animals in training must meet the same behavioral standards as fully trained service animals.

Control and Management

A service animal must be under the control of its handler at all times while on School property or at a School function.

A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash, or other tether, or the use of a harness, leash, or tether would interfere with the service animal's safe, effective performance of work or tasks, in which case the service animal must be otherwise under the handler's control (e.g., voice control, signals, or other effective means).

Care and Supervision

Service animals must be housebroken.

The School, including classroom staff, is not responsible for the care or supervision of a service animal. The School is not responsible for providing a staff member to walk the service animal or to provide any care or assistance to the animal unless otherwise required by law.

The owner or handler of the service animal shall be solely responsible for:

(a) supervision and care of the service animal, including feeding, exercising, clean-up, stain removal, and veterinary care; and

(b) restraint of the service animal at all times including:
    (i) no barking (except task-related)
    (ii) no jumping on students
    (iii) no roaming
    (iv) no aggression or intimidation
    (v) must remain in assigned space

For student service animals, the School will develop a written implementation plan outlining supervision, location, emergency procedures, and staff responsibilities (if any).

Liability

The owner or the handler of a service animal is liable for any and all damages to property or injuries to persons caused by the service animal.

Removal or Exclusion of Service Animal

The School may deny a request for use of a service animal or ask an individual with a disability to remove a service animal from School property, a School vehicle, or a School function if:

(a) the service animal is out of control and the service animal's handler does not take effective action to control it;

(b) the presence of the service animal will require a fundamental alteration of the program or will significantly disrupt or interfere with the education process; or

(c) the handler fails to submit proof of compliance with local animal control and public health requirements, including those related to current licensing and/or rabies immunization, when the service animal is to be used regularly at the School; or
(d) the service animal is not housebroken.

If the service animal is properly removed or prohibited, the School will continue to give the individual with a disability the opportunity to participate in the School services, programs, or activities without having the service animal on the premises.

Conflicting Disabilities

Individuals with disabilities that are adversely impacted by service animals should contact the Principal. Such individuals will be asked to provide documentation that identifies their disabilities and their need for accommodations. The Principal will strive to facilitate a process to resolve the situation in a manner that considers the conflicting needs and reasonable accommodations of the disabled individuals involved. However, the Principal may exclude the service animal if it poses a direct threat to the health or safety of others.

Reasonable Modifications

The School shall make reasonable modifications to this policy as required by law.

MWMA Service Animal Policy
Board Approved Date: 5-12-26

Sex Education Instruction Policy

Mountain West Montessori Academy
Sex Education Instruction Policy
Adopted: January 28, 2014
Amended: December 3, 2018
Amended: August 17, 2026

PURPOSE

The purpose of this policy is to ensure that any sex education instruction or instructional program taught at Mountain West Montessori Academy (the "School") is compliant with state law.

POLICY

The School will comply with applicable state law regarding the presentation of sex education instruction or instructional programs.

"Sex education instruction or instructional programs" means any course, unit, class, activity or presentation that provides instruction or information to students about: sexual abstinence, human development, including puberty and maturation; human reproductive processes, including conception, fetal development, pregnancy, and birth; human reproductive anatomy and/or physiology; healthy dating practices, marriage, and parenthood, in accordance with the success sequence as defined in Utah Code § 53G-10-402; adoption in accordance with Utah Code § 53G-10-404; information about contraceptive methods or devices in accordance with Utah Code § 53G-10-402(2)(b) and (c); sexually transmitted infections and diseases; or refusal skills, as defined in Utah Code § 53G-10-402. While these topics are most likely discussed in courses such as health education, health occupations, human biology, physiology, parenting, adult roles, psychology, sociology, child development, and biology, this policy applies to any course or class in which these topics are the focus of discussion.

The Director shall establish administrative procedures to help the School comply with the requirements related to sex education instruction or instructional programs under Utah law.

REVIEW

Every two years the Board of Directors will (a) review this policy; and (b) review data for the county in which the School is located regarding teen pregnancy, child sexual abuse, sexually transmitted diseases and sexually transmitted infections, and the number of pornography complaints or other instances reported in the School.

MOUNTAIN WEST Montessori Academy

Sex Education Instruction

Administrative Procedures

These administrative procedures are established pursuant to the Sex Education Instruction Policy adopted by the School's Board of Directors.

In accordance with state law, all sex education instruction or instructional programs, which include but are not limited to all maturation education programs and all health curriculum, will comply with the requirements of Utah Code § 53G-10-402 through -403 and Utah Admin Code R277-474.

The School's health curriculum will include instruction in the following topics, as required by Utah Code § 53G-10-402(2)(a)(ii):

(a) the success sequence;
(b) community and personal health, including personal hygiene and the prevention of communicable disease;
(c) physiology;
(d) human development;
(e) marriage and safe dating practices;
(f) refusal skills;
(g) resilience;
(h) situational awareness;
(i) the harmful effects of pornography;
(j) the consequences of behaviors that pose a risk to individual health or of failure under the success sequence.

The School shall ensure that health curriculum instruction:

(a) stresses the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for: maintaining mental, physical, and social health, including reducing stress; eliminating risks associated with sexual activity, including preventing pregnancy and certain communicable diseases; and achieving the success sequence; and
(b) personal skills that encourage abstinence, the return to abstinence, and fidelity.

The Director will establish a curriculum materials review committee composed of parents, health professionals, school health educators and administrators. The committee will have at least as many parents as school employees. The School's Board of Directors will review and approve the membership of the committee on or before August 1 each year.

The curriculum materials review committee will meet on a regular basis, as determined by the members of the committee, select officers for the committee and designate a committee chair, and

comply with the Open and Public Meetings Act. The committee will review and make recommendations to the School's Board of Directors regarding instructional materials to be used by the School in connection with sex education instruction. Program materials and guest speakers supporting instruction on these topics must also be reviewed and approved by the curriculum materials review committee.

Instructional materials used by the School in connection with sex education instruction must be approved by the School's Board of Directors. These materials will comply with the requirements of applicable law and will be available for parents to review for a reasonable period of time prior to consideration for adoption by the Board of Directors.

The following topics may not be taught in the School:

- The intricacies of sexual stimulation or erotic behavior;
- The advocacy of premarital or extramarital sexual activity;
- The advocacy or encouragement of the use of contraceptive methods or devices (however, instruction that includes information about contraceptive methods or devices, not including abortion or any abortive methods, that stresses effectiveness, failure rates for youth, limitations, risks, and information on state law applicable to minors obtaining contraceptive methods or devices is allowed); or
- Any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult, including as a response to a spontaneous question from a student.

The School will comply with the student privacy laws in Utah Code § 53E-9-202 through -203 and obtain parental consent prior to any sex education instruction. At no time will a student be in the classroom during any sex education instruction unless an approval form signed by the student's parent/guardian is on file. The parental notification form (aka the approval form) will:

(a) explain a parent's right to review proposed curriculum materials in a timely manner;
(b) request the parent's permission to instruct the parent's student in identified course material related to sex education instruction;
(c) allow the parent to exempt the parent's student from attendance for a class period where identified course material related to sex education instruction is presented and discussed;
(d) be specific enough to give parents fair notice of topics to be covered;
(e) include a brief explanation of the topics and materials to be presented and provide a time, place and contact person for review of the identified curricular materials;
(f) be retained on file with affirmative parental consent for each student prior to the student's participation in discussion of issues protected under Section 53G-10-402; and
(g) be maintained at the School for a reasonable period of time.

Instructors may not intentionally elicit comments or questions about matters subject to parental consent requirements. Additionally, instructors' responses to questions spontaneously raised by students must be brief, factual, objective and in harmony with content requirements of this policy and state law. Responses must also be age appropriate and limited in scope to that reasonably necessary under the circumstances.

The School will ensure that all educators with any responsibility for any aspect of sex education instruction will receive appropriate professional development outlining the sex education curriculum and the criteria for sex education instruction. The School will ensure that educators receive this professional development at least once every three years. Additionally, the School will ensure that such educators are familiar with the student privacy Utah Code § 53E-9-202 through -203.

Any complaint or appeal concerning sex education instruction materials adopted by the School should be addressed in accordance with the School's Parent Grievance Policy or Staff Grievance Policy, as applicable.

MWMA Sex Education Instruction
ADMIN Procedures
Revised Date: 8-17-26

Sexual Abuse & Molestation Prevention Policy

Mountain West Montessori Academy
Sexual Abuse & Molestation Prevention Policy
Adopted: January 28, 2014
Amended: December 3, 2018
Amended: August 26, 2019

Mountain West Montessori Academy (the "School") takes seriously the 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.

Sexual abuse takes the form of inappropriate sexual contact or interaction for the gratification of the actor who is in a position of responsibility with respect to the student. Sexual abuse includes sexual assault, exploitation, molestation or injury.

Reporting by School Personnel

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. School personnel and volunteers must comply with these provisions of Utah law and the School's Child Abuse and Neglect Reporting Policy.

Reporting by Students and Parents

Reports of sexual abuse should typically be made to the Director, who is the designated individual to receive and investigate complaints of these matters. However, students and parents may make reports to any School employee, and that employee is responsible for conveying the report the Administration or, if the report involves the Administration, to the Board of Directors. Reports may be made verbally, but all reports will be documented in writing.

Investigation & Follow Up

The School takes allegations of sexual abuse involving School personnel seriously. Once an allegation is reported, the School will promptly, thoroughly, and impartially begin an investigation to determine whether there is a reasonable basis to believe that sexual abuse has been committed. When it is appropriate considering the nature of the allegations, an internal team may conduct the investigation. However, when the report involves potentially criminal conduct, the School will

refer the reports to law enforcement and cooperate fully with any investigation conducted by law enforcement or regulatory agencies.

The School reserves the right to place the subject of the investigation on an involuntary leave of absence, reassign that person to responsibilities that do not involve personal contact with individuals or students, or terminate employment.

To the fullest extent possible, but consistent with the legal obligation to report suspected abuse to appropriate authorities, the School will endeavor to keep the identities of the alleged victims and investigation subject confidential.

If the investigation substantiates the allegation, appropriate disciplinary actions will be taken, including but not limited to the termination of the actor's relationship with the School

Signs of Abuse

There are a number of red flags that suggest someone is being sexually abused. They take the form of physical or behavioral evidence.

Physical evidence of sexual abuse includes, but is not limited to:

- Sexually transmitted diseases;
- Difficulty walking or ambulating normally;
- Stained, bloody or torn undergarments;
- Genital pain or itching; and
- Physical injuries involving the external genitalia.

Behavioral signals suggestive of sexual abuse include, but are not limited to:

- Fear or reluctance about being left in the care of a particular person;
- Recoiling from being touched;
- Bundling oneself in excessive clothing, especially night clothes;
- Discomfort or apprehension when sex is referred to or discussed; and
- Nightmares or fear of night and/or darkness.

Additionally, adult perpetrators of abuse often display warning signs, including:

- Overly affectionate behavior such as prolonged hugging and touching;
- Engaging in nonprofessional behavior such as telling sexual jokes and sexual teasing;
- Seeking to extend their contact with certain students beyond the day.

Retaliation Prohibited

We prohibit any retaliation against anyone, including an employee, volunteer, board member, student or individual, who in good faith reports sexual abuse, alleges that it is being committed or participates in the investigation. Intentionally false or malicious accusations of sexual abuse are prohibited.

Screening Prospective Employees

The School's administration must take reasonable effort when screening prospective School employees. In addition to conductive required criminal background checks, each applicant and former employer(s) of applicants should be asked, before an offer of employment is extended, whether the applicant has ever been investigated or accused of sexual misconduct.

Training

The administration will provide School personnel every other year with training and instruction on child sexual abuse and human trafficking prevention and awareness, including (a) responding to a disclosure of child sexual abuse in a supportive, appropriate, manner; (b) identifying children who are victims or may be at risk of becoming victims of human trafficking or commercial sexual exploitation; and (c) the mandatory reporting requirements in the Schools Child Abuse and Neglect Reporting Policy and Utah Code Sections 53E-6-701 and 62A-4a-403.

The administration will provide the parents or guardians of elementary school students with training and instruction every other year on child sexual abuse and human trafficking prevention and awareness, including (a) recognizing warning signs of a child who is being sexually abused or who is a victim or may be at risk of becoming a victim of human trafficking or commercial sexual exploitation and (b) effective, age-appropriate methods for discussing the topic of child sexual exploitation.

Administration will communicate this policy to personnel, volunteers, and students annually. Documentation of the communication of this policy will be maintained.

Staff Code of Conduct Policy

Mountain West Montessori Academy
Staff Code of Conduct Policy
Adopted: June 20, 2017
Amended: August 26, 2019

1. PURPOSE AND PHILOSOPHY

The Board of Directors of Mountain West Montessori Academy (the "School") is committed to establishing and maintaining appropriate standards of conduct between staff members and students. These standards of conduct are also known as professional boundaries. Staff members shall maintain professional and appropriate demeanor and relationships with students, both during and outside of school hours, as well as both on and off campus, that foster an effective, non-disruptive and safe learning environment.

