

**Ascent Academies of Utah  
Board Policy Manual**

**Adopted: December 11, 2013  
Last Revised: March 28, 2017**

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**Administration of Medication Policy**  
**Adopted: December 11, 2013**  
**Revised: June 15, 2016**

**Purpose**

The purpose of this policy is to authorize personnel of Ascent Academies of Utah (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. § 53A-11-601, regarding the administration of medication to students by School personnel. Accordingly, pursuant to this policy, authorized School personnel may provide assistance in the administration of medication to students of the School during periods when the student is under the School’s control.

Glucagon is an emergency diabetic medication used to raise blood sugar. The School will comply with the requirements of Utah Code Ann. § 53A-11-604 in the event the School receives a glucagon authorization request from the parent or guardian of a student.

The School will comply with the requirements of Utah Code Ann. §§ 26-41-101, et seq., regarding emergency injection for anaphylactic reactions, in the event any School personnel seeks to become a “qualified adult” under that provision.

The School will comply with the requirements of Utah Code Ann. § 53A-11-603.5 regarding the emergency administration of seizure rescue medications, in the event any School personnel seeks to become a “qualified adult” under that provision.

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

The Lead Director will consult with a registered health care professional for assistance in developing procedures and training necessary for effective implementation of this policy. The School’s Lead 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 Lead 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.

#### Medical Recommendations by School Personnel

The Lead Director will ensure that appropriate School personnel receive training on the provisions of Utah Code Ann. § 53A-11-605 regarding medical recommendations by School employees.

**Arrest Reporting Policy**  
**Adopted: December 11, 2013**  
**Revised: October 27, 2015**

**Policy**

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

The Lead Director of the School will therefore establish administrative procedures that comply with the requirements of Utah Administrative Code R277-516-4.

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

**AMENDED AND RESTATED ARTICLES OF INCORPORATION**

**OF**

**ASCENT ACADEMIES OF UTAH**

**A UTAH NONPROFIT CORPORATION**

The undersigned, acting under the Utah Revised Nonprofit Corporation Act, Utah Code Ann. 16-6a-1001 et seq. (the “Act”), adopts the following Articles of Incorporation (the “Articles”) and does hereby certify:

**ARTICLE I**

Name

The name of the Corporation shall be Ascent Academies of Utah, a Utah nonprofit corporation (the “Corporation”).

**ARTICLE II**

Principle Office/Place of Business

The principal place of business in Utah and the mailing address of the Corporation shall be 352 N. Flint St., Kaysville, UT 84037. The business of the Corporation may be conducted in all states of the United States, and in all territories thereof, and in such other locations around the world as the Board of Directors shall determine.

**ARTICLE III**

Purpose

The purposes for which the Corporation is formed are exclusively for charitable, benevolent and educational purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (or corresponding provisions of any future United States internal revenue law) (the "Code"). In furtherance of these purposes, the Corporation may engage in all lawful activities and pursuits consistent with the powers described in the Utah Revised Nonprofit Corporation Act and authorized by Code Section 501(c)(3), including, but not limited to, operating a Utah Charter School and all activities related thereto.

Furthermore, the Corporation is formed exclusively for purposes for which a corporation may be formed under the Utah Revised Nonprofit Corporation Act, and not for pecuniary profit or financial gain. No part of the net earnings of the Corporation shall inure to the benefit of, or be distributable to, its directors, officers or other private persons or organizations, except that the Corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. The Corporation shall have the power to borrow money and to do any and all lawful acts and things and to engage in any and all lawful activities which may be necessary, useful, suitable, desirable or proper for the furtherance, accomplishment or attainment of any or all of the purposes for which the Corporation is organized, and to aid or assist other

organizations whose activities are such as to further, accomplish, foster or attain any such purposes. No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation (except to the extent provided in Code Section 501(h)), and the Corporation shall not participate in, or intervene in (including the publication or distribution of statements), any political campaign on behalf of (or in opposition to) any candidate for public office. Notwithstanding any provision of these Articles, the Corporation shall not carry on any activities not permitted to be carried on: (a) by a corporation exempt from federal income tax as an organization described in Code Section 501(c)(3); or (b) by a corporation, contributions to which are deductible under Code Sections 170(c), 2055(a) and 2522(a).

#### **ARTICLE IV** Members/Stock

The Corporation shall not have any class of members or stock.

#### **ARTICLE V** Board of Directors

1. The property, business and affairs of the Corporation shall be managed by a Board of Directors. The number of Directors shall be no less than three (3) and no more than seven (7), as fixed from time to time by the Bylaws of the Corporation. Should the number of Directors become less than three (3), the remaining Directors shall appoint a replacement by majority vote.

2. The Directors shall be elected in the manner set forth in the Bylaws of the Corporation.

3. The Directors shall manage the business of the Corporation. Each Director shall hold office until such time as the Director resigns, is replaced by the remaining Directors with or without cause. Vacancies on the Board shall be filled by a vote of the majority of the remaining Directors.

4. The names and addresses of the natural persons who are serving as the current Directors of the Corporation are as follows: (1) Michael Ostermiller, 619 Kate Way, Kaysville, UT 84037; (2) Trudy Sorenson, 2023 W. 13330 S., Riverton, UT 84065; (3) J. Stuart Adams, 3271 E. 1875 N., Layton, UT 84040; (4) Kathy Thornburg, 3004 Waterfall Lane, Ogden, UT 84403; (5) Tyler Schvaneveldt, 3195 N. 650 E., North Ogden, UT 84414.

#### **ARTICLE VI** Officers

The Officers of the Corporation shall be as set forth in the Bylaws.

**ARTICLE VII**  
Distribution on Dissolution

Upon the dissolution of the Corporation, the Board of Directors shall, after paying or making provision for the payment of all liabilities of the Corporation, transfer the assets of the Corporation to the Utah State Board of Education.

**ARTICLE VIII**  
Registered Office/Agent

The name of the natural person who is to serve as the Registered Agent of the Corporation is Gabriel S. Clark. The address of the Corporation's registered office shall be 352 N. Flint St., Kaysville, UT 84037.

**ARTICLE IX**  
Amendment

These Articles may be amended from time to time, in whole or in part, by the affirmative vote of two-thirds (2/3) of the whole number of Directors. Any such amendments shall be consistent with the Corporation's status as a tax exempt organization under Code Section 501(c)(3).

**ARTICLE X**  
Bylaws

The Board may adopt bylaws that are not inconsistent with law or these Articles for the regulation and management of the affairs of the Corporation.

**ARTICLE XI**  
Indemnification

To the extent permitted or required by the Act and any other applicable law, if any Director or officer of the Corporation is made a party to or is involved in any proceeding because such person is or was a Director or officer of the Corporation, the Corporation (i) shall indemnify such person from an against any judgments, penalties, fines, amounts paid in settlement and reasonable expenses incurred by such person in such proceeding, and (ii) shall advance to such person expenses incurred in such proceeding.

**ARTICLE XII**  
Debts and Obligations

Neither the corporation's chartering entity nor the State of Utah, including any agency of the State of Utah, is liable for the debts or financial obligations of the corporation or officers or agents of the corporation.

IN WITNESS WHEREOF, these Articles of Incorporation are hereby executed, effective as of the 10th day of December, 2012.

**Attendance Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**POLICY**

Ascent Academies of Utah (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 result in a loss of continuity of instruction. Also, frequent absences and tardiness prove disruptive for students, teachers, and staff. Excessive unexcused absences may lead to a student’s permanent dismissal from the School.

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

The School intends for this policy to be consistent with the provisions of Utah’s compulsory attendance laws, Utah Code Ann. §§ 53A-11-101 through 53A-11-105. The School will seek to accurately monitor and record attendance information, annually review attendance data, and consider revisions to the attendance policy and procedures to encourage student attendance.

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

**Background Check Policy**  
**Adopted: December 11, 2013**  
**Revised: June 15, 2016**

**Policy**

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

The School will comply with the provisions of Utah Code § 53A-15-1503 and Utah Administrative Code R277-516 regarding employee background checks. In order to protect the health and safety of all students and protect the property of the School, the School requires (a) all Board members, (b) all potential employees and (c) any volunteers who will be given significant unsupervised access to a student in connection with the volunteer’s assignment to submit to a criminal background check and ongoing monitoring as a condition for employment or appointment.

The Lead Director will establish administrative procedures consistent with this policy and applicable law.

**Building Use Policy**  
**Adopted: December 11, 2013**  
**Revised: October 27, 2015**

**PURPOSE**

The purpose of this policy is to establish procedures for the use of Ascent Academies of Utah's (the "School") buildings 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 Campus 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 Campus 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 Lead 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 administration has discretion under this Policy, users will be charged fees as set forth in the Fee Schedule established by the Lead Director.

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 Campus Director. These activities must be approved by the Campus 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 Campus Director may grant free use of the facilities to non-profit organizations at the Campus Director's discretion when the use will not create additional expense for the School.

## **Security Deposit**

At the discretion of the Campus Director, the user may be charged a refundable security deposit of up to \$500. The Campus 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 Campus 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 Campus 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.

**Bullying & Hazing Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

The purpose of this policy is to prohibit bullying, hazing, harassment and intimidation of students and School personnel. The Board of Directors (the “Board”) of Ascent Academies of Utah (the “School”) 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, harassment and intimidation disrupts both a student’s ability to learn and the School’s ability to educate its students in a safe environment. Bullying, cyber-bullying, harassment, and hazing of 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 bullying, cyber-bullying, harassment and hazing—including but not limited to civil rights violations—as well as processes and procedures to deal with such incidents. Bullying, cyber-bullying, harassment, and hazing of students and/or employees by students and/or employees will not be tolerated in the School.

In order to promote a safe, civil learning environment, the School prohibits all forms of bullying or harassment of students and School personnel (a) on School property, (b) at a School-related or sponsored event, or (c) while the student or School personnel is traveling to or from School property or a School-related or sponsored event. The School prohibits all forms of hazing or cyber-bullying of or retaliation against students and School personnel at any time and any location.

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

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

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

Any bullying, harassment, cyber-bullying, hazing, 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

*Bullying* -- For purposes of this policy, "bullying" is commonly understood as aggressive behavior that:

- (1) is intended to cause distress and harm;
- (2) exists in a relationship in which there is an imbalance of power and strength;  
and
- (3) is repeated over time.

