



BOARD OF EDUCATION  
REGULAR SCHOOL BOARD MEETING

Detailed Agenda

**Tuesday, October 12, 2021**

Century Elementary, 5820 N 4800 W, Bear  
River City, UT 84301

*"Always consider the effects  
on our students."*

**A. Work Session - 5:30 p.m.**

1. High School Schedule Discussion

**B. Administrative - 6:30 p.m.**

**1. Call to Order**

President Julie Taylor

**2. Reverence**

Nancy Kennedy, Board Member

**3. Flag Salute/Pledge of Allegiance**

Bryan Smith, Board Member

**4. Recognitions**

Tiffani Summers, Board Member

- a. Members First Credit Union - Donation of backpacks full of school supplies for the students of Box Elder School District.
- b. Shaffer Farms - Donation of food items for school food pantries
- c. Brett Cragun (BEMS) - Veterans of Foreign Wars Department of Utah 2020-21 Middle School Teacher of the Year Award
- d. Academic All State Teams
- e. United Way Northern Utah and Catholic Community Services - Donations of backpacks, school supplies, and food for school food pantries

**5. United Way Northern Utah (5 min.)**

Julie Johnson, United Way

**6. Walmart Grant Recognitions**

Walmart

**3**

**C. Approval of Agenda - 6:50 p.m.**

**D. Public Comment - 6:55 p.m.**

Those individuals who would like to speak to the Board should read the guidelines and complete the sign-up document located at the door. At the discretion of the Board President, public comment may be permitted at any point during the Board meeting.

**E. Action Items - 7:05 p.m.**

**1. Approval of Box Elder School District Special Education Procedures and Policies Manual**

Catherine Allen, Special Education Director

**4**

**F. Information Items - 7:10 p.m.**

**1. RISE Accountability, DLI Achievement Data, and AP Results**

Jeremy Young, Director of Assessment

**100**

**2. October 1 Enrollment Report**

Keith Mecham, Assistant Superintendent

**114**

**3. Monthly Financial Report**

Rod Cook, Business Administrator

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**4. Covid-19 Report**

Steve Carlsen, Superintendent

**G. Policy Review - 7:35 p.m.**

**1. First Reading**

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<b>H. Board Discussion Items 7:45 p.m.</b>	
1. <b>School Land Trust Board Training</b>	<b>231</b>
Nancy Kennedy, Board Member	
2. <b>NSBA Conference - April 2-4, 2022</b>	
Steve Carlsen, Superintendent	
3. <b>Book Study " Time for Change" - About the Author, Introduction, Chapters 1 and 2</b>	
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Keith Mecham, Assistant Superintendent	
<b>J. Suggestions for Future Board Meetings 8:10 p.m.</b>	<b>269</b>
<b>K. Board Handbook</b>	<b>271</b>
<b>L. Adjournment 8:15 p.m.</b>	

The next meeting of the Board of Education will be held on Wednesday, November 10, 2021, with a Work Session at 5:30 and a Regular Session at 6:30 p.m., at the Independent Life Skills Center, 960 S Main St, Brigham City, Utah.

School	Principal	Person Submitting	Grade	Project Name	Amount			Enter for School grant
					Requested	Priority	Funded	
BEHS	Jamie Kent	Samantha Elliott	10-12	Apple TV 4K for shared Special Education Classroom	\$199.00	6	\$200.00	
BEHS	Jamie Kent	Sarah Larsen	10-12	Stargirl Books Classroom Set and Audiobook for SpEd classroom	\$150.00	7	\$150.00	
BEHS	Jamie Kent	Melanie Day	10-12	Look in a Book Literacy Outreach: 11 elementary schools/8000 students	\$1,000.00	8	\$1,000.00	\$1,350.00
BRHS	AJ Gilmore	Preston Richey	10-12	VRC 2020-2021 Full Field and Game Element kit	\$587.00	15	\$500.00	
BRHS	AJ Gilmore	Michael Jensen	10-12	Chinese Cultural Exposure	\$500.00	16	\$500.00	\$1,000.00
BRMS	Dan Carstens	Rhonda Pace	8-9	400 ml scientific beakers	\$150.00	9	\$250.00	\$250.00
ACHI	David Lee	Jo Thomas	6-7	On "Shaken" Ground	\$597.12	10	\$600.00	\$600.00
Century	Wendy Dunham	Misty Curtis	K-5	Reflex Math Facts Fluency	\$575.00	11	\$600.00	
Century	Wendy Dunham	Wendy Dunham	K-5	One School, One Book	\$510.00	12	\$500.00	\$1,100.00
Fielding	Kristi Capener	First Grade Team	K-5	Success for Young Learners	\$800.00	13	\$800.00	\$800.00
Lake View	Teryl Jeffs	Duberlys Cryz	K-5	Exploring Literacy through Hispanic/Latino Heritage Books	\$466.51	14	\$450.00	\$450.00
McKinley	Mark Taylor	Cathy Wilkey	K-5	Headphones for Chromebooks for Fifth Grade Students	\$450.00	5	\$450.00	\$450.00
Mtn View	Heidi Jo West	Eva Tyger	K-5	Decodable Readers by Skill	\$1,432.00	4	\$1,400.00	\$1,400.00
Three Mile Crk	Jeff Morris	Emily Zito	2-5	Science Supplies	\$500.00	3	\$500.00	\$500.00
SpEd	Catherine Allen	Kimberly Reeder	Pre-K	New Preschool at North Park Elementary	\$871.10	1	\$900.00	
SpEd	Catherine Allen	Bobbie Maggs	K-12	iPads for Student Testing	\$1,200.00	2	\$1,200.00	\$2,100.00
							\$10,000.00	\$10,000.00

## **Recommendation to approve the BESD Special Education Procedures an Policy Manual**

Submitted by: Catherine Allen

### **Recommendation:**

It is recommended that the school board approve the BESD Special Education Procedures and Policy Manual

### **Recommended Motion:**

I move that the school board approve the BESD Special Education Procedures and Policy Manual

**Background:** Utah State has updated the Special Education Policies and Procedures Manual. BESD Special Education dept has updated their manual to align with the state policies

**Policy Implications:** In 2017, our district changed our Specific Learning Disability Eligibility process from the combination discrepancy and RTI model to the Alternative method. (PSW method). The update to our manual reflects the changes that were made years ago.

**Financial Implications: none**

**Staff Implications: none**

# BOX ELDER SCHOOL DISTRICT SPECIAL EDUCATION POLICIES AND PROCEDURES MANUAL

Alternative SLD Eligibility Method

October 2021

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## I. GENERAL PROVISIONS

### I.A. PURPOSES (34 CFR § 300.1.; RULES I.A.)

The primary purposes of this local education agency (LEA) policies and procedures manual, consistent with Utah Code Annotated (UCA) 53E-7-2 and the Individuals with Disabilities Education Improvement Act (IDEA), Public Law 108-446, as amended; are:

1. To ensure that all students with disabilities ages 3 through 21 in Utah, including students with disabilities who have been suspended or expelled from school and students who have not graduated from high school with a regular high school diploma, have available to them a free appropriate public education (FAPE) that emphasizes special education and related services, as specified on an Individualized Education Program (IEP) designed to meet their unique needs and prepare them for further education, employment, and independent living;
2. To ensure that the rights of students with disabilities and their parent(s) are protected;
3. To ensure that State standards are implemented for the provision of a FAPE to students with disabilities, as defined in Utah State Board of Education Special Education Rules (Rules); and

4. To assess and ensure the effectiveness of efforts to educate students with disabilities.

**I.B. DEFINITIONS (34 CFR § 300.4–300.45; RULES I.E.1–53.)**

1. Box Elder School District has adopted applicable definitions as found in Rules I.E.1-53.

**I.C. FULL EDUCATIONAL OPPORTUNITY GOAL (34 CFR § 300.109; RULES IX.A.2.D.(2)(C))**

Box Elder School District provides a free appropriate public education (FAPE) to all eligible students with disabilities in conformity with the requirements of the Rules and the IDEA. Box Elder School District hereby affirms the goal of providing a full educational opportunity to all students with disabilities determined eligible for special education and related services, of the ages served by Box Elder School District, in accordance with all of the timeline requirements of the IDEA.

Box Elder School District follows all necessary requirements in the development and delivery of an individualized education program (IEP) for eligible students. Placement in the least restrictive environment (LRE) will be implemented to the maximum extent appropriate for students with special needs. Box Elder School District provides a continuum of placements to address the needs of students with disabilities to ensure those students receive special education and related services appropriate to their needs.

**I.D. METHODS OF ENSURING SERVICES (34 CFR § 300.154; RULES IX.A.2.D.(2)(M))**

Box Elder School District ensures each eligible student with disabilities enrolled in the school receives the services included in the IEP through a systematic process of IEP internal file reviews and monitoring of service delivery by Box Elder School District personnel.

## II. IDENTIFICATION, LOCATION, AND EVALUATION

### II.A. CHILD FIND SYSTEM (34 CFR §§ 300.109, 300.111; RULES II.A.)

1. Box Elder School District, in accordance with the requirements of Part B of the IDEA and with the Rules, has developed policies and procedures to ensure that all students with disabilities residing within the jurisdiction of the LEA, including students with disabilities birth through 21 years of age, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated. These policies and procedures include a practical method for determining which students are currently receiving needed special education and related services and provide a process to reevaluate those who are found eligible within the three-year timeframe.
2. The requirements of this section apply to:
  - a. Highly mobile students with disabilities (such as students who are migrant and homeless) (34 CFR § 300.111(c)(2); Rules II.A.2.a.).
  - b. Students who have been suspended or expelled from school (34 CFR § 300.101(a); Rules II.A.2.b.).
  - c. Students who have not graduated from high school with a regular high school diploma (34 CFR § 300.102(a)(3)(iii); Rules II.A.2.c.).
  - d. Students who are suspected of being a student with a disability under the IDEA and the Rules and who are in need of special education and related services, even though they are advancing from grade to grade (34 CFR § 300.111(c)(1)). The determination that a student is a “student with a disability” under the Rules must be made on an individual basis, by a team made up of the parent or adult student and school personnel determined by the student’s LEA (Rules II.A.2.d.).
  - e. Home schooled students and students enrolled in private schools within the school district’s boundaries (Rules II.A.2.e.).
  - f. Students in State custody/care (Rules II.A.2.f.).
  - g. Students in nursing homes (Rules II.A.2.g.).
3. Charter schools are responsible for child find for students enrolled in their own schools and have no responsibility for child find for private school students. Charter schools may not refer enrolled students to the local school district for child find (Rules II.A.3.).
4. Major components of the child find system include:
  - a. LEA implementation, coordination, and tracking of child find activities and students identified (34 CFR § 300.131; Rules II.A.4.a.).
  - b. USBE staff provision of ongoing technical assistance to LEAs, private schools, and other State agencies in implementing the child find system (Rules II.A.4.b.).

- c. Implementation of the statewide data collection system for reporting student information, including Federal student count (34 CFR §§ 300.132, 300.640–641) and the data requirements found in Rules VI.B.3, which includes that:
  - (1) Each school district must maintain in its records, and provide to the USBE staff annually, the following information related to parentally placed or adult student nonprofit private school students:
    - (a) The number of students evaluated and reevaluated within three years;
    - (b) The number of students determined to be students with disabilities; and
    - (c) The number of students served.
- d. School district collaboration and coordination with State and Local Department of Health, which has responsibility for providing early intervention services for infants and toddlers with disabilities, ages birth through two, under Part C of the IDEA (Interagency Agreement).

The collection and use of data to meet the requirements of this section are subject to the confidentiality of information provisions under the Rules and R277-487.

## **II.B. REFERRAL (34 CFR § 300.301; RULES II.B.)**

- 1. Consistent with the consent requirements in Rules II.C., either a parent or the adult student or an LEA may initiate a request for an initial evaluation to determine if a student is a student with a disability under Part B of the IDEA and the Rules. Upon receipt of a request for an evaluation, Box Elder School District must respond within a reasonable timeframe. The response may not be delayed due to Box Elder School District's Response to Intervention process.
- 2. Box Elder School District shall provide an initial special education assessment for students who enter the custody of the Division of Child and Family Services (DCFS) upon request by that division, and the LEA obtains appropriate parental consent for the evaluation for students whose school records indicate they may have disabilities requiring special education services.

## **II.C. PARENTAL CONSENT (34 CFR § 300.300; RULES II.C.)**

- 1. Parental consent for initial evaluation.
  - a. When proposing to conduct an initial evaluation to determine if a student qualifies as a student with a disability under the Rules, Box Elder School District must, after providing prior written notice to the parent or adult student, obtain informed consent, consistent with Rules I.E.9., from the parent of the student or the adult student before conducting the evaluation.
    - (1) Parental or adult student consent for initial evaluation must not be construed as consent for initial provision of special education and related services.

- (2) Box Elder School District must make reasonable efforts to obtain informed consent from the parent or adult student for an initial evaluation to determine whether the student is a student with a disability.
    - (3) When conducting psychological evaluations, Box Elder School District must implement the parental or adult student consent requirements of UCA 53E-9-203 (Student Privacy and Data Protection).
  - b. For initial evaluations only, if the student is a ward of the State and is not residing with the student's parent(s), Box Elder School District is not required to obtain informed consent from the parent for an initial evaluation to determine whether the student is a student with a disability if:
    - (1) Despite reasonable efforts to do so, Box Elder School District cannot discover the whereabouts of the parent(s) of the student;
    - (2) The rights of the parent(s) of the student have been terminated in accordance with State law; or
    - (3) The rights of the parent(s) to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.
  - c. If the parent(s) of a student or an adult student enrolled in public school or seeking to be enrolled in public school does not provide consent for initial evaluation, or fails to respond to a request to provide consent, Box Elder School District may, but is not required to, pursue the initial evaluation of the student by utilizing the procedural safeguards or the due process procedures in Section IV of the Rules.
    - (1) Box Elder School District does not violate its obligation under the child find provisions of the Rules if it declines to pursue the evaluation by utilizing the procedural safeguards or the due process procedures.
2. Parental consent for services.
- a. Box Elder School District is responsible for making a FAPE available to a student with a disability and must obtain informed consent from the parent(s) of the student or adult student before the initial provision of special education and related services to the student.
  - b. Box Elder School District must make reasonable efforts to obtain informed consent from the parent(s) or adult student for the initial provision of special education and related services to the eligible student with disabilities.
  - c. If the parent(s) of a student or adult student fails to respond to a request for, or refuses to consent to, the initial provision of special education and related services, Box Elder School District:

- (1) May not use the procedures in Section IV of the Rules, including the mediation procedures or the due process procedures, in order to obtain agreement or a ruling that the services may be provided to the student;
  - (2) Will not be considered to be in violation of the requirement to make available a FAPE to the student for the failure to provide the student with the special education and related services for which Box Elder School District requests consent; and
  - (3) Is not required to convene an IEP Team meeting or develop an IEP for the student for the special education and related services for which Box Elder School District requests such consent.
- d. If, at any time subsequent to the initial provision of special education and related services, the parent(s) of a student or adult student revokes consent in writing for the continued provision of special education and related services, Box Elder School District:
- (1) May not continue to provide special education and related services to the student but must provide prior written notice in accordance with Rules IV.D. before ceasing the provision of special education and related services;
  - (2) May not use the procedures in Rules IV., including the mediation procedures or the due process procedures, in order to obtain agreement or a ruling that the services may be provided to the student;
  - (3) Will not be considered to be in violation of the requirement to make available a FAPE to the student for the failure to provide the student with the special education and related services for which Box Elder School District requests consent; and
  - (4) Is not required to convene an IEP Team meeting or develop an IEP for the student for the special education and related services for which Box Elder School District requests such consent (34 CFR § 300.300; Rules II.C.2.d.(4)).
3. Parental consent for reevaluations.
- a. Box Elder School District must obtain informed parental or adult student consent prior to conducting any reevaluation of a student with a disability.
  - b. If the parent or adult student refuses to consent to the reevaluation, Box Elder School District may, but is not required to, pursue the reevaluation by using the dispute resolution procedures provided in the procedural safeguards, and including mediation or due process procedures.
  - c. Box Elder School District does not violate its obligation under child find if it declines to pursue the reevaluation.
  - d. The informed parental or adult student consent need not be obtained if Box Elder School District can demonstrate that:

- (1) It made reasonable efforts to obtain such consent; and
  - (2) The student's parent or the adult student has failed to respond.
4. Other consent requirements.
- a. Parental or adult student consent is not required before:
    - (1) Reviewing existing data as part of an evaluation or a reevaluation; or
    - (2) Administering a test or other evaluation that is administered to all students unless consent is required for all students before administration of that test or evaluation.
  - b. Box Elder School District may not use a parent's or adult student's refusal to consent to one service or activity under Rules II.C.1., II.C.2., or II.C.3., to deny the parent or student any other service, benefit, or activity of Box Elder School District, except as required by this part.
  - c. To meet the reasonable efforts requirement in Rules II.C.1.a.2., II.C.1.b.1., II.C.2.b., and II.C.3.d.1., Box Elder School District must document its attempts to obtain parental or adult student consent using the procedures in Rules III.G.3.
  - d. Unless parent(s) or the adult student revoke consent for special education and related services or refuse consent for initial placement, disagreements regarding the provision of IEP services should be resolved by the IEP Team and result in a completed IEP which includes all components necessary for the provision of a FAPE.