2. DEFINITIONS

a) "Boundary violation" means crossing verbal, physical, emotional, or social lines that staff must maintain in order to ensure structure, security, and predictability in an educational environment.

i) A "boundary violation" may include the following, depending on the circumstances:
(1) isolated, one-on-one interactions with a student out of the line of sight of others;
(2) meeting with a student in rooms with covered or blocked windows;
(3) telling risqué jokes to, or in the presence of a student;
(4) employing favoritism to a student;
(5) giving gifts to individual students;
(6) staff member initiated frontal hugging or other uninvited touching;
(7) photographing an individual student for a non-educational purpose or use;
(8) engaging in inappropriate or unprofessional contact outside of educational program activities;
(9) exchanging personal email or phone numbers with a student for a non-educational purpose or use;
(10) interacting privately with a student through social media, computer, or handheld devices; and
(11) discussing an employee's personal life or personal issues with a student.

ii) "Boundary violation" does not include:
(1) offering praise, encouragement, or acknowledgment;
(2) offering rewards available to all who achieve;
(3) asking permission to touch for necessary purposes;
(4) giving a pat on the back or a shoulder;
(5) giving a side hug;

(6) giving a handshake or high five;
(7) offering warmth and kindness;
(8) utilizing public social media alerts to groups of students and parents; or
(9) contact permitted by an IEP or 504 plan.

b) "Grooming" means befriending and establishing an emotional connection with a child or a child's family to lower the child's inhibitions for emotional, physical, or sexual abuse.

c) "Sexual conduct" includes any sexual contact or communication between a staff member and a student including but not limited to:

i) "Sexual abuse" means the criminal conduct described in Utah Code Ann. §76-5-404.1(2) and includes, regardless of the gender of any participant:
(1) touching the anus, buttocks, pubic area, or genitalia of a student;
(2) touching the breast of a female student; or
(3) otherwise taking indecent liberties with a student;
(4) with the intent to:
(a) cause substantial emotional or bodily pain; or
(b) arouse or gratify the sexual desire of any individual.

ii) "Sexual battery" means the criminal conduct described in Utah Code Ann. §76-9-702.1 and includes intentionally touching, whether or not through clothing, the anus, buttocks, or any part of the genitals of a student, or the breast of a female student, and the actor's conduct is under circumstances the actor knows or should know will likely cause affront or alarm to the student touched; or

iii) A staff member and student sharing any sexually explicit or lewd communication, image, or photograph.

d) "Staff member" means an employee, contractor, or volunteer with unsupervised access to students.

e) "Student" means a child under the age of 18 or over the age of 18 if still enrolled in a public secondary school.

3. POLICY

Staff members shall act in a way that acknowledges and reflects their inherent positions of authority and influence over students.

a) Staff members shall recognize and maintain appropriate personal boundaries in teaching, supervising and interacting with students and shall avoid boundary violations including behavior that could reasonably be considered grooming or lead to even an appearance of impropriety.

b) A staff member may not subject a student to any form of abuse including but not limited to:
   i) physical abuse;
   ii) verbal abuse;
   iii) sexual abuse; or
   iv) mental abuse.

c) A staff member shall not touch a student in a way that makes a reasonably objective student feel uncomfortable.

d) A staff member shall not engage in any sexual conduct toward or sexual relations with a student including but not limited to:
   i) viewing with a student, or allowing a student to view, pornography or any other sexually explicit or inappropriate images or content, whether video, audio, print, text, or other format;
   ii) sexual battery; or
   iii) sexual assault.

e) Staff member communications with students, whether verbal or electronic, shall be professional and avoid boundary violations.

f) A staff member shall not provide gifts, special favors, or preferential treatment to a student or group of students.

g) A staff member shall not discriminate against a student on the basis of sex, religion, national origin, gender identity, sexual orientation, or any other prohibited class.

h) Staff member use of electronic devices and social media to communicate with students must comply with School policy, be professional, pertain to school activities or classes, and comply with the Family Educational Rights and Privacy Act.

i) A staff member may not use or be under the influence of alcohol or illegal substances during work hours on school property or at school sponsored events while acting as a staff member. Additionally, a staff member may not use any form of tobacco or electronic cigarettes on school property or at school sponsored activities in an employment capacity.

j) A staff member shall cooperate in any investigation concerning allegations of actions, conduct, or communications that, if proven, would violate this policy.

k) The School recognizes that familial relationships between a staff member and a student may provide for exceptions to certain provisions of this policy.

l) Conduct prohibited by this policy is considered a violation of this policy regardless of whether the student may have consented.

4. REPORTING

a) A staff member who has reason to believe there has been a violation of this policy shall immediately report such conduct to an appropriate supervisor or school administrator. If a staff member has reason to believe that the Director has violated this policy, the staff member shall immediately report the conduct to the president of the Board of Directors.

b) In addition to the obligation to report suspected child abuse or neglect to law enforcement or the Division of Child and Family Services under Utah Code Ann. §62A-4a-403 and the School's Child Abuse and Neglect Reporting Policy:

   i) a staff member who has reasonable cause to believe that a student may have been physically or sexually abused by a school staff member shall immediately report the belief and all other relevant information to the Director; and

   ii) if the staff member suspected to have abused a student holds a professional educator license issued by the Utah State Board of Education, the Director shall immediately report that information to the Utah Professional Practices Advisory Commission;

   iii) a person who makes a report under this subsection in good faith shall be immune from civil or criminal liability that might otherwise arise by reason of that report.

c) A staff member who has knowledge of suspected incidents of bullying shall immediately notify the School's administrator in compliance with the School's Bullying and Hazing Policy.

d) Failing to report suspected misconduct as required herein is a violation of this policy, the Utah Educator Standards, and in some instances, state law, and may result in disciplinary action.

5. TRAINING

a) Within 10 days of beginning employment with the School a staff member shall receive training regarding this policy and shall acknowledge in writing having received training and understanding the policy.

b) The School will annually provide training to staff regarding this policy.

c) Staff members will annually sign a statement acknowledging that the staff member has received training and has read and understands this policy.

d) Staff members employed by the School at the time of initial adoption of this policy shall receive training regarding this policy prior to the first day of the 2019-2020 school year on which students will be in attendance and shall acknowledge in writing having received training and understanding the policy.

6. VIOLATIONS

A staff member found in violation of this policy will be subject to disciplinary action.

TOC

STAFF MEMBER ACKNOWLEDGEMENT

Name: _____ **Position:** _____

Date of Training: _____ **Trained by:** _____

I received training about the requirements of the Mountain West Montessori Academy Code of Conduct Policy. I have read and I understand the requirements of the policy and understand that I am responsible to recognize and maintain appropriate personal boundaries while interacting with students. I also understand that if I have reason to believe a staff member is violating the Code of Conduct, I will report my suspicions to the School's Director.

_____
Signature of Staff Member

_____
Date

MWMA Staff Code of Conduct Policy
REVISION A
Board Approval Date: 8-26-19

Staff Grievance Policy

Mountain West Montessori Academy
Staff Grievance Policy
Adopted: December 2, 2013
Amended: June 29, 2026

PURPOSE

The Board of Directors ("Board") of Mountain West Montessori Academy (the "School") values open communication between faculty, staff, and administration, and, when appropriate, the Board. The Board also believes that individuals can generally resolve their own disputes through open, respectful communication. If a situation arises that cannot be resolved between the parties involved, then this policy will be used. The purpose of this policy is to ensure that staff members understand how to pursue the resolution of grievances, concerns and disputes involving other School employees.

The Board wishes to emphasize that the School is an at-will employer, and this policy is not intended to modify the at-will employment relationship between the School and its employees.

POLICY

Except where unsafe or inappropriate under the circumstances, a staff member who has a complaint regarding another staff member, including the Director, must first address the issue with the other employee involved and work reasonably and in good faith to resolve the concern before pursing the complaint through the process set forth in this policy.

A staff member who is unable to resolve the dispute with another employee may then raise the issue with the School's Director.

A staff member who is unable to resolve a dispute with the Director may submit the complaint to the Board only as provided below.

The Board has delegated to the Director the authority to address and resolve complaints between staff members that they cannot resolve on their own. A staff member must not direct a complaint to the Board unless all of the following are true: (a) the complaint is against the Director, (b) the staff member has complied with the requirements of this policy regarding good faith efforts to resolve the issues directly with the Director, and (c) the complaint alleges serious misconduct or unlawful activity by the Director. Any such complaint submitted to the Board must be directed to the Board President in writing and specify the individual(s) involved, details of the incident(s) giving rise to the complaint, including dates and approximate times, details of attempts to resolve the problem, and the requested solution. The Board will then consider the complaint and take whatever action it deems appropriate, which may include declining to take further action. The Board's decision shall be final and shall conclude the School's internal complaint process.

This policy does not confer upon any employee of the School any additional rights. Accordingly, the existence of this policy does not preclude the School from terminating any employee for any lawful reason even if the employee is pursuing the resolution of a grievance.

Additionally, nothing in this policy is intended to discourage or prohibit an employee from reporting suspected violations of the law by another employee to the appropriate individual(s) or governmental authorities or from engaging in any activity protected by applicable law. Moreover, this policy does not apply to staff complaints about issues covered by a different School policy, such as sexual harassment complaints which must be made under the School's Civil Rights Policy.

The Director shall establish administrative procedures consistent with this policy that govern the pursuit, review, investigation, and resolution of staff complaints.

MWMA Staff Grievance Policy
REVISION A
Board Approved Date: 6-29-26

Student Conduct & Discipline Policy

Mountain West Montessori Academy
Student Conduct and Discipline Policy
Approved: May 23, 2017
Amended: December 3, 2018
Amended: August 24, 2020
Amended: October 2, 2023
Amended: June 24, 2024
Amended: January 26, 2026
Amended: October 12, 2026

1. PURPOSE, BELIEFS, AND PHILOSOPHY

1.1 PURPOSE

The purpose of Mountain West Montessori 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 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, when appropriate:

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

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

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

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

- The student will be subjected to consequences and positive behavior support to ensure that the student will make better choices in the future. Consequences might include:
  - ✓ 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 address those

concerns in accordance with this policy or the School's Parent Grievance Policy, as applicable.
- Parents will be notified when students are involved in situations that are deemed to be serious.
- Parents and students will be notified of the expectations, possible consequences, and the procedures involved in this policy at the beginning of each school year.

2. ENVIRONMENT

2.1 Safe School Environment

It is the School's policy to promote a safe and orderly school environment for all students and employees. Accordingly, the School holds all students, employees, and other adults to the highest standards of behavior in 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 applicable Grievance Policy.

3. DEFINITIONS

3.1 Suspension

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

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

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

3.2 Expulsion

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

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

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

3.4 Disruptive Student Behavior

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

3.5 Parent

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

3.6 Qualifying Minor

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

3.7 School Year

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

3.8 School-age Child

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

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

4.1 Suspension

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

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

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

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

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

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

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

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

[h] any criminal activity;

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

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

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

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

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

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

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

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

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

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

4.2 Expulsion

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

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

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

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

[b] The CMT shall determine:

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

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

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

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

4.3.2 Students with Disabilities under IDEA and Section 504

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

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

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

[a] use, control, possession, distribution, sale, or arranging for the sale of an illegal drug or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in 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.

[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.

4.7 Possession or Use of Electronic Cigarette Products

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

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

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

5. AUTHORITY TO SUSPEND OR EXPEL

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

The Director has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the Director shall consider all relevant factors, including but not limited to, the severity of the offense, the student's age, disability, academic status and disciplinary record, parental capabilities, and community resources.

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

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

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

Subject to the requirements for due process set forth in Section 9, below, the Director may suspend a regular education student for longer than ten (10) school days and up to one (1) year or expel a regular education student.

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

5.3.1 Parental Responsibility

If a student is suspended for a period longer than ten (10) days or expelled, the student's parent is responsible for undertaking an alternative education plan that will ensure that the student's education continues during the period of expulsion. The parent shall work with designated School officials to determine how the student's education will continue through private education paid for by the parents, an alternative program offered by the local school district, or other alternatives

which will reasonably meet the educational needs of the student. Costs of educational services which are not provided by the School are the responsibility of the student's parent.

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

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

5.4 Authority to Institute Change of Placement for Student with Disabilities

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

5.5 Reinstatement of Students Who Have Been Suspended

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

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

6.1 Efforts to Resolve Disruptive Student Behavior Problems

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

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

6.2 Notice of Disruptive Student Behavior

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

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

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

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

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

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

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

6.3 Habitual Disruptive Student Behavior Notice

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

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

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

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

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

6.4 Responses to School-Based Behavior

6.4.1 Definitions.

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

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

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

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

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

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

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

(1) a mobile crisis outreach team;

(2) youth services center, as defined in § 80-5-102;

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

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

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

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

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

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

(ii) the minor was referred to an evidence-based alternative intervention, or to prevention or early intervention youth services, as described in Subsection [a] above for the previous offense.
[c] If a minor is alleged to have committed a traffic offense that is an infraction, the minor may be referred directly to a law enforcement officer or agency, a prosecuting attorney, or a court for the traffic offense.

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

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

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

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

(ii) other School personnel if the Director determines that other School personnel should be informed; and

(iii) the student's parent.

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

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

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

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

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

7.1.1 Talking with the student;

7.1.2 Class schedule adjustment;

7.1.3 Phone contact with the parent;

7.1.4 Informal parent/student conferences;

7.1.5 Behavioral contracts;

7.1.6 After-school make-up time;

7.1.7 Short-term in-school suspension;
7.1.8 Short-term at-home suspensions;

7.1.9 Appropriate evaluation;

7.1.10 Home study;

7.1.11 Alternative programs; or

7.1.12 Law enforcement assistance as appropriate.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9.1 The Director shall first follow the due process procedures set forth in Section 8 above. If, after following the due process procedures in Section 8, the Director believes that a student should be suspended for more than ten (10) school days or expelled, the Director may make the initial decision and shall meet with the student's parent to discuss the charges against the student and the proposed discipline within five (5) school days after the suspension or expulsion began. If requested in writing, the Director shall also notify the non-custodial parent of the suspension or

expulsion as outlined in Section 8.2 of this policy. A suspension may not extend beyond ten (10) school days unless the student and the student's parent have been given a reasonable opportunity to meet with the Director and respond to the allegations and proposed disciplinary action.

9.2 Notice to Student and Parent

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

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

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

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

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

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

9.2.6 the mailing date of the notice; and

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

9.3 Hearing Procedures

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9.3.4 Hearing Rules

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

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

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

[c] documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the Board (even though less than a quorum) or hearing officer; and

[d] the Board (even though less than a quorum) or hearing officer may excuse witnesses or parties or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the Board or hearing officer.