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

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

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

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

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

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

(4) Other areas included under these acts include religion, gender, and sexual orientation.

*Harassment* -- For purposes of this policy, "harassment" means repeatedly communicating to another individual, in an objectively demeaning or disparaging manner, statements that contribute to a hostile learning or work environment for the individual.

*Hazing* -- For purposes of this policy, “hazing” means intentionally or knowingly committing an act that:

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

(b) involves any brutality of a physical nature such as 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, liquor, drug, or other substance;

(d) involves other physical activity that endangers the physical health and safety of a School employee or student; or

(e) involves physically obstructing a School employee's or student's freedom to move; and

(f) (i) is done for the purpose of initiation or admission into, affiliation with, holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any School or School sponsored team, organization, program, or event; or

(ii) if the person committing the act against a School employee or student knew that the School employee or student is a member of, or candidate for, membership with a School, or School sponsored team, organization, program, or event to which the person committing the act belongs to or participates in.

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

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

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

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

### Reporting and Investigation

Students who have been subjected to or witnessed hazing, bullying, cyber-bullying, harassment, or retaliation must promptly report such incidents to any School personnel orally or in writing. School personnel must report to the Campus Director incidents of hazing and bullying, including both oral and written reports as well as conduct that they witness themselves. Each report of prohibited conduct shall include: name of complaining party; name of offender (if known); date and location of incident(s); and a statement describing the incident(s), including names of witnesses (if known). In

connection with a report of prohibited conduct, students and School personnel may request that their identity be kept anonymous, and reasonable steps shall be taken by the Campus Director and others involved in the reporting and investigation to maintain the anonymity of such individuals, if possible. School personnel will take strong responsive action to prevent retaliation, including assisting a harassed student and his or her parents in reporting subsequent problems and new incidents.

The Campus Director or designee shall promptly make a reasonably thorough investigation of all complaints of prohibited conduct, including, to the extent possible, anonymous reports, and shall administer appropriate discipline to all individuals who violate this policy. Formal disciplinary action is prohibited based solely on an anonymous report.

The Campus Director may report to law enforcement all acts of bullying, hazing or retaliation that constitute suspected criminal activity.

The Campus Director may report to OCR all acts of bullying, hazing, harassment, cyber-bullying, or retaliation that may be violations of student(s)' or employee(s)' civil rights.

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

### Parental Notification

The Campus Director or designee will notify a student's parent or guardian (a) if the student threatens to commit suicide or (b) of any incidence of bullying, cyber-bullying, harassment, hazing or retaliation involving the student. The Campus Director or designee will attempt to contact the parent or guardian by telephone or schedule an in-person meeting with them to discuss these matters. In the event the Campus Director or designee is not able to meet in person or discuss via telephone, the Campus Director or designee will send a letter to the parent or guardian providing the required notification.

The Campus Director or designee will produce and maintain a record that verifies that the parent or guardian was notified. If an in-person meeting takes place, the Campus Director or designee will ask the parent or guardian to sign a form acknowledging that the notification was provided. If a telephone conversation takes place, the Campus Director or designee will document the date and time of the telephone call, who was spoken to, and brief notes regarding the notification that was provided and the content of the conversation. If a letter is sent, the Campus Director or designee will retain a copy of the letter along with a note regarding when it was mailed. The School will retain

the record as long as the student is enrolled at the School and destroy the record after that time. The School will maintain the confidentiality of the record in accordance with Utah Code 53A-11a-203(3).

### Student Assessment

The Campus Director or the designee will solicit student assessments of the prevalence of bullying, cyber-bullying, hazing and harassment in the School, specifically locations where students are unsafe and additional adult supervision may be required, such as playgrounds, hallways, and lunch areas.

### Consequences of Prohibited Behavior

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

If, after an investigation, a student is found to be in violation of this policy by participating in or encouraging conduct prohibited by this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion, pursuant to Utah Code Ann. 53A-11-904, removal from participation in School activities, and/or discipline in accordance with regulations of the U.S. Department of Education Office for Civil Rights (OCR).

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

### Additional Provisions

The Lead Director and Campus Directors 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, harassment or hazing, the School must take immediate and appropriate action to investigate.

(2) If it is determined that the bullying, cyber-bullying, harassment or hazing did occur as a result of the student-victim's membership in a protected class, the School shall take prompt and effective steps reasonably calculated to:

- (a) end the bullying, cyber-bullying, harassment, 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, harassment or hazing as a form of discrimination.

The Campus Director will take reasonable steps to ensure that any victim of prohibited conduct will be protected from further hazing, bullying, harassment, cyber-bullying, and retaliation and that any student or School personnel who reports such incidents will be protected from retaliation.

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

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

If the Campus Director believes that it would be in the best interests of the individuals involved, the Campus Director may involve the parents or guardians of a perpetrator or victim of hazing, bullying or retaliation in the process of responding to and resolving conduct prohibited by this policy.

### Training

The Lead Director will ensure that each Campus Director informs students, parents, School personnel and volunteers that hazing, bullying, harassment, cyber-bullying, and retaliation are prohibited and will distribute a copy of this policy to such individuals.

The Lead Director will ensure that School employees receive training regarding bullying, cyber-bullying, harassment, hazing, and retaliation, including training on civil rights violations and compliance when civil rights violations are reported.

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

In addition to training for all students and School employees, students, employees, and volunteer coaches involved in any extra-curricular activity shall:

- (1) participate in bullying and hazing prevention training prior to participation;
- (2) repeat bullying and hazing prevention training at least every three years;

(3) be informed annually of the prohibited activities list provided previously in this policy and the potential consequences for violation of this policy.

**BYLAWS  
OF  
ASCENT ACADEMIES OF UTAH**

**DATED MARCH 30, 2012**

**ARTICLE 1 - NAME, PURPOSE**

**Section 1:** The name of the organization is **Ascent Academies of Utah** (the “corporation”).

**Section 2:** The corporation was formed to manage, operate, guide, direct and promote the Ascent Academies of Utah, a Utah Public Charter School. The corporation is organized under the Utah Nonprofit Corporation Act for public purposes and is not organized for the private gain of any person.

**ARTICLE II - MEMBERS**

**Section 1:** 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 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 2:** Regular Meetings. Regular meetings will be held as scheduled by the Board, with a published schedule and proper notice. Regular meetings of the Board, including the annual meeting, shall be held without call or notice on such dates and at such times and places as may be from time to time fixed by the Board.

**Section 3:** Special Meetings. Special meetings of the Board for any purpose(s) may be called at any time by the President/Chief Acting Officer, Secretary, or one-third of the members of the Board.

**Section 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 four (4) days' notice by first class mail or forty-eight (48) hours notice given personally or by telephone or other similar means of communication.

**ARTICLE IV - BOARD OF DIRECTORS, OFFICERS**

**Section 1:** 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 three (3) and no more than seven (7) members. The Board members shall receive no compensation other than reasonable expenses.

**Section 2:** Meetings. The Board shall meet at an agreed upon time and place.

**Section 3: Terms.** Board members shall serve three (3) year terms and are eligible for re-election.

**Section 4: Quorum.** A quorum consists of a majority of the current Board members. A quorum of Board members must be present at any meeting of the Board before business can be transacted or motions made or passed.

**Section 5: Officers and Duties.** There shall be four officers of the Board consisting of a President, a Vice-President, Secretary, and Financial Coordinator. The officers shall be elected by a majority vote of the Board at the annual meeting of the Board. No Board member may hold more than one office at any given time. Officers' duties are as follows:

(1) The **President** shall convene regularly scheduled Board meetings, shall preside or arrange for other members of the executive committee to preside at each meeting in the following order: Vice-President, Secretary and Financial Coordinator.

(2) The **Vice-President** will chair committees on special subjects as designated by the board.

(3) The **Secretary** shall be responsible for keeping records of Board actions, including overseeing the taking of minutes at all board meetings, sending out meeting announcements, distributing copies of minutes and the agenda to each Board member, and assuring that corporate records are maintained.

(4) The **Financial Coordinator** shall make a report at each Board meeting. Treasurer shall chair the finance committee, assist in the preparation of the budget, help develop fundraising plans, and make financial information available to Board members and the public.

**Section 6: Vacancies.** Vacancies on the Board will exist (1) on the death, resignation, or dismissal of any member, or (2) when the term of a current Board member has expired. In order to fill such a vacancy, the Board will solicit nominations and letters of application from the school community or members of the community at large. The Board may then elect an approved applicant to fill the vacancy. Board members will be elected by the vote of a majority of the remaining members of the Board.

**Section 7: Resignation, Termination and Absences.** Resignation from the Board must be in writing and received by the Secretary. 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.

## ARTICLE V - COMMITTEES

**Section 1:** The Board may create committees as needed to fulfill its responsibilities. The Board President appoints all committee chairs.

## ARTICLE VI - DIRECTOR AND STAFF

**Section 1: Director/Principal.** The Director/Principal is hired by the Board. The Director/Principal has day-to-day responsibility of the school, including carrying out the school's goals and Board policy. The Director/Principal will attend all Board meetings, report on the progress of the

school, answer questions of Board members and carry out the duties described in the job description. The Board can designate other duties as necessary.

## **ARTICLE VII - AMENDMENTS**

**Section 1:** These Bylaws may be amended when necessary by the vote of a two-thirds (2/3) majority of the Board.

**Capitalization and Expense Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**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 \$1,500.00 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**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

Ascent Academies of Utah (the “School”) adopts this policy to ensure that the School utilizes sound internal controls and properly handles cash received by School personnel.

**Policy**

The Lead Director will designate at least two (2) School employees at each campus who are authorized to handle cash paid to the School, and only those employees may handle cash for the School. The Lead 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 the School.

All cash received must be deposited within three (3) days of receipt. Two individuals should prepare each deposit using tamper resistant deposit bags.

The Lead 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 and Neglect Reporting Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

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

Utah law requires that whenever any person, including any school employee, contracted or temporary employee, or volunteer who has reason to believe that a child has been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in sexual abuse, physical abuse, or neglect, he/she shall immediately notify the nearest peace officer, law enforcement agency, or the Division of Child Family Service. The law provides serious penalties for failure to fulfill one’s duty to report.