#### **II.D. INITIAL EVALUATION (34 CFR § 300.301; RULES II.D.)**

1. Box Elder School District must conduct a full and individual initial evaluation to determine whether a student is a "student with a disability" under Part B of the IDEA and the Rules, and to determine the educational needs of the student.
2. The initial evaluation:
  - a. Must be conducted within 45 school days of receiving parental or adult student consent for the evaluation, unless:
    - (1) The initial evaluation is requested by the Division of Child and Family Services (DCFS) and Box Elder School District obtains appropriate consent for the evaluation, in which case Box Elder School District shall provide an initial special education evaluation to an individual who enters DCFS custody if DCFS suspects the individual may be an eligible student within 30 days after the day on which DCFS makes the request (53E-7-207).
    - (a) Box Elder School District may refuse to conduct an evaluation described in II.D.2.a.(1) if Box Elder School District reviews the relevant data regarding the individual and, within 10 days after the day on which Box Elder School District received the request described in II.D.2.a.(1), gives the DCFS prior written notice of refusal to evaluate.

- b. Must consist of procedures to determine:
  - (1) If the student is a student with a disability; and
  - (2) The educational needs of the student.
- 3. The timeframe shall not apply to Box Elder School District if:
  - a. The parent of a student repeatedly fails or refuses to produce the student for the evaluation; or
  - b. The adult student repeatedly fails or refuses to participate in evaluation activities; or
  - c. A student enrolls in Box Elder School District after the relevant timeframe has begun, and prior to a determination by the student’s previous LEA as to whether the student is a student with a disability.
  - d. The exception in Rule II.D.3.c. applies only if Box Elder School District is making sufficient progress to ensure a prompt completion of the evaluation, and the parent or adult student and Box Elder School District agree to a specific time when the evaluation will be completed.

**II.E. SCREENING FOR INSTRUCTIONAL PURPOSES (34 CFR § 300.302; RULES II.E.)**

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. Results of screenings should be considered by Box Elder School District for child find purposes.

**II.F. EVALUATION PROCEDURES (34 CFR § 300.304; RULES II.F.)**

Box Elder School District has established and implemented the following procedures that meet the evaluation requirements of Part B of the IDEA and the Rules as follows:

- 1. In conducting the evaluation, Box Elder School District must:
  - a. Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student, including information provided by a parent or adult student, that may assist in determining:
    - (1) Whether the student is a student with a disability; and
    - (2) The content of the student’s IEP, including information related to enabling the student to be involved in and progress in the general education curriculum;
  - b. Not use any single procedure as the sole criterion for determining whether a student is a student with a disability and for determining an appropriate educational program for the student; and
  - c. Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. Box Elder School District must consider the publication date and continued validity of assessments in use when new editions are published.

- d. Box Elder School District must ensure that assessments and other evaluation materials used to assess a student:
- (1) Are selected and administered so as not to be discriminatory on a racial or cultural basis;
  - (2) Are provided and administered in the student's native language or other mode of communication, and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;
  - (3) Are selected to assess the specific areas of concern identified by the assessment/evaluation team, including the parent(s) or adult student;
  - (4) Are used for the purposes for which the assessments or measures are valid and reliable;
  - (5) Are selected and administered by trained and knowledgeable personnel based upon the specific assessment's requirements; and
  - (6) Are administered and interpreted in accordance with any instructions and administrator requirements provided by the producer of the assessments and the Standards for Educational and Psychological Testing (AERA, APA, NCME, 2014).
    - (a) Box Elder School District must ensure and document that all evaluators meet the assessment publishers' administrator/interpreter/user requirements, (e.g., appropriate degree, higher education coursework in tests and measures, and supervised clinical experiences/practica).
    - (b) Box Elder School District shall provide documentation to USBE staff upon request.
- e. Box Elder School District must ensure that:
- (1) Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
  - (2) Assessments are selected and administered so as best to ensure that if an assessment is administered to a student with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).
  - (3) The administration of psychological testing and the evaluation or assessment of personal characteristics, such as intelligence (e.g., cognitive, IQ), personality, abilities, interests, aptitudes, and neuropsychological functioning are only administered and interpreted by personnel who have been trained and fully

meet the administrator/interpreter/user qualifications of the test publisher (e.g., appropriate degree, higher education coursework in tests and measures, and supervised clinical experiences/practica).

- (4) The student is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
  - (5) Assessments of students with disabilities who transfer from another LEA to Box Elder School District in the same school year are coordinated with those students' prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.
  - (6) In evaluating each student with a disability, the evaluation is sufficiently comprehensive to identify all the student's special education and related services needs, whether or not commonly linked to the disability category in which the student has been classified.
  - (7) Assessment tools and strategies provide relevant information that directly assists persons in determining the educational needs of the student are provided.
2. The Utah Schools for the Deaf and the Blind (USDB) is available to LEAs for assessments of students with visual impairment and hearing loss, as well as professional learning on appropriate administration of assessments, and procedures to ensure appropriate interpretation of assessments (R277-800-7). The Utah Department of Health shall provide diagnostic and evaluation services, which are required by State or Federal law but are not typically otherwise provided by school districts and charter schools, to students with disabilities.

## **II.G. REEVALUATION PROCEDURES (34 CFR § 300.303; RULES II.G.)**

1. Box Elder School District must ensure that a reevaluation of each student with a disability is conducted:
  - a. If Box Elder School District determines the educational or related services needs, including improved academic achievement and functional performance, of the student warrant a reevaluation; or
  - b. If the student's parents or adult student or teacher requests a reevaluation.
2. A reevaluation:
  - a. May occur not more than once a year, unless the parent(s) or adult student and Box Elder School District agree otherwise; and
  - b. Must occur at least once every three years, unless the parent(s) or adult student and Box Elder School District agree that a reevaluation is unnecessary as there are data available to continue eligibility and determine the educational needs of the student. When the parent(s) or adult student and LEA agree that a reevaluation is

unnecessary, the team must document data reviewed and used in an evaluation report and complete an eligibility determination.

## II.H. ADDITIONAL REQUIREMENTS FOR INITIAL EVALUATIONS AND REEVALUATION PROCEDURES (34 CFR § 300.305; RULES II.H.)

1. As part of any initial evaluation (if appropriate) and as part of any reevaluation, the IEP Team and other qualified professionals, as appropriate, must:
  - a. Review existing evaluation data on the student, including:
    - (1) Evaluations and information provided by the parent(s) of the student or the adult student;
    - (2) Current classroom-based, local, or State assessments, and classroom-based observations; and
    - (3) Observations by teachers and related services providers; and
  - b. On the basis of that review, and input from the student's parent(s) or the adult student, identify what additional data, if any, are needed to determine:
    - (1) Whether the student is a student with a disability and the educational needs of the student; or, in the case of a reevaluation of a student, whether the student continues to have such a disability, and the educational needs of the student;
    - (2) The present levels of academic achievement and related developmental needs of the student;
    - (3) Whether the student needs special education and related services; or, in the case of a reevaluation of a student, whether the student continues to need special education and related services; and
    - (4) Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.
2. The IEP Team and other qualified professionals, as appropriate, may conduct its review of existing data without a meeting.
3. Box Elder School District must administer such assessments and other evaluation measures as may be needed to produce the data needed to determine continuing eligibility.
4. If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the student continues to be a student with a disability and to determine the student's educational needs, Box Elder School District must notify the student's parent(s) or adult student of:
  - a. That determination and the reason(s) for the determination; and

- b. The right of the parent(s) or adult student to request an assessment to determine whether the student continues to be a student with a disability, and to determine the student's educational needs.
5. Box Elder School District is not required to conduct the assessment for reevaluation described in Rules II.H.4.b. unless requested to do so by the student's parent(s) or the adult student.
6. Evaluations before change in eligibility.
  - a. Box Elder School District must evaluate a student with a disability before determining that the student is no longer a student with a disability.
  - b. The evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility for a FAPE under State law (i.e., age 22).
  - c. For a student whose eligibility terminates due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a FAPE under State law, Box Elder School District must provide the student with a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the student's postsecondary goals.

#### **II.I. DETERMINATION OF ELIGIBILITY (34 CFR § 300.306; RULES II.I.)**

1. Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parents of the student or the adult student determine eligibility under Part B of the IDEA and the Rules, including:
  - a. Whether that student is a student with a disability, and
  - b. The educational needs of the student.
2. Box Elder School District shall provide the parent(s) or adult student with a copy of the evaluation report and the documentation of determination of eligibility.
3. A student must not be determined to be a student with a disability:
  - a. If the determinant factor for that determination is:
    - (1) Lack of appropriate instruction in reading, including the essential components of reading instruction (phonemic awareness, alphabetic principle, vocabulary, comprehension, and fluency);
    - (2) Lack of appropriate instruction in mathematics; or
    - (3) Limited English proficiency; and
    - (4) If the student does not otherwise meet the eligibility criteria.
4. Procedures for determining eligibility and educational need.

- a. In interpreting evaluation data for the purpose of determining if a student is a student with a disability and the educational needs of the student, Box Elder School District must:
  - (1) Draw upon information from a variety of sources, such as aptitude and achievement tests, parent or adult student input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
  - (2) Ensure information obtained from all these sources is documented and carefully considered.
- b. If a determination is made that a student has a disability and needs special education and related services, an IEP must be developed for the student within 30 calendar days.

**II.J. CATEGORICAL DEFINITIONS, CRITERIA, AND ASSESSMENTS (34 CFR § 300.8; RULES II.J.)**

Box Elder School District has adopted the criteria and evaluation procedures, by category, for determining eligibility for a student with disabilities under Part B of the IDEA and the Rules II.J.1-13. Including:

1. Specific Learning Disabilities (Rules II.J.10.).

a. Definition (34 CFR § 300.8(C)(10); Rules II.J.10.a.).

Specific Learning Disabilities means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia, that affects a student’s educational performance.

Specific learning disabilities does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; of intellectual disability; of emotional disturbance; or of environmental, cultural, or economic disadvantage.

b. Procedures for Identifying Students with Specific Learning Disabilities (34 CFR § 300.307; Rules II.J.10.b.).

(1) Box Elder School District has adopted the following method for determining a student’s eligibility under the specific learning disability category:

- (a) (a) An other alternative research-based procedures (e.g., Patterns of Strengths and Weaknesses [PSW]) approved by [Charter School’s] school board and submitted to the USBE called the Alternative method that demonstrates the student does not make sufficient progress to meet State-approved age- or grade-level standards in one or more of the areas identified in Rules II.J.10.b.(3)(a) (the team must refer to the USBE Specific Learning Disability Eligibility Guidelines when using this method).

(2) Additional team members (34 CFR § 300.308; Rules II.J.10.b.2.)

The determination of whether a student suspected of having a specific learning disability is a student with a disability must be made by the student's parent(s) or adult student and a team of qualified professionals, which must include:

- (a) The student's regular teacher; or
- (b) If the student does not have a regular teacher, a regular classroom teacher qualified to teach a student of his/her age; or
- (c) For a student of less than school age; an individual qualified by the USBE to teach a student of his/her age; and
- (d) At least one person qualified to conduct individual diagnostic examinations of students and interpret the results of those assessments (as per the publisher's assessment administration criteria), such as a school psychologist, speech-language pathologist, reading teacher or reading specialist, or special education teacher.

(3) Determining the existence of a specific learning disability (34 CFR § 300.309; Rules II.J.10.b.3.)

The team described may determine that a student has a specific learning disability if:

- (a) The student does not achieve adequately for the student's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's age or State-approved grade-level standards:
  - (i) Oral expression;
  - (ii) Listening comprehension;
  - (iii) Written expression;
  - (iv) Basic reading skills;
  - (v) Reading fluency skills;
  - (vi) Reading comprehension;
  - (vii) Mathematics calculation;
  - (viii) Mathematics problem solving.
- (b) The group determines that its findings are not primarily the result of:
  - (i) A visual, hearing, or motor disability;
  - (ii) Intellectual disability;
  - (iii) Emotional disturbance;

- (iv) Cultural factors;
  - (v) Environmental or economic disadvantage; or
  - (vi) Limited English proficiency.
- (4) The specific learning disability must adversely affect the student’s educational performance.
- (5) The student with the specific learning disability must need special education and related services (34 CFR § 300.8(a); Rules II.J.10.b.5.)
- (6) The team must determine that the specific learning disability is the student’s primary disability.
- c. Evaluation (34 CFR § 300.309(b)–(c); Rules II.J.10.c.)
- (1) An evaluation must include a variety of assessment tools and strategies and cannot rely on any single procedure as the sole criterion.
- (2) To ensure underachievement in a student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation:
- (a) Data that demonstrate that prior to, or as a part of, the referral process, the student was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
  - (b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the student’s parent(s) or the adult student.
- (3) Box Elder School District must promptly request parental consent or consent of the adult student to evaluate the student to determine if the student needs special education and related services, and must adhere to the 45-school-day evaluation timeframe, unless extended by mutual written agreement of the student’s parent(s) or adult student and a group of qualified professionals:
- (a) If, prior to a referral, a student has not made adequate progress after an appropriate period of time as determined by Box Elder School District when provided appropriate instruction, and
  - (b) Whenever a student is referred for an evaluation.
- (4) Observation (34 CFR § 300.310(a)–(c); Rules II.J.10.b.4.)
- Box Elder School District must ensure the student is observed in the student’s learning environment (including the regular classroom setting) to document the student’s academic performance and behavior in the areas of concern.
- (a) The team must decide to:

- (i) Use information from an observation in routine classroom instruction and monitoring of the student’s performance that was done before the student was referred for an evaluation; or
  - (ii) Have at least one member of the team conduct an observation of the student’s academic performance in the regular classroom after the student has been referred for an evaluation and parental consent or consent of the adult student is obtained.
- (b) If the student is a home-schooled student, Box Elder School District may determine how to conduct the observation and who will conduct it.
  - (c) In the case of a student of less than school age or who is out of school, a group member must observe the student in an environment appropriate for a student of that age.
- (5) Specific documentation for the eligibility determination (34 CFR § 300.311; Rules II.J.10.b.5.)

The team’s documentation of the determination of eligibility with a specific learning disability must contain a statement of:

- (a) Whether the student has a specific learning disability;
- (b) The basis for making the determination;
- (c) The relevant behavior, if any, noted during the observation of the student and the relationship of that behavior to the student’s academic functioning;
- (d) The educationally relevant medical findings, if any; and
- (e) Whether the student meets the criteria below.
- (f) Alternative. The use of other alternative research-based procedures (e.g., Patterns of Strengths and Weaknesses (PSW)) approved by an LEA’s board and submitted to the USBE.
  - (i) Box Elder School District uses an alternate method that demonstrates the student does not make sufficient progress to meet State-approved age- or grade-level standards in one or more of the areas identified in Rules II.J.10.b.(3)(a) when using a local school board-approved research-based process (the team must refer to the USBE Specific Learning Disability Eligibility Guidelines when using this method).
  - (ii) If Box Elder School District has identified PSW as its Alternative method, the team must:
    - (A) Review data from multiple sources that examines the student’s progress over time in the area(s) of concern when evidence-based instruction has been provided;

- (B) Identify the student's strengths and weaknesses that are evident in both the classroom and standardized assessment results;
  - (C) Determine that a relationship between the student's cognitive processing delays and academic deficits exists;
  - (D) Consider whether the student's cognitive deficit includes both a normative and an intraindividual weakness that is consistent with academic performance data;
  - (E) Consider whether the student's cognitive deficit includes both a normative and an intraindividual strength that is consistent with academic performance data; and
  - (F) Identify a relationship between the student's cognitive weakness and academic performance.
- (6) The determination of the team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the student's achievement level;
- (7) The requirements of Rules II.D.–H. must be met.
- (8) Each team member must certify in writing whether the report reflects the member's conclusion (34 CFR § 300.311(b)). If it does not reflect the member's conclusion, the team member must submit a separate statement presenting the member's conclusions.