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

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

10.1 Required Services

10.1.1 504 and ADA Students

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

10.1.2 IDEA

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

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

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

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

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

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

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

10.3 Change of Placement Due to Student's Serious Misconduct

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

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

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

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

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

10.4 Parental Notice

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

10.5 IEP Meetings for Manifestation Determination

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

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

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

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

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

(ii) Observations of the student; and

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

[b] Then determines whether:

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

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

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

10.5.5 Determination that Behavior was not Manifestation of Disability

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

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

10.6 IEP Meetings for Functional Behavioral Assessments

10.6.1 Post-Discipline Functional Behavioral Assessments

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

10.6.2 Pre-Discipline Behavioral Intervention Plans

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

10.7 Placement During Appeals and Stay Put

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

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

11. ADMINISTRATIVE STUDENT CONDUCT AND DISCIPLINE PLAN(S)

11.1 Elements of Plan(s)

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

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

11.1.2 effective instructional practices for teaching student expectations;

11.1.3 systematic methods for reinforcing expected behaviors;

11.1.4 uniform and equitable methods for correcting student behavior;

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

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

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

11.2 Plan(s) Consistent with this Policy

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

12. EXTRACURRICULAR ACTIVITIES

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

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

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

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

14. INVESTIGATIONS

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

14.1 General Investigation Guidelines for Director

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

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

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

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

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

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

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

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

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

14.2 Coordination with Law Enforcement

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

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

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

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

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

14.2.2 Investigation of Criminal Conduct

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

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

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

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

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

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

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

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

14.2.3 Investigation Initiated by Law Enforcement Authorities

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

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

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

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

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

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

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

14.2.4 Release of Student to Law Enforcement Official

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

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

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

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

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

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

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

14.2.5 Quelling Disturbances of School Environment

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

14.2.6 Investigations of Alleged Drug Offenses

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

15. INVESTIGATION OF CHILD ABUSE AND NEGLECT

Utah law requires that whenever any person, including any School employee, has reason to believe that a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or observes a child being subjected to conditions or circumstances which would

reasonably result in such, he/she shall immediately notify the nearest peace officer, law enforcement agency, or office of the Division of Child and Family Services.

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

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

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

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

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

15.3 It is not the responsibility of the Director or other School employees to prove that the child has been abused or neglected, or to determine whether the child is in need of protection.

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

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

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

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

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

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

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

[b] School officials shall cooperate with social service and law enforcement agency employees authorized to investigate reports of alleged child abuse and neglect, assisting as asked as members

of interdisciplinary child protection teams in providing protective diagnostic, assessment, treatment, and coordination services.

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

16. SEARCHES OF PERSON OR PROPERTY

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

16.1 General Guidelines for Searches of Person or Property

16.1.1 Student Lockers

Students have no right or expectation of privacy in school lockers. While lockers are under the joint control of students and the School, lockers are solely School property and may be searched at any time by School officials with or without cause. Once a locker is opened for search, any search of student belongings contained within the locker must comply with the guidelines for searches of personal belongings in Section 16.2 of this policy.

16.1.2 Searches of Students and Student Property

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

16.2 Searches of Personal Belongings

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

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

16.3 Searches of Person

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

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

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

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

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

[e] If this limited search does not turn up suspected contraband and School officials have reasonable suspicion that the student is concealing contraband in his/her inner clothing (i.e., hiding drugs, weapons or other contraband underneath shirts, pants or underwear), law enforcement officers shall be summoned immediately to conduct further search and investigation.

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

16.4 Documentation of Searches

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

16.4.1 The time, place and date of the search;

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

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

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

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

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

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

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

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

"Serious offense" is defined in Utah Code Ann. § 80-6-103 and means the following: a violent felony as defined in § 76-3-203.5; an offense that is a violation of Title 76, Chapter 6, Part 4, Theft, and the property stolen is a firearm; or an offense in violation of Title 76, Chapter 11, Weapons.

"Sexual crime" or "sexual misconduct" means any conduct described in Title 76, Chapter 5, Part 4, Sexual Offenses; Title 76 Chapter 5b, Sexual Exploitation Act; or § 76-7-102, Incest.

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

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

17.2 Multidisciplinary Team and Reintegration Plan

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

School's Resource Officer (if any), and any other relevant party that should be involved in a reintegration plan.

17.2.2 The reintegration plan shall include:

[a] a behavioral intervention for the student;

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

[c] an academic intervention for the student; or

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

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

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

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

17.2.6 The School shall not reintegrate a student when:

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

[b] a student or staff member of the School is a victim of an offense listed in Utah Code Ann. §76-3-203.5 committed by the student who is seeking reintegration or continued enrollment.

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

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

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

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

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

17.4 Student Discipline Records/Education Records

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

17.4.1 Disclosure of Discipline Records to Other Educators

School officials may disclose student discipline information described above to teachers and other School officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

17.4.2 Disclosure of Discipline Records to Other Agencies

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

18. EMERGENCY SAFETY INTERVENTIONS

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

18.1 Definitions

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

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

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

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

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

18.1.6 "Mechanical restraint" means the use of any device or equipment to restrict a student's freedom of movement.

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

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

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

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

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

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

18.2 General Procedures

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

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

18.2.3 An ESI shall:

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

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

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

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

[c] never be used as punishment or discipline;

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

[e] be documented and reported, as required.

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

18.3 Students with Disabilities Receiving Special Education Services

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

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

18.4 Physical Restraint

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

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

[a] in self-defense;

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

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

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

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

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

[a] prone, or face-down;

[b] supine, or face-up;

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

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

[e] chemical restraint.

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

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

[b] 30 minutes; or

[c] when law enforcement intervenes.

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

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

18.5 Seclusion

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

18.5.2 Key Identified School Employees may use seclusion only when:

[a] other less restrictive interventions have failed;

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

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

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

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

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

[a] as a behavioral intervention;

[b] as a disciplinary practice;

[c] for coercion, retaliation, or humiliation;

[d] due to inadequate staffing; or

[e] for the School employee's convenience.

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

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

[a] all witnesses;

[b] all School staff who were involved;

[c] the student who was secluded; and

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

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

18.5.7 The School does not allow the designation of any enclosed area in its building for the sole purpose of seclusion. If the School chooses to operate a room primarily intended for seclusion, the room shall comply with the physical standards and other requirements for seclusion rooms as set forth in Utah Code Ann. § 53G-8-301(14), even if the room is also used for other purposes. These requirements include, but are not limited to, physical standards governing square footage, distance between walls, ceiling height, and construction design; requirements for lighting, ventilation, climate, safety features, and audio and video recording equipment; and compliance with building and fire codes.

18.6 Notification of the Use of an ESI

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

[a] the student's parent; and

[b] School administration.

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

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

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

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

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

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

18.7 Documentation of the Use of an ESI

18.7.1 If an ESI is used on a student, the School or the employee who used the ESI shall document the use of the ESI. This shall include a written description of the type of ESI used, the date and time the ESI was used, the location where the ESI was used (and if a seclusion room was used,

whether the room complied with Utah Code Ann. § 53G-8-301(14)), the length of time the ESI was used, the reason the ESI was used, the alternative interventions or de-escalation strategies attempted before the ESI was used, and demographic information on the student (sex, gender, age, grade in school, and disability status, if any). This documentation shall be provided to the School's Emergency Safety Intervention Committee and the student's parents.

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

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

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

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

18.8 Emergency Safety Intervention (ESI) Committee

18.8.1 The School shall establish an ESI committee that includes:

[a] at least one administrator;

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

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

[d] at least one other licensed educator.

18.8.2 The ESI committee shall:

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

[b] determine and recommend professional learning needs;

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

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

18.9 ESI Records and Reporting

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

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

18.10 Violation of ESI Requirements

18.10.1 Violations of Seclusion Room Standards

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

18.10.2 Violations of Seclusion or Physical Restraint Requirements

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

19. CORPORAL PUNISHMENT

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

20. TRAINING

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

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

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

21. REPORTING ON SUSPENSIONS AND EXPULSIONS

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

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

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

22. POLICY AND PLAN DISSEMINATION AND REVIEW

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

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

MOUNTAIN WEST
Montessori Academy

Student Conduct & Discipline

Administrative Plan

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

The School intends for its student conduct practices to:

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

Collaborative & Proactive Solutions

The School employs a proactive and collaborative approach to solving student behavioral problems. While situations will occur which require emergent and immediate intervention and appropriate consequences, our goal is to engage students in problem-solving processes as partners. We believe that:

- Children do well when they can (when they have the skills to meet expectations)
- Everyone wants "their way", but some of us advocate for what we want in pro-social and adaptive ways because we have the skills to do so, and some can't
- All behavior is communication
- Problem behavior is generally an "incompatibility event", meaning that it happens when a student doesn't have the skills to meet the current expectations
- Oftentimes students are already highly motivated to do well but lack the social and emotional skills to do so; therefore in many situations we should focus on addressing lagging skills more than on increasing motivation through punishments and rewards

Our first goal is to form positive relationships of trust with our students so that we can engage them as partners in solving problems. Unacceptable behavior in a student is often predictable. Our model is to get to know our students well (through having the same teacher for three years) and to complete an assessment in which we identify which lagging skills or unsolved problems the student has in conjunction with these behaviors.

Our model is proactive—we attempt to shift the focus from the moment behavior happens (downstream) to upstream, where we can identify the lagging skills that contribute to the behavior. With a positive and trusting relationship, we conference with the student about specific, measurable difficulties that they are having (unsolved problems) with the goal of understanding their perspective and concerns regarding the problem. We then define our adult concerns and invite the student to participate in identifying reasonable and mutually satisfactory solutions to one of these problems. In so doing, we engage the student in self-awareness and effort to solve the problem, which results in teaching the lagging skills through guided experience. If the first solution doesn't work, the process is repeated. Because we are working with the student, our model is collaborative.

Behavior is defined as follows:

- Anything an individual says or does
  - ✓ Behavior is observable, and communicates something to us.
- Occurs as a response to one's environment
  - ✓ One's environment at any given time has specific academic, social, and/or behavioral expectations.
- Serves a function or purpose
  - ✓ There is a "why" that contributes to the behavior.
  - ✓ Maladaptive behavior is often due to lack of skills to meet expectations.
- Results in a desired outcome
  - ✓ There are consequences or reinforcers that contribute to behavior.
- Learned
  - ✓ It is possible to teach replacement behaviors and increase lagging skills to enable individuals to better meet expectations.
- Can be changed
  - ✓ It is possible to change behavior and produce different outcomes, especially through acquisition of social and emotional skills.

Mountain West Montessori works hard to create a calm and peaceful learning environment for all students. This environment is created to help all students learn and embrace the Montessori values of grace, courtesy, and respect. Creating this environment is the job of all employees, students, and volunteers at MWMA.

The School recognizes that changes in student behavior require effective environments which are created and modeled by adults. The school is committed to providing effective support systems for creation of peaceful, productive classroom communities.

The School places high value on grace, courtesy, respect and responsibility. As such, we encourage adults to develop open and respectful lines of communication with each other for the benefit of MWMA students.

Student Behavior Expectations

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

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

Guidelines for Success

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

- Be Respectful
  - ✓ Treat others the way you wish to be treated
  - ✓ Take care of private and public property
  - ✓ Solve problems peacefully
  - ✓ Respect the right of others to be different from you
  - ✓ Respect the right of others to think differently than you
- Be Responsible
  - ✓ Take ownership for your actions
  - ✓ Be on time and ready to learn
  - ✓ Follow classroom and school rules
  - ✓ Do/Produce your own work
  - ✓ Be a learner
- Be Safe
  - ✓ Behave in ways that make the school a positive place
  - ✓ Report bullying, harassment or unsafe incidents
  - ✓ Refuse to spread rumors or gossip
  - ✓ Find trusted adults who can mentor and support you

There are a few rules that apply across settings at MWMA:

1. Be where you're supposed to be
2. Walk, work, and speak peacefully
3. Keep hands and objects to yourself
4. Respect materials and put things away where they belong
5. Keep our school clean

In addition, all students should respond to the bell by freezing in place, being silent, and looking at and paying attention to the person who rang the bell. All students should also respond to our "peace and quiet" gesture by silently copying it (finger on lips, the other hand holding up the "peace" sign).

The School's Guidelines for Success are aligned with specific behavioral expectations in each area of the School as follows:

Assembly Behavior: Assemblies are planned for student learning and enjoyment. Students are expected to be orderly while entering the gym and sit with their classes. Students are expected to

sit on their pockets so that those sitting behind them can still see. Students who disrupt assemblies will be given a warning, and if behavior continues, students will be removed and may not be permitted to attend future assemblies. Further disruptions in future assemblies may result in students forfeiting their opportunity to attend assemblies for the remainder of the school year.

Restroom Behavior: Students are expected to respect the privacy of others when using the restroom. Only one student should be in a bathroom stall at a time. Students should be neat with the toilet paper and soap, and should not linger in the bathroom longer than is necessary. Students who misuse their bathroom privileges will be assigned a TA or buddy to bring them to and from the bathroom.

Bus Behavior: MWMA provides students with many field trip opportunities that involve transportation on a bus. The bus is an extension of the classroom, therefore all school policies concerning student behavior will apply on the bus. Student safety and respect for others are our main concern while riding on a bus. The following are bus rules and regulations: remain seated and quiet while the bus is in motion, only use appropriate physical contact, be respectful, keep arms, legs, and other objects inside the bus. Students who do not obey these rules may forfeit their opportunity to participate in school fieldtrips.