The Lead Director shall establish administrative procedures that will comply with the provisions of Utah Code Ann. §§ 53A-6-502; 62A-4a-402, et seq. and Utah Administrative Rules R277-401 and help the School’s personnel to understand and fulfill their legal responsibilities concerning child abuse.

**Civil Rights Policy**  
**Adopted: December 11, 2013**  
**Revised: October 27, 2015**

**Policy Against Discrimination, Harassment and Sexual Harassment**

It is policy of Ascent Academies of Utah (the "School") not to discriminate on the basis of sex, race, 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.

### **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 Lead Director may establish additional procedures regarding issues related to compliance with Section 504.

### **Complaint Procedures**

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

If the complaint is against the Lead 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 Lead 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 Lead 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 Lead Director.

**Concussion and Head Injury Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

The purpose of this policy is to protect the safety and health of Ascent Academies of Utah (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 Lead Director will establish administrative procedures consistent with this policy and applicable law.

**Conflict of Interest Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

## **PURPOSE**

The purpose of this Conflict of Interest Policy is to protect Ascent Academies of Utah (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.

## **POLICY**

### **Compensation**

A director shall not have any direct or indirect pecuniary interest in a contract or other arrangement with the School. A director shall not furnish directly and for compensation any labor, equipment, or supplies to the School.

### **Duty to Disclose**

In connection with any actual or possible conflict of interest, 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.

**Credit Card Policy**  
**Adopted: February 14, 2017**  
**Revised: \_\_\_\_\_**

**PURPOSE**

The purpose of this policy is to authorize the Principal to obtain credit cards for employees of Ascent Academies of Utah (the “School”) and to establish procedures for use of credit cards to make purchases for the School.

**POLICY**

Credit Card Account

Academica West has established a corporate credit card account under which the School can have individual credit cards issued for authorized School employees.

The School will be billed monthly for charges associated with purchases made with cards issued to School employees. The School will be responsible for full payment of all such charges each month and will reimburse Academica West for any costs associated with unpaid charges from purchases by School employees.

The total credit limit for all cards issued to School employees will be \$10,000. However, in the event a purchase needs to be made that exceeds this amount, the credit limit may be temporarily increased to \$15,000 with the approval of the Principal, Board President and Board Financial Coordinator in order to make the purchase and then decreased back to the normal limit as soon as practicable.

Procedures for Issuing Cards

The Principal will be issued a credit card and may authorize other School employees to receive credit cards. The Principal will coordinate the issuance of credit cards to School employees with Academica West.

The Principal will ensure that all employees to whom cards are issued are aware of and receive appropriate training regarding the policies and procedures applicable to their use of the card.

Procedures for Making Purchases

School credit cards issued to School employees under this policy may only be used for legitimate business purposes. School credit cards may not be used for cash advances or ATM transactions for any reason. School credit cards may not be used for the purchase of alcohol. School credit cards are not intended for purchases that can

otherwise be paid for by check using standard payment methods, including purchases from vendors that do not accept checks, purchases during travel, or emergency purchases.

The person to whom a School credit card is issued and whose name is on the card (the “cardholder”) is solely responsible for all purchases on the card and for ensuring that the credit card number is not used by unauthorized personnel. As such, the cardholder shall not share their card number with anyone. In addition, the credit card should not be stored in an online account that anyone other than the cardholder has access to.

All purchases with a School credit card must be authorized in accordance with the School’s Purchasing and Disbursement Policy and must comply with all applicable procurement requirements. Documentation of purchase approvals will be retained.

The cardholder is responsible for receiving, printing and retaining all receipts related to purchases made with the School credit card. The cardholder shall label all receipts with a description of what it is for to ensure proper coding. All receipts must be submitted to Academica West within one week of the closing date of the account statement.

Upon the termination of a cardholder’s employment for any reason, their School credit card must be cancelled immediately and returned to the Principal.

All purchases made with School credit cards will be reconciled by Academica West monthly in order to ensure that all receipts are present and that all purchases have been made in accordance with School policies.

Violation of policies and procedures regarding use of School credit cards, including not retaining documentation of purchases or making personal purchases, may result in card cancellation, disciplinary action, or criminal prosecution. If the School disputes a purchase made with the School credit card, the School may dispute the charge and may hold the cardholder responsible for the charge.

The Principal and Academica West will develop an internal review plan to periodically select School credit card statements to verify that School policies and procedures are being followed and that purchases are appropriate, documented, and coded to the proper funding sources.

If a School credit card is lost or stolen, the cardholder must immediately contact the Principal, and the Principal will notify Academica West to have the card cancelled.

**Credit Evaluation Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Purpose**

The purpose of this policy is to ensure equity and fairness to all students when evaluating credit earned at institutions other than Ascent Academies of Utah (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.
5. 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.

## **Donations and Fundraising Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Policy**

Although Ascent Academies of Utah (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 Lead Director is also responsible for ensuring that donor restrictions of accepted donations are complied with and that compliance can be verified. The Lead Director will ensure that charitable donation receipts are provided to donors as necessary.

The Lead Director must approve voluntary donations from private individual or organization in excess of \$1,000 and any donation involving donor restrictions prior to accepting the donation. The Board of Directors must approve any voluntary donations from private individuals or organizations in excess of \$30,000. The School may not accept donations with the condition that the donation 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 Lead 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 Lead Director, a Campus Director, or the 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.

The Lead Director will establish administrative procedures in connection with School fundraising in order to ensure property internal controls are in place and to satisfy applicable legal requirements.

The Board will review this policy periodically and as necessary to ensure that adequate controls are in place.

## **Dress Code Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Purpose**

Ascent Academies of Utah (the “School”) believes that a mandatory school dress code helps enhance the school environment and that it promotes an atmosphere conducive to appropriate discipline with a minimum need for ongoing intervention, thereby increasing learning opportunities for students by removing many of the distractions and negative or disruptive connotations associated with various types of clothing.

### **Policy**

The Lead Director will assemble a committee comprised of all Campus Directors to determine the School’s dress code. The dress code should be supportive of the purposes set forth above, yet easily understood by parents and students and not overly complicated, restrictive or burdensome to families. The dress code committee may modify the dress code from year to year in order to address changes in style and other factors. However, the key provisions of the dress code, including allowable pant and shirt colors and styles, should typically remain largely consistent from year to year in order to avoid placing undue burden on families.

All students of the School are required to comply with the dress code. Parents are responsible for ensuring that their children wear the appropriate clothing to school. Campus Directors are responsible for enforcing compliance with the dress code.

**Dual Enrollment Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Purpose**

The purpose of this policy is to articulate Ascent Academies of Utah'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  $\frac{3}{4}$  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  $\frac{3}{4}$  of each school day.

Requests for dual enrollment should be provided to the applicable Campus 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.

**Electronic Meetings Policy**  
**Adopted: December 11, 2013**  
**Revised: October 27, 2015**

**Purpose**

The purpose of this policy is to establish the means and procedures by which the Board of Directors (the “Board”) may conduct electronic meetings in accordance with the provisions of the Utah Open and Public Meetings Act (the “Act”), including Utah Code 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 Board meetings in which one or more members attend and participate in the meeting through electronic means.

Electronic Board meetings may include meetings conducted by means of telephone, telecommunications, or by other computerized, electronic, or teleconferencing means and media in accordance with the Act.

**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, anchor location and the means by which members of the public will be able to monitor and, when permitted and appropriate, participate in the electronic meetings.

The Board’s electronic meeting anchor location will be established on the School’s board meeting calendar.

## **Electronic Resources Policy**

**Adopted: August 6, 2014**

**Revised: \_\_\_\_\_**

### **Purpose**

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

### **Electronic Devices**

The School recognizes that various forms of electronic devices are widely used by both students and employees and are important tools in today’s society. The School seeks to ensure that the use of electronic devices, both privately-owned devices and devices owned by the School, does not cause harm or otherwise interfere with the learning, safety, or security of students or employees. The Lead Director and Campus Directors 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 Lead Director shall establish procedures to accomplish these objectives and ensure compliance with applicable laws.

### **Student Acceptable Use of School Electronic Resources**

The School makes various electronic resources available to students. These resources include computers and 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 Lead Director and Campus Directors 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 Lead Director and Campus Directors 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 Lead Director and Campus Directors 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 Lead Director and Campus Directors shall establish rules and procedures regarding employees' use of the School's electronic resources.

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

**Emergency Response Plan Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

It is the policy of Ascent Academies of Utah (the “School”) to develop and maintain an up-to-date plan for responding to emergencies involving the School. Accordingly, the School’s Lead 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 Handbook Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

The purpose of this policy is to ensure that Ascent Academies of Utah (the “School”) operates in accordance with applicable employment laws.

The School’s Lead Director will adopt and keep updated an Employee Handbook and establish administrative procedures that comply with federal and state employment laws.

**Enrollment and Lottery Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Purpose**

Ascent Academies of Utah (the “School”) believes that it is important to conduct its lottery and the enrollment of students in a fair, consistent, and legal manner. This policy is intended to establish the guidelines for how these processes will be handled.

**Policy**

The School will follow applicable laws in connection with its lottery and the enrollment of students, including Utah Code § 53A-1a-506.5 and R277-472-5 regarding notifying prospective students and parents and enrolling students.

Application

Students will apply for admission to the School electronically. Applications for and enrollment in each campus will be handled separately.

The applications of students that are not accepted will be purged prior to each new open enrollment period rather than carried over to the following year, so new applications must be submitted each year for students seeking admission to the School.

In order to determine how many spots will be available the following year, students who are enrolled in the School will be asked, prior to each open enrollment period, to indicate whether they intend to attend the School the following year. Currently enrolled students are not required to submit an application each year.

Lottery

In the event that more students apply during an enrollment period than there are available spots in any given grade at a given campus, as determined by the Lead Director and Campus Director, students will be selected by a computer-generated random-draw lottery in accordance with state guidelines.

Open Enrollment

For the 2014-15 school year, the School will begin accepting applications in December 2013. The School’s first lottery for the 2014-15 school year will be conducted during the first week of January 2014, and the School will perform additional lotteries as needed until the desired enrollment numbers are reached.

Following the first year, the School will begin accepting applications in approximately December of the prior year. The first lottery will be held in January of each year. Additional lotteries will be held as needed until the desired enrollment numbers are reached.