### III. IEP DEVELOPMENT AND SERVICE DELIVERY

#### III.A. INDIVIDUALIZED EDUCATION PROGRAM (RULES III.A.)

Box Elder School District implements the following policies and procedures to address the IEP requirements of Rules III.A-T., including the least restrictive environment (LRE) requirements, consistent with Part B of the IDEA and the Rules, as well as R277-750, R277-800, and the USBE/USDB Interagency Agreement.

#### III.B. WHEN IEPS MUST BE IN EFFECT (34 CFR § 300.323; RULES III.B.)

1. At the beginning of each school year, Box Elder School District must have an IEP in effect for each student with a disability within its jurisdiction.
2. Box Elder School District must ensure that:
  - a. A meeting to develop an IEP for a student is conducted within 30 calendar days of a determination that the student needs special education and related services; and
  - b. As soon as possible following development of the IEP, special education and related services are made available to the student in accordance with the student's IEP.
  - c. Box Elder School District must ensure the student's IEP is:
    - (1) Accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation; and
    - (2) Each teacher and provider is informed of:
      - (a) His/her specific responsibilities related to implementing the student's IEP; and
      - (b) The specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.
3. Documentation of IEP implementation shall be provided to USBE upon request.

#### III.C. TRANSFER STUDENTS (34 CFR § 300.323; RULES III.C.)

1. Transfers within Utah.
  - a. In the case of a student with a disability with a current IEP who transfers from one LEA to another within the State within the same school year and enrolls in a new school, Box Elder School District, in consultation with the parent(s) or adult student, must provide a FAPE to the student, including services comparable to those described in the previously held IEP, until such time as Box Elder School District:
    - (1) Adopts the previously held IEP, or
    - (2) Develops, adopts, and implements a new IEP that is consistent with Federal regulations and the Rules.

- b. The requirements of 34 CFR § 300.323 also apply for students transferring from an LEA placement to a local juvenile or adult correctional facility or temporary State placement for observation and assessment.

2. Transfers from out of State.

- a. In the case of a student with a disability with a current IEP who transfers LEAs within the same school year, who enrolls in a new school, and who has an IEP that was in effect in another State, Box Elder School District, in consultation with the parent(s) or adult student, must provide the student with a FAPE, including services comparable to those described in the previously held IEP, until Box Elder School District:

- (1) Conducts an evaluation, if determined to be necessary by Box Elder School District; and

- (2) Develops a new IEP, if appropriate, that is consistent with Federal and State law.

- b. The evaluation for eligibility that may be conducted by Box Elder School District is considered an initial evaluation, not a reevaluation (71 FR 4668-82).

3. To facilitate the transition for a student described above:

- a. Box Elder School District must take reasonable steps to promptly obtain the student's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the student, from the previous LEA in which the student was enrolled; and
- b. The previous LEA in which the student was enrolled must take reasonable steps to promptly respond to the request from Box Elder School District.
- c. Box Elder School District must keep a copy of the records for three years after the transfer.

- 4. Experiencing difficulty in obtaining the IEP from the previous LEA does not relieve Box Elder School District of its obligation to have a current IEP in place for an eligible student.

**III.D. LEA RESPONSIBILITY FOR IEP MEETINGS (34 CFR § 300.323(C)(1)); RULES III.D.)**

- 1. Box Elder School District is responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising the IEP of a student with a disability ages 3 through 21, consistent with the Rules.
- 2. A meeting to develop an IEP for an eligible student must be conducted within 30 calendar days of a determination that a student needs special education and related services.

### III.E. IEP TEAM MEMBERSHIP (34 CFR § 300.321; RULES III.E.)

Box Elder School District must ensure the IEP Team for each student with a disability includes:

1. The parent(s) of the student or the adult student;
2. Not less than one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
3. Not less than one special education teacher of the student, or where appropriate, not less than one special education provider of the student;
4. A representative of Box Elder School District who:
  - a. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
  - b. Is knowledgeable about the general education curriculum; and
  - c. Is knowledgeable about the availability of resources of Box Elder School District.
  - d. Box Elder School District may designate a Box Elder School District member of the IEP Team to also serve as Box Elder School District representative, if the above criteria are satisfied.
5. A representative of USDB and the LEA of residence when the student's placement is at USDB, when the IEP Team is considering placement at USDB, or when the student receives 180 minutes or more of special education and/or related services from USDB.
6. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in this section;
7. At the discretion of the parent(s) or adult student or Box Elder School District, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate; and
8. Whenever appropriate, the student with a disability.
9. The determination of knowledge or special expertise of any individual described in Rule III.E.6. above must be made by the party (parent(s) or adult student or Box Elder School District) who invited the individual to be a member of the IEP Team.
10. If a purpose of the IEP Team meeting is consideration of the postsecondary goals for the student and the transition services needed to assist the student in reaching those goals, Box Elder School District must invite the student with a disability to attend the student's IEP meeting. If the student does not attend the IEP meeting, Box Elder School District must take other steps to ensure the student's preferences and interests are considered.
11. To the extent appropriate, with the written consent of the parent(s) or adult student, Box Elder School District must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

12. Signatures on an IEP denote participation of IEP Team members in the development of the IEP.

### **III.F. IEP TEAM ATTENDANCE (34 CFR § 300.321; RULES III.F.)**

1. A required member of the IEP Team is not required to attend a particular IEP Team meeting, in whole or in part, if the parent(s) of a student with a disability or adult student and Box Elder School District agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
2. A required member of the IEP Team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if:
  - a. The parent(s) or adult student, in writing, and Box Elder School District consent to the excusal; and
  - b. The member submits, in writing, to the parent(s) or adult student and the IEP Team, input into the development of the IEP prior to the meeting.

### **III.G. PARENT PARTICIPATION (34 CFR § 300.322; RULES III.G.)**

1. Box Elder School District must take steps to ensure that one or both of the parents of a student with a disability or the adult student are present at each IEP meeting or are afforded the opportunity to participate, including:
  - a. Notifying parent(s) or adult student of the meeting early enough to ensure they will have an opportunity to attend; and
  - b. Scheduling the meeting at a mutually agreed-on time and place.
2. If the parent(s) or adult student cannot attend, Box Elder School District must use other methods to ensure participation of the parent(s) or the adult student, including individual or conference telephone calls. The parent(s) of a student with a disability or the adult student and Box Elder School District may agree to use alternative means of meeting participation, such as video conferences and conference calls (34 CFR § 300.328).
3. A meeting may be conducted without a parent or the adult student in attendance if Box Elder School District is unable to convince the parent(s) or the adult student they should attend. In this case, Box Elder School District must keep a record of its attempts to arrange a mutually agreed-on time and place, such as:
  - a. Detailed records of telephone calls made or attempted and the results of those calls;
  - b. Copies of correspondence sent to the parent(s) or adult student and any responses received; and
  - c. Detailed records of visits made to the parent's(s') or adult student's home or place of employment and the results of those visits.

4. Box Elder School District must take whatever action is necessary to ensure the parent(s) or adult student understands the proceedings of the IEP Team meeting, including arranging for an interpreter for parent(s) or adult student with deafness or whose native language is other than English.
  - a. Under UCA 35A-13-604, an individual is required to be certified as an interpreter if that individual provides interpreter services for deaf and hard of hearing individuals.
  - b. An individual providing interpreting services other than those for deaf and hard of hearing individuals shall be trained.
5. The parent(s) of a student with a disability or adult student are participants along with school personnel in developing, reviewing, and revising the IEP for their student. This is an active role in which the parent(s) or adult student:
  - a. Provide critical information regarding the strengths of the student and express their concerns for enhancing the education of the student;
  - b. Participate in the discussion of the student's need for special education and related services, and supplementary aids and services; and
  - c. Join with other participants in deciding how the student will be involved and progress in the general curriculum, how the student will participate in State- and LEA-wide assessments, and what services Box Elder School District will provide to the student and in what setting.
6. Box Elder School District must give the parent(s) or adult student a copy of the student's IEP at no cost to the parent(s) or adult student.

### **III.H. NOTICE OF MEETING (34 CFR § 300.322; RULES III.H.)**

1. The notice of meeting required to be provided to the parent(s) or adult student must:
  - a. Indicate the purpose, time, and location of the meeting and who will be in attendance; and
  - b. Inform the parent(s) or adult student of the provision for participation of other individuals who have knowledge or special expertise about the student on the IEP Team.
  - c. Inform the parent(s) that, at their request, the Part C service coordinator, or other representatives of the Part C system, may be invited to participate at the initial IEP team meeting for a student previously served under Part C of the IDEA.
2. For a student with a disability, ages 14 and older, or younger if determined appropriate by the IEP Team, the IEP notice of meeting also must:
  - a. Indicate that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the student; and
  - b. Indicate that Box Elder School District will invite the student; and

- c. Identify any other agency that will be invited, with parental or adult student consent, to send a representative.
3. When conducting IEP Team meetings and placement meetings and carrying out administrative matters, the parent(s) of a student with a disability or adult student and Box Elder School District may agree to use alternative means of meeting participation such as video conferences and conference calls (34 CFR § 300.328).

### III.I. DEVELOPMENT, REVIEW, AND REVISION OF THE IEP (34 CFR § 300.324; RULES III.I.)

1. Development, review, and revision of the IEP.
  - a. In developing each student's IEP, the IEP Team must consider:
    - (1) The strengths of the student;
    - (2) The concerns of the parent(s) or adult student for enhancing the education of the student;
    - (3) The results of the initial or most recent evaluation of the student, and
    - (4) The academic, developmental, and functional needs of the student.
  - b. The IEP Team, in conducting a meeting to develop, review and, if appropriate, revise a student's IEP, must consider the following special factors:
    - (1) In the case of a student with limited English proficiency (LEP), consider the language needs of the student as those needs relate to the student's IEP;
    - (2) In the case of a student who is blind or visually impaired, provide for instruction in braille and the use of braille unless the IEP Team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in braille or the use of braille), that instruction in braille or the use of braille is not appropriate for the student;
      - (a) Prior to determining whether a blind student should use braille as the primary reading mode, the student's IEP Team must be provided (through pertinent literature or discussions with competent braille users and educators, or both) with detailed information about the use and efficiency of braille as a reading medium, in order to make an informed choice as to the student's primary reading.
    - (3) Consider the communication needs of the student and, in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode;

- (4) Consider whether the student needs assistive technology devices and services in school and on a case-by-case basis, in a student's home or other setting; and
- (5) In the case of a student whose behavior impedes the student's learning or that of others, consider the use of positive behavior interventions and supports, and other strategies, to address that behavior.
  - (a) When making decisions on behavior interventions, the IEP Team must refer to the USBE Least Restrictive Behavior Interventions (LRBI) Technical Assistance (TA) Manual for information on research-based intervention procedures.
    - (i) Emergency safety interventions may only be included in an IEP as a planned intervention when the IEP Team agrees that less restrictive means which meet circumstances in R277-608 have been attempted, a functional behavior assessment (FBA) has been conducted, and a positive behavior intervention plan based on data analysis has been developed and implemented (R277-609).
    - (b) The purpose of the LRBI TA Manual related to the use of positive behavior supports and behavior interventions in schools is to:
      - (i) Protect the safety and well-being of all students;
      - (ii) Provide protection for students, teachers, other school personnel, and LEAs; and
      - (iii) Ensure parent(s) or adult students are involved in the consideration and selection of behavior interventions to be used.
    - (c) When an emergency situation occurs that requires the immediate use of an emergency safety intervention to protect the student or others from harm, the staff shall comply with requirements in R277-609 with regards to time limitations and parental or adult student notification.
    - (d) As appropriate, the student should receive a FBA and behavior intervention services and modifications that are designed to address the behavior (34 CFR § 300.530(d)(1)(ii)).
  - c. If, in considering the special factors described above, the IEP Team determines a student needs a particular device or services for educational purposes (including an intervention, accommodation, or other program modification) in order for the student to receive a FAPE, the IEP Team must include a statement to that effect in the student's IEP.
  - d. A regular education teacher of a student with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the student, including the determination of:

- (1) Appropriate positive behavior interventions and supports and other strategies for the student; and
  - (2) Supplementary aids and services, program modifications, and support for school personnel consistent with the IEP.
2. Changes to the IEP.
  - a. In making changes to a student's IEP after the annual IEP Team meeting for a school year, the parent(s) of a student with a disability or adult student and Box Elder School District may agree not to convene an IEP meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the student's current IEP.
  - b. Upon request, the parent(s) or adult student must be provided with a revised copy of the IEP with the amendments incorporated.
  - c. If changes are made to the student's IEP through the amendment process, Box Elder School District must ensure the student's IEP Team is informed of those changes.
3. To the extent possible, Box Elder School District must encourage the consolidation of reevaluation meetings and other IEP Team meetings for the student (34 CFR § 300.324(a)(5)).
4. Review and revision of the IEP.

Box Elder School District must ensure the IEP Team:

- a. Reviews the student's IEP periodically, but not less than annually, to determine whether the annual goals for the student are being achieved; and
- b. Revises the IEP, as appropriate, to address:
  - (1) Any lack of expected progress toward the annual goals in the IEP and in the general education curriculum, if appropriate;
  - (2) The results of any reevaluation;
  - (3) Information about the student provided to, or by, the parent(s) or adult student;
  - (4) The student's anticipated needs; or
  - (5) Other matters.
- c. In conducting a review of the student's IEP, the IEP Team must consider the special factors in Rules III.I.1.b.
- d. A regular education teacher of the student, as a member of the IEP Team, must participate in the review and revision of the IEP of the student, if the student is or may be participating in the general education classroom.
- e. If a participating agency, other than Box Elder School District, fails to provide the transition services described in the IEP, Box Elder School District must reconvene the

IEP Team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.

- f. Nothing in this part relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

### III.J. DEFINITION OF THE INDIVIDUALIZED EDUCATION PROGRAM (34 CFR § 300.320; RULES III.J.)

1. The term individualized education program (IEP) means a written statement for each student with a disability that is developed, reviewed, and revised in a meeting.
2. The IEP must include:
  - a. A statement of the student's present levels of academic achievement and functional performance (PLAAFP), including:
    - (1) How the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same grade-level curriculum as for non-disabled students); or
    - (2) For preschool students, as appropriate, how the disability affects the student's participation in appropriate activities; and
    - (3) For students who are blind, the results obtained from a braille-related or braille skills assessment;
  - b. A statement of measurable annual goals, including academic and functional goals designed to:
    - (1) Meet the student's needs that result from the student's disability to enable the student to be involved in and make progress in the grade-level general education curriculum; and
    - (2) Meet each of the student's other educational needs that result from the student's disability;
  - c. For eligible students with significant cognitive disabilities who will participate in grade-level alternate achievement standards (i.e., Essential Elements):
    - (1) Notification to the parent(s) or adult student that the student's academic achievement will be measured through an assessment of the grade-level Utah alternate achievement standards and how participation in such alternate achievement assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma; and
    - (2) A description of benchmarks or short-term objectives for each annual goal;
  - d. A description of:

- (1) How the student's progress toward meeting the annual IEP goals will be measured; and
  - (2) When periodic reports to the parent(s) or adult student on the progress the student is making toward meeting the annual IEP goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
- e. A statement of the special education and related services and supplementary aids and services (including assistive technology), based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
- (1) To advance appropriately toward attaining the annual goals;
  - (2) To be involved in and make progress in the grade-level general education curriculum, and to participate in extracurricular and other nonacademic activities; and
  - (3) To be educated and participate with other similar-aged students with disabilities and non-disabled students in the activities described in this section;
- f. An explanation of the extent, if any, to which the student will not participate with similar-aged non-disabled students in the regular education environment and in the activities described in this section;
- g. A statement of:
- (1) Any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on all grade-level State- and LEA-wide assessments; and
  - (2) If the IEP Team determines the student must take an alternate assessment instead of a particular regular State- or LEA-wide assessment of student achievement, a statement of why:
    - (a) The student cannot participate in the regular assessment; and
    - (b) The particular alternate assessment selected is appropriate for the student; and
- h. All students, including students with disabilities, participate in statewide assessments. Box Elder School District reports the results of statewide assessments on the website. If more than one percent of students with significant cognitive disabilities participate in an alternate assessment, Box Elder School District will submit justification to the USBE on the need to exceed the cap.
- i. The projected date for the beginning of the services and modifications, and the anticipated frequency, location, and duration of those services and modifications.