Cafeteria Behavior: Students must maintain orderly behavior in the cafeteria. Students are responsible for cleaning the area where they eat. Throwing food, dripping items on the floor, and making messes are not appropriate behaviors in the cafeteria, and may result in administrative consequences. Students must sit at tables to eat and drink. Food is to be eaten in the cafeteria. No food or drink may be eaten in school hallways or on the playgrounds. Upon finishing lunch, each student will pick up his/her area, properly dispose of all refuse, and exit the cafeteria doors. Students are not allowed in the school halls during lunch.

Classroom Time: Students are to be in class on time each day. Students must be prepared for class with necessary supplies and completed assignments. Students will be active participants in class. Students will respect the learning environment and activities of the classroom. A student will be removed from class for being uncooperative, disrespectful, or disruptive, and will receive an office referral. The consequence for removal from class can result in disciplinary action by administrators.

Testing: When there are students in the building who are testing, students who are in the hallways are expected to be silent and move quietly.

Field Trip Behavior: Field trips are an opportunity to help students make connections between the classroom and the wider community. Since field trips take place during the school day, it is the expectation that students follow all school policies concerning student behavior, while on a field trip. In addition, student safety and respect for our community are of the utmost concern, therefore, students who violate the outlined rules may have their field trip privileges suspended and may face further consequences. The following are general field trip expectations and guidelines, although each individual field trip has unique hazards and will therefore constitute varying expectations. Students must stay with their assigned group throughout the field trip. Students shall respect personal and public property. Students who do not exhibit respectful and appropriate behavior may

be denied participation on a field trip if past behavior has given reason to expect that the student may not behave appropriately during the trip or if the student has not participated in class or is missing excessive assignments in any class.

*Hallway Behavior***:** Hallway behavior includes the time: before school, between classes, during class, and after school. Behavior that is appropriate for the hallways includes but is not limited to: walking, quiet and calm voices, appropriate physical behavior, and demonstrating respect for yourself, others, and school property. All school rules are to be followed whenever students are in hallways.

*Recess***:** During recess and lunch, students must remain within the fenced playground. Mountain West Montessori Academy is a closed campus, and therefore, students are not allowed to leave campus during school hours. Students are to listen to all individuals on the playground. Students may not leave the assigned playground or indoor recess area without permission from the supervisor that is on duty at the time. Students are responsible for any sports equipment taken outside. Such equipment is to be returned when recess time is over. If a ball or equipment goes onto a roof or off the playground, the teacher or adult on duty will inform the office to arrange for retrieval. We are not properly prepared for tackle football, "keep away", or similarly aggressive games that involve physical contact and as such they are not allowed on school grounds. No snowballs are to be made or thrown on or near school property. Safety rules for the playground and playground equipment are based on the following, which are prohibited: fence climbing, walking on the slide, throwing rocks/stones/mulch/wood chips, and shoving or pushing at any time. CONSEQUENCES: For minor infractions, students will receive a warning and verbal correction and can return to play. Physical aggression will result in the loss of recess for a designated period of time and possible suspension. Recess with other students is a privilege. Students who frequently choose to ignore playground/recess expectations or commit more serious infractions may lose the privilege of having recess with other students.

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

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

School and Classroom Management

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

Understanding student misconduct as an opportunity for learning is fundamental to the School's positive and progressive approach to discipline. The School utilizes progressive responses to misconduct in the form of incremental intervention strategies and discipline to address inappropriate behavior with the ultimate goal of teaching social and emotional skills and positive

behaviors. In the context of this Plan, intervention strategies are actions that provide opportunities for instruction, assessment and restoration. Emergent discipline responses are actions that are typically viewed as consequences. With this approach, students have the space to make mistakes, learn from them and receive support to make changes in their behavior.

The School espouses a positive discipline philosophy which embodies firmness and kindness together, in order to build responsibility and skills in students by providing them with freedom within order.

Kindness *does not* mean pleasing children, rescuing them, allowing them to be disrespectful, or protecting them from all disappointment. It *does* mean validating feelings, understanding their point of view, and believing that they can survive disappointment and develop capability.

Firmness *does not* mean punishment, lectures, or authoritarian commands. It *does* mean respect, and setting a boundary or limit on choices and behavior, (best when agree upon).

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

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

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

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

Classroom Rules and Consequences

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

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

- Few in number (typically 3-5)
  - ✓ Each rule appears more important when there are fewer of them. Fewer rules are easier for students to remember and for teachers to enforce. Having just a few rules avoid the sense that the teacher is trying to control a student's every movement.

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

Effective consequences display the following characteristics:

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

Effective Classroom Management

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

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

STOIC System for Classroom Management

- **S**tructure – Organize the classroom for success

- ✓ Teachers will create and use an effective daily schedule.
- ✓ The classroom environment will be arranged effectively.
- ✓ Teachers will use appropriate attention signals, including the bell.
- ✓ Teachers will establish 3-5 positively stated classroom rules that describe specific and observable behaviors that students are expected to exhibit at all times.

- **T**each Expectations – Teach students how to behave responsibly in the classroom
  - ✓ Teachers will set clear expectations by teaching, re-teaching, modeling, and consistently enforcing classroom rules.
  - ✓ Teachers will teach weekly Grace & Courtesy lessons to introduce manners and relational skills
  - ✓ Teachers will look for "teachable moments" in which to restate and reinforce these skills and assist students in putting them into practice
- **O**bserve – Supervise and monitor student behavior
  - ✓ Circulate and scan the classroom
  - ✓ Model friendly, respectful behavior
  - ✓ Track specific behavior problems to gather data
- **I**nteract positively with students
  - ✓ Interact with all students in a welcoming manner
  - ✓ Display enthusiasm
  - ✓ Offer non-contingent attention
  - ✓ Strive for a 4 to 1 ratio of positive to negative interactions
  - ✓ Provide positive feedback that is:
    - ✶ Sincere
    - ✶ Specific and descriptive
    - ✶ Directed toward effort rather than result
    - ✶ Age appropriate
- **C**orrect inappropriate behavior fluently to avoid disrupting the flow of instruction
  - ✓ Key concepts for correcting misbehavior:
    - ✶ Preplan corrective responses
    - ✶ Make sure correction efforts address the cause of the misbehavior
    - ✶ Use correction that is immediate, brief, consistent, calm, respectful.
    - ✶ Evaluate whether the targeted behavior decreases

Effective Instructional Practices for Teaching Student Expectations

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

School staff will begin communicating and teaching behavior expectations as well as self-discipline, Montessori grace and courtesy, and social skills on the first day of each school year. The School expects teachers to train students in behavioral skills and expectations during the first two weeks of school and throughout the year. School staff will teach behavior expectations to new students when they enroll in the School. School staff will continue reminding, re-teaching, and recognizing expected behavior throughout the school year. Feedback from staff, students, and parents will be used to determine when specific behavioral issues need to be addressed at an individual, class, or School-wide level throughout the year.

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

- Distribution of the student handbook and rules.
- Posted expectations (e.g. classroom constitutions, lunchroom rules).
- Weekly Montessori grace and courtesy lessons.
- Targeted instruction on specific skills as relevant incidents arise.
- Modeling of desired behaviors by school personnel.

School and classroom procedures will be taught by:

- Teaching the procedure by explaining it clearly.
- Modeling the procedure by showing students how the procedure is done or through roleplay (may include positive and negative examples)
- Practicing the procedure together and making corrections as needed.
- Reviewing the procedure and providing feedback.
- Giving encouragement to students who follow the procedure.
- Conducting periodic reviews of procedures and revising them as needed.

Social and academic teaching will be integrated within and across the curriculum.

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

The School will emphasize instruction in the following social skills:

- Interrupting politely
- Offering help
- Expressing admiration
- Introducing oneself
- Perseverance
- Apologizing
- Respecting people and property
- Appreciating differences
- Taking responsibility
- Inclusion
- Calming down
- Personal space
- Handling conflict
- Empathy
- Personal rights
- Advocating for oneself
- Electronics etiquette
- Disagreeing respectfully
- Eating politely
- Recognizing bullying

- Bystander skills
- Leadership
- Sportsmanship
- Offering help
- Flag etiquette
- Appropriate touch
- Recognizing and avoiding gossip
- Expressing sympathy
- Listening skills
- Gratitude
- Restroom etiquette
- Compromise

Systematic Methods for Reinforcement of Expected Behaviors

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

Staff members will recognize students who demonstrate behavior that satisfies specific behavior expectations by providing them with recognition, encouragement, or thanks, and by helping students make connections between this behavior and positive outcomes.

Staff members will make every effort to provide students with a means to make amends for the negative consequences of their behavior, including mediating conflict resolution, facilitating apologies, and providing community improvement activities.

Uniform Methods for Correction of Student Behavior

The School recognizes that behavior usually happens for and is maintained by the desire for one or more of the following:

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

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

- Clarify targeted positive behaviors
- Focus on the presence of responsible behaviors versus the absence of irresponsible behaviors
- Reinforce both improvement and mastery of desired behaviors
- Provide positive reinforcement and encouragement of desired behaviors
- Strive to increase the ratio of positive to negative interactions with students

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

- Structure and organize school environments to promote desirable behavior.
- Teach students how to behave responsibly in all school settings.
- Observe and properly supervise student behavior.
- Interact positively with students and model positive behaviors.
- Correct irresponsible behavior calmly, consistently, and immediately in the setting in which the behavior occurred and provide students with opportunities to make restitution for behavior that has negatively impacted others or the community.

Behavior Intervention Strategies

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

- Precision Requests
  - ✓ Make a quiet, direct "please" request in a nonquestion format from within about three feet of the student.
  - ✓ Wait 5-10 seconds (do not interact or nag or request again).
  - ✓ If the student complies, show appreciation.
  - ✓ If the student does not comply, repeat the request using the signal word *need* (signals last request), proximity, and direct eye contact (tip: use "you need" rather than "I need you to")
  - ✓ Wait 3-5 seconds.
  - ✓ If the student complies, show appreciation.
  - ✓ If the student does not comply, follow through with consequence
- Assessment of Lagging Skills & Unsolved Problems & Plan B
  - ✓ Complete an assessment which identifies the student's lagging social and emotional skills, and identifies specific problems the student is having (example: difficulty keeping hands to self while walking down the hall from the classroom to recess)
  - ✓ Prioritize one unsolved problem to work on with the student
  - ✓ Conference with the student during a time when they are not in trouble
  - ✓ Identify the student's perspective and concerns (example: I noticed that you sometimes have a hard time keeping your hands to yourself when you are walking down the hall to recess. What's up with that?)
  - ✓ Share your perspective and concerns.
  - ✓ Invite the student to problem-solve and identify potential solutions.
  - ✓ Select a solution that is mutually satisfactory and reasonable.
  - ✓ Enact the solution and wait to see if it works. If so, move to the next unsolved problem. If not, go back to the problem-solving and try another solution.
- Functional Behavior Assessment/Behavior Intervention Plans
  - ✓ Behavior Intervention Plans are developed based on an assessment of the function of the student's behavior. The assessment results are used to develop a plan for consistent instruction and intervention to support behavior change.
- Social Emotional Learning Groups

  - ✓ Social Emotional Skills Groups provide direct instruction for students on areas of needed growth, e.g. anger management, social skills, conflict resolution or self-advocacy.
- Check-in Check-Out
  - ✓ Students check in with designated staff before the beginning and at the end of each school day to receive positive contact, pre-corrects, reminders of school-wide expectations, encouragement, congratulations, and/or prizes.
- Conflict Resolution
  - ✓ Students are supported and empowered to take responsibility for peacefully resolving conflicts through use of the Montessori peace table process. Students are taught skills including calming down, how to apologize, and effective listening and communication.
- Restitution Practices
  - ✓ Interventions are designed to identify and address the harm caused by an incident and to develop a plan to heal and correct the situation. Restitution practices include engaging with a student in dialogue, supporting students to make an apology and repair harm, facilitating a peace table, providing community improvement opportunities, etc.

Disciplinary Responses

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

- Loss of classroom privileges
  - ✓ Students lose opportunities in the classroom such as choosing where to work, participating in free time activities, etc.
- Cool Down Time
  - ✓ Students are assigned to an alternate location during class time, recess, or lunch in order to restore emotional balance.
- Community Improvement
  - ✓ Students are provided with an opportunity to make restitution for behavior that has negatively impacted the school or classroom community by staying after school to help with school improvement projects such as cleaning, organizing, gardening, or helping teachers or other staff members.
- In-school suspension
  - ✓ Students are removed from the classroom environment and assigned to work in a designated space within the School for up to one day.
- Out of school suspension
  - ✓ Students are removed from the School environment for a designated number of days based on the severity of the infraction and other mitigating and escalating factors. Out of school suspensions will be followed by a restorative re-engagement conference to involve the student, parent and appropriate School staff.
- Expulsion
  - ✓ Students are removed from the School environment following the process established in the Student Conduct and Discipline Policy.

Behavior Response

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

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

The School uses four (4) levels of possible response to inappropriate and disruptive behavior (response levels). Each behavior is assigned to one or more response levels. If the inappropriate or disruptive behavior is assigned to two (2) or more response levels, the lowest level should be used first. For example, if a student engages in cheating, School staff should first use intervention strategies and responses in Response Level 1 before moving to Response Level 2.