The open enrollment period will remain open and the School will continue to accept applications until all available spots have been filled. The School may, at the Lead Director and Campus Director's discretion, continue to enroll students from the lottery throughout the school year to fill spots that open when students withdraw

The School will publicize on its website the dates of enrollment periods so that all interested parents will have an opportunity to submit an application for their student(s).

### Preferential Enrollment

The School will offer preferential enrollment to certain categories of students as permitted under applicable law.

Preferential enrollment will next be given first to the children of any "founding members" that have provided no less than 90 recorded volunteer hours in the development of the school. Founder status will not be conferred based on donations made to the School.

Preferential enrollment will next be given next to siblings of students that are already enrolled in the School.

Preferential enrollment will be given next to students matriculating from one campus of the School to another.

Preferential enrollment will be given next to children of full-time employees (regularly working 30 hours or more per week) of the School.

Students enrolled under the first and fourth preferential categories will not exceed 5% of the School's total enrollment in any year; therefore, founders may only be allowed to enroll one student using the founder preference.

No students will be given priority notice or guaranteed admission to the School. The School will not make enrollment decisions or give preference to any student on any basis prohibited by applicable law, including federal civil rights laws and IDEA 2004.

## **E-Rate Gift Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Policy**

It is the policy of Ascent Academies of Utah (the "School") to comply with the gift rules outlined in the FCC's 6<sup>th</sup> 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 and is not in effect or triggered only during the time period when the competitive bidding process is taking place. Notwithstanding the foregoing, this policy is not intended to discourage charitable giving.

**E-Rate Procurement Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

In selecting service providers for all eligible goods and/or services for which Universal Service Fund (“E-Rate”) support will be requested, Ascent Academies of Utah (the “School”) shall:

1. 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.
2. 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.
3. Consider all bids submitted and select the most cost-effective service offering, with price being the primary factor considered.
4. 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**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

It is the policy of Ascent Academies of Utah (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).

## **Ethics Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Purpose**

Ascent Academies of Utah (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.

### **Policy**

Any allegation of a violation of this policy should be reported to the Lead Director in accordance with the School’s Staff Grievance Policy or Parent Grievance Policy, as applicable. If the allegation involves the Lead Director, the report should be made to the Board of Directors. The Lead Director or the Board will ensure that all allegations of ethics violations are promptly investigated and that appropriate action is taken based on the results of the investigation.

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

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

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

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

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

(i) further substantially his/her personal economic interest; or

(ii) secure special privileges or exemptions for himself/herself or others;

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

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

(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 at R277-515-3 pertaining to the ethical conduct required of all licensed educators in the state of Utah.

**Extracurricular Activities Participation Policy**  
**Adopted: June 19, 2014**  
**Revised: \_\_\_\_\_**

**Policy**

Ascent Academies of Utah (the “School”) recognizes that extracurricular activities enrich the educational experience of the School’s students. However, participation in such activities is a privilege and not a right, and the school expects students to demonstrate academic commitment and a high degree of citizenship in order to participate in such activities. Each Campus Director will therefore develop standards for student participation in extracurricular activities at their campus.

**Family Education Rights and Privacy Policy**  
**Adopted: December 11, 2013**  
**Revised: October 27, 2015**

**Policy**

The purpose of this policy is to encourage positive parental involvement in the education of children attending Ascent Academies of Utah (the “School”). The School will comply with State and federal laws concerning family educational rights and privacy, including but not limited to the federal Family Educational Rights and Privacy Act and the Utah Educational Rights and Privacy Act.

The School’s Lead Director will establish administrative procedures that provide standards for the protection of private information within the curriculum and other school activities and in the administration of psychological or psychiatric examinations, tests, or treatments, or any survey, analysis or evaluation of students. The procedures will also address the management of student educational records.

## **Fee Waiver Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Purpose**

Ascent Academies of Utah (the "School") must abide by the Utah State Board of Education rules that direct the Board of Education to implement a policy regarding student fees.

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

### **Policy**

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

### **Classes & Activities During the Regular School Day**

Elementary and secondary students may be required to provide materials for their optional projects, but a student may not be required to select an optional project requiring the student to obtain additional material as a condition for enrolling in or completing a course. Project-related courses must be based upon projects and experiences that are free to all students.

#### **Kindergarten through Sixth Grade**

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

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

However, the School or teacher may compile and provide to the parent or guardian of students in grades kindergarten through sixth a suggested list of supplies for use during the regular school day so that a parent or guardian may furnish on a voluntary basis those supplies for student use. The list provided to a student's parent or guardian must include and be preceded by the following language:

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

## Seventh through Ninth Grade

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

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

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

## **Activities Outside of the Regular School Day**

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

Activities that use the School facilities outside the regular School day and are not sponsored by the School may require fees. Fee waivers are not available for such fees.

## **General Provisions**

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

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

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

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

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

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

## **Waivers**

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

- The Campus Director will administer the policy and grant waivers.
- The process for obtaining waivers or pursuing alternatives shall be administered fairly, objectively, and without delay, and avoid stigma and unreasonable burdens on students and parents.
- The Campus Director will inform patrons of the process for obtaining waivers.
- Students who are granted waivers or provisions in lieu of fee waivers shall not be treated differently from other students or identified to persons who do not need to know of the waiver.
- Fee waivers or other provisions in lieu of fee waivers will be available to any eligible student.
- The Campus Director will explore with the student and parent/guardian of a student eligible for a fee waiver the alternatives available for satisfying the fee requirement in lieu of waivers, including but not limited to (a) providing tutorial assistance to other students, (b) providing assistance before or after school to teachers and other school personnel on school-related matters, and (c) general community or home service.

## **Eligibility for Fee Waivers**

1. A student is eligible for a fee waiver as follows:
  - a. income verification consistent with Utah Code § 53A-11-103(5), such as income tax returns or current pay stubs;
  - b. the student receives Supplemental Security Income (SSI) (only the student who receives the SSI benefit qualifies for fee waivers);
  - c. the family receives TANF (currently qualified for financial assistance or food stamps); or
  - d. the student is in state custody or foster care.
2. Supporting documentation is required as follows for each special category listed above:
  - a. For TANF, a letter of decision from Utah Department of Workforce Services covering the period for which the fee waiver is sought;

- b. For SSI, a benefit verification letter from the Social Security Administration;
  - c. For state custody or foster care, the youth in custody required intake form or school enrollment letter provided by the case worker from the Utah Division of Child and Family Services or the Utah Juvenile Justice Department.
3. Case-by-case determinations may be made for those who do not qualify under one of the foregoing standards but who are not reasonably capable of paying the fee because of extenuating circumstances including, but not limited to, exceptional financial burdens such as loss of work or substantial reduction of income or extraordinary medical expenses.
4. If a student is eligible for waivers, textbook fees must be waived; no alternative in lieu of a fee waiver is permissible for such fees. However, a student may be offered a work alternative to a waiver for all other kinds of fees. Parents will be given the opportunity to review proposed alternatives to fee waivers.
5. Denial of eligibility for a waiver may be appealed in writing to the Campus Director within ten (10) school days of receiving notice of denial.
  - a. The School shall contact the parent within two (2) weeks after receiving the appeal and schedule a meeting with the Campus Director to discuss the parent's concerns.
  - b. If, after meeting with the Campus Director, the waiver is still denied, the parent may appeal, in writing, within ten (10) school days of receiving notice of denial to the Lead Director.
6. Any requirement that a student pay a fee will be suspended during any period in which the student's eligibility for a waiver is being determined or during the time a denial of waiver is being appealed.

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

### **Items Eligible for Fee Waivers**

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

Expenditures for costumes, clothing, and accessories (other than items of typical student dress) which are required for school attendance, participation in choirs, pep clubs, drill teams, athletic teams, bands, orchestras, and other student groups, and

expenditures for student travel as part of a School team, student group, or other School-approved trip, are fees subject to the fee waiver provisions of this policy.

### **Items Not Subject to Waivers**

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

Charges for yearbooks, picture books, and similar items sponsored or provided by vendors that are not required for participation in a class or activity are not fees, and fee waivers are not available for such items.

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

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

### **Collection**

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

The School may not exclude students from school or withhold official student records, including written or electronic grade reports, diplomas, or transcripts, in order to collect fees.

The School may withhold the official student records of a student responsible for lost or damaged School property consistent with Utah Code § 53A-11-806 but may not withhold a student's records that would prevent a student from attending school or being properly placed in school.

Consistent with Utah Code § 53A-11-504, the School will forward a certified copy of a transferring student's record to a new school within 30 days of the request, regardless of whether the student owes fees or fines to the School.

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

## **Refunds**

Student fees are non-refundable.

## **School Fee Collections & Accounting Procedures**

It is the responsibility of the Campus Director and Lead 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 Campus Director and Lead Director.

## **Policy: Government Records Access Management Act (GRAMA) Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Policy**

The purpose of this policy is to establish criteria for managing, classifying, accessing, disposing and retaining records of Ascent Academies of Utah (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 Lead Director is designated as the Records Officer for all records requests. The Lead 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).

**Health and Safety Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

It is the policy of Ascent Academies of Utah (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 Lead 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 U-PASS Policy

Adopted: February 14, 2017

Revised: \_\_\_\_\_

### PURPOSE

The purpose of this policy is to set forth the responsibilities of Ascent Academies of Utah (the "School") in the event a home school student requests to participate in the Utah Performance Assessment System for Students ("U-PASS") at the School.

### POLICY

A home school student may participate in U-PASS 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; and
  - (3) The request for the student to participate in U-PASS at the School is provided to the School at least thirty (30) days prior to the opening of the applicable state assessment window.
- (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 U-PASS testing at the School.

The School will respond to a home school student's request to participate in U-PASS 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 U-PASS testing 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 U-PASS 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 U-PASS 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 U-Pass 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 U-PASS to its students and home school students who participate in U-PASS 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.

**Human Sexuality Instruction Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Policy**

The purpose of this policy is to ensure that the Human Sexuality Curriculum taught at Ascent Academies of Utah (the "School") is compliant with state law. The School will comply with applicable state law regarding the presentation of Human sexuality instruction or instructional programs.