- j. A statement of school to post-school transition services.

For a student with a disability, ages 14 and older, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include:

- (1) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training or education, employment, and, where appropriate, independent living skills; and
- (2) The transition services (including courses of study) needed to assist the student in reaching those goals.

- k. Transfer of rights at age of majority.

Beginning not later than one year before the student reaches the age of majority (age 18 in Utah), the IEP must include a statement that the student has been informed of the student's rights under Part B of the IDEA that will transfer to the student on reaching the age of majority. The transfer of rights also occurs upon notification to Box Elder School District that a student has married or become emancipated before age 18.

- l. Nothing in this section shall be construed to require that additional information be included in a student's IEP beyond what is explicitly required in Section 614 of Part B of the IDEA, or require the IEP Team to include information under one component of a student's IEP that is already contained under another component of the student's IEP.
- m. IEP Teams should discuss and address, if appropriate, student participation in not only the grade-level Utah Core Standards, but other general education activities and courses (e.g., health and maturation, suicide prevention), as well as the Statewide Online Education Program (SOEP) or other online, distance, blended, or competency-based courses, as well as courses taken through Career and Technical Education (CTE) programs and concurrent enrollment. Students with disabilities may require special education and related services and accommodations for equitable participation, in conjunction with Part B of the IDEA, the Rules, R277-418, R277-713, and R277-726.

### III.K. IEP AND SERVICES FOR PRESCHOOL STUDENTS AGES THREE THROUGH FIVE (RULES III.K.)

See Section [VII. Transitions](#) below.

### III.L. PHYSICAL EDUCATION (34 CFR § 300.108; RULES III.L.)

- 1. Physical education services, specially designed if necessary, are made available to every student with a disability receiving a FAPE,
- 2. Each student with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled students unless:

- a. The student is enrolled full time in a separate facility; or
  - b. The student needs specially designed physical education, as prescribed in the student's IEP.
3. Box Elder School District is responsible for specially designed physical education (e.g., adapted PE) if it is prescribed in a student's IEP, by providing the services directly or by making arrangements for those services to be provided through other public or private programs.
  4. Box Elder School District is responsible for the education of a student with a disability who is enrolled in a separate facility and must ensure the student receives appropriate physical education services.

### **III.M. ASSISTIVE TECHNOLOGY (34 CFR § 300.105; R277-495; RULES III.M.)**

1. Box Elder School District must ensure assistive technology devices or assistive technology services, or both, are made available to a student with a disability if required as a part of the student's:
  - a. Special education,
  - b. Related services, or
  - c. Supplementary aids and services.
2. On a case-by-case basis, the use of school-purchased assistive technology devices in a student's home or in other settings is required if the student's IEP Team determines the student needs access to those devices in order to receive a FAPE.

### **III.N. EXTENDED SCHOOL YEAR (ESY) SERVICES (34 CFR § 300.106; R277-751; RULES III.N.)**

1. Extended school year services mean special education and related services that:
  - a. Are provided to an eligible student with a disability:
    - (1) Beyond the normal school year of Box Elder School District;
    - (2) In accordance with the student's IEP; and
    - (3) At no cost to the parent(s) of the student or adult student; and
  - b. Meet the standards of the USBE in R277-751.
2. Box Elder School District shall ensure:
  - a. ESY services are available as necessary to provide a FAPE, consistent with the Rules and considered for each individual student with a disability during an IEP, based upon a review of multiple data sources and factors.
  - b. ESY student programs are provided in the least restrictive environment.
  - c. ESY teachers and paraeducators meet USBE and IDEA requirements.

3. ESY services must be provided only if a student’s IEP Team determines, on an individual basis, the services are necessary for the provision of a FAPE to the student. The annual IEP shall reflect the IEP Team’s decision regarding the need for ESY services.
  - a. Parent(s) or the adult student shall be provided with prior written notice of proposal or refusal to provide ESY services.
  - b. If the student is determined eligible for ESY services, the IEP Team shall determine the appropriate ESY program, based on the student’s individual needs.
  - c. ESY eligibility decisions and prior written notice of ESY programs shall be provided to parent(s) or adult student in sufficient time to permit accessing dispute resolution options of the procedural safeguards, in the event of a dispute.
4. In implementing the requirements of this section, Box Elder School District may not:
  - a. Limit ESY services to particular categories of disability, age, or grade level;
  - b. Unilaterally limit the type, amount, or duration of those services; or
  - c. Limit data consideration by IEP Teams to only an analysis of regression and recoupment.

### **III.O. LEAST RESTRICTIVE ENVIRONMENT (LRE) (34 CFR § 300.114; RULES III.O.)**

1. Box Elder School District must ensure:
  - a. To the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities (e.g., nursing homes), are educated with similar-aged students who are nondisabled; and
  - b. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. In the case of a student who is deaf or hard of hearing, consideration of a special class or school may be the least restrictive environment in that it provides opportunities for direct communication and instruction in the student’s language and communication mode with professional personnel and peers.
  - c. LRE provisions apply to transition programs and placement.

### **III.P. CONTINUUM OF ALTERNATIVE PLACEMENTS (34 CFR § 300.115; RULES III.P.)**

1. Box Elder School District must ensure a continuum of alternative placements is available to meet the needs of students with disabilities for special education and related services.
2. The continuum required:
  - a. Includes the following alternative placements for instruction:
    - (1) Regular classes,

- (2) Special classes,
  - (3) Special schools,
  - (4) Home instruction, and
  - (5) Instruction in hospitals and institutions; and
- b. Makes provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

### **III.Q. PLACEMENTS (34 CFR § 300.116; RULES III.Q.)**

1. In determining the educational placement of a student with a disability, including a transition-aged student with a disability, Box Elder School District must ensure:
  - a. The placement decision:
    - (1) Is made by a group of persons, including the parent(s) or adult student and other persons knowledgeable about the student, the meaning of the evaluation data, and the placement options; and
    - (2) Is made in conformity with the LRE provisions above.
  - b. The student's placement:
    - (1) Is determined at least annually;
    - (2) Is based on the student's IEP; and
    - (3) Is as close as possible to the student's home;
  - c. Unless the IEP of a student with a disability requires some other arrangement, the student is educated in the school that the student would attend if non-disabled;
  - d. In selecting the LRE, consideration is given to any potential harmful effect on the student or on the quality of services the student needs; and
  - e. A student with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

### **III.R. PARENTAL INVOLVEMENT IN PLACEMENT DECISIONS (34 CFR §§ 300.327, 300.50; RULES III.R.)**

1. Box Elder School District must ensure the parent(s) of each student with a disability or adult student are members of any group that makes decisions on the educational placement of the parent's student or the adult student (Rules IV.B).
2. In implementing this requirement, Box Elder School District shall use procedures for parent or adult student involvement in placement decisions consistent with those used for parent participation in IEP meetings.

3. If neither parent or the adult student can participate in a meeting in which a decision is to be made relating to the educational placement of the student, Box Elder School District shall use other methods to ensure their participation, including individual or conference telephone calls or video conferencing.
4. A group may make a placement decision without the involvement of the parent(s) or adult student if Box Elder School District is unable to obtain either parent's or adult student's participation in the decision. In this case, Box Elder School District must have a record of its attempts to ensure their involvement.

### **III.S. NONACADEMIC SETTINGS AND EXTRACURRICULAR ACTIVITIES (34 CFR § 300.117; UCA 53G-6-709; RULES III.S.)**

1. In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities in Rules III.V, Box Elder School District must ensure each student with a disability participates with non-disabled students in the extracurricular services and activities to the maximum extent appropriate to the needs of that student.
2. Box Elder School District must ensure each student with a disability has the supplementary aids and services determined by the student's IEP Team to be appropriate and necessary for the student to participate in nonacademic settings.
3. A student with a disability (under the age of 22 who has not graduated from high school with a regular high school diploma, whose IEP Team recommends participation) may not be denied the opportunity of participating in public school programs or extracurricular activities solely because of the student's age, unless the participation threatens the health or safety of the student. Box Elder School District, in cooperation with the Utah Department of Health, shall establish criteria used to determine the health and safety factor (UCA 53G-6-709).

### **III.T. NONACADEMIC SERVICES (34 CFR § 300.107; RULES III.T.)**

1. Box Elder School District must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the student's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford students with disabilities an equal opportunity for participation in those services and activities.
2. Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by Box Elder School District, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by Box Elder School District and assistance in making outside employment available.

#### IV. PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES FOR PARENT(S) AND STUDENTS (IDEA SUBPART E)

##### IV.A. PARENTAL OPPORTUNITY TO EXAMINE RECORDS AND PARTICIPATE IN MEETINGS (34 CFR § 300.501; RULES IV.A.)

1. Opportunity to examine records.
  - a. The parent(s) of a student with a disability or adult student must be afforded, in accordance with the Rules, an opportunity to inspect and review all education records with respect to the identification, evaluation, and educational placement of the student and the provision of a FAPE to the student.
2. Parent participation in meetings.
  - a. The parent(s) of a student with a disability or adult student must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the student and the provision of a FAPE to the student.
  - b. Box Elder School District must provide notice, consistent with the Rules, to ensure parents of students with disabilities or adult students have the opportunity to participate in meetings.
  - c. A meeting does not include informal or unscheduled conversations involving Box Elder School District personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that Box Elder School District personnel engage in to develop a proposal or a response to a parent or adult student proposal that will be discussed at a later meeting.
3. Parent involvement in placement decisions.
  - a. Box Elder School District must ensure that a parent of each student with a disability or adult student is a member of any group that makes decisions on the educational placement of the parent's student (34 CFR § 300.327), including notifying the parent(s) or adult student of the meeting early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed-on time and place (34 CFR § 300.322(a)).
  - b. The notice of meeting must indicate the purpose(s), time, and location of the meeting, who will be in attendance, and inform the parents or adult student of their right to bring other individuals who have knowledge or special expertise about the student (34 CFR § 300.322(b)).
  - c. If neither parent or the adult student can participate in a meeting in which a decision is to be made relating to the educational placement of the student, Box Elder School District must use other methods to ensure their participation, including individual or conference telephone calls or video conferencing.

- d. A placement decision may be made by a group without the involvement of a parent or adult student if Box Elder School District is unable to obtain the parent's(s') or adult student's participation in the decision. In this case, the LEA must have a record of its attempt to ensure their involvement.

#### IV.B. INDEPENDENT EDUCATIONAL EVALUATION (34 CFR § 300.502; RULES IV.B.)

##### 1. Definitions.

- a. *Independent educational evaluation* (IEE) means an evaluation conducted by a qualified examiner who is not employed by the LEA responsible for the education of the student in question.
- b. *Public expense* means that the LEA either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent or adult student.

##### 2. Box Elder School District has established and implemented the following policies and procedures related to independent educational evaluation that meet the requirements of Part B of the IDEA and the Rules.

##### 3. The following requirements must be addressed:

- a. The parent(s) of a student with a disability or adult student have the right to obtain an IEE of the student at public expense if they disagree with an evaluation obtained by Box Elder School District.
- b. Box Elder School District must provide to the parent(s) or adult student, upon request for an IEE, information about where an IEE may be obtained and Box Elder School District criteria applicable for IEEs.
- c. If the parent(s) or adult student requests an IEE at public expense, Box Elder School District must, without unnecessary delay, either file a due process complaint to request a hearing to show that its evaluation is appropriate, or ensure an IEE is provided at public expense, unless Box Elder School District demonstrates in a hearing that the evaluation obtained by the parent(s) or adult student did not meet Box Elder School District criteria. If Box Elder School District files a due process complaint notice to request a hearing and the final decision is that Box Elder School District's evaluation is appropriate, the parent(s) or adult student still has the right to an IEE, but not at public expense. If the parent(s) or adult student requests an IEE, Box Elder School District may ask for the parent's(s') or adult student's reason why they object to the public evaluation. However, the explanation by the parent(s) or adult student may not be required and Box Elder School District may not unreasonably delay either providing the IEE at public expense or requesting a due process hearing to defend the public evaluation.
- d. The parent(s) or adult student is entitled to only one IEE at public expense each time Box Elder School District conducts an evaluation with which the parent(s) or adult student disagrees.

- e. If the parent(s) or adult student obtains an IEE at public expense or shares with Box Elder School District an evaluation obtained at private expense, the results of the evaluation must be considered by Box Elder School District, if it meets Box Elder School District criteria, in any decision made with respect to the provision of a FAPE to the student, and may be presented by any party as evidence at a hearing on a due process complaint regarding that student.
  - f. If a hearing officer requests an IEE as part of a hearing on a due process complaint, the cost of the evaluation must be at public expense.
  - g. If an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that Box Elder School District uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's(s') or adult student's right to an IEE.
  - h. Except for the criteria described above, Box Elder School District may not impose additional conditions or timelines related to obtaining an IEE at public expense.
4. An IEE conducted at Box Elder School District's expense becomes the property of Box Elder School District, in its entirety.

#### **IV.C. PRIOR WRITTEN NOTICE (34 CFR § 300.503; RULES IV.C.)**

1. Prior written notice must be given to the parents of a student with a disability or adult student a reasonable time before Box Elder School District:
  - a. Proposes to initiate or change the identification, evaluation, or educational placement of the student or the provision of a FAPE to the student; or
  - b. Refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a FAPE to the student.
2. The notice required must include:
  - a. A description of the action proposed or refused by Box Elder School District;
  - b. An explanation of why Box Elder School District proposes or refuses to take the action;
  - c. A description of each evaluation procedure, assessment, record, or report Box Elder School District used as a basis for the proposed or refused action;
  - d. A statement that the parent(s) of a student with a disability or adult student have protection under the procedural safeguards of Part B of the IDEA and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
  - e. Sources for the parent(s) or adult student to contact to obtain assistance in understanding the provisions of Part B of the IDEA;

- f. A description of other options the IEP Team considered and the reasons why those options were rejected; and
  - g. A description of other factors relevant to Box Elder School District's proposal or refusal.
3. The notice must be:
- a. Written in language understandable to the general public; and
  - b. Provided in the native language of the parent(s) or adult student or other mode of communication used by the parent(s) or adult student, unless it is clearly not feasible to do so.
    - (1) If the native language or other mode of communication of the parent(s) or adult student is not a written language, Box Elder School District must take steps to ensure:
      - (a) The notice is translated orally or by other means to the parent(s) or adult student in his/her native language or other mode of communication;
      - (b) The parent(s) or adult student understands the content of the notice; and
      - (c) There is written evidence that the requirements have been met.