Response Level I: *Classroom response: intervention and discipline are provided by the teacher. Suspension is not an appropriate response at Level I unless the behavior is accompanied by an escalating factor. Since students are not referred to administration, there is no need to complete a Behavior Action Referral Form.*

Intervention	Discipline
Precision Requests	Loss of classroom privileges
Contact parent via phone, email, note, or text	Provide alternate recess activity
Create behavior contract or chart	Community Improvement
Provide sensory, movement, or mindfulness break	Temporary removal from classroom activity
Mediated peace table	Loss of work choices or seating choices
Provide self-reflection or a peace plan	"Glued" to the teacher
Teach a coping strategy or replacement behavior	
Assign project or essay related to behavior	
Support an apology or provide opportunity for restitution or amends to those harmed by actions	

Example Behaviors:

- Disruption
- Mild physical aggression
- Rough housing
- Throwing objects (not at someone)
- Property damage or theft (under $50)

- Toy or imitation weapons or weapon/violent gestures
- Dress code violations
- Cursing or obscene gestures
- Cheating
- Spitting

***Response Level II**: Intervention and discipline may involve behavior support staff. Administrative involvement underscores the seriousness of the behavior. Suspension may be an appropriate response at Level II—in-school suspension is generally tried before out-of-school suspension. A Behavioral Action Referral Form should be filled out and the student referred to the front office.*

Intervention	Discipline
Strategies from Level I, increased in intensity or frequency	Discipline from Level I, increased in intensity or frequency
Social emotional skills group	Conference with administrator
Create home-school communication system	Check-in with administrator for a set period of time
Problem-solving conference with parent & student	In-school or out-of-school suspension for up to five days
Assign to "Check In Check Out"	Re-engagement meeting with parent(s) for out-of-school suspension before return to school
Class schedule change	

Example Behaviors:

- Multiple repeated violations (see Escalating Factors)
- Non-Compliance
- Fighting (or taunting or baiting a fight)
- Physical aggression which causes harm to another person
- Physical altercation with a staff member
- Throwing an object at someone
- Property damage (greater than $50)
- Bullying (see the School's Bullying & Hazing Policy)
- Possession of alcohol or tobacco, distribution of a prescription medication, possession of a weapon other than a gun, possession of fireworks, pepper spray, or smoke bombs, gambling, participation in group intimidation, touching another person's private parts, inappropriate use of technology, public display of private parts, distributing unauthorized recordings or images, possessing pornographic material

Response Level III: Intervention and discipline involve administration. Response results in removal (≥5 days) of the student from the school environment due to the seriousness of the behavior. A reengagement conference occurs upon student return. A Behavioral Action Referral Form must be filled out.

Intervention	Discipline
Strategies from Level I, increased in intensity or frequency	Discipline from Level I or Level II, increased in intensity or frequency
Referral to community resources for mental health, substance abuse, etc.	Out of school suspension for at least 5 days; reengagement conference to include parent(s)
Develop behavior intervention plan (BIP) or 504	

Example Behaviors:

- Distribution of alcohol
- Violent or threatening conduct that disrupts school
- Any act which seriously jeopardizes the health, safety, or property of another person
- Consensual sexual activity
- Removing another person's clothing
- Making or transmitting secret recordings or images, possessing, making, or transmitting an image of a student or staff member in a nude or partially nude state (regardless of consent)
- Serious threats of violence toward another person or the school
- Possession of an imitation firearm, setting a fire, activating a false fire alarm, attempting/detonating a firework, smoke bomb, pepper spray, tear gas, or stink bomb, making a bomb threat, gang intimidation or violence

Response Level IV: Requires longer term removal of student from the school environment. Response focuses on ensuring the safety of the school community and ending dangerous behavior. Removal is followed by a reengagement conference which includes parents/guardians upon the student's return to school. A Behavior Incidence Form must be filled out.

Discipline
Out of school suspension for 5 - 45 days
Possible recommendation for expulsion

Example Behaviors:

- Possession and distribution of illegal drugs
- Use of a weapon other than a firearm in the commission of an aggressive act toward another person
- Possession of a firearm or gun of any kind
- Possession of a bomb or other explosive device
- Engaging in non-consensual sexual contact with another student coupled with the use of force, threat, or coercion
- Physical assault resulting in substantial injury to another person

Severe Clause:

In instances where student conduct significantly impacts the property, health and/or safety of others or causes significant, severe disruption to the learning environment, a more severe form of response may be warranted even if it is a first offense.

For example:

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

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

In all cases where a student's conduct results in the extreme physical injury of another person, regardless of level of conduct, the conduct will be handled at Response Level 4.

2. *Conduct that Results in a Significant Loss of Instructional Time* – A student whose conduct results in a significant loss of instructional time for one or more students will be subject to the disciplinary consequences under the next, higher response level (i.e. a Response Level 2 behavior will be subject to Response Level 3 consequences).

A significant loss of instructional time results when the combined amount of lost instructional time for all affected students equals 110 or more hours.

3. *Conduct that Results in Significant Property Damage or Loss* – A student whose conduct results in significant property damage or loss will be subject to the disciplinary consequences under the next higher response level (i.e. a Response Level 2 behavior will be subject to Response Level 3 consequences). Significant property damage or loss results when the damaged or lost property has a value of more than $1,500.00. The value of the damaged property is determined by the lesser of the repair or replacement cost.

Escalating Factors

During the school year, a student's first violation of a given behavior standard will usually merit a response of a lesser degree than subsequent violations, taking into account all factors related to the severity of the current violation. Repeated offenses within the school year escalate the severity of the response.

Progressive responses are generally confined to the current school year. At the beginning of each new year, every student may begin with a clean slate and responses to inappropriate and disruptive behavior may begin at the lowest, assigned response level for a first occurrence of the behavior within the school year unless the behavior is subject to the severe clause.

Suspension (Response Level 3 and Response Level 4)

Response Level 3 conduct will typically result in a student being suspended from school for 5 or more days unless prohibited by the IDEA and/or state law. Response Level 4 conduct typically requires the student be suspended from school for a longer period unless prohibited by the IDEA and/or state law. Suspension and expulsion will take place as provided in the School's Student Discipline and Conduct Policy.

Expulsion (Response Level 4 Conduct)

Response Level 4 conduct typically results in a student being recommended for expulsion from school. Expulsion will take place as provided in the School's Student Discipline and Conduct Policy.

Adequate Adult Supervision

In order to help ensure that behavior expectations are consistently monitored and enforced, the School will ensure that adequate adult supervision is maintained in classrooms, on the playground, in the cafeteria, other areas of the School building, during field trips, and during other school-sponsored activities. The School's best practices for minimum adult-to-student ratios are outlined below.

Setting	Adult-to-Student Ratio
Classroom	1:30
Lunchroom & Playground	1:54
Field Trips: Elementary	1:6
Field Trips: Middle school	1:8

Annual Data-Based Evaluations of Efficiency and Effectiveness

Staff members will document on the designated incident report form behavior incidences that rise to *Response Level II* for data gathering purposes. Documentation will be submitted to the front office. Documentation should identify the category/type of the incident (defiance of authority, disruption of class instruction, inappropriate language, fighting, disrespectful to adult, inappropriate touching, etc.), the severity of the behavior, the gender and grade of the student, the student's teacher, the name of the reporting adult, and the location of the behavior.

Behaviors at *Response Level III* or higher will be tracked in The School's Student Information System and this data included in behavior analysis.

Behavior data will be analyzed by a behavior team comprised of administration, selected support staff, and designated teachers on a monthly basis. The results will be shared with staff members and will be used to plan adjustments and areas of emphasis in addressing behavior issues.

Staff members and students will be asked annually to respond to a survey with the following (or similar) questions:

- Do students feel safe in (classrooms, halls, restrooms, cafeteria, playground)?
- Are students taught how to behave responsibly in (classrooms, halls, restrooms, cafeteria, playground)?
- Do students treat other students respectfully in (classrooms, halls, restrooms, cafeteria, playground)?
- Do students treat staff respectfully in (classrooms, halls, restrooms, cafeteria, playground)?
- Do staff treat students respectfully in (classrooms, halls, restrooms, cafeteria, playground)?
- What behaviors in this area make students/staff feel unsafe or disrespected?
- What can students/staff do in this area to make others feel safe and respected?

The results of these surveys will be analyzed by a behavior team comprised of selected administrators, teachers, and support staff. The results will be shared with staff members and used to plan adjustments and areas of emphasis in addressing behavior issues.

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

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

Staff Development Program and Training of Appropriate School Personnel

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

The School will ensure that all staff members who supervise children receive annual training in:

- crisis intervention training and emergency safety intervention consistent with evidence-based practice and based on school policies
- development of student behavior expectations (faculty)
- effective instructional practices for teaching and reinforcing behavior expectations (faculty)
- effective intervention strategies
- effective strategies for evaluation of the efficiency and effectiveness of interventions (behavior team)

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

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

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

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

The School defines bullying as intentional, hurtful behavior that occurs repeatedly, even after the perpetrator has been asked to stop the behavior. The School teaches the definition of bullying, as well as bystander strategies, to all students in age-appropriate language as part of the School's Grace and Courtesy curriculum.

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

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

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

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

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

Notice to Employees

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

Gang Prevention and Intervention

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

Reports Received Through the School Safety and Crisis Line

The School may receive a report through the School Safety and Crisis Line established under Utah Code § 53A-11-1503(3), regarding (i) unsafe, violent, or criminal activities, or the threat of such activities at or near a public school; (ii) incidents of bullying, cyber-bullying, harassment, or hazing; and (iii) incidents of physical or sexual abuse committed by a school employee or school volunteer; or involving situations where there is a need for crisis intervention, including suicide prevention, to individuals experiencing emotional distress or psychiatric crisis. In the event the School receives such a report, it will be addressed by the School's administrators and/or counselor and referred within 24 hours to appropriate intervention resources. However, a response to a report may not occur during non-school days, including weekends, until the next school day.

Protections for Students with a Disability

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

Student Data Collection Notice

Mountain West Montessori Academy (the "School") collects student data for two main purposes: to comply with law and to improve students' educational experience. Student data enables the School to participate in education programs and to qualify for education funds. Student data also helps the School to better plan and personalize classroom instruction, increase student and teacher performance, and make informed decisions.

Student data collected by the School includes data defined as "necessary student data" and "optional student data" in Utah Code § 53E-9-301. A list of the data the School collects under these categories is included on the second page of this Notice. The School collects student data primarily through registration, but it also collects additional student data during the school year. The School does not collect student social security numbers or, except as required in Utah Code § 80-6-103, criminal records.

The School strives to not share personally identifiable student data ("PII") unless the sharing is in accordance with Utah's student privacy and data protection laws and the Family Educational Rights and Privacy Act ("FERPA"). Except as allowed by law, the School will not share PII externally without written consent. Some examples of where the School is allowed by law to share PII without written consent include sharing such data with an authorized caseworker or other representative of the Department of Health and Human Services, in response to a valid subpoena, or to persons or entities qualifying as school officials under FERPA.

The School takes many measures to protect student data. Student data stored digitally is stored on computers and systems that are secured, maintained, and supported by qualified IT service providers. Confidential PII in print form is stored in secured, locked areas in the School.

A student's rights under Utah Code § 53E-9-301 through -310 include:

- Each student owns his or her PII. A student and his or her parent must be allowed to access such student data maintained by the School;
- A student's parent or guardian, or an adult student, has the right to be notified by the School if a significant data breach occurs at the School;
- A prior student or parent of a prior student is entitled to have certain of the prior student's student data that is stored by the School expunged in accordance with the law and State Board of Education rules; and
- A student is entitled to receive a student data collection notice from the School prior to the School collecting necessary or optional student data of the student.

The collection, use, and sharing of student data has both benefits and risks. Parents and students should learn about these benefits and risks and make choices regarding student data accordingly.

Necessary Student Data

- Name (first, middle, and last);
- Date of birth;
- Sex;
- Parent contact information (including full name, relationship to student, home address, phone number(s), and email address);
- Custodial parent information (including contact information, whether living with student, and existence of any legal documents regarding custody of student);
- Contact information (including phone number, home/mailing address, and/or email address);
- A student identification number;
- Local, state, and national assessment results or an exception from taking a local, state, or national assessment;
- Courses taken and completed, credits earned, and other transcript information;
- Course grades and grade point average;
- Grade level and expected graduation date or graduation cohort;
- Degree, diploma, credential attainment, and other school exit information;
- Attendance and mobility;
- Drop-out data;
- Immunization record or an exception from an immunization record;
- Race;
- Ethnicity;
- Tribal affiliation;
- Remediation efforts;
- An exception from a vision screening required under Utah Code § 53G-9-404 or information collected from a vision screening required under Utah Code § 53G-9-404;
- Information related to the Utah Registry of Autism and Developmental Disabilities;
- Student injury information;
- A disciplinary record created and maintained as described in Utah Code § 53E-9-306;
- Juvenile delinquency records;
- English language learner status (including whether child speaks a language other than English);
- Child find and special education evaluation data related to initiation of an IEP; and
- Information related to School's Fee Waiver Application, including household income verification, whether student receives SSI benefits, whether family receives TANF, and whether student is in foster care or in state custody.

Optional Student Data

- Information that is not "necessary student data" described above but is related to a student's IEP, needed to provide special needs services or that is required for a student to participate in a federal or other program;
- A student's preferred first, middle, and last name (but only if different than student's legal names);
- A student's homelessness status;
- A student's birthplace, including whether a student was born outside of the United States;

- A student's disciplinary history, including whether a student has ever been suspended or expelled from school and if the student has any disciplinary action pending from the student's previous school of enrollment;
- A student's emergency contact information (including name, relationship to student, and phone number(s));
- Information needed for School to facilitate transfer of a student's student records from previous school, including:
  - ✓ Whether student currently resides in Utah;
  - ✓ District boundaries in which student lives;
  - ✓ School boundaries in which student lives;
  - ✓ Whether student has pre-registered with a school other than the school located in the school boundaries in which student lives;
  - ✓ Name and contact information (address and phone number) of the school in which the student has pre-registered;
- A student's health or disability data (health data collected includes vision and hearing impairment, medical conditions, medications taken during school hours, allergies, special dietary needs, and other); and
- Information requested in Household Application for Free and Reduced Price School Meals, including data related to household members, whether any household members participate in assistance programs (such as SNAP, TANF, or FDPIR), and household income.