"Human sexuality instruction or instructional programs" means any course, unit, class, activity or presentation that provides instruction or information to students about sexual abstinence, human reproduction, reproductive anatomy, physiology, pregnancy, marriage, childbirth, parenthood, contraception, or HIV/AIDS and other sexually transmitted diseases. 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.

**Library Policy**  
**Adopted: February 14, 2017**  
**Revised: \_\_\_\_\_**

**PURPOSE**

The Board of Directors (the “Board”) of Ascent Academies of Utah (the “School”) desires to establish a library policy that will, in combination with administrative procedures to be established by the School’s Lead Director, guide the School’s library program, services, and facilities in a manner consistent with the School’s mission, vision, and charter.

**POLICY**

Philosophies and General Policy

The School maintains a library at each of its campuses to provide an environment where students can develop their reading skills, increase their knowledge base, and strengthen their research abilities. The libraries also exist to provide resources to staff that complement and support the School’s curriculum and other programs.

The School’s library program focuses on making life-long learners of students and staff. Each library functions as a resource, research, and reading room. Library staff are present to assist students and to help administration and staff in the teaching of students by providing materials, maintaining an organized collection, and collaborating with staff in curriculum planning, development, and delivery.

The School uses a variety of literature and media to enrich and enhance teaching materials and students’ educational experience. It is important to the School that students and staff have regular access to library programs, services, and facilities as an integral part of their educational experience.

The School’s library program supports the greater mission of the School: “Ascent Academies of Utah’s network of schools utilizes the Schoolwide Enrichment Model to build a strong educational foundation and to provide an enriching, individualized and varied educational experience to all students.”

Challenged Materials

The Board respects the opinions of parents regarding library materials accessible to their children and understands that parents may object to or have concerns with certain library materials at the School. Accordingly, the School’s Lead Director, or Network Librarian at the Lead Directors discretion, shall establish an administrative procedure by which parents may challenge library materials. The administrative procedure may

include the use of (1) a form that parents are required to complete and submit to the School to address the challenge and (2) a committee to help review, evaluate, and make a decision on each challenge.

### Collection Development

The School's libraries provide a broad range of educational, informational, and recreational materials and resources. The library collection at each School campus shall be reviewed periodically to determine whether new materials or resources need to be acquired and whether any existing materials or resources need to be removed or replaced. The School's Lead Director, or Network Librarian at the Lead Directors discretion, shall establish administrative procedures for library collection development that include guidelines for the acquisition and weeding of library materials and resources.

### Acceptable Use

Each School library contains valuable materials and resources, including electronic resources. The School has made considerable investments to provide such materials and resources because the School recognizes the educational value and opportunities they provide to students and staff. The School's Electronic Resources Policy and the rules and procedures established in connection therewith shall govern student and staff use of the electronic resources at the libraries. The School's Lead Director, or Network Librarian at the Lead Directors discretion, shall establish additional administrative procedures regarding acceptable use of library materials, resources, programs, services, and facilities by School students and staff.

### Library Committees

The Lead Director and/or Network Librarian shall ensure that the library committees described in the School's charter are formed and that each committee performs its responsibilities as set forth in the charter.

### Procedures

In addition to establishing the administrative procedures described above, the School's Lead Director, or Network Librarian at the Lead Directors discretion, shall ensure that each School campus has other procedures necessary for compliance with this policy and for promoting a library program that meets the mission, vision, and charter of the School. All procedures established pursuant to this policy shall be consistent with this policy and comply with applicable law.

## Review

This policy shall be reviewed and revised by the Board as necessary.

**Parent-School Compact**  
**Adopted: August 6, 2014**  
**Revised: \_\_\_\_\_**

### **Parent/Guardian Responsibilities**

I want my child to achieve, therefore I will:

- Make certain my child attends school regularly and on time.
- 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 including compliance with the school's dress code.
- Read with my child and let him/her see me read regularly.
- Encourage positive attitudes toward school.
- As a family, volunteer the requested 30 hours each year.
- Use the Student Information System (SIS) to keep abreast of my student's grades and progress.
- Maintain communication with the school and teacher by reading and responding to email, notes home, phone calls, etc. as necessary.
- Drive safely and courteously during pick-up and drop-off and follow established procedures.

### **Student Responsibilities**

It is important that I learn, therefore I will:

- Attend school regularly and on time.
- Complete assignments and homework.
- Be prepared for class, bringing homework and supplies to school each day.
- Work to the best of my ability.
- Work cooperatively with classmates, teachers and staff.
- Respect other people, my school, and myself.
- Follow all school rules and accept responsibility for my own actions.
- Help create a learning environment free of distractions by refraining from bullying and disruptive or distracting behavior.
- Follow all schools rules and abide by the dress code.

### **Teacher Responsibilities**

It is important that my students achieve, therefore I will:

- Hold high expectations for all students, believing all students can learn.
- Provide high-quality instruction in a supportive and non-threatening environment.
- Provide meaningful homework.
- Communicate regularly with my students and their families through conferences, email, blog, notes, phone calls, etc.

- Provide opportunities for parents to assist in the classroom or at school in meaningful ways.
- Utilize assessment and progress data to inform instruction.
- Participate in on-going professional development to increase and enhance instructional strategies.

### **Administrator Responsibilities**

I support this compact, therefore I will:

- Provide a positive and equitable learning environment for all children.
- Encourage our staff to provide parents with the information about the total school program.
- Encourage our staff to provide avenues for positive and meaningful parent involvement.
- Provide meaningful opportunities for parents to receive the information and training needed to effectively become involved in planning and decision-making in support of their student's education.

**Parent Grievance Policy**  
**Adopted: December 11, 2013**  
**Revised: June 19, 2014**

**Purpose**

The purpose of this policy is to clarify for parents a process by which concerns can be addressed. The Board of Directors of Ascent Academies of Utah (the “School”) 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 the 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 Lead Director or Campus Director) must first address the issue with the other individual involved and work reasonably and in good faith to resolve the concern.

A parent that is not able to resolve the dispute himself or herself may then raise the issue with the Campus Director. The parent should first send to the Campus 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. After sending the written complaint, the parent and the Campus Director should schedule a time to discuss the concern in person or via telephone.

If a parent’s complaint involves the Campus Director, the parent must first address the issue with the Campus Director and work reasonably and in good faith to resolve the problem. The parent is not required to send the Campus Director a written complaint in this situation.

The School recognizes that a neutral mediator can often help achieve an early compromise that is agreeable to all parties in a dispute. Therefore, in the event the parent and the Campus Director are unable to resolve a complaint, the parent may address the issue with the grievance committee. Complaints to the grievance committee 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 grievance committee shall be comprised of at least three (3) individuals selected by the Lead Director who are not the subject of the grievance and may include some combination of the Lead Director, Campus Director(s), counselor(s), and teacher(s) of the School. The complaint may be directed to the grievance committee through the Lead Director in writing. The grievance committee shall strive to be impartial and not take sides regarding a complaint. The grievance committee's goal is to help people identify options for resolving problems and to determine if School procedures and actions of School personnel are fair and reasonable.

The grievance committee shall promptly investigate the complaint. The grievance committee may designate an investigator or may attempt to resolve the complaint through meetings with the complainant. The grievance committee shall ensure that individuals designated to investigate complaints have knowledge necessary to conduct the investigation. All employees of the school shall cooperate with grievance committee investigations. The grievance committee shall maintain a record of each complaint. Within 15 school days of the receipt of the complaint, the grievance committee shall make a finding and may propose a resolution of the complaint.

If a parent's complaint involves the Lead Director, the parent must first address the issue with the Lead Director and work reasonably and in good faith to resolve the problem. The parent is not required to send the Lead Director a written complaint in this situation. In the event the parent and the Lead Director are unable to resolve a complaint, the parent may address the issue with the grievance committee using the process set forth above.

#### Concerns Involving Board Policy or Board Action

If a parent has a concern regarding Board policy or other Board action, 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 President of the Board of Directors 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 that involve administrative practices or procedures should be addressed with the Lead Director rather than the Board.

**Parental Involvement Policy**  
**Adopted: August 6, 2014**  
**Revised: March 28, 2017**

**A. Purpose**

Ascent Academies of Utah (the “School”) has always regarded parental involvement as vital to the success of students at the School. As a Title I targeted Assistance school, we are committed to closing the achievement gap for all students with particular attention paid to economically disadvantaged, disabled, limited English proficiency, limited literacy, or any racial or ethnic minority background. The School involved parents in the development of this written policy. The policy describes both parent involvement expectations and the School’s role in involving parents, providing support for parents, and coordinating parent involvement.

Schools are required to jointly develop with parents of participating children a written parental involvement policy describing the means for carrying out the requirements outlined in 20 U.S.C. § 6318. The purpose of an effective parental involvement policy is to improve all students’ academic achievement.

*Our school’s policy includes the following:*

- Ways in which parents will be kept informed and assisted in understanding expected academic standards at the state and school level.
- Ways in which parents will be provided materials and training to help them work with their children to improve achievement, such as literacy, numeracy and technology training.
- Ways in which educators and parents will work together, reach out, and communicate with each other in order to realize more fully the value and contributions that parental involvement adds to the success of the school.
- Ways in which appropriate coordination of parent involvement activities will take the place with after school activities or any programs in which the school may participate or assist.
- Ways in which ongoing parent input for other activities, requests, suggestions, ideas or concerns might be received.

**B. Policy Involvement**

At the beginning of the school year, our School will distribute an updated parent involvement policy to patrons. The policy will be written in understandable language and, to the extent practicable, provided in language the parents can understand. In addition, an annual meeting will be held and inform parents of the School’s parent involvement policy and the school-parent compact. Other parent meetings will be held throughout the school year to provide parents with ongoing information, training, and materials to help them work with their children in the areas of literacy, numeracy, and technology. The School will hold Student Education Plan (SEP) conferences at least

twice a year. A description and explanation of the curriculum in use at the School, the forms of academic assessment used to measure student progress, and expected student proficiency levels will be shared with parents. Student progress will be addressed and goals will be set to further student academic achievement.