#### **IV.D. PROCEDURAL SAFEGUARDS NOTICE (34 CFR § 300.504; RULES IV.D.)**

- 1. A copy of the procedural safeguards available to the parent(s) of a student with a disability or adult student must be given to the parent(s) or adult student only one time a year, except that a copy also must be given to the parent(s) or adult student:
  - a. Upon initial referral or parental or adult student request for evaluation;
  - b. Upon receipt of the first State complaint or a due process complaint in that school year; and
  - c. Upon request by the parent(s) or adult student.
- 2. An LEA may place a current copy of the procedural safeguards notice on its website if a website exists.
- 3. The procedural safeguards notice must include a full explanation of all the procedural safeguards relating to:
  - a. Independent educational evaluations;
  - b. Prior written notice;
  - c. Parental or adult student consent;
  - d. Access to educational records;
  - e. The opportunity to present and resolve complaints through the State IEP facilitation, mediation, due process complaint or State complaint procedures, including the time period in which to file a complaint;

- f. The opportunity for Box Elder School District to resolve the complaint, and the difference between the due process complaint and the State complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures;
  - g. The availability of IEP facilitation and mediation;
  - h. The student's placement during pendency of hearings on due process complaints;
  - i. Procedures for students who are subject to placement in an interim alternative educational setting (IAES);
  - j. Requirements for unilateral placement by parent(s) of students or by adult students in private schools at public expense;
  - k. Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;
  - l. State-level appeals;
  - m. Civil actions, including the time period in which to file those actions; and
  - n. Attorneys' fees.
4. The notice required must be in language understandable to the parent(s) or adult student.
  5. A parent of a student with a disability or adult student may elect to receive notices by an electronic mail communication, if Box Elder School District makes that option available (34 CFR § 300.505).
    - a. Dispute resolution options remain available.

#### **IV.E. STATE COMPLAINT PROCEDURES (34 CFR § 300.151–153; UCA 53E-7-208; RULES IV.E.)**

Box Elder School District follows all requirements found in Rules IV.E. regarding State Complaint Procedures.

#### **IV.F. MEDIATION (34 CFR § 300.506; RULES IV.F.)**

Box Elder School District follows all requirements found in Rules IV.F. regarding Mediation.

#### **IV.G. FILING A DUE PROCESS COMPLAINT (34 CFR § 300.507; UCA 53E-7-208; RULES IV.G)**

Box Elder School District follows all requirements found in Rules IV.G. regarding filing a due process complaint.

#### **IV.H. DUE PROCESS COMPLAINT (34 CFR § 300.508; RULES IV.H.)**

Box Elder School District follows all requirements found in Rules IV.H. regarding due process complaints.

#### **IV.I. MODEL FORMS (34 CFR § 300.509; RULES IV.I.)**

The USBE staff have developed model forms to assist parent(s) or adult students in filing a State complaint, a due process hearing complaint, and requesting mediation. These forms are available on the USBE Special Education Services webpage. Parties are not required to use the State's model forms. Parents or adult students, public agencies, and other parties may use the appropriate State model form or another form or other document, so long as the form or document that is used meets, as appropriate, the content requirements for filing a due process complaint or the requirements for filing a State complaint.

#### **IV.J. RESOLUTION PROCESS (34 CFR § 300.510; RULES IV.J.)**

Box Elder School District follows all requirements found in Rules IV.J. regarding the resolution process.

#### **IV.K. IMPARTIAL DUE PROCESS HEARING (34 CFR § 300.511; RULES IV.K.)**

Box Elder School District follows all requirements found in Rules IV.K. regarding impartial due process hearings.

#### **IV.L. HEARING RIGHTS (34 CFR § 300.512; RULES IV.L.)**

Box Elder School District follows all requirements found in Rules IV.L. regarding hearing rights.

#### **IV.M. HEARING DECISIONS (34 CFR § 300.513; RULES IV.M.)**

Box Elder School District follows all requirements found in Rules IV.M. regarding hearing decisions.

#### **IV.N. FINALITY OF DECISION (34 CFR § 300.514; RULES IV.N.)**

Box Elder School District acknowledges that a decision made in a hearing conducted is final, unless a party to the hearing appeals the decision to a civil action.

#### **IV.O. STATE ENFORCEMENT MECHANISMS (34 CFR § 300.537; RULES IV.O.)**

Box Elder School District acknowledges the state enforcement mechanisms found in Rules IV.O.

#### **IV.P. TIMELINES AND CONVENIENCE OF HEARINGS (34 CFR § 300.515; UBSE-SER IV.P.)**

Box Elder School District follows all requirements found in Rules IV.P. regarding timelines and convenience of hearings.

#### **IV.Q. CIVIL ACTION (34 CFR § 300.516; RULES IV.Q.)**

Box Elder School District follows all requirements found in Rules IV.Q. regarding civil action.

#### IV.R. ATTORNEYS' FEES (34 CFR § 300.517; UCA 53E-7-208(4)(B); RULES IV.R.)

Box Elder School District follows all requirements found in Rules IV.R. regarding attorneys' fees.

#### IV.S. STUDENT'S STATUS DURING PROCEEDINGS (34 CFR § 300.518; RULES IV.S.)

Box Elder School District follows all requirements found in Rules IV.S. regarding student's status during proceedings.

#### IV.T. SURROGATE PARENTS (34 CFR § 300.519; RULES IV.T.)

1. Box Elder School District ensures the rights of a student are protected when:
  - a. No parent can be identified for a student under the age of majority;
  - b. Box Elder School District, after reasonable efforts, cannot locate a parent for a student under the age of majority;
  - c. The student is a ward of the state under the laws of that state; or
  - d. The student is an unaccompanied homeless youth under the age of majority.
2. The duties of Box Elder School District include the assignment of an individual to act as a surrogate for the parent(s) for a student under the age of majority. This must include a method for determining whether a student under the age of majority needs a surrogate parent and for assigning a surrogate parent to the student.
3. In the case of a student who is a ward of the State, the surrogate parent alternatively may be appointed by the judge overseeing the student's case, provided that the surrogate meets the requirements.
4. Box Elder School District may select a surrogate parent in any way permitted under State law.
5. Box Elder School District must ensure that a person selected as a surrogate parent:
  - a. Is not an employee of the USBE, Box Elder School District, or any other agency that is involved in the education or care of the student;
  - b. Has no personal or professional interest that conflicts with the interest of the student he/she represents; and
  - c. Has knowledge and skills that ensure adequate representation of the student.
6. A person otherwise qualified to be a surrogate parent is not an employee of Box Elder School District solely because the person is paid by Box Elder School District to serve as a surrogate parent.
7. In the case of a student who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogates until a surrogate can be appointed who meets all of the requirements.

8. The surrogate parent may represent the student in all matters relating to the identification, evaluation, and educational placement of the student, and the provision of a FAPE to the student.
9. The USBE and Box Elder School District staff must make reasonable efforts to ensure the assignment of a surrogate parent not more than 30 calendar days after Box Elder School District determines the student needs a surrogate.

#### IV.U. TRANSFER OF PARENTAL RIGHTS AT AGE OF MAJORITY (34 CFR § 300.520; RULES IV.U.)

1. When a student with a disability reaches the age of majority under State law (i.e., age 18) that applies to all students, except for a student with a disability who has been determined to be incompetent under State law, or the student with a disability marries or becomes emancipated:
  - a. Box Elder School District must provide any notice required by Part B of the IDEA to both the individual and the parent(s); and
  - b. All other rights accorded to parents under Part B of the IDEA transfer to the student;
  - c. All rights accorded to parents under Part B of the IDEA transfer to students who are incarcerated in an adult or juvenile State or local correctional institution; and
  - d. Whenever a state transfers rights, Box Elder School District must notify the individual and the parent(s) of the transfer of rights within a reasonable time frame.

#### IV.V. CONFIDENTIALITY (34 CFR § 300.610; R277-487; RULES IV.V.)

Box Elder School District takes appropriate steps to ensure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the LEAs pursuant to Part B of the IDEA and R277-487.

##### 1. Definitions (34 CFR § 300.611).

As used in these procedural safeguards:

- a. *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
- b. *Education records* means the type of records covered under the definition of “education records” in 34 CFR § 99, implementing regulations for the Family Educational Rights and Privacy Act of 1974, 20 USC § 1232g (FERPA).
- c. *Participating agency* means any agency or institution that collects, maintains, or uses personally identifiable information (PII), or from which information is obtained, under Part B of the IDEA.

##### 2. Notice to parent(s) or adult student (34 CFR § 300.612).

- a. Box Elder School District must give notice that is adequate to fully inform parent(s) or adult students, including:

- (1) A description of the extent that the notice is given in the native languages of the various population groups in the State;
  - (2) A description of the students on whom PII is maintained, the types of information sought, the methods Box Elder School District intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
  - (3) A summary of the policies and procedures Box Elder School District must follow regarding storage, disclosure to third parties, retention, and destruction of PII; and
  - (4) A description of all of the rights of parents and students regarding this information, including the rights under FERPA.
3. Before any major identification, location, or evaluation activity, the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify parents or adult students throughout Box Elder School District of the activity.
4. Access rights (34 CFR § 300.613).
  - a. Box Elder School District must permit parents or adult students to inspect and review any education records relating to their student or themselves that are collected, maintained, or used by the LEA. Box Elder School District must comply with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing or resolution session, and in no case more than 45 calendar days after the request has been made.
  - b. The right to inspect and review education records under this section includes:
    - (1) The right to a response from Box Elder School District to reasonable requests for explanations and interpretations of the records;
    - (2) The right to request that Box Elder School District provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent or adult student from exercising the right to inspect and review the records; and
    - (3) The right to have a representative of the parent or adult student inspect and review the records.
  - c. Box Elder School District may presume that the parent(s) or adult student has authority to inspect and review records relating to his/her student unless Box Elder School District has been advised that the parent(s) does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.
5. Record of access (34 CFR § 300.614).

Box Elder School District must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA and the Rules (except access by parents or adult students and authorized employees of the LEA), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

6. Records on more than one student (34 CFR § 300.615).

If any education record includes information on more than one student, the parent(s) of those students or the adult students have the right to inspect and review only the information relating to their student or themselves or to be informed of that specific information.

7. List of types and locations of information (34 CFR § 300.616).

On request, Box Elder School District must provide parents or adult students with a list of the types and locations of education records collected, maintained, or used by the LEA.

8. Fees (34 CFR § 300.617).

- a. Box Elder School District may charge a fee for copies of records that are made for parent(s) or adult students under Part B of the IDEA if the fee does not effectively prevent the parent(s) or adult students from exercising their right to inspect and review those records.
- b. The USBE staff and an LEA may not charge a fee to search for or to retrieve information under Part B of the IDEA.

9. Amendment of records at parent's(s') request (34 CFR § 300.618).

- a. A parent or adult student who believes that information in the education records collected, maintained, or used under Part B of the IDEA or Rules is inaccurate or misleading or violates the privacy or other rights of the student may request Box Elder School District to amend the information.
- b. Box Elder School District must decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.
- c. If Box Elder School District decides to refuse to amend the information in accordance with the request, it must inform the parent or adult student of the refusal and advise the parent(s) or adult student of the right to a hearing on the matter.

10. Opportunity for a hearing (34 CFR § 300.619).

Box Elder School District must, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. This hearing is not an IDEA due process complaint/hearing.

11. Result of hearing (34 CFR § 300.620).

- a. If, as a result of the hearing, Box Elder School District decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it must amend the information accordingly and so inform the parent(s) or adult student in writing.
- b. If, as a result of the hearing, Box Elder School District decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it must inform the parent(s) or adult student of the right to place in the records it maintains on the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the LEA.
- c. Any explanation placed in the records of the student under this section must:
  - (1) Be maintained by the LEA as part of the records of the student as long as the record or contested portion is maintained by the LEA; and
  - (2) If the records of the student or the contested portion are disclosed by the LEA to any party, the explanation must also be disclosed to the party.

12. Hearing procedures (34 CFR § 300.621).

A hearing that challenges education records must be conducted according to the procedures under 34 CFR § 99.22 as described below. At a minimum, Box Elder School District's hearing procedures must adhere to the following requirements:

- a. The hearing shall be held within a reasonable period of time after the LEA receives the request, and the parent(s) of the student or adult student shall be given notice of the date, place, and time reasonably in advance of the hearing.
- b. The hearing may be conducted by any party, including an official of the LEA, who does not have a direct interest in the outcome of the hearing.
- c. The parent(s) of the student or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or be represented by individuals of his/her choice at his/her own expense, including an attorney.
- d. The LEA shall make its decision in writing within a reasonable period of time after the conclusion of the hearing.
- e. The decision of the LEA shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

13. Consent (34 CFR § 300.622).

- a. Except as to disclosures addressed in referral to and action by law enforcement and judicial authorities, for which parental consent is not required by 34 CFR § 99, parental or adult student consent must be obtained before PII is:

- (1) Disclosed to anyone other than officials of participating agencies collecting or using the information under Part B of the IDEA or the Rules, or
  - (2) Used for any purpose other than meeting a requirement of Part B of the IDEA or the Rules.
- b. Box Elder School District may not release information from education records to participating agencies without parental or adult student consent unless authorized to do so by 34 CFR §§ 99.31 and 99.34 (FERPA):
- (1) Regulation 34 CFR § 99.31 allows an LEA to disclose PII from the education records of a student without the written consent of the parent(s) of the student or adult student, if the disclosure is:
    - (a) To other school officials, including teachers within the LEA who have been determined by the LEA to have legitimate educational interests.
    - (b) To officials of another school or school site in which the student seeks or intends to enroll, subject to the requirements set forth in 34 CFR § 99.34 below.
  - (2) Regulation 34 CFR § 99.34 requires that an LEA transferring the education records of a student pursuant to 34 CFR § 99.34 above shall make a reasonable attempt to notify the parent of the student or adult student of the transfer of records at the last known address of the parent or adult student, except that the LEA does not have to provide any further notice of the transfer of records when:
    - (a) The transfer is initiated by the parent(s) or adult student at the sending LEA.
    - (b) Box Elder School District includes in its annual notice of procedural safeguards, that it is the policy of the LEA to forward education records on request to a school in which a student seeks or intends to enroll.
    - (c) Box Elder School District transferring the records must keep a copy of the records for three years after the transfer.
- c. Box Elder School District, upon receiving PII from another educational agency or institution, may make further disclosure of the information on behalf of the LEA without the prior written consent of the parent(s) or adult student if the conditions of 34 CFR §§ 99.31 and 99.34 noted above are met, and if the educational agency informs the party to whom disclosure is made of these requirements.
- d. If the parent(s) or adult student refuses consent for the release of PII to a third party, then that party may proceed with statutory procedures in an effort to obtain the desired information.

Note: As authorized in 34 CFR § 99.31 (FERPA), Box Elder School District includes in the annual procedural safeguards notice that it is their policy to forward educational records of a student with disabilities without parental or adult student consent or notice to officials of another school or school district in which a student seeks or intends to enroll.

14. Safeguards (34 CFR § 300.623).

- a. Box Elder School District must protect the confidentiality of PII at collection, storage, disclosure, and destruction stages.
- b. One official at each LEA must assume responsibility for ensuring the confidentiality of any PII.
- c. All persons at Box Elder School District collecting or using PII must receive training or instruction regarding the State's policies and procedures in Rules IV.V. and 34 CFR § 99.
- d. Box Elder School District must maintain, for public inspection, a current listing of the names and positions of those employees within the LEA who may have access PII on students with disabilities.

15. Destruction of information (34 CFR § 300.624).

- a. Box Elder School District must inform parents or adult student when PII collected, maintained, or used under Part B of the IDEA and Rules is no longer needed to provide educational services to the student.
- b. The information no longer needed must be destroyed at the request of the parent(s) or adult student. However, a permanent record of a student's name, address, phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.
- c. Each student's records may be considered "no longer needed to provide educational services" and may be destroyed three years after the student graduates or three years after the student turns 22 under IDEA. Medicaid requires that records be maintained for at least five years after the provision of services.

16. Students' rights (34 CFR § 300.625).

- a. The rights of privacy afforded to parent(s) are transferred to the student who reaches the age of 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated.
- b. Under the regulations for FERPA at 34 CFR § 99.5(a), the rights of parent(s) regarding education records are transferred to the student at age 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated.
- c. Because the rights accorded to parents under Part B of the IDEA are transferred to a student who reaches the age of 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated, the rights regarding educational records must also be transferred to the student. However, Box Elder School District must provide any notice required under Section 615 of Part B of the IDEA to the student and the parent(s).

17. Enforcement (34 CFR § 300.626).

The confidentiality requirements of Part B of the IDEA are reviewed and approved as part of Box Elder School District eligibility process.

18. U.S. Department of Education use of PII (34 CFR § 300.627).

If the U.S. Department of Education or its authorized representatives collect any PII regarding students with disabilities that is not subject to the Privacy Act of 1974, 5 USC § 552a, the Secretary of Education (Secretary hereafter) applies the applicable Federal statute, and the regulations implementing those provisions in 34 CFR § 5b.