MWMA Student Data Collection Notice
Last Updated: 3-06-25

Student Data Disclosure Statement

Mountain West Montessori Academy (the "School") collects student data for two main purposes: to comply with state or federal law and to improve students' educational experience. Student data enables the School to participate in state and federal education programs and to qualify for state and federal education funds. Student data also helps the School to better plan and personalize classroom instruction, increase student and teacher performance, and make informed decisions.

Student data collected by the School includes data defined as "necessary student data" and "optional student data" in Utah Code Ann. § 53A-1-1402(17)-(18). The School collects student data primarily through registration, but it also collects additional student data during the school year. The necessary and optional student data collected by the School is listed in the School's Data Governance Plan, which is (or will soon be) available on the School's website. The School does not collect a student's social security number or, except as required in Utah Code Ann. § 78A-6-112, criminal record.

The School strives to not share a student's personally identifiable student data unless the sharing is in accordance with the Utah Student Data Protection Act, Utah Family Educational Rights and Privacy Act, and the federal Family Educational Rights and Privacy Act. Except as allowed by law, the School will not share, externally, personally identifiable student data from a cumulative record without a data authorization. Examples of where the law allows the School to share personally identifiable student data without a data authorization include sharing such data with a school official, an authorized caseworker or other representative of the Department of Human Services, or a person to whom the School has outsourced certain services or functions that School employees would typically perform. Student data collected by the School and shared with outside parties is set forth in the School's Metadata Dictionary, which is (or will soon be) available on the School's website.

The School takes many measures to protect its student data. Student data stored digitally by the School is stored on computers and systems that are secured, maintained, and supported by qualified IT service providers. Confidential personally identifiable student data in print form is stored in secured, locked areas in the School.

A student's rights under Utah's Student Data Protection Act include:

- Each student owns his or her personally identifiable student data and may download, export, transfer, save, or maintain their student data, including a document;
- A student's parent or guardian, or an adult student, has the right to be notified by the School if there is a release of the student's personally identifiable student data due to a security breach;
- Except where otherwise provided by law, a student is entitled to have his or her student data expunged by the School if the student is at least 23 years old and requests that the School expunge his or her student data; and
- A student is entitled to receive a student data disclosure statement from the School.

The collection, use, and sharing of student data has both benefits and risks. Parents and students should learn about these benefits and risks and make choices regarding student data accordingly.

MWMA Student Data Disclosure Statement
Last Updated: 8-07-17

Student Data Privacy & Security Policy

Mountain West Montessori Academy
Student Data Privacy and Security Policy
Adopted: June 20, 2017
Amended: December 3, 2018

PURPOSE

Mountain West Montessori Academy (the "School") is responsible for protecting the privacy of student data and ensuring data security. The purpose of this policy is to describe how the School will perform this responsibility in compliance with state and federal law.

POLICY

The School will comply with state and federal laws regarding student data privacy and security, including but not limited to Chapter 9 of Title 53E of the Utah Code, Utah Administrative Code Rule R277-487, and the Family Educational Rights and Privacy Act.

Utah Code Ann. § 53E-9-301 *et seq.* requires the School to, among other things:

(1) Adopt policies to protect student data;
(2) Designate a student data manager;
(3) Create, maintain, and publish a data governance plan;
(4) Create, maintain, and publish a metadata dictionary;
(5) Establish an external research review process for a request for data for the purpose of external research or evaluation;
(6) Distribute and publish a student data collection notice; and
(7) Require third-party contractors that receive student data from the School to enter into a contract with the School concerning, among other things, the third-party contractor's collection, use, storage, and sharing of the student data.

Student Data Manager

The School hereby designates the Director as the School's Student Data Manager. The Director shall fulfill the responsibilities of a student data manager described in Utah Code Ann. § 53E-9-308 and rules adopted by the Utah State Board of Education. When appropriate, the Director may delegate such responsibilities to another individual.

Data Governance Plan

The Director shall establish an administrative Data Governance Plan that complies with the requirements of Utah Code Ann. § 53E-9-301 *et seq.* and rules adopted by the Utah State Board

of Education. The Data Governance Plan shall encompass the full life cycle of student data, from acquisition, to use, to disposal, and shall, among other things:

(1) Incorporate reasonable data industry best practices to maintain and protect student data and other education-related data;
(2) Describe the role, responsibility, and authority of the School's data and security managers, employees and volunteers, educators, and other parties;
(3) Provide for necessary technical assistance, training, support, and auditing;
(4) Describe the process the School will follow in connection with sharing student data with third-parties, including appropriate third-party contractors;
(5) Describe the School's data expungement process, including how to respond to requests that data be expunged;
(6) Include the School's external research review process for a request for data for the purpose of external research or evaluation; and
(7) Describe actions the School will take to prevent data breaches as well as the response process the School will follow in the event of a data breach.

The Data Governance Plan shall work in conjunction with this policy, the School's metadata dictionary, and any other School policy or administrative procedure or plan concerning student data privacy and security.

The Data Governance Plan shall be published as required by Utah law and rules adopted by the Utah State Board of Education.

Metadata Dictionary

The Director shall ensure that the School creates, maintains, and publishes a metadata dictionary in accordance with Utah Code Ann. § 53E-9-301 *et seq.* and rules adopted by the Utah State Board of Education.

Training

On an annual basis, the School shall provide appropriate student data privacy training to its employees, aides, and volunteers who are authorized by the School to have access to education records as defined in the Family Educational Rights and Privacy Act.

Student Education Plan Policy

Mountain West Montessori Academy
Student Education Plan Policy
Adopted: June 22, 2020

POLICY

Mountain West Montessori Academy (the "School") understands the importance of personal education planning for each of its students. Personal education planning is a cooperative effort involving students, parents/guardians, and educators. It focuses on the individual needs of the student and is essential at the elementary and secondary school levels.

The School shall implement an individual learning plan (also known as an SEP) for its K-6 students and a plan for college and career readiness (also known as an SEOP) for its students in grades 7-9 in accordance with Utah law.

The School's Principal shall establish administrative procedures to help the School implement individual learning plans and plans for college and career readiness consistent with Utah Code § 53E-2-304(2)(b) and, if the School receives Comprehensive Counseling and Guidance Program funds, Utah Administrative Code Rule R277-462.

Student Transportation Policy

Mountain West Montessori Academy
Student Transportation Policy
Adopted: February 27, 2023

PURPOSE

The purpose of this policy is to address how student transportation is handled at Mountain West Montessori Academy(the "School"). It is also to establish rules and requirements related to student transportation to help ensure student safety.

The School intends for this policy to satisfy the policy requirements of Utah Administrative Code Rule R277-601.

POLICY

No School Buses

The state does not provide the School (or any other Utah charter school) with any state transportation funding. As a result of this, and as a result of having a student population that often resides throughout multiple cities and/or counties in the state, the School does not own or operate school buses and does not provide transportation for students to or from School, except where required by law. Parents or guardians are responsible for the transportation of their students to and from the School each day.

Student Transportation for School Activities

The School may provide transportation for students in charter buses or through public transportation in connection with field trips, extracurricular activities, or other School-sponsored activities. Any charter bus company selected by the School to transport students shall meet or exceed industry safety requirements and provide reliable and professional transportation services.

The School shall inform parents and guardians when it intends to provide student transportation in connection with School activities and shall give parents the opportunity to consent to such transportation. A student's parent or guardian must provide consent in order for their student to be transported to and/or from School activities as described in this section.

Charter bus operators and, to the extent practicable, other vehicle drivers approved by the School to transport students to and/or from School activities, shall adhere to the applicable standards in R277-601-3. The School shall enforce the applicable standards as required by the rule.

Supervision of Students at School-Sponsored Activities Policy

Mountain West Montessori Academy
Supervision of Students at School-Sponsored Activities Policy
Adopted: February 27, 2023

PURPOSE

The purpose of this policy is to outline the supervisory responsibilities of Mountain West Montessori Academy (the "School") coaches and other designated School leaders (e.g., advisors, assistants, activity leaders, etc.) in connection with School-sponsored activities. Another purpose is to provide standards of behavior and conduct that such School coaches and designated leaders must follow.

POLICY

The School, School coaches, and other designated School leaders shall comply with Utah Administrative Code Rule R277-605.

Supervision of Students

School coaches and other designated School leaders shall diligently supervise the students under their care or control at all times while on School-sponsored activities, including but not limited to supervising such students:

(a) on the field or court, or at other competition or performance or activity sites;
(b) in locker rooms (as appropriate), seating areas, eating establishments, and lodging facilities; and
(c) while traveling.

School coaches and other designated School leaders are responsible for a student who is under their care or control for as long as a student remains on School grounds following a School-sponsored activity, subject to the following:

(a) After a School-sponsored activity on School grounds is over, parents/guardians are responsible to pick up their child promptly after the activity or make arrangements for someone else to pick up their child promptly after the activity; and
(b) If a child has not been picked up within **20** minutes of the School-sponsored activity ending, School coaches or other designated School leaders will contact the student's parent/guardian by telephone. If the student's parent/guardian cannot be reached by telephone, School coaches or other designated School leaders will contact, by telephone, the emergency contact(s), if any, designated by the student's parents/guardians. If neither the parent/guardian nor an emergency contact can be reached or are able to pick up the student in a timely manner, School coaches or

other designated School leaders may contact the police or the Division of Child and Family Services (DCFS) to report the situation.

If parents/guardians experience an emergency that causes them to run late or to be unable to have their child picked up within **20** minutes of a School-sponsored activity ending, they should notify the School coach or other designated School leader as soon as possible.

Behavior and Conduct

School coaches and other designated School leaders shall be exemplary role models to students and shall not use alcoholic beverages, tobacco, controlled substances, or participate in promiscuous sexual relationships while on School-sponsored activities. School coaches and other designated School leaders shall act in a manner consistent with Utah Code § 53G-8-209 and shall not:

(a) use foul, abusive, or profane language while engaged in School-related activities; or

(b) permit hazing, demeaning, or assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order Utah law.

School coaches and other designated School leaders shall abide by the rules pertaining to athletic and activity clinics set forth in R277-605-5. School coaches shall satisfy all of the training requirements listed in R277-605-6, and the School shall maintain verification of the coaches' compliance with the training requirements.

Time & Effort Documentation Policy

Mountain West Montessori Academy
Time & Effort Documentation Policy
Adopted: October 26, 2020
Amended: January 27, 2025

PURPOSE

Because Mountain West Montessori Academy (the "School") receives restricted funds, the School is obligated to properly spend and account for the expenditures of such funds. The School adopts this policy in order to ensure that charges to federal awards or other state restricted programs, as required, for salaries and wages are based on records that accurately reflect the work performed.

DEFINITIONS

"Accurate" means that salaries and wages are based on records that provide an actual representation of the work performed.

"Allocable" means, in accordance with 2 CFR § 200.405, a cost is allocable to a Federal award or other cost objective if the cost is assignable to that Federal award or other cost objective in accordance with the relative benefits received.

"Allowable" means that a cost meets the criteria (factors affecting allowability of costs) outlined in 2 CFR § 200.403, unless otherwise authorized by statute.

"Internal Control" means, as described in 2 CFR § 200.1, processes designed and implemented by a non-federal entity to provide reasonable assurance regarding the achievement of objectives in the following categories:

a. Effectiveness and efficiency of operations;
b. Reliability of reporting for internal and external use; and
c. Compliance with applicable laws and regulations.

"Cost Objective" means, as described in 2 CFR § 200.1, a program, function, activity, award, organizational subdivision, contract, or work unit for which cost data are desired and for which provision is made to accumulate and measure the cost of processes, products, jobs, and capital projects (*i.e.*, implementation of program accounting).

POLICY

<u>Time and Effort Standards</u>

The School shall recognize and follow the *Uniform Administrative Requirements* pertaining to the *Standards for Documentation of Personnel Expenses* as contained in 2 CFR § 200.430(g). Accordingly, all School employees who are paid in full or in part with federal funds shall keep specific documents to demonstrate the amount of time they spent working on the federal program (2 CFR § 200.430(g)(1)). In addition, all School employees who are paid with state and local funds, but whose salaries and wages are used for cost sharing or matching in a federal program, shall also keep time and effort documentation (2 CFR § 200.430(g)(4)). Moreover, all School employees who are paid in full or in part with state restricted funds shall keep specific documents to demonstrate the amount of time they spent working on the state restricted program.

Charges to restricted funds for salaries and wages must be based on records that accurately reflect the work performed. In accordance with 2 CFR § 200.430(g)(1), these records must:

1. Be supported by a system of **internal control** that provides reasonable assurance that charges are **accurate, allowable,** and **allocable**.
2. Be incorporated into the School's official records.
3. Reasonably reflect the total activity for which the employee is compensated by the School, not exceeding 100% of the compensated activities.
4. Encompass federally-assisted and all other activities compensated by the School on an integrated basis.
5. Comply with the established accounting policies and practices of the School.
6. Support the distribution of the employee's salary or wages among specific activities or **cost objectives**.

Semi-Annual Certifications and Personnel Activity Reports

To meet the above requirements, all School employees who are required to keep time and effort documentation must submit either a Semi-Annual Certification or a Personnel Activity Report ("PAR") as described below. Whether an employee must submit a Semi-Annual Certification or a PAR depends on the number of cost objectives that an employee works on.

The School's administration shall ensure that employees who work solely on a single cost objective complete a Semi-Annual Certification consistent with 2 C.F.R. § 200.430 and applicable state law and rule.

The School's administration shall ensure that employees who work on multiple cost objectives document their time and effort on a PAR consistent with 2 C.F.R. § 200.430 and applicable state law and rule.

PROCEDURES

The School's administration shall adopt additional administrative procedures to ensure compliance with this policy and applicable law.