### **C. Building Capacity for Involvement**

- Consistent correspondence will be sent with ideas for parents to help their students academically.
- SEP conferences will be designed to disseminate information about the prior year's academic state core testing as well as progress throughout the current school year.
- Progress reports will be used to communicate academic performance throughout the school year.
- School websites will provide parents with information concerning their student's education.
- The School LAND Trust Committee will allow for communication between the community members and school personnel.
- The School will coordinate information gathered from needs assessments to drive parent programs and instruction.
- The School will provide important educational documents written in understandable language and, to the extent practicable, provide in a language the parents can understand.
- The School will coordinate available funding to provide necessary literacy training.
- All efforts will be made to schedule school meetings, and SEPs in order to maximize parental involvement and participation.
- Annual input from parents will be gathered through the use of a needs assessment and evaluation as well as other feedback from the community.

### **D. Shared Responsibility for High Academic Achievement – School Parent Compact**

The School will adopt a Parent-School Compact outlining parent/guardian responsibilities, student responsibilities, teacher responsibilities, and administrator responsibilities.

### **E. Accessibility**

Specific attention will be given to service provided for:

- Limited English proficient parents
- Parents with disabilities
- Parents of migratory children

### **F. Review**

An annual evaluation of parental policies and practices will take place to determine the effectiveness of the parental involvement policy in improving the academic quality of the schools involved. Results will be used to design strategies for more effective parental involvement.

**Pest Management Policy**  
**Adopted: December 15, 2014**  
**Revised: \_\_\_\_\_**

**Policy**

Ascent Academies of Utah (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 Director of each campus is responsible for ensuring that the IPM approach is implemented at their campus in accordance with Utah Administrative Code R392-200-7(12).

**Political Signs on School Property Policy**  
**Adopted: October 27, 2015**  
**Revised: \_\_\_\_\_**

**Purpose**

The purpose of this policy is to address the posting of political signs on Ascent Academies of Utah'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**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Policy**

Ascent Academies of Utah (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.

### **Procurement Process**

No procurement process is required for purchases up to \$1,000. The School may make such purchases from any vendor without obtaining competitive bids.

For small purchase as defined in Utah Administrative Code R33-3-3, which will typically include purchases over \$1,000 up to \$50,000 of items other than professional services, the School will follow the procedures set forth in the rule and will typically obtain at least two competitive quotes and purchase from the responsible vendor offering the lowest quote meeting the specifications.

Unless an exception applies, for purchases of items other than professional services over \$50,000, the School will conduct an appropriate procurement process, such as a Request for Bids or a Request for Proposals.

The School will not artificially divide purchases or otherwise take steps in order to avoid the requirement to obtain competitive quotes or conduct a 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 will comply with the requirements of the Procurement Code in connection with any contract with a term that is longer than five (5) years, including any automatic renewals or extensions.

The School will comply with the requirements of the Procurement Code in connection with any construction or real property improvements undertaken by the School.

Any alleged violations of this policy or applicable law shall be reported in writing to the School’s Lead Director. If the allegation involves the Lead Director, the report should be made to the Board of Directors.

**Purchasing and Disbursement Policy**  
**Adopted: December 11, 2013**  
**Revised: October 27, 2015**

**PURPOSE**

The purpose of this policy is to enable the administration of Ascent Academies of Utah (the “School”) to make purchases necessary for the daily operation of the School, without the need for the Board of Directors’ approval.

**POLICY**

**Purchasing**

The responsibility for approving purchases is hereby designated to the Lead Director and Campus Directors of the School by the Board of Directors (the “Board”) as follows:

- All purchases up to \$2,500 must be approved by the Lead Director or a Campus Director;
- All purchases between \$2,500 and \$7,500 must be approved by the Lead Director;
- All purchases between \$7,500 and \$15,000 must be approved by the Board Treasurer *or* the Board President;
- 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.

**Disbursement**

The responsibility for disbursements is delegated to the School’s ESP, Lead Director and Campus Directors as set forth below.

Disbursements will be charged to one of two School accounts: (i) the General Operating Account; or (ii) a Petty Cash Account assigned to a specific campus. The School’s ESP is responsible for disbursements charged to the General Operating Account, and the School’s Lead Director and Campus Directors are responsible for disbursements charged to the Petty Cash Account for individual campuses.

Disbursements must be handled in a manner that ensures that the proper funds and accounts are charged; that the disbursement is used only for authorized purposes; and

that applicable laws, rules, and regulations pertaining to the handling of public funds are followed.

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 ESP.
- The School's ESP 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 for each School campus with corresponding checks and a debit card to be utilized at the discretion of the Campus Director of that campus. 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 each Petty Cash Account may be kept in locked storage under the control of the Campus Director 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 \$2,000.
- It is intended that only minor expenses will be charged to Petty Cash Account funds should be limited to small expenses
- Access to the Petty Cash debit card is limited to the School's Lead Director, a Campus Director, or their designated alternate;
- Access to blank checks is limited to the School's Lead Director, a Campus Director 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 Lead Director or Campus Director and forwarded to the School's ESP. The use of these blank checks should be kept to an absolute minimum;

- For each campus Petty Cash Account, the School's Campus Director 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 ESP adequate time to provide accurate monthly financial reports to the Board.
- The School's Campus Director or their designated alternate is responsible for replenishment of the account when petty cash is low. To replenish petty cash, the Campus Director must request the School's ESP to transfer funds.

**Religion and Education Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Purpose**

It is the policy of Ascent Academies of Utah (the “School”) to recognize, protect, and accommodate 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 policy is to help School personnel protect and accommodate individual rights of conscience in the School.

**Policy**

The School’s Board of Directors 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.

Secondary students may request to be excused or refrain from participating, in activities, discussions, and assignments that they feel would violate their rights of conscience or religious freedom. Such requests must be made in a timely manner to the appropriate authorities. The parent(s) or legal guardian(s) of a minor student may also make a request for excusal on that student’s behalf. If focused on a specific activity, discussion, or assignment, and in accordance with Utah Code, State Board of Education Rules, and School Procedures, such requests will be granted routinely and without penalty.

The School’s Lead Director will adopt administrative procedures to implement this policy.

**Revenue Recognition Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Purpose**

To specify the approach taken in recognizing revenues received by Ascent Academies of Utah (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.

## Safe Schools Policy

Adopted: December 11, 2013

Revised: \_\_\_\_\_

### 1. PURPOSE, BELIEFS, AND PHILOSOPHY

#### 1.1 Purpose

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

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

The School will promote and require:

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

#### 1.2 Beliefs and Expectations

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

##### **Beliefs:**

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

##### **Expectations:**

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

### **1.3 Procedural Philosophy**

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

#### **Procedures:**

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

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

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

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

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

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

##### **Due process to protect the rights of students will include:**

- All students will be treated with dignity and respect as they go through correction procedures. The administration will see to it that their rights are protected through the process.
- 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 on School grounds and during School-sponsored activities. Criminal acts or disruptive behavior of any kind will not be tolerated, and any individual who engages in such activity will be subject to disciplinary action, criminal prosecution, or both.

### **2.2 Discrimination Prohibited**

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

## **3. DEFINITIONS**

### **3.1 Suspension**

For purposes of this policy, suspension is a temporary removal of a student from School and School-sponsored activities for a period of up to one (1) year. A student who is suspended may, at the Campus 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.

### **3.2 Expulsion**

For purposes of this policy, expulsion means the formal process of dismissing a student from School. Recognizing that students who commit violent or disruptive acts may pose safety problems, the School will work with parents to provide alternative educational placement and programs for the student where appropriate and feasible. However, the Campus Director retains the authority to exclude the student from all programs or activities for the period of expulsion.

### **3.3 Change of Placement for Students with Disabilities under IDEA and Section 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 minor; (ii) a legally appointed guardian of a school-age minor; or (iii) any other person purporting to exercise any authority over the minor which could be exercised by a person described above.

### **3.6 Qualifying Minor**

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

### **3.7 School Year**

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

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

### **4.1 Suspension**

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

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

[b] willful destruction or defacing of School property;

[c] behavior 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. § 32A-1-105;

[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, 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;

[j] any serious violation involving weapons, drugs, or the use of force 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

[k] bullying or hazing as defined in Utah Code Ann. § 53A-11a-102 and/or the School's Bullying and Hazing Policy.

**4.1.2** A student shall be suspended or expelled from School for

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

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

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

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

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

## **4.2 Expulsion**

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

#### **4.3 Weapons – Mandatory Expulsion for One Year – Utah Code Ann. § 53a-11-904(2)(b); 20 U.S.C. § 7151**

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

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

[b] The CMT shall determine:

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

(ii) if the student should be placed on probation in a regular school setting consistent with Utah Code Ann. § 53A-11-907, and what conditions must be met by the student in order to ensure the safety of students and faculty at the School; and

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

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

#### **4.3.2 Students with Disabilities under IDEA and Section 504**

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

#### **4.4 Drugs and Controlled Substances – Mandatory Suspension or Expulsion – Utah Code Ann. § 53A-11-904(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.

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

#### **4.4.2 Students with Disabilities under Section 504**

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

#### **4.4.3 Drug Testing**

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

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

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

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

for random drug testing under these conditions shall be expelled from all School programs or activities.

#### **4.4.4 Students with Disabilities under IDEA**

Whenever a student receiving special education and related services under IDEA knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at School or a School-sponsored activity, the procedures outlined in Section 9 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, or harassing any person;

[e] Possessing a weapon, controlled substances, drug paraphernalia, or other contraband;

[f] Committing any illegal act;

[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.

### **5. AUTHORITY TO SUSPEND OR EXPEL**

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

The Campus 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 Campus 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 Campus 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) Days or Expel for Regular Education Students**

Subject to the requirements for due process set forth in Section 9, below, the Lead Director may suspend a regular education student for longer than ten (10) days or expel a regular education student.

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

### **5.3.1 Parental Responsibility**

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

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

**5.3.3** The School shall contact the parent or guardian of each student under age 16 who has been expelled from all School programs and services at least once a month to determine the student's progress if the parent/guardian of the expelled student has expressed a desire for the student to return to the School.

### **5.4 Authority to Institute Change of Placement for Student with Disabilities**

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

## **6. PROCEDURES FOR ADDRESSING DISRUPTIVE STUDENT BEHAVIOR – Utah Code Ann. § 53A-11-910**

### **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 Campus Director or a teacher or counselor designated by the Campus 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.

### **6.2 Notice of Disruptive Student Behavior**

**6.2.1 Authorization.** The Campus Director is authorized to issue notices of disruptive student behavior to students who are qualifying minors.