## **V. DISCIPLINE PROCEDURES (34 CFR § 300.530)**

### **V.A. DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITIES (RULES V.A.)**

Consistent with the requirements of Part B of the IDEA and the Rules, Box Elder School District shall establish, maintain, and implement the following policies and procedures for disciplining students with disabilities.

### **V.B. AUTHORITY OF SCHOOL PERSONNEL (34 CFR § 300.530(A–C); RULES V.B.)**

1. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a student with a disability who violates a code of student conduct.
2. School personnel may remove a student with a disability who violates a code of student conduct from his/her current placement to an appropriate interim alternative educational setting (IAES), another setting, or suspension, for not more than ten consecutive school days (to the extent those alternatives are applied to students without disabilities), and for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
3. After a student with a disability has been removed from his/her current placement for ten school days in the same school year, during any subsequent days of removal Box Elder School District must provide services to the extent required.
4. For disciplinary changes in placement that would exceed ten consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities, except after the tenth day of removal that constitutes a change in placement, the LEA must provide services to the student.

### **V.C. SERVICES (34 CFR § 300.530(D); RULES V.C.)**

1. A student with a disability who is removed from the student's current placement must:
  - a. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and
  - b. Receive, as appropriate, a functional behavior assessment, and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.
2. The services may be provided in an IAES.

3. Box Elder School District is only required to provide services during periods of removal to a student with a disability who has been removed from his/her current placement for ten school days or less in that school year if it also provides services to a student without disabilities who is similarly removed.
4. After a student with a disability has been removed from his/her current placement for ten school days in the same school year, if the current removal is for not more than ten consecutive school days and is not a change of placement, school personnel, in consultation with at least one of the student's teachers, determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP.
5. If the removal is a change of placement, the student's IEP Team determines appropriate services to be provided during the removal.

**V.D. CHANGE OF PLACEMENT DUE TO DISCIPLINARY REMOVALS (34 CFR § 300.536; RULES V.D.)**

1. For purposes of removals 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 consecutive school days; or
  - b. The student has been subjected to a series of removals that constitute a pattern:
    - (1) Because the series of removals total more than ten school days in a school year;
    - (2) Because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
    - (3) Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.
2. Box Elder School District determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

**V.E. MANIFESTATION DETERMINATION (34 CFR § 300.530(E); RULES V.E.)**

1. Within ten school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, Box Elder School District, the parent(s) or adult student, and relevant members of the student's IEP Team (as determined by the parent(s) or adult student and the LEA) must review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parent(s) or adult student to determine:
  - a. If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or

- b. If the conduct in question was the direct result of the LEA's failure to implement the IEP.
2. The conduct must be determined to be a manifestation of the student's disability if Box Elder School District, the parent(s) or adult student, and relevant members of the student's IEP Team determine that the misconduct was caused by or had a direct and substantial relationship to the student's disability, or was the direct result of the LEA's failure to implement the IEP.
3. If Box Elder School District, the parent(s) or adult student, and relevant members of the student's IEP Team determine that the misconduct was the direct result of the LEA's failure to implement the IEP, the LEA must take immediate steps to remedy those deficiencies.
4. If Box Elder School District, the parent(s) or adult student, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the student's disability, the IEP Team must either:
  - a. Conduct a functional behavior assessment (FBA), unless Box Elder School District had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavior intervention plan (BIP) for the student; or
  - b. If a BIP has already been developed, review the BIP, and modify it, as necessary, to address the behavior; and
  - c. Unless the misconduct falls under the definition of special circumstances in Rules V.E.5, return the student to the placement from which the student was removed, unless the parent or adult student and the LEA agree to a change of placement as part of the modification of the behavior intervention plan.

5. Special circumstances.

School personnel may remove a student to an IAES for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

- a. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of an LEA;
  - b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an LEA, or
  - c. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an LEA.
6. Definitions.

For purposes of this section, the following definitions apply:

- a. *Controlled substance* means a drug or other substance that cannot be distributed without a prescription, identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
- b. *Illegal drug* means a controlled substance but does not include a drug controlled, possessed, or used under the supervision of a licensed health-care professional or one legally possessed or used under the Controlled Substances Act or under any other provision of Federal law (21 USC § 812).
- c. *Serious bodily injury* means bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty (18 USC § 1365). Serious bodily injury does not include a cut, abrasion, bruise, burn, disfigurement, physical pain, illness, or impairment of the function of a bodily member, organ or mental faculty that is temporary (20 USC § 1365).
- d. *Weapon* means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches (18 USC § 930).

#### V.F. PROCEDURAL SAFEGUARDS NOTICE (34 CFR § 300.530; RULES V.F.)

On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, Box Elder School District must notify the parent(s) or adult student of that decision, and provide the parent(s) or adult student the procedural safeguards notice.

#### V.G. DETERMINATION OF SETTING (34 CFR § 300.531; RULES V.G.)

The student's IEP Team determines the IAES for services if the behavior that gives rise to the removal is not a manifestation of the student's disability, the removal constitutes a change of placement, or the behavior falls under the special circumstances in USBE V.E.5.

#### V.H. APPEALS BY PARENT OR LEA (34 CFR § 300.532; RULES V.H.)

1. The parent(s) of a student with a disability or adult student who disagrees with any decision regarding placement or the manifestation determination, or an LEA that believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, may appeal the decision by filing a due process hearing complaint.
2. Authority of hearing officer.
  - a. A due process hearing officer hears and makes a determination regarding an appeal.
  - b. In making the determination, the hearing officer may:
    - (1) Return the student with a disability to the placement from which the student was removed if the hearing officer determines that the removal was a violation

of the discipline procedures under Part B of the IDEA or the Rules or that the student's behavior was a manifestation of the student's disability; or

- (2) Order a change of placement of the student with a disability to an appropriate IAES for not more than 45 school days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.
  - c. The appeal procedures may be repeated if Box Elder School District believes that returning the student to the original placement is substantially likely to result in injury to the student or to others.
3. Expedited due process hearing.
- a. Whenever a hearing is requested, the parent(s) or adult student or Box Elder School District must have an opportunity for an impartial due process hearing.
  - b. Box Elder School District is responsible for arranging the expedited due process hearing with the State Director of Special Education, which must occur within 20 school days of the date the complaint requesting the hearing is filed. The hearing officer must make a determination within ten school days after the hearing.
  - c. Unless the parent(s) or adult student and Box Elder School District agree in writing to waive the resolution meeting, or agree to use mediation:
    - (1) A resolution meeting must occur within seven calendar days of receiving notice of the due process complaint; and
    - (2) The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of the receipt of the due process complaint.
  - d. The decisions on expedited due process hearings are final, unless meeting the requirements of 34 CFR § 300.514(b) or 34 CFR § 300.516.

#### **V.I. PLACEMENT DURING APPEALS (34 CFR § 300.533; RULES V.I.)**

When an appeal through a due process complaint has been made by either the parent or adult student or Box Elder School District, the student must remain in the IAES pending the decision of the hearing officer or until the expiration of the time period specified, whichever occurs first, unless the parent(s) or adult student and the SEA or LEA agree otherwise.

#### **V.J. PROTECTIONS FOR STUDENTS NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES (34 CFR § 300.534; RULES V.J.)**

1. A student who has not been determined to be eligible for special education and related services under Part B of the IDEA, and who has engaged in behavior that violated a code of student conduct, may assert any of the protections provided for in this part if Box Elder School District had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.

2. Box Elder School District must be deemed to have knowledge that a student is a student with a disability if, before the behavior that precipitated the disciplinary action occurred:
  - a. The parent(s) of the student or adult student expressed concern in writing to supervisory or administrative personnel of Box Elder School District, or a teacher of the student, that the student is in need of special education and related services;
  - b. The parent(s) of the student or adult student requested an evaluation of the student; or
  - c. The teacher of the student, or other personnel of Box Elder School District, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education of the LEA or to other supervisory personnel of the LEA.
3. Box Elder School District would not be deemed to have knowledge that a student is a student with a disability if:
  - a. The parent(s) of the student or the adult student:
    - (1) Has not allowed an evaluation of the student; or
    - (2) Has refused services under this part; or
  - b. The student has been evaluated in accordance with and determined to not be a student with a disability under Part B of the IDEA.
4. If Box Elder School District does not have knowledge that a student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the disciplinary measures applied to students without disabilities who engage in comparable behaviors.
  - a. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
    - (1) Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.
    - (2) If the student is determined to be a student with a disability, taking into consideration information from the evaluation conducted by Box Elder School District and information provided by the parent(s) or adult student, the LEA must provide special education and related services.

**V.K. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES (34 CFR § 300.535; RULES V.K.)**

1. Nothing in Part B of the IDEA prohibits Box Elder School District from reporting a crime committed by a student with a disability to appropriate authorities or prevents State law

enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a student with a disability.

2. Transmittal of records.

- a. If Box Elder School District reports a crime committed by a student with a disability, it must ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the LEA reports the crime.
- b. If Box Elder School District reports a crime under this section, it may transmit copies of the student's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

## VI. STUDENTS WITH DISABILITIES IN OTHER SETTINGS

### VI.A. PRIVATE SCHOOL PLACEMENTS BY LEAS (34 CFR § 300.325; RULES VI.A.)

1. Developing IEPs.
  - a. Before Box Elder School District places a student with a disability in, or refers a student to, a private school or facility, Box Elder School District must initiate and conduct a meeting to develop an IEP for the student in accordance with Part B of the IDEA and the Rules.
  - b. Box Elder School District must ensure that a representative of the private school or facility attends the meeting. If the representative cannot attend, the LEA must use other methods to ensure participation by the private school or facility, including individual or conference telephone calls or video conferencing.
2. Reviewing and revising IEPs.
  - a. After a student with a disability is placed in a private school or facility, any meetings to review and revise the student's IEP may be initiated and conducted by the private school or facility at the discretion of Box Elder School District.
  - b. If the private school or facility initiates and conducts these meetings, Box Elder School District must ensure that the parent(s) or adult student and an LEA representative:
    - (1) Are involved in any decisions about the student's IEP; and
    - (2) Agree to any proposed changes in the IEP before those changes are implemented.
3. Even if a private school or facility implements a student's IEP, responsibility for compliance with this part remains with Box Elder School District and the USBE.
4. Residential placement (34 CFR § 300.104).

If placement in a public or private residential program is necessary to provide special education and related services to a student with a disability, the program, including non-medical care and room and board, must be at no cost to the parent(s) of the student or adult student.

### VI.B. STUDENTS WITH DISABILITIES ENROLLED BY THEIR PARENT(S) IN PRIVATE SCHOOLS WHEN FAPE IS NOT AT ISSUE (UNILATERAL PLACEMENT) (34 CFR § 300.130; RULES VI.B.)

*Parentally placed private school students* with disabilities means students with disabilities enrolled by their parent(s) or an adult student in private, including religious, schools or facilities that meet the definition of elementary school or secondary school in Part B of the IDEA.

1. Definitions.

- a. *Elementary school* means a nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law (34 CFR § 300.13).
  - b. *Secondary school* means a nonprofit institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under State law, except that it does not include any education beyond grade 12 (34 CFR § 300.36). Grades nine and above must be accredited, in accordance with USBE Rule.
2. Child find for parentally placed or adult student private school students with disabilities (34 CFR § 300.131).
- a. Box Elder School District must locate, identify, and evaluate all students with disabilities who are enrolled by their parent(s), or adult students, in private (either for-profit or nonprofit), including religious, elementary schools and secondary schools located in the area served by Box Elder School District.
  - b. Box Elder School District's child find process must be designed to ensure:
    - (1) The equitable participation of parentally placed or adult student nonprofit private school students; and
    - (2) An accurate count of those students in nonprofit private schools.
  - c. Box Elder School District must undertake activities similar to the activities undertaken for Box Elder School District's public school students.
  - d. The cost of carrying out the child find requirements in this section, including individual evaluations, may not be considered in determining if Box Elder School District has met its obligation under spending a proportionate share of funds under Part B of the IDEA to provide services to parentally placed or adult student nonprofit private school students.
  - e. The child find process must be completed in a time period comparable to that for students attending public schools in Box Elder School District.
  - f. If private (for-profit and nonprofit), including religious, elementary schools and secondary schools are located in Box Elder School District, Box Elder School District must, in carrying out the child find requirements in this section, include parentally placed or adult student private school students who reside in a state other than the state in which the private schools that they attend are located.
3. Basic requirements for provision of services for parentally placed or adult student nonprofit private school students with disabilities (34 CFR § 300.132).
- a. To the extent consistent with the number and location of students with disabilities who are enrolled by their parent(s), or an adult student, in nonprofit private, including religious, elementary schools and secondary schools located in the area served by Box Elder School District, provision is made for the participation of those

- students in the program assisted or carried out under Part B of the IDEA by providing them with special education and related services, including direct services.
- b. Box Elder School District must develop and implement a services plan for each nonprofit private school student with a disability who has been designated by Box Elder School District in which the private school is located to receive special education and related services.
  - c. Box Elder School District must maintain in its records, and provide to the USBE staff annually, the following information related to parentally placed or adult student nonprofit private school students, including that required under Rules II.A.(4)(c):
    - (1) The number of students evaluated and reevaluated within three years;
    - (2) The number of students determined to be students with disabilities; and
    - (3) The number of students served.
4. Expenditures (34 CFR § 300.133).
- a. Box Elder School District must spend the following on providing special education and related services (including direct services) to parentally placed or adult student nonprofit private school students with disabilities:
    - (1) For students ages 3 through 21, an amount that is the same proportion of the Box Elder School District's total subgrant under Section 611(f) of Part B of the IDEA as the number of private school students with disabilities ages 3 through 21 who are enrolled by their parent(s), or an adult student, in nonprofit private, including religious, elementary schools and secondary schools located in Box Elder School District, is to the total number of students with disabilities in its jurisdiction ages 3 through 21.
    - (2) For students ages three through five, an amount that is the same proportion of Box Elder School District's total subgrant under Section 619(g) of the Part B of the IDEA as the number of parentally placed private school students with disabilities ages three through five who are enrolled by their parent(s) in nonprofit private, including religious, elementary schools located in Box Elder School District, is to the total number of students with disabilities in Box Elder School District ages three through five.
      - (a) Students ages three through five are considered to be parentally placed private school students with disabilities enrolled by their parent(s) in nonprofit private, including religious, elementary schools, if they are enrolled in a private preschool that is part of a private elementary school.
    - (3) If Box Elder School District has not expended for equitable services all of the required funds by the end of the fiscal year for which Congress appropriated the funds, Box Elder School District must obligate the remaining funds for special education and related services (including direct services) to parentally placed or

adult student nonprofit private school students with disabilities during a carryover period of one additional year.

- b. In calculating the proportionate amount of Federal funds to be provided for parentally placed or adult student nonprofit private school students with disabilities, Box Elder School District, after timely and meaningful consultation with representatives of private schools, must conduct a thorough and complete child find process to determine the number of parentally placed, or adult student, students with disabilities attending nonprofit private schools located in Box Elder School District.
- c. Annual count of the number of parentally placed or adult student private school students with disabilities.
  - (1) Box Elder School District must:
    - (a) After timely and meaningful consultation with representatives of parentally placed or adult student private school students with disabilities, determine the number of parentally placed or adult student private school students with disabilities attending nonprofit private schools located in Box Elder School District; and
    - (b) Ensure that the count is conducted on any date between October 1 and December 1, inclusive, of each year.
  - (2) The count must be used to determine the amount that Box Elder School District must spend on providing special education and related services to parentally placed or adult student nonprofit private school students with disabilities in the next subsequent fiscal year.
- d. State and local funds may supplement and in no case supplant the proportionate amount of Federal funds required to be expended for parentally placed adult student private school students with disabilities.

5. Consultation (34 CFR § 300.134).

To ensure timely and meaningful consultation, Box Elder School District must consult with nonprofit private school representatives and representatives of parent(s) of parentally placed or adult student private school students with disabilities during the design and development of special education and related services for the students regarding the following:

- a. The child find process, including:
  - (1) How parentally placed or adult student nonprofit private school students suspected of having a disability can participate equitably; and
  - (2) How the parent(s) or adult student, teachers, and nonprofit private school officials will be informed of the process.