Time & Effort Documentation

Administrative Procedures

These procedures are established in accordance with the Time & Effort Documentation Policy adopted by the School's Board of Directors.

1. All employees paid in whole or in part with federal funds, employees whose salaries are used to meet a matching/cost sharing requirement, and employees who are paid in whole or in part with state restricted funds are required to provide time and effort documentation that accurately and reasonably represents the work that has been performed during the period being reported on.
    a. **Semi-Annual Certification** – This certification must be submitted by/for employees who work solely on a single cost objective during the six-month period being reported on.
        i. Semi-Annual Certifications must:
            1. Be completed at least twice a year. For example, they could be submitted for the periods July 1 through December 31, and January 1 through June 30;
            2. Be submitted after the last day of the period being reported (*i.e.*, after the fact – the certification must reflect an after-the-fact distribution of the actual activity);
            3. Account for the total activity for which the employee is compensated;
            4. Be signed by the employee or a supervisor with direct knowledge of the work performed; and
            5. Be submitted on an approved form.
        ii. Semi-Annual Certification forms will include the following:
            1. Name and title of the employee;
            2. Name and title of the employee's supervisor;
            3. Name of the cost objective the employee worked on;
            4. Period being reported on;
            5. A certification statement certifying the employee has spent 100% of their time on the stated cost objective;
            6. Whether time, effort, and salary are being used for cost sharing or matching purposes, and if so, for which program(s);
            7. Signature of the employee or the employee's supervisor who has direct knowledge of the work performed; and
            8. Date Signed by the employee or the employee's supervisor (Note: Cannot be dated prior to the end of the period covered by the certification).

b. **Personnel Activity Report (PAR)** – This report must be submitted by/for employees who work on multiple cost objectives. PARs must support the distribution of employees' salaries and wages that meet the standards outlined below.
    i. A PAR must:
        1. Provide a written record of the employee's work activities used to document that employee's time to a cost objective;
        2. Be completed at least monthly and be supported by the employee's work activities (should be submitted after the last day of the month being reported on, that is, after the fact – the PAR must reflect an after-the-fact distribution of the actual activity, not a budget estimate);
        3. Account for the total work activity for which the employee is compensated;
        4. Coincide with one or more pay periods;
        5. Be signed by the employee; and
        6. Be submitted on an approved form.
    ii. PAR forms will include the following:
        1. Name and title of the employee;
        2. Name and title of the employee's supervisor;
        3. Name of the cost objectives the employee worked on;
        4. Period being reported on (*e.g.*, January 1 through January 31);
        5. A certification statement stating that the distribution of the employee's time is an accurate representation of the work performed;
        6. Whether time, effort, and salary are being used for cost sharing or matching purposes, and if so, for which cost objective;
        7. Distribution of time (by percentage, *e.g.*, 70% Title I, 30% Special Education) by account, function, program, location;
        8. Time being reported must represent but cannot exceed 100%;
        9. Signature of the employee;
        10. Date signed by the employee (Note: Cannot be dated prior to the end of the period covered by the PAR); and
        11. Sick time, vacation time, etc. (if applicable) must be coded proportionally to the different programs.
2. Payroll records must reconcile with the time and effort documentation.
3. A reconciliation of payroll records and time and effort documents will be done on a regular basis. Adjustments will be made and discussed, as necessary.
4. If an employee's salary is being used for cost sharing/matching purposes, then this needs to be identified on the employee's time and effort form. Once a salary has been used for matching purposes or a portion of the salary, then the salary, or portion thereof, that has been used may not be used as matching/cost sharing funds for another program.
5. If assignments change, it is the School's responsibility to inform the School's accounting and payroll staff so that payroll records, budgets, etc. can be updated.
6. Upon termination of employment, an employee must submit their final time and effort documentation prior to receiving their final payment.

7. Time and effort procedures will be periodically reviewed by School administration and the accounting and payroll staff. Updates due to changes in rules or regulations will be made in a timely manner, as necessary.
8. Employees will receive appropriate training on time and effort documentation, as necessary.
9. The School will keep a copy of all time and effort documentation (Semi-Annual Certifications, PARs, payroll reports, etc.) in accordance with the School's record retention practices or 3 years from the date of submission, whichever is greater, as required by 2 CFR § 200.334.
10. The signatures required herein may be either handwritten or electronic signatures.

Toilet Training Policy

Mountain West Montessori Academy
Toilet Training Policy
Adopted: June 24, 2024
Amended: August 25, 2025

PURPOSE

The purpose of this policy is to establish the toilet training requirements for students at Mountain West Montessori Academy (the "School").

DEFINITIONS

"Toilet trained" means that a student can:
(a) communicate the need to use the bathroom to an adult;
(b) sit down on a toilet;
(c) use the toilet without assistance;
(d) undress and dress as necessary; and
(e) tend to personal hygienic needs after toileting.

If an accident occurs, a "toilet trained" child can independently tend to hygienic needs and change clothes.

A student is not "toilet trained" if the student does not meet the criteria above or has accidents with sufficient frequency to impact the educational experience of the student or the student's peers, as determined by the School.

POLICY

General Rule

As required by Utah Code § 53G-7-203 and R277-631, the School shall not enroll a student unless the student is toilet trained.

Exceptions

The School may enroll a student who is not able to be toilet trained because of a suspected disability that:
(a) is subject to federal child find requirements; or
(b) is described in an IEP or Section 504 plan.

Assurance

The School shall, as part of its enrollment process, require the parent of an incoming student to complete an assurance as to whether the student is toilet trained.

Administrative Procedures

The Director shall establish administrative procedures regarding steps that School shall take in the event a student is not toilet trained.

MWMA Toilet Training Policy
REVISION A
Board Approval Date: 8-25-25

Toilet Training

Administrative Procedures

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

Students Who are not Toilet Trained

In the event a student seeking to enroll in the School is not toilet trained, or if a student who is already enrolled in the School is found to not be toilet trained, the School shall:

(a) consider whether the student's lack of toilet toileting may be a sign of a disability that could impact the student's education, including by conducting an initial evaluation consistent with the School's child find obligations, if appropriate; and
(b) determine whether the student is not able to be toilet trained because of a disability that is described in the student's IEP or Section 504 plan.

The School may, consistent with its lottery and enrollment policies, enroll a new student or maintain the enrollment of an existing student who is found to not be toilet trained if the School determines that the student is not able to be toilet trained because of a suspected disability that is subject to federal child find requirements or that is described in an IEP or Section 504 plan.

However, if the School determines that neither of these exceptions apply with respect to the student, the School shall:

(a) in the case of a student seeking to enroll in the School, not enroll the student in the School; and
(b) in the case of a student who is already enrolled in the School, unenroll the student from the School.

Travel Policy

Mountain West Montessori Academy
Travel Policy
Adopted: February 24, 2014
Revised: May 20, 2024
Revised: March 24, 2025

PURPOSE

The purpose of this policy is to establish procedures for authorization of, and payment for, travel by employees or Board members of Mountain West Montessori Academy (the "School") who may be required to travel to fulfill their official duties or to attend seminars, conferences, conventions, or other professional or educational events or meetings benefiting the School ("School-related business").

POLICY

1. This policy applies to all approved travel by employees and Board members on School-related business. For purposes of this policy, School-related business does not include an employee's regular daily travel to and from work or a Board member's travel to and from a regular Board meeting.

2. Travel for School-related business by employees must be approved in advance by the Director in order for the School to pay for the travel expenses as set forth in this policy. Travel for School-related business by the Director or a Board member must be communicated to the Board in advance of the travel, where possible. Payment for all travel-related expenses is subject to, and must be approved in accordance with, the School's Purchasing and Disbursement Policy.

3. Employees must submit their travel requests to the Director, and the Director and Board members must communicate their travel requests to the Board, at least three weeks prior to departure date and prior to making or paying for any travel arrangements, where possible. Such travel requests submitted to the Director and communications to the Board must explain the purpose of the travel and, where applicable, include the nature of the School-related business, proposed lodging accommodations, and approximate airfare or mileage, as applicable.

4. Per diem for meals and incidental expenses shall be paid for all approved travel events that are more than 100 miles from the School. The School shall pay per diem for meals and incidental expenses in accordance with the federal per diem meals and incidental expenses rates established by the U.S. General Services Administration ("GSA"). Where possible,

the per diem shall be paid to the traveler by check no fewer than 48 hours prior to departure date.

5. Reasonable and necessary flight reservations for approved travel events shall:
   a. Be personally made and paid for by the traveler and then reimbursed by the School based on receipts submitted by the traveler for such expenses. The traveler must provide receipts for all flight reservations for which reimbursement is sought; or
   b. Be made and paid for by the School.

   Absent extraordinary circumstances, first class flight reservations are not considered reasonable and necessary under this policy.

6. Reasonable and necessary ground transfer expenses (e.g., taxi, public transportation, ride share, parking, etc.) for approved travel events shall be personally paid for by the traveler and then reimbursed by the School based on receipts submitted by the traveler for such expenses. The traveler must provide receipts for all ground transfer expenses for which reimbursement is sought.

7. Reasonable and necessary mileage incurred by the traveler for approved travel events shall be reimbursed by the School at the standard IRS mileage reimbursement rates in effect at the time.

8. Reasonable and necessary lodging accommodations for approved travel events shall be made and paid for by the School in accordance with the daily lodging rates established by the GSA. However, under extenuating circumstances and only after receiving approval from the Director or the Board, travelers may personally make and pay for reasonable and necessary lodging accommodations for approved travel events. A traveler in this situation shall be reimbursed by the School based on receipts submitted by the traveler for such expenses. Such reimbursements by the School shall not exceed the lodging rates established by the GSA plus any associated required taxes and fees for the lodging.

9. Lodging accommodations shall be approved for the number of days an approved travel event is in session, less one. However, this is subject to the following exceptions:
   a. One additional night of lodging accommodations shall be approved when an additional travel day is required prior to an approved travel event;
   b. A second additional night of lodging accommodations shall be approved when an additional travel day is required after the approved travel event concludes; and
   c. Other additional nights of lodging accommodations shall be allowed only when approved in advance of the approved travel event by the Director or the Board President, as applicable.

10. School employees who have been issued a School credit card may use their School credit card to pay for approved flight reservations, ground transfer expenses, and lodging accommodations in accordance with this policy only after receiving approval from the Director. Such School employees may also use their School credit card to pay for other reasonable travel-related expenses only after receiving approval from the Director. The

Director may also use his/her School credit card to pay for the same travel expenses listed above in this paragraph in accordance with the School's Credit Card Policy and Purchasing and Disbursement Policy. However, School credit cards shall not be used for per diem for meals and incidental expenses, as per diem will be paid to travelers by check in advance of approved travel as explained earlier in this policy.

11. School employees and Board members shall submit an expense report related to an approved travel event to the Director within sixty (60) days from the end of the trip.

12. The School shall not fund travel expenses that are unrelated to the approved travel purpose. Similarly, the School shall not reimburse travelers for travel expenses that are unrelated to the approved travel purpose or which are determined by the School to be excessive.

13. Either the Director or the Board may authorize individual exceptions to this policy if they, in their sole discretion, feel an exception is appropriate under the circumstances.

Wellness Policy

Mountain West Montessori Academy
Wellness Policy
Adopted: May 27, 2014
Amended: June 20, 2017
Amended: August 23, 2017
Re-Approved: August 24, 2020
Re-Approved: June 26, 2023
Re-Approved: January 26, 2026

Preamble

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

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

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

- Students in the School have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school – in accordance with Federal and state nutrition standards;
- Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- Students have opportunities to be physically active before, during and after school;
- The School engages in nutrition and physical activity promotion and other activities that promote student wellness;
- School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;

- The community is engaged in supporting the work of the School in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- The School establishes and maintains an infrastructure for management, oversight, implementation, communication about and monitoring of the policy and its established goals and objectives.

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

School Wellness Committee

Committee Role and Membership

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

The Committee membership will include, to the extent possible, but not be limited to stakeholders such as: parents and caregivers; students; representatives of the School nutrition program (e.g., School nutrition director); physical education teachers; health education teachers; School health professionals (e.g., health education teachers, School health services staff, and mental health and social services staff); School administrators; School board members; health professionals (e.g., dietitians, doctors, nurses, dentists); and the general public.

Leadership

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

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

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

Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

Implementation Plan

The School will develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan delineates roles, responsibilities, actions and timelines; and includes information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the School campus, food and beverage marketing, nutrition promotion and

education, physical activity, physical education and other school-based activities that promote student wellness. The School and/or the Committee will periodically assess the implementation of this policy and create an action plan that helps ensure implementation of the policy based on the results of the assessments. The School may generate progress reports.

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

Recordkeeping

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

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

Annual Notification of Policy

The School will actively inform families and the public each year of basic information about this policy, including its content, any updates to the policy and implementation status. The School will make this information available via the School website and/or School-wide communications such as email, newsletter, etc. The School will provide information about the school nutrition environment, which may include summaries of the School's events or activities related to wellness policy implementation. Annually, the School will also provide notice via email of the name and contact information of the School personnel leading and coordinating the Committee, as well as information on how the public can get involved with the School wellness committee.

Triennial Progress Assessments

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

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

The Director is responsible for managing the triennial assessment.

The Committee will monitor compliance with this wellness policy.

The School will notify households/families of the availability of the triennial progress report via email.

Revisions and Updating the Policy

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

Community Involvement, Outreach and Communications

The School is committed to being responsive to community input, which begins with awareness of the wellness policy. The School will actively communicate, through electronic and non-electronic means, ways in which representatives of Committee and others can participate in the development, implementation and periodic review and update of the wellness policy, such as by participating in or attending wellness committee meetings, providing feedback on wellness survey questions, and communicating with school administration.