**6.2.2 Criteria for Issuing Notice.** The Campus Director will issue a “notice of disruptive student behavior” to a qualifying minor who:

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

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

**6.2.3 Contents of Notice.** The notice of disruptive student behavior will:

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

[b] contain a statement indicating:

(i) the number of additional times that, if the qualifying minor engages in disruptive student behavior that does not result in suspension or expulsion, will result in the qualifying minor receiving a habitual disruptive student behavior citation; and

(ii) that the qualifying minor will receive a habitual disruptive student behavior citation if the qualifying minor engages in disruptive student behavior that results in suspension or expulsion; and

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

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

## **6.3 Habitual Disruptive Student Behavior Citation**

**6.3.1 Criteria for Issuing Notice.** The Campus Director may issue a “habitual disruptive student behavior citation” 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 Referral to Juvenile Court.** A qualifying minor to whom a habitual disruptive student behavior citation is issued shall be referred to the juvenile court.

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

## **7. ALTERNATIVES TO EXPULSION, OR CHANGE OF PLACEMENT FOR FREQUENT OR FLAGRANT DISRUPTIVE BEHAVIOR – Utah Code Ann. § 53A-11-906**

A continuum of intervention strategies shall be available to help students whose behavior in School repeatedly falls short of reasonable expectations. Prior to suspending a student for more than ten (10) days or expelling a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violent that immediate removal is warranted, good faith efforts shall be made to implement a remedial discipline plan to allow the student to remain in the School.

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

**7.1.1** Talking with the student;

**7.1.2** Class schedule adjustment;

**7.1.3** Phone contact with the parent or legal guardian;

**7.1.4** Informal parent/student conferences;

**7.1.5** Behavioral contracts;

**7.1.6** After-school make-up time;

**7.1.7** Short-term in-school suspension (ISS);

**7.1.8** Short-term at-home suspensions;

**7.1.9** Appropriate evaluation;

**7.1.10** Home study;

**7.1.11** Alternative programs;

**7.1.12** Law enforcement assistance as appropriate.

## **7.2 Parental Attendance with Student – Utah Code Ann. § 53A-11-906(1)-(2).**

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

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

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

**8.1** The Campus Director shall notify the student's custodial parent or guardian of the following without delay: that the student has been suspended, the grounds for the suspension, the period of time for which the student is suspended, and the time and place for the parent or guardian to meet with the Campus Director to review the suspension.

**8.2** The Campus 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 Campus Director shall document the charges, evidence, and action taken.

**8.4** The student shall be requested to present his/her version of the incident in writing. Students with disabilities or young students who are unable to write their own statements shall be accommodated through the use of tape recorder, scribe, etc.

**8.5** If the student denies the charges, the student shall be provided with an explanation

of the evidence and an opportunity to present his/her version of the incident to the Campus Director.

**8.6** In general, the notice and informal conference shall precede the student's removal from the School.

**8.7** If, in the judgment of the Campus Director, notice is not possible because the student poses a danger to a person or property or an ongoing threat of disrupting the academic process, he/she may be removed immediately. However, in such cases, the necessary notice and hearing shall follow as soon as possible.

## **9. DUE PROCESS FOR SUSPENSIONS OF MORE THAN TEN (10) DAYS AND EXPULSIONS**

**9.1** If the Campus Director believes that a student should be suspended for more than ten (10) days or expelled, the Campus Director may make the recommendation to the Lead Director, who will make the decision whether to impose such discipline. In the event the Lead Director decides that a student should be suspended for more than ten (10) days or expelled, the Lead Director and Campus Director shall meet with the student's parent or guardian to discuss the charges against the student and the proposed discipline within five (5) school days after the suspension or expulsion began. If requested in writing, the Lead Director shall also notify the non-custodial parent of the suspension or expulsion as outlined in section 8.2 of this policy.

### **9.2 Notice to Student and Parent/Guardian**

During the meeting required in section 9.1, the Lead Director and Campus Director shall provide the student's parent or guardian with written notice that includes all of the following elements (or, if the student's parent or guardian refuses to meet, the Lead Director shall send the notice by certified mail, return receipt requested, to the student's parent or legal guardian within ten (10) school days after the suspension or expulsion began):

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

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

**9.2.3** a statement that a due process hearing may be requested by providing the Lead Director with written notice within ten (10) school days of the parent or guardian's receipt of the notice;

**9.2.4** a statement that, if a due process hearing is requested, the Board president will designate a hearing officer to conduct the hearing;

**9.2.5** a statement that the suspension or expulsion is taking effect immediately and will

continue for the stated period unless a due process hearing is requested in a timely manner and the hearing officer determines otherwise;

**9.2.6** the mailing date of the notice;

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

### **9.3 Hearing Procedures**

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

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

**9.3.2** A written Hearing Notice shall be sent to the parent or guardian informing the parent or guardian that the Due Process Hearing will be conducted before a hearing officer selected by the Board and of the following information:

- [a] the date, place, and time of the hearing;
- [b] the circumstances, evidence, and issues to be discussed at the hearing;
- [c] the right of all parties to cross-examine witnesses subject to the hearing officer's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal; and
- [d] the right of all parties to examine all relevant records.

**9.3.3** The hearing officer 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 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 hearing officer; and

[d] the hearing officer may excuse witnesses or parties or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the hearing officer.

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

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

### **10.1 Required Services**

#### **10.1.1 504 and ADA Students**

When a determination is made that the conduct of a 504 or ADA student (but not a student who is disabled under IDEA) is not a manifestation of the student's disability pursuant to Section 10.5, the student shall be subject to the same disciplinary consequences as regular education students, up to and including expulsion from School without educational services. (See OSEP memorandum of April 26, 1995.)

#### **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 or Drugs**

A student's IEP team may order a change in placement of a student with a disability to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than forty-five (45) days, if:

**10.2.1** The student carries a weapon to School or to 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 or a School-sponsored activity.

## **10.3 Change of Placement Due to Student's Serious Misconduct**

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

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

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

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

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

## **10.4 Parental Notice**

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

## **10.5 IEP Meetings for Manifestation Determination**

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

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

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

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

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

(ii) Observations of the student; and

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

[b] Then determines whether:

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

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

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

### **10.5.5 Determination that Behavior was not Manifestation of Disability**

If the result of the manifestation review is a determination that the behavior of a student with a disability was not a manifestation of the student's disability, the relevant

disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, except that a free appropriate public education must still be made available to the student if the student is suspended or expelled from School.

#### **10.5.6 Determination that Behavior was Manifestation of Disability**

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

### **10.6 IEP Meetings for Functional Behavioral Assessments**

#### **10.6.1 Post-Discipline Functional Behavioral Assessments**

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

#### **10.6.2 Pre-Discipline Behavioral Intervention Plans**

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

### **10.7 Placement During Appeals and Stay Put**

**10.7.1** If a parent requests a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student must remain subject to the disciplinary action pending the decision of the hearing officer or until the expiration of the forty-five (45) day period, whichever occurs first, unless the parent and School officials agree otherwise.

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

## **11. SITE-BASED SAFE SCHOOLS MEASURES**

### **11.1 Closed Campus**

The School has a "closed campus" policy, under which students are prohibited from leaving School grounds during the school day without authorization from the School's office.

## **11.2 Physical Restraint**

A School employee may, when acting within the scope of employment, use and apply physical restraint or force as may be reasonable and necessary under the following circumstances:

**11.2.1** To protect any person from physical injury;

**11.2.2** To take possession of a weapon, other dangerous objects or controlled substances in the possession of a student;

**11.2.3** To restrain or remove a student from a situation when that student is violent or disruptive, or is a danger to him/herself or others, or

**11.2.4** To protect property from serious damage.

**11.2.5** When an employee exercises physical restraint on a student, the employee shall write a report outlining the incident and the reasons for the use of physical restraint within three (3) days following the incident. This report shall be filed with the Lead Director, who then is responsible for sending a copy of the report to the Board. The original of the report shall be kept in the employee's file.

## **11.3 Corporal Punishment**

School employees may not inflict or cause the infliction of corporal punishment upon a student.

## **11.4 After-School Detention**

**11.4.1** Teachers and other School officials shall make reasonable attempts to notify a parent or legal guardian before detaining a student after School.

**11.4.2** If detention is necessary for the student's health or safety, an exception may be made to the notice requirement.

## **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. §53A-11-904(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 Campus Director has reason to believe that School rules or policies have been broken, he or she shall proceed with an investigation. However, if the Campus 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 Campus Director**

The Campus 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 Campus Director shall conduct investigations according to the following general guidelines:

**14.1.1** The Campus Director shall conduct investigations in a way that does not unduly interfere with School activities.

**14.1.2** The Campus 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 Campus 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 Campus 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 Campus 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 Campus Director, law enforcement should be notified, the following procedure should be followed:

- [a] The Campus 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 or legal guardian as soon as possible that the student may have committed a criminal act and that law enforcement authorities will be involved in the investigation.
- [c] Unless circumstances dictate otherwise, questioning of the student by School officials shall not begin or continue until the law enforcement officers arrive.

[d] Reasonable attempts shall be made to contact the student's parents or legal guardian who, unless an emergency exists, shall be given the opportunity to meet with the student and to be present with the student during questioning by law enforcement authorities.

[e] The Campus Director shall document the contact or attempted contact with the student's parents or legal guardian. If the Campus Director cannot contact the student's parent or guardian, or if the parent or guardian is unable to be present with the student for questioning, the Campus 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 Campus Director or other designated person before beginning an investigation on School premises.

(ii) The Campus Director shall document the circumstances warranting the investigation as soon as practical.

(iii) Alleged criminal behavior related to the School environment brought to the Campus 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 parent or guardian.

(v) Directory information is limited to a student's name, home address, date of birth, phone number, class schedules and parents' address and phone numbers for use in

case of emergency.

#### **14.2.4 Release of Student to Law Enforcement Official**

[a] Students may not be released to law enforcement authorities voluntarily by School officials unless the student has been placed under arrest or unless the parent or legal guardian and the student agree to the release.

[b] When students are removed from School for any reason by law enforcement authorities, every reasonable effort shall be made to contact the student's parent or legal guardian immediately except in cases of child abuse and neglect. Such effort shall be documented.