- b. The determination of the proportionate share of Federal funds available to serve parentally or adult student placed nonprofit private school students with disabilities, including the determination of how the proportionate share of those funds was calculated.
  - c. The consultation process among Box Elder School District, nonprofit private school officials, and representatives of parent(s), or the adult student, of parentally placed or adult student private school students with disabilities, including how the process will operate throughout the school year to ensure that parentally placed, or adult student, students with disabilities identified through the child find process can meaningfully participate in special education and related services.
  - d. How, where, and by whom special education and related services will be provided for parentally placed or adult student nonprofit private school students with disabilities, including a discussion of:
    - (1) The types of services, including direct services and alternate service delivery mechanisms; and
    - (2) How special education and related services will be apportioned if funds are insufficient to serve all parentally placed or adult student private school students; and
    - (3) How and when those decisions will be made;
  - e. How, if Box Elder School District disagrees with the views of the nonprofit private school officials on the provision of services or the types of services (whether provided directly or through a contract), Box Elder School District will provide to the nonprofit private school officials a written explanation of the reasons why the school district chose not to provide services directly or through a contract.
6. Written affirmation (34 CFR § 300.135).
- a. When timely and meaningful consultation has occurred, Box Elder School District must obtain a written affirmation signed by the representatives of participating nonprofit private schools.
  - b. If the representatives do not provide the affirmation within a reasonable period of time, Box Elder School District must forward the documentation of the consultation process to the State Director of Special Education.
7. Compliance (34 CFR § 300.136).
- a. A nonprofit private school official has the right to submit a complaint to the State Director of Special Education that Box Elder School District:
    - (1) Did not engage in consultation that was meaningful and timely; or
    - (2) Did not give due consideration to the views of the nonprofit private school official.

b. Procedure.

- (1) If the nonprofit private school official wishes to submit a complaint, the official must provide to the State Director of Special Education the basis of the noncompliance by Box Elder School District with the applicable nonprofit private school provisions in this part; and
- (2) Box Elder School District must forward the appropriate documentation to the State Director of Special Education.
- (3) If the nonprofit private school official is dissatisfied with the decision of the State Director of Special Education, the official may submit a complaint to the Secretary by providing the information on noncompliance described above; and the State Director of Special Education must forward the appropriate documentation to the Secretary.

8. Equitable services determined (34 CFR § 300.137).

- a. No parentally placed or adult student nonprofit private school student with a disability has an individual right to receive some or all of the special education and related services that the student would receive if enrolled in a public school.
- b. Decisions about the services that will be provided to parentally placed or adult student nonprofit private school students with disabilities by Box Elder School District must be made in accordance with the consultation and proportionate share requirements.
- c. Box Elder School District must make the final decisions with respect to the services to be provided to eligible parentally placed or adult student nonprofit private school students with disabilities.
- d. If a student with a disability is enrolled in a nonprofit religious or other private school by the student's parent(s) or adult student and will receive special education or related services from Box Elder School District, Box Elder School District must:
  - (1) Initiate and conduct meetings to develop, review, and revise a services plan for the student; and
  - (2) Ensure that a representative of the religious or other nonprofit private school attends each meeting. If the representative cannot attend, Box Elder School District shall use other methods to ensure participation by the religious or other nonprofit private school, including individual or conference telephone calls.

9. Equitable services provided (34 CFR § 300.138).

- a. The services provided to parentally placed or adult student nonprofit private school students with disabilities must be provided by personnel meeting the same standards as personnel providing services in the public schools, except that private elementary school and secondary school teachers who are providing equitable services to parentally placed or adult student private school students with

disabilities do not have to meet the USBE and IDEA special education teacher requirements.

- b. Parentally placed or adult student nonprofit private school students with disabilities may receive a different amount of services than students with disabilities in public schools.
  - c. Services provided in accordance with a services plan.
    - (1) Each parentally placed or adult student nonprofit private school student with a disability who has been designated to receive services must have a services plan that describes the specific special education and related services that Box Elder School District will provide to the student in light of the services that Box Elder School District has determined it will make available to parentally placed or adult student nonprofit private school students with disabilities.
    - (2) The services plan must, to the extent appropriate:
      - (a) Meet the same content requirements as the IEP, including access and progress in the general curriculum, or for a student ages three through five, including access and progress in age-appropriate activities, with respect to the services provided; and
      - (b) Be developed, reviewed, and revised consistent with the IEP provisions in Rule III.I.
  - d. Provision of equitable services.
    - (1) Services must be provided:
      - (a) By employees of Box Elder School District; or
      - (b) Through contract by the school district with an individual, association, agency, organization, or other entity.
    - (2) Special education and related services provided to parentally placed or adult student nonprofit private school students with disabilities, including materials and equipment, must be secular, neutral, and non-ideological.
10. Location of services and transportation (34 CFR § 300.139).
- a. Services to parentally placed or adult student nonprofit private school students with disabilities may be provided on the premises of private, including religious, schools, to the extent consistent with law.
  - b. Transportation.
    - (1) If necessary for the student to benefit from or participate in the services provided under this part, a parentally or adult student placed nonprofit private school student with a disability must be provided transportation:

- (a) From the student's school or the student's home to a site other than the private school; and
    - (b) From the service site to the private school, or to the student's home, depending on the timing of the services.
  - (2) School districts are not required to provide transportation from the student's home to the private school.
  - (3) The cost of the transportation may be included in calculating whether the school district has met the requirements for proportionate share spending.
- 11. Due process complaints and State complaints (34 CFR § 300.140).
  - a. Due process not applicable, except for child find.
    - (1) Except as provided in Rule VI.B.11.b, the procedures for State complaints and due process hearing requests do not apply to complaints that a school district has failed to meet the requirements of Part B of the IDEA and Rules, including the provision of services indicated on the student's services plan.
  - b. Child find complaints to be filed with the school district in which the private school is located.
    - (1) The procedures for State complaints and due process hearing requests apply to complaints that a school district has failed to meet the child find requirements in Part B of the IDEA and Rules.
    - (2) Any due process complaint regarding the child find requirements as described in Rule VI.B.11.b.(1) must be filed with the school district in which the private school is located, and a copy must be forwarded to the State Director of Special Education.
- 12. State complaints.
  - a. Any complaint that a school district has failed to meet the requirements for provision of services, expenditures, consultation, written affirmation, determination of equitable services, location of services, due process and State complaints, funds not to benefit a private school, use of personnel, separate classes prohibited, and use of property, equipment, and supplies must be filed in accordance with the State complaint procedures described in Rule IV.G.
  - b. A complaint filed by a nonprofit private school official under the meaningful and timely consultation, or due consideration to views of private school official requirements, must be filed with the State Director of Special Education in accordance with the procedures in Rule VI.B.7.b.
- 13. Requirement that funds not benefit a private school (34 CFR § 300.141).

- a. An LEA may not use funds provided under Section 611 or 619 of the IDEA to finance the existing level of instruction in a private school or to otherwise benefit the private school.
- b. The school district must use funds provided under Part B of the IDEA to meet the special education and related services needs of parentally or adult student placed private school students with disabilities, but not for meeting:
  - (1) The needs of a private school; or
  - (2) The general needs of the students enrolled in the private school.

14. Use of personnel (34 CFR § 300.142).

- a. A school district may use funds available under sections 611 and 619 of the IDEA to make public school personnel available in other than public facilities:
  - (1) To the extent necessary to provide services contained in service plans for parentally placed or adult student private school students with disabilities; and
  - (2) If those services are not normally provided by the private school.
- b. A school district may use funds available under sections 611 and 619 of the IDEA to pay for the services of an employee of a private school to provide services contained in service plans for parentally placed or adult student private school students with disabilities if:
  - (1) The employee performs the services outside of his/her regular hours of duty; and
  - (2) The employee performs the services under public supervision and control.

15. Separate classes prohibited (34 CFR § 300.143).

An LEA may not use funds available under Section 611 or 619 of the IDEA for classes that are organized separately on the basis of school enrollment or religion of the students if:

- a. The classes are at the same site; and
- b. The classes include students enrolled in public schools and students enrolled in private schools.

16. Property, equipment, and supplies (34 CFR § 300.144).

- a. A school district must control and administer the funds used to provide special education and related services, and hold title to and administer materials, equipment, and property purchased with those funds for the uses and purposes provided in the IDEA.
- b. The school district may place equipment and supplies in a private school for the period of time needed for the Part B program.
- c. The school district must ensure that the equipment and supplies placed in a private school:

- (1) Are used only for Part B purposes; and
  - (2) Can be removed from the private school without remodeling the private school facility.
- d. The school district must remove equipment and supplies from a private school if:
- (1) The equipment and supplies are no longer needed for Part B purposes; or
  - (2) Removal is necessary to avoid unauthorized use of the equipment and supplies for other than Part B purposes.
- e. No funds under Part B of the IDEA may be used for repairs, minor remodeling, or construction of private school facilities.

#### VI.C. STUDENTS WITH DISABILITIES ENROLLED BY THEIR PARENT(S) IN PRIVATE SCHOOLS WHEN FAPE IS AT ISSUE (34 CFR § 300.148; RULES VI.C.)

1. Box Elder School District is not required to pay for the cost of education, including special education and related services, of a student with a disability at a private school or facility if that LEA made a FAPE available to the student and the parent(s) or adult student elected to place the student in a private school or facility. However, Box Elder School District must include that student in the population whose needs are addressed consistent with the Rules VI.B.
  - a. District responsibilities include, but are not limited to child find, expenditures of school district special education funds, consultation with private school representatives during the design and development of special education and related services and written affirmations of the same, provision of services within a services plan, and many other nuanced responsibilities.
2. Disagreements between the parent(s) or adult student and an LEA regarding the availability of a program appropriate for the student, and the question of financial reimbursement, are subject to the State complaint and due process procedures in the Rules IV.G.–R.
3. If the parent(s) of a student with a disability or adult student, who previously received special education and related services under the authority of Box Elder School District, enroll the student in a private preschool, elementary school, or secondary school without the consent of or referral by the LEA, a court or a hearing officer may require the LEA to reimburse the parent(s) or adult student for the cost of that enrollment if the court or hearing officer finds that the LEA had not made a FAPE available to the student in a timely manner prior to that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the USBE and LEAs.
4. The cost of reimbursement may be reduced or denied if:

- a. At the most recent IEP Team meeting that the parent(s) or adult student attended prior to removal of the student from the public school, the parent(s) or adult student did not inform the IEP Team that they were rejecting the placement proposed by the LEA to provide a FAPE to the student, including stating their concerns and their intent to enroll their student in a private school at public expense; or
  - b. At least ten business days (including any holidays that occur on a business day) prior to the removal of the student from the public school, the parent(s) or adult student did not give written notice to the LEA of the information described in the Rules VI.C.4.a;
  - c. Prior to the parent's(s') or adult student's removal of the student from the public school, the LEA informed the parent(s) or adult student, through the prior written notice requirements, of its intent to evaluate the student (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parent(s) or adult student did not make the student available for the evaluation; or
  - d. Upon a judicial finding of unreasonableness with respect to actions taken by the parent(s) or adult student.
5. Notwithstanding the requirements for the parent(s) or adult student to provide notice to Box Elder School District prior to removal of the student, the cost of reimbursement:
- a. Must not be reduced or denied for failure to provide the notice if:
    - (1) The school prevented the parent(s) or adult student from providing the notice;
    - (2) The parent(s) or adult student had not received prior written notice of the notice requirement in Rules VI.C.4.a–c; or
    - (3) Compliance with the notice requirements in Rules VI.C.4.a.–c. would likely result in physical harm to the student; and
  - b. May, in the discretion of the court or a hearing officer, not be reduced or denied for failure to provide this notice if:
    - (1) The parent(s) or adult student are not literate or cannot write in English; or
    - (2) Compliance with Rule VI.C.4.a.–c. would likely result in serious emotional harm to the student.

#### **VI.D. STUDENTS WITH DISABILITIES ENROLLED IN HOME SCHOOL. (RULES VI.D.)**

- 1. Box Elder School District is responsible for location, identification, and evaluation for eligibility for home schooled students in its boundaries.
- 2. A home-schooled student shall meet the eligibility criteria for students with disabilities in conformity with the Rules II.C.–H., including proper documentation, using comparable procedures to those required for identifying an eligible public school student.

3. If a parent of a student or adult student who is home schooled or placed in a private school by the parent(s) at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent or adult student fails to respond to a request to provide consent (34 CFR § 300.300):
  - a. Box Elder School District may not use the dispute resolution procedures provided in the procedural safeguards, including mediation or due process procedures; and
  - b. Box Elder School District is not required to consider the student as eligible for services.
4. Students enrolled in home school full time.

No student with a disability who is home schooled full time has an individual right to receive any of the special education and related services that the student would receive if enrolled in a public school.

5. Box Elder School District must make the final decision with respect to the services, if any, to be provided to eligible home-schooled students with disabilities.
6. Box Elder School District may develop a services plan for home schooled students with disabilities who are eligible for special education and related services under Part B of the IDEA and these Rules. The services plan shall describe the special education and related services, if any, that the LEA will provide to the student, and must, to the extent appropriate:
  - a. Meet the IEP content requirements with respect to the services provided; and
  - b. Be developed, reviewed, and revised consistent with the IEP provisions in Rules III.I.
7. Box Elder School District shall determine where and when any services specified in the services plan will be provided.
8. Dual enrollment (R277-438 and UCA 53G-6-702).
  - a. A student with a disability who is simultaneously enrolled in both home school or private school and a public school is considered a dual enrollment student.
  - b. A student with a disability seeking dual enrollment is entitled to special education and related services, under an IEP, for the time, or for the number of courses, the student is enrolled in the public school, based on the decision of the student's IEP Team. The IEP Team must consider the amount of time and courses needed for the provision of FAPE.
9. Home schools do not meet the definition of private schools (R277-438).

#### **VI.E. STUDENTS WITH DISABILITIES ENROLLED IN ADULT EDUCATION (RULES VI.E.)**

1. Students with disabilities enrolled in Adult Education remain entitled to special education and related services until determined no longer meeting eligibility criteria, graduate with a regular high school diploma, or reach maximum age (i.e., age 22).

2. The responsibility for FAPE for students with disabilities enrolled in Adult Education classes remains with the school district of residence

#### **VI.F. STUDENTS WITH DISABILITIES ENROLLED IN VIRTUAL SETTINGS (RULES VI.F.)**

1. Students with disabilities enrolled in public education virtual settings remain entitled to special education and related services until determined no longer meeting eligibility criteria, graduate with a regular high school diploma, or reach maximum age.
2. The responsibility for FAPE for students with disabilities enrolled in public education virtual settings remains with the LEA of enrollment, unless Board Rule specifies otherwise.

#### **VI.G. STUDENTS WITH DISABILITIES CONVICTED AS ADULTS AND INCARCERATED IN ADULT PRISONS (34C CFR § 300.324; RULES VI.J.)**

1. The obligation to make FAPE available, including special education and related services under Part B of the IDEA and these Rules, to all students with disabilities applies to students ages 18 through 21 who are incarcerated in adult prisons, with the following exceptions:
  - a. The requirements relating to participation of students with disabilities in State- and district-wide assessments.
  - b. The requirements in 34 CFR § 300.320(b) relating to transition planning and transition services with respect to students whose eligibility under Part B of the IDEA will end, because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release.
2. The IEP Team of a student with a disability who is convicted as an adult under State law and incarcerated in an adult prison may modify the student's IEP or placement if the State has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated. The IEP and LRE requirements do not apply with respect to such modifications.
3. Custodial status alone does not qualify an individual for services under the IDEA (R277-709-5(2)).
4. Responsibility for the provision of FAPE resides with the school district in which the prison facility is located.

#### **VI.H. STUDENTS WITH DISABILITIES WHO ARE ALSO IN STATE CUSTODY/CARE (UCA 62A-4A-701; R277-709; RULES VI.K.)**

1. The obligation to make FAPE available in the LRE, including special education and related services under Part B of the IDEA and these Rules, applies to all students with disabilities in state custody/care.
2. All requirements of these Rules apply to students with disabilities in State custody/care, including child find, LRE, and continuum of alternative placements.

3. Special education programs provided through youth in custody programs shall be monitored, through regular site monitoring visits and monthly desk monitoring on an annual basis, as directed by USBE (R277-709).
4. The USBE will develop and implement a Memorandum of Understanding (MOU) with other State agencies responsible for placing students in State custody/care across LEAs or in private facilities. The MOU will address, at a minimum, payment for education and special education services, timelines for placement, and notification of LEAs of changes in placement, and assign responsibility for FAPE.
5. LEAs must develop and implement a Memorandum of Understanding (MOU), policies, and procedures to address the process and timelines for interstate and intrastate transfers of students with disabilities in State custody/care, including the transfer of special education files, including the IEP, and the implementation of the IEP and provision of FAPE in the LRE, even in temporary placements.
  - a. The LEA transferring the records must keep a copy of the records for three years after the transfer.

#### **VI.I. STUDENTS WITH DISABILITIES WHO RESIDE IN NURSING HOMES (RULES VI.L)**

1. Students with disabilities residing in nursing homes and their parent(s) or adult students have the same rights under IDEA as all other IDEA-eligible students with disabilities.

## VII. TRANSITIONS (34 CFR § 300.1; RULES VII.)

### VII.A. TRANSITION FROM PART C TO PART B OF THE IDEA (RULES VII.A.)

1. At the beginning of each school year, each LEA must have an IEP in effect for each student with a disability ages three through five within its jurisdiction (34 CFR § 300.323).
2. The USBE and LEA must have in effect policies and procedures to ensure that (34 CFR § 300.124):
  - a. Students participating in early intervention programs assisted under Part C of the IDEA, and who will participate in preschool programs assisted under Part B of the IDEA, experience a smooth and effective transition to those preschool programs;
  - b. By the eligible student's third birthday, an IEP has been developed and is being implemented for the student;
  - c. If a student's third birthday occurs after the end of the school year, the student's IEP Team shall determine the date in the next school year when services under the IEP will begin, except that the IEP Team may determine that extended school year services are needed outside the school year; and
  - d. Each affected LEA will participate in transition planning conferences arranged by the designated lead agency for Part C.
3. In developing the IEP for a student with a disability ages three through five or, at the discretion of Box Elder School District, a two-year-old student with a disability who will turn age three during the school year, the IEP Team must consider the contents of an IFSP that contains the natural environments statement and an educational component that promotes school readiness and incorporates pre-literacy, language, and numeracy skills (34 CFR § 300.323).
4. In the case of a student who was previously served under Part C of the IDEA, an invitation to the initial IEP meeting must, at the request of the parent, be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services (34 CFR § 300.321).

### VII.B. TRANSITION SERVICES—SCHOOL TO POST-SCHOOL (RULES VII.B.)

1. Purpose (34 CFR § 300.1; Rules VII.B.1.)

To ensure that all students with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.
2. Definition (34 CFR § 300.43; Rules VII.B.2.)
  - a. *Transition services* means a coordinated set of activities for a student with a disability that:

- (1) Is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability, to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;
  - (2) Is based on the individual student's needs, taking into account the student's strengths, preferences, and interests, and includes:
    - (a) Instruction;
    - (b) Related services;
    - (c) Community experiences;
    - (d) The development of employment and other post-school adult living objectives; and
    - (e) If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.
- b. Transition services for students with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a student with a disability to benefit from special education.
3. Parent or adult student participation (34 CFR § 300.322; Rules VII.B.3.)
- For a student with a disability age 14 and older, or younger if determined appropriate by the IEP Team, the notice of meeting must indicate:
- a. That a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the student;
  - b. That Box Elder School District will invite the student; and
  - c. Identify any other agency that will be invited, with the consent of the parent(s) or adult student, to send a representative.
4. IEP Team (34 CFR § 300.321; Rules VII.B.4.)
- For an IEP Team meeting that includes as a purpose the development of a transition plan:
- a. Box Elder School District must invite the student with a disability to attend the student's IEP meeting if a purpose of the meeting will be the consideration of the post-secondary goals for the student and the transition services needed to assist the student in reaching those goals.
  - b. If the student does not attend the IEP meeting, Box Elder School District must take other steps to ensure that the student's preferences and interests are considered.

- c. To the extent appropriate, with the consent of the parent(s) or adult student, Box Elder School District must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.
5. Definition of IEP (34 CFR § 300.320(b); Rules VII.B.5.)
- a. Transition services. For a student with a disability, ages 14 and older, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include:
    - (1) Realistic and reasonable measurable postsecondary goals based upon annual age-appropriate transition assessments related to training or education, employment, and, where appropriate, independent living skills;
    - (2) Transition services, including multi-year courses of study, that will reasonably enable the student to reach the post-secondary goals identified on the IEP;
    - (3) Evidence that the student was invited to the IEP Team meeting where transition services are to be discussed. If the student does not attend the IEP meeting, the IEP Team must take other steps to ensure the student's preferences and interests are considered;
    - (4) If appropriate, evidence that a representative of any participating agency that might be providing or paying for any transition services was invited to the IEP Team meeting with written consent of the parent or adult student prior to the meeting; and
    - (5) Any modifications to graduation requirements, as permitted under R277-700.
  - b. Students with disabilities must have access to school counselors for the purpose of planning and must be actively invited and included (when appropriate) in school activities which address course planning (including online courses), graduation, and post-secondary education and employment (i.e., college week, scholarship opportunities, ACT, and concurrent enrollment).
6. Transfer of rights at age of majority (34 CFR §§ 300.320(c), 300.520; Rules VII.B.6.)
- a. Not later than the student's 17th birthday, the IEP must include a dated statement, signed by the student, parent, and an LEA Representative, that the student and the student's parent(s) have been informed of parent's rights under Part B of the IDEA that will transfer to the student on reaching the age of majority (i.e., age 18), except for a student with a disability who has been determined to be incompetent by a court.
  - b. All rights accorded to parents under Part B of the IDEA transfer to the student on his/her 18th birthday unless the IEP Team determines that:
    - (1) The parent has obtained legal guardianship, power of attorney, or conservatorship; or

- (2) The student has married or become emancipated (in which case the rights transfer at that time).
  - c. All rights accorded to parents under Part B of the IDEA transfer to students who are incarcerated in an adult or juvenile State or local correctional institution.
7. Termination of eligibility as a change of placement (34 CFR § 300.305; Rules VII.B.7.)
- a. An evaluation is not required before the termination of a student's eligibility under this part due to graduation from secondary school with a regular high school diploma, or due to exceeding the age of eligibility for FAPE under Utah law.
  - b. For a student whose eligibility terminates due to graduation from secondary school with a regular diploma, or due to exceeding the age of eligibility for FAPE under Utah law, an LEA must provide the student with a summary of the student's academic achievement and functional performance which shall include a statement of the student's post-secondary goals, recommendations on how to assist the student in meeting the student's postsecondary goals, and a statement of when and how accommodations were used for instruction and assessment.
  - c. Receipt of a general educational development (GED) credential does not end eligibility for FAPE.
8. Failure to meet transition objectives (34 CFR § 300.324; Rules VII.B.8.)
- a. If a participating agency, other than Box Elder School District, fails to provide the transition services described in the IEP, the LEA must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.
  - b. Nothing relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that LEA (34 CFR § 300.324).
  - c. If any public agency other than an educational agency is otherwise obligated under Federal or State law, or assigned responsibility under State policy or an interagency agreement, to provide or pay for any services that are also considered special education or related services such as, but not limited to, services relating to assistive technology devices, assistive technology services, related services, supplementary aids and services, and transition services, that are necessary for ensuring a FAPE to students with disabilities within the State, the public agency must fulfill that obligation or responsibility, either directly or through contract or other arrangement or as provided in an interagency agreement.
9. Students with disabilities in adult prisons (34 CFR § 300.324; Rules VII.B.9.)
- a. The requirements relating to transition planning and transition services do not apply with respect to those students whose eligibility under Part B of the IDEA will end,

because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release.

- b. The obligation to make FAPE available to all students with disabilities does not apply with respect to students ages 18 through 21 to the extent that State law does not require that special education and related services under Part B of the IDEA be provided to students with disabilities who, in the last educational placement prior to their incarceration in an adult correctional facility (34 CFR § 300.102):
  - (1) Were not actually identified as being a student with a disability; and
  - (2) Did not have an IEP under Part B of the IDEA.
- c. The exception does not apply to students with disabilities ages 18 through 21 who:
  - (1) Had been identified as a student with a disability and had received services in accordance with an IEP, but who left school prior to their incarceration; or
  - (2) Did not have an IEP in their last educational setting, but who had actually been identified as a student with a disability.

#### VII.C. GRADUATION (UCA 53E-7-202; R277-705; RULES VIII.C.)

- 1. The obligation of Box Elder School District to make FAPE available to all students with disabilities does not apply to students with disabilities who have graduated from high school with a regular high school diploma (34 CFR § 300.102(a)(3)(i)).
  - a. The exception above does not apply to students that have graduated from high school but have not been awarded a regular high school diploma (34 CFR § 300.102(a)(3)(ii)).
  - b. Box Elder School District may not withhold a regular high school diploma from a student who has met State or LEA graduation requirements.
  - c. Graduation from high school with a regular high school diploma constitutes a change in placement, requiring prior written notice that must contain all the requirements in Rule IV.D, including being given a reasonable time before Box Elder School District proposed to terminate the student's eligibility under the IDEA by issuing the student a diploma (34 CFR § 300.503).
  - d. The term "regular high school diploma" does not include an alternative degree that is not fully aligned with the State's academic standards, such as a certificate or a GED (34 CFR § 300.102(a)(3)(iv)).
- 2. A student with a disability served by a special education program shall satisfy high school completion or graduation criteria, consistent with State and federal law and the student's IEP. Box Elder School District may modify graduation requirements consistent with the student's IEP (R277-700-6(25)). Box Elder School District may award a student a certificate of completion consistent with state and federal law and the student's IEP.

3. The IEP Team must refer to the USBE Special Education Graduation Guidelines for additional information regarding modifying graduation requirements and IEP substitutions.

**VII.D. TERMINATION OF SERVICES UPON REACHING AGE 22 (R277-419-2(25)(B); RULES VII.D.)**

1. If a student with a disability turns 22 any time after July 1, LEAs must continue to provide FAPE until the end of that school year.

## VIII. RESPONSIBILITIES OF THE UTAH STATE BOARD OF EDUCATION

In addition to the requirements listed below, Box Elder School District provides data as required for State and Federal reports and other State functions as listed in Rules VIII.

### VIII.A. GENERAL SUPERVISORY AUTHORITY

1. LEA Special Education Program Funding (Rules VIII.A.3.)
  - a. Box Elder School District shall provide, either singly or in cooperation with other school districts or public institutions, a free appropriate public education program for all students with disabilities who are enrolled in Box Elder School District. The program shall include necessary special facilities, instruction, and education-related services. The costs of Box Elder School District's program, or share of a joint program, shall be paid from LEA funds.
  - b. Box Elder School District shall receive funds under UCA Title 53F, Chapter 2, State Funding--Minimum School Program, and other applicable laws to provide special education services in accordance with the Rules.
  - c. Box Elder School District may, singly or in cooperation with other public entities, provide education and training for persons with disabilities who are younger than 3 or older than 22. The cost of such a program may be paid from fees, contributions, and other funds received by LEA for support of the program but may not be paid from public education funds.
2. The requirements of Part B of the IDEA and the Rules are binding on each LEA and other public agency that has direct or delegated authority to provide special education and related services in the State of Utah.

### VIII.B. STATE ELIGIBILITY (34 CFR § 300.110; USBE VIII.B.3.)

1. Program Options.
  - a. Box Elder School District takes steps to ensure that its students with disabilities have available to them the variety of educational programs and services available to nondisabled students in the area served by the agency, including art, music, industrial arts, consumer and homemaking education, and vocational education.

### VIII.C. USBE PROGRAM MONITORING (USBE VIII.D.2-3.)

1. Box Elder School District is involved in the Utah's Program Improvement Planning System (UPIPS) monitoring system, as required under Part B of the IDEA, R277-709, and R277-114-3. Box Elder School District shall complete the required activities according to the timeline provided by the USBE staff.
2. Results of the monitoring process are publicly available, upon request.

### VIII.D. PERSONNEL QUALIFICATIONS (34 CFR § 300.156; RULES VIII.K.3-5.)

1. Qualifications for special education teachers (R277-504).

The USBE and IDEA established qualifications for each person employed as a public school special education teacher in the State who teaches in an elementary school, middle school, or secondary school.

2. Related services personnel and paraeducators (R277-506 and R277-524).

The qualifications include qualifications for related services personnel and paraeducators that:

- a. Are consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services; and
- b. Ensure that related services personnel who deliver services in their discipline or profession:
  - (1) Meet the requirements; and
  - (2) Have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis; and
- c. Allow paraeducators and assistants who are appropriately trained and supervised, in accordance with State law, regulation, or written policy, in meeting the requirements of this part, to be used to assist in the provision of special education and related services under Part B of the IDEA to students with disabilities.
- d. Interpreters for the Deaf.

Under UCA 35A-13-604, an individual is required to be certified as an interpreter if that individual provides interpreter services for deaf and hard of hearing students.

3. Notwithstanding any other individual right of action that a parent, adult student, or student may maintain under this part, nothing in this part shall be construed to create a right of action on behalf of an individual student or a class of students for the failure of a particular SEA, LEA, or other public agency employee to be highly qualified, or to prevent a parent or adult student from filing a State complaint about staff qualifications with the State Director of Special Education.

**VIII.E. REPORTING ON SUSPENSION AND EXPULSION RATES (34 CFR § 300.170; RULES VIII.M.)**

1. Through daily uploads, Box Elder School District shall report to the USBE staff, through the UTREx reporting system, on the rates of long-term suspensions and expulsions of students with disabilities and nondisabled students, including data disaggregated by race and ethnicity. The USBE staff shall examine these data to determine if significant discrepancies are occurring:
  - a. Between nondisabled students and students with disabilities within Box Elder School District.

2. If discrepancies are occurring, the USBE staff shall review and, if appropriate, require revisions in both USBE and LEA policies, procedures, and practices to ensure compliance with Part B of the IDEA.
3. Policies, procedures, and practices to be reviewed and, if appropriate, revised, include:
  - a. The development and implementation of IEPs;
  - b. The use of positive behavior interventions and supports; and
  - c. Procedural safeguards.

#### VIII.F. PROHIBITION ON MANDATORY MEDICATION (34 CFR § 300.174; RULES VIII.X.)

1. The USBE prohibits State and Box Elder School District personnel from requiring parents or adult students to obtain a prescription for substances identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act for a student as a condition of attending school, receiving an evaluation, or receiving services under Part B of the IDEA (21 USC § 812(c)).
2. Nothing in Rules VIII.X.1. shall be construed to create a Federal prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parent(s) or adult student regarding a student's academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education or related services related to child find.

## IX. LEA ELIGIBILITY AND RESPONSIBILITIES

### IX.A. LEA ELIGIBILITY FOR IDEA PART B FUNDS (34 CFR §§ 300.211–212, 220)

Federal special education funding is made available through a grant to the state from the Office of Special Education Programs (OSEP). These funds are restricted and may only be used to provide services and program for students who qualify under Part B of the IDEA. Funds are available for students who are 3–5 (section 619 Preschool) and for students age 3–21 (section 611 School-Age). Some funds are retained at the state level for administration and for state level activities. The remaining funds are distributed to Utah Local Education Agencies (LEAs) by formula.

1. Annually, the USBE staff shall notify Box Elder School District of the availability of Federal funds under Part B of the IDEA. In order to receive IDEA Part B flow-through funds, Box Elder School District must have in effect a USBE-approved special education program (Rules X.B.2.), including policies and procedures that are consistent with the Rules.
2. Box Elder School District must have a USBE-approved special education program (UCA 53F-2-307; (Rules IX.A.2)). Box Elder School District's program is approved by the state board when Box Elder School District's special education policies and procedures are approved by the USBE special education staff and then by Box Elder School District's local board in a public meeting. Box Elder School District must submit documentation of the local board's approval to the USBE special education staff. The USBE approval of Box Elder School District's policies and procedures includes the approval of any supporting documentation necessary to