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

Nutrition

School Meals

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

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

- Are accessible to all students;
- Are appealing and attractive to children;
- Are served in clean and pleasant settings;
- Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations. (The School offers reimbursable school meals that meet USDA

nutrition standards (https://www.fns.usda.gov/school-meals/nutrition-standards-school-meals).);
- Fruit options are available daily;
- Daily fruit options are displayed in a location in the line of sight and reach of students;
- Creative or descriptive names may be given to vegetable or other healthy options;
- Grab-n-go meals which include vegetables are available to students;
- Staff members, especially those serving, have been trained to politely prompt students to select and consume the daily fruit and vegetable options with their meal;
- White milk is placed in front of other beverages in drink coolers;
- Alternative entrée options (e.g., salad bar, sandwich wraps, etc.) are communicated to students via website, school calendar, classroom calendars, teachers, etc;
- A reimbursable meal can be created in any service area available to students; and
- Taste testing opportunities are used to inform menu development by tracking student consumption of trial items.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day. The School will make drinking water available where school meals are served during mealtimes. Students will be allowed to bring and carry water bottles filled with only water with them throughout the school day.

Competitive Foods and Beverages

The School is committed to ensuring that all foods and beverages available to students on School property during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., "competitive" foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at: http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, in-school fundraisers, School stores and snack or food carts.

Celebrations and Rewards

In the interest of fostering good nutrition habits, soda, caffeinated beverages, and candy are not permitted at school. Student birthday celebrations will focus on activities such as a "Celebration of Life", appreciation circle, or other community activity. Students may not bring treats or sweets for birthday celebrations; however, elementary parents are welcome to sign up to provide snack the week of their child's birthday and bring a special (healthy) snack that week. The donation of

the child's favorite book to the library is also encouraged to celebrate a birthday. Classroom holiday celebrations that involve treats will be allowed 3 times per year at the Administration's discretion (generally Halloween, Valentine's Day, and either winter holidays or the last day of school). Although sweet treats are acceptable at these celebrations, healthy options should also be available. Faculty, staff, and parents will be encouraged to make healthy and fun activities the focus of the celebration rather than food.

All foods offered, but not sold, on School property will meet or exceed the following requirements:

1. Celebrations and parties. The School will provide a list of healthy snack ideas for activities and parties to parents and teachers, including non-food celebration ideas.
2. Classroom snacks brought by parents. The School will provide to parents a list of foods and beverages that meet school nutrition standards.
3. Rewards and incentives. Foods and beverages will not be used as a reward, or withheld as punishment for any reason, such as for behavior.

Nutrition Promotion

Nutrition promotion and education positively influence lifelong eating behaviors by using evidence-based techniques and nutrition messages, and by creating food environments that encourage healthy nutrition choices and encourage participation in school meal programs. Students and staff will receive consistent nutrition messages throughout School buildings, classrooms, gymnasiums, and cafeterias. Nutrition promotion also includes marketing and advertising nutritious foods and beverages to students and is most effective when implemented consistently through a comprehensive and multi-channel approach by School staff, teachers, parents, students and the community.

The School will promote healthy food and beverage choices for all students, as well as encourage participation in school meal programs. This promotion will occur by ensuring that 100% of foods and beverages promoted to students meet the USDA Smart Snacks in School nutrition standards. Additional promotion techniques that the School may use are available at http://www.foodplanner.healthiergeneration.org/.

Nutrition Education

The School will teach, model, encourage and support healthy eating by all students. The School will provide nutrition education and engage in nutrition promotion that:

- Is designed to provide students with the knowledge and skills necessary to promote and protect their health;
- Includes enjoyable, developmentally-appropriate, culturally-relevant and participatory activities, such as cooking demonstrations or lessons, farm visits and school gardens;
- Promotes fruits, vegetables, whole-grain products, and healthy food preparation methods;
- Promotes physical activity/exercise and provides elementary students with opportunities for "movement works" during their work cycle; and
- May include nutrition education training for teachers and other staff.

Essential Healthy Eating Topics in Health Education

The School will include in the Health and College & Career Awareness education curriculum a minimum of 10 of the following essential topics on healthy eating:

- Relationship between healthy eating and personal health and disease prevention;
- Food guidance from MyPlate (https://www.choosemyplate.gov);
- Reading and using FDA's nutrition fact labels;
- Eating a variety of foods every day;
- Balancing food intake and physical activity;
- Eating more fruits, vegetables and whole grain products;
- Choosing foods and beverages with little added sugars;
- Eating more calcium-rich foods;
- Preparing healthy meals and snacks;
- Risks of unhealthy weight control practices;
- Accepting body size differences;
- Food safety;
- Importance of water consumption;
- Importance of eating breakfast;
- Making healthy choices when eating at restaurants;
- Eating disorders;
- The Dietary Guidelines for Americans (https://www.choosemyplate.gov/dietary-guidelines);
- Reducing sodium intake;
- Social influences on healthy eating, including media, family, peers and culture;
- How to find valid information or services related to nutrition and dietary behavior;
- How to develop a plan and track progress toward achieving a personal goal to eat healthfully;
- Resisting peer pressure related to unhealthy dietary behavior; and
- Influencing, supporting, or advocating for others' healthy dietary behavior.

Food and Beverage Marketing in the School

The School is committed to providing a school environment that ensures opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. The School strives to teach students how to make informed choices about nutrition, health and physical activity. These efforts will be weakened if students are subjected to advertising on School property that contains messages inconsistent with the health information the School is imparting through nutrition education and health promotion efforts. It is the intent of the School to protect and promote students' health by permitting advertising and marketing for only those foods and beverages that are permitted to be sold on the School campus, consistent with the School's wellness policy.

Any foods and beverages marketed or promoted to students on School property during the school day will meet or exceed the USDA Smart Snacks in School nutrition standards.

Food and beverage marketing is defined as advertising and other promotions. Food and beverage marketing often includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product. This term includes, but is not limited to the following:

- Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container.
- Displays, such as on vending machine exteriors.
- Corporate brand, logo, name or trademark on School equipment, such as marquees, message boards, scoreboards or backboards (Note: immediate replacement of these items are not required; however, the School will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is in financially possible over time so that items are in compliance with the marketing policy.)
- Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, pupil assignment books or school supplies displayed, distributed, offered or sold by the School.
- Advertisements in School publications or School mailings.
- Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

Physical Activity

Children and adolescents should participate in at least 60 minutes of physical activity every day. Physical activity can be provided through a school physical activity program based on quality physical education as the foundation; encouragement of physical activity before, during and after school; staff involvement and family engagement. The School is committed to providing varied physical and movement opportunities which are in addition to, and not as a substitute for, physical education. The School may participate in *Let's Move!* Active Schools (www.letsmoveschools.org) in order to successfully address all areas of physical activity for students.

Physical activity during the school day (including but not limited to recess, classroom physical activity breaks or physical education) **will not be withheld** as punishment. The School will provide teachers and other School staff with ideas for alternative ways to discipline students. Students may, however, be provided with alternate forms of physical movement as needed.

To the extent practicable, the School will ensure that its grounds and facilities are safe and that equipment is available to students to be active. The School will conduct necessary inspections and repairs.

Physical Education

The School will provide students with physical education, using an age-appropriate, sequential physical education curriculum consistent with national and state standards for physical education. The physical education curriculum will promote the benefits of a physically active lifestyle and will help students develop skills to engage in lifelong healthy habits, as well as incorporate

essential health education concepts (discussed in the "*Essential Physical Activity Topics in Health Education*" subsection). The curriculum will support the essential components of physical education.

All students will be provided equal opportunity to participate in physical education classes. The School will make appropriate accommodations to allow for equitable participation for all students and will adapt physical education classes and equipment as necessary.

Elementary students will receive physical education for at least 40-60 minutes per week throughout the school year as well as have access to individual movement work in classrooms (e.g. jump rope, hula-hoops, jogging, yoga, strength-building, and conditioning exercises).

Secondary students are required to take the equivalent of one and one-half academic years of physical education and expected to take a physical education class every semester.

Essential Physical Activity Topics in Health Education

The School will require secondary students to take and pass at least one health education course. The School will include in the health education curriculum a minimum of 10 of the following essential topics on physical activity:

- The physical, psychological, or social benefits of physical activity;
- How physical activity can contribute to a healthy weight;
- How physical activity can contribute to the academic learning process;
- How an inactive lifestyle contributes to chronic disease;
- Health-related fitness, that is, cardiovascular endurance, muscular endurance, muscular strength, flexibility, and body composition;
- Differences between physical activity, exercise and fitness;
- Phases of an exercise session, that is, warm up, workout and cool down;
- Overcoming barriers to physical activity;
- Decreasing sedentary activities, such as TV watching;
- Opportunities for physical activity in the community;
- Preventing injury during physical activity;
- Weather-related safety, for example, avoiding heat stroke, hypothermia and sunburn while being physically active;
- How much physical activity is enough, that is, determining frequency, intensity, time and type of physical activity;
- Developing an individualized physical activity and fitness plan;
- Monitoring progress toward reaching goals in an individualized physical activity plan;
- Dangers of using performance-enhancing drugs, such as steroids;
- Social influences on physical activity, including media, family, peers and culture;
- How to find valid information or services related to physical activity and fitness;
- How to influence, support, or advocate for others to engage in physical activity; and
- How to resist peer pressure that discourages physical activity.

Recess (Elementary)

The School's elementary campus will offer at least **20 minutes of recess** on all days during the school year. Because recess is offered before lunch, there will be appropriate hand-sanitizing mechanisms located just inside the cafeteria to ensure proper hygiene prior to eating. Hand-cleaning time, as well as time to put away coats/hats/gloves, will be built into the recess transition period/timeframe before students enter the cafeteria.

Outdoor recess will be offered when weather is feasible for outdoor play. In the event that the School must conduct **indoor recess,** teachers and staff will follow the indoor recess guidelines established by the administration that promote physical activity for students, to the extent practicable.

Recess will complement, not substitute, physical education class. Recess monitors or teachers will encourage students to be active, and will serve as role models by being physically active alongside the students whenever feasible. Recess monitors will be provided with a comprehensive *Playworks* curriculum of games and activities that encourage movement.

Classroom Physical Activity Breaks (Elementary and Secondary)

The School recognizes that students are more attentive and ready to learn if provided with periodic breaks when they can be physically active or stretch. Thus, students will be offered **periodic opportunities** to be active or to stretch throughout the day on all or most days during a typical school week. The School recommends teachers periodically provide short movement work breaks to students during and between classroom time. These physical activity breaks will complement, not substitute, for physical education class and class transition periods.

The School will encourage the use of resources, tools, and technology with ideas for classroom physical activity breaks (such as resources and ideas available through USDA or physically engaging programs such as "Go Noodle").

Active Academics

Teachers will incorporate movement and kinesthetic learning approaches into "core" subject instruction when possible (e.g., science, math, language arts, social studies and others) and do their part to limit sedentary behavior during the school day. In elementary Montessori classes, students will be provided with the opportunity to move around the classroom and select their own work location, including working on the floor.

The School will support classroom teachers incorporating physical activity and employing kinesthetic learning approaches into core subjects by providing professional development opportunities and resources, making available background material on the connections between learning and movement, and providing Montessori manipulative materials in elementary classrooms which facilitate kinesthetic learning and multiple learning styles.

Teachers will serve as role models by being physically active alongside the students whenever feasible.

Before and After School Activities

The School offers opportunities for students to participate in physical activity either before and/or after the school day (or both) through a variety of methods. The School will encourage students to be physically active before and after school.

After-School Clubs

The school will offer optional after-school clubs and activities that encourage students to be physically active (e.g. basketball, dodge ball, folk dance, soccer, etc.)

Active Transport

The School will support active transport to and from school, such as walking or biking, to the extent it is safe and feasible by providing secure storage facilities for bicycles, using crosswalks and providing adult supervision and crossing guards before and after school.

Other Activities that Promote Student Wellness

The School will integrate wellness activities across the entire school setting, not just in the cafeteria, other food and beverage venues and physical activity facilities. The School will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicative, and work towards the same set of goals and objectives promoting student well-being, optimal development and strong educational outcomes.

Teachers are encouraged to coordinate content across curricular areas that promote student health, such as teaching nutrition concepts in mathematics, with consultation provided by either the School or the School's curriculum experts.

All efforts related to obtaining federal, state or association recognition for efforts, or grants/funding opportunities for healthy school environments will be coordinated with and complementary of the wellness policy, including but not limited to ensuring the involvement of the Committee.

All School-sponsored events will adhere to the wellness policy guidelines. All School-sponsored wellness events will include physical activity and healthy eating opportunities when appropriate.

Community Health Promotion and Family Engagement

The School will promote to parents/caregivers, families, and the general community the benefits of and approaches for healthy eating and physical activity throughout the school year. Families will be informed and invited to participate in School-sponsored activities such as the School's Jog-A-Thon.

As described in the "*Community Involvement, Outreach and Communications*" subsection**,** the School will use electronic mechanisms (e.g., email or displaying notices on the School's website),

as well as non-electronic mechanisms, (e.g., newsletters, sending information home to parents, etc), to ensure that all families are actively notified of opportunities to participate in School-sponsored activities and receive information about health promotion efforts.

Staff Wellness and Health Promotion

The Committee will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

The School will implement strategies to support staff in actively promoting and modeling healthy eating and physical activity behaviors. The School promotes staff member participation in health promotion programs and self-care.

Professional Learning

When feasible, the School will offer annual professional learning opportunities and resources for staff to increase knowledge and skills about promoting healthy behaviors in the classroom and school (e.g., increasing the use of kinesthetic teaching approaches or incorporating nutrition lessons into math class). Professional learning will help School staff understand the connections between academics and health and the ways in which health and wellness are integrated into ongoing academic improvement plans/efforts.

MWMA Wellness Policy
REVISION B
Board Approval Date: 8-23-17
Board Re-Approved Date: 1-26-26