[c] The Lead 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 Campus 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 Campus 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 Campus Director shall have the student summoned to the Campus 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 Campus Director, the School staff present shall encourage the law enforcement officers to tell the Campus Director of the circumstances as quickly as possible. If the officers decline to tell the Campus Director, the School staff members present shall immediately notify the Campus 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 Campus 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 the Campus Director's directive to leave the premises.

### **15. 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:

## **15.1 General Guidelines for Searches of Person or Property**

### **15.1.1 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 this policy.

### **15.1.2 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, alcohol, tobacco, unsafe contraband, pornography, pagers or lost/stolen/misplaced items.

## **15.2 Searches of Personal Belongings**

**15.2.1** 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.

**15.2.2** 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.

## **15.3 Searches of Person**

**15.3.1** School officials shall make sure the search meets the following guidelines:

[a] The search shall be conducted in a private area of the School by a School official of the same sex as the student being searched;

[b] The search shall be observed by an objective third party of the same sex as the student being searched (i.e., Campus 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.

#### **15.4 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:

**15.4.1** The time, place and date of the search;

**15.4.2** The reasonable suspicion giving rise to the search (what did School officials suspect to find during the search);

**15.4.3** The name and title of individuals conducting and observing the search;

**15.4.4** A statement about evidence that was found or not found as a result of the search;

**15.4.5** A statement about who took possession of contraband (i.e., police, school, etc.);

**15.4.6** Information regarding the attempts of School officials to notify parents about the search.

#### **16. RECORDS—INTERAGENCY COLLABORATION – 20 U.S.C. § 1232g(h)(i)-(2); Utah Code Ann. § 53A-11-1001-1004**

## **16.1 Notification by Juvenile Court and Law Enforcement Agencies.**

**16.1.1** Within three (3) days of being notified by the juvenile court that a juvenile has been adjudicated or of being notified by a law enforcement agency that a juvenile has been taken into custody or detention for a violent felony, defined in Utah Code Ann. § 76-3-203.5, or an offense in violation of Title 76, Chapter 10, Part 5 Weapons, the President of the Board shall notify the Lead Director.

**16.1.2** Upon receipt of the information, the Campus Director shall make a notation in a secure file other than the student's permanent file; and, if the student is still enrolled in the School, the Campus Director shall notify staff members who should know of the adjudication, arrest or detention.

**16.1.3** Staff members receiving information about a juvenile's adjudication, arrest or detention may only disclose the information to other persons having both a right and a current need to know.

## **16.2 Student Discipline Records/Education Records**

School officials may include appropriate information in the education record of any student concerning disciplinary action taken against the student for conduct that posed a significant risk to the safety or well-being of that student, other students, or other members of the school community.

### **16.2.1 Disclosure of Discipline Records to Other Educators**

School officials may disclose student discipline information described above to teachers and other School officials, including teachers and school officials in other schools, who have legitimate educational interests in the behavior of the student.

### **16.2.2 Disclosure of Discipline Records to Other Agencies**

School officials shall not release personally identifiable student discipline records to other government agencies, including law enforcement agencies, unless the agency produces a subpoena or court order (need for standing court order from juvenile court), or unless the student's parent or guardian has authorized disclosure.

## **17. TRAINING**

**17.1** All new employees shall receive information about this policy at new employee orientation. All other employees shall be provided information on a regular basis regarding this policy and the School's commitment to a safe and orderly school environment.

**17.2** Employees who have specific responsibilities for investigating and resolving safe schools violations shall receive yearly training on this policy and related legal

developments.

**17.3** The Campus Director shall be responsible for informing students, parents, and staff of the terms of this policy including the procedures outlined for investigation and resolution of violations.

## **18. POLICY DISSEMINATION AND REVIEW**

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

**18.2** A summary of this policy shall be posted in the School, and the policy will be posted on the School's website. The policy or a summary of the policy shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the Board.

**18.3** This policy shall be reviewed as necessary with appropriate revisions recommended to the Board.

## **Sexual Abuse and Molestation Prevention Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Policy**

Ascent Academies of Utah (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 Lead 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**

Administration should ensure that School personnel receive periodic training in the recognition of and proper response to child sexual abuse.

**Staff Grievance Policy**  
**Adopted: December 11, 2013**  
**Revised: \_\_\_\_\_**

**Purpose**

The Board of Directors (“Board”) of Ascent Academies of Utah (the “School”) values open communication between faculty, staff, administration, and 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**

A staff member who has a complaint regarding another staff member must first address the issue with the other employee involved and work reasonably and in good faith to resolve the concern.

A staff member that is not able to resolve the dispute himself or herself may then raise the issue with their Campus Director. A staff member that is not able to resolve the dispute with the Campus Director may then raise the issue with the Lead Director.

If a staff member’s complaint involves their Campus Director, the staff member must first address the issue with the Campus Director and work reasonably and in good faith to resolve the problem.

If a staff member’s complaint involves the Lead Director, the staff member must first address the issue with the Lead Director and work reasonably and in good faith to resolve the problem.

A staff member should not direct complaints to the Board unless and until he or she has worked in good faith to resolve the issues with the other individual and with their Campus Director and the Lead Director, as applicable.

In the event the staff member and the Lead Director are unable to resolve a complaint and the staff member wishes to bring the issue to the Board’s attention, the complaint may be directed to the Board 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 then consider the complaint and take whatever action it deems appropriate.

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, this policy is not intended to discourage an employee from reporting to the appropriate individual(s) a legal violation committed by another employee and does not limit a School employee's right to appropriately report a legal violation committed by another employee.

## **Test Administration Policy**

**Adopted: April 16, 2014**

**Revised: \_\_\_\_\_**

### **Policy**

Ascent Academies of Utah (the “School”) places a high value on ethics and integrity and expects students and staff to demonstrate these characteristics. Accordingly, the School recognizes the importance of fair and ethical test administration. The School’s Lead Director will therefore ensure that each Campus Director implements all required procedures in order to ensure that all state-mandated tests are administered in an ethical manner.

## **Travel Policy**

**Adopted: June 19, 2014**

**Revised: \_\_\_\_\_**

### **Purpose**

The purpose of this policy is to establish procedures for authorization of travel by employees or board members of Ascent Academies of Utah (the "School") who may be required to travel to fulfill their official duties or to attend seminars, conferences or other professional or educational activities benefiting the School.

### **Policy**

1. This policy applies to all travel by employees and Board members on School-related business, whether or not overnight stay is required. This policy does not apply to field trips or other School-sponsored activities involving students.
2. Travel by campus-level employees must be approved in advance by the Campus Director. Travel by a Campus Director or non-campus-based employees must be approved in advance by the Lead Director. Travel by the Lead Director or Board members must be approved in advance by the Board of Directors.
3. All travel requests must be submitted at least three (3) weeks prior to departure date and prior to making any arrangements. Travel requests must explain the purpose of the travel and, where applicable, include the conference registration materials, proposed hotel accommodations, and approximate airfare. Flight reservations will be made by the School's Management Company.
4. Per Diem expenses will be paid for all approved travel events that are more than 100 miles from the School campus. The per diem will be paid to the traveler by check no less than 48 hours prior to departure date.
  - a. Out-of-State per diem of \$65 per day will be paid as follows: \$40 for dinner, \$15 for lunch, and \$10 for breakfast.
  - b. In-State per diem of \$50 per day will be paid as follows: \$25 for dinner, \$15 for lunch, and \$10 for breakfast.
5. Reasonable and necessary ground transfer and mileage rate expenses will be reimbursed based on receipts submitted for such expenses. The traveler must provide receipts for all expenses for which reimbursement is sought.
6. Mileage will be reimbursed at the standard IRS mileage reimbursement rates in effect at the time. However, mileage for travel to and from an event will not be

reimbursed in an amount greater than the lowest cost airfare that could reasonably be obtained for travel to and from the event.

7. Hotel accommodations will be approved for the number of days a conference is in session, less one. One additional night of hotel accommodations will be approved when an additional travel day is required prior to a conference. A second additional night of hotel accommodations is approved when an additional travel day is required after the conference concludes. Other additional days of hotel accommodations will be allowed only when approved in advance of the conference start by the Lead Director or the President of the Board of Directors.

**Trust Land Council Policy**  
**Adopted: September 12, 2014**  
**Revised: \_\_\_\_\_**

**Policy**

Each Ascent Academies of Utah (the “School”) campus will form a Trust Land Council in accordance with this Policy and applicable laws.

Each campus Council will have either 6 or 7 members, as determined by the Campus Director. Each campus Council must have a two person majority of elected parents or guardians of students attending that campus.

The Campus Director will serve on the Council and may identify and select the other non-parent/guardian member of the Council from the faculty and staff of the campus.

The Campus Director will solicit nominations from the parent body for the parent/guardian members of the Council. In the event insufficient nominations are received, the Campus Director will nominate parent/guardians to serve on the Council. The Campus Director will ensure that elections of the parent/guardian members of the Council are held before October 20<sup>th</sup> each school year in any reasonable manner determined by the Campus Director. Parent/guardian members of the Council will serve two-year terms.

The Council will elect one of the parent/guardian members as the chair of the Council.

The Council will operate in accordance with applicable laws in the development and submission of the School’s plan, including but not limited to compliance with the Utah Open and Public Meeting Act. The plan must be consistent with and supportive of the School’s charter and mission. The School’s Board of Directors will approve the plan developed by the Council.

## **Wellness Policy**

**Adopted: December 11, 2013**

**Revised: \_\_\_\_\_**

### **Purpose**

The purpose of this policy is to ensure the best possible mental and physical health environment for the students of Ascent Academies of Utah (the “School”).

### **Policy**

The School’s Board of Directors (the “Board”) recognizes that there is a link between good health and a student's ability to learn effectively and perform at their highest academic potential. The Board also recognizes that education, establishment of good eating habits, and a desire for physical activity must begin at a young age. The School is committed to providing nutritional education, physical activity, and a healthy learning environment for its students and staff.

Under the direction of the Board, a Nutrition and Fitness Advisory Committee will be established to create procedures and guidelines in compliance with the requirements of the Healthy, Hunger-Free Kids Act of 2010. The Advisory Committee may consist of, but is not limited to parents, students, food service staff, members of the Board, the Lead Director, Campus Directors, teachers, health professionals, and members of the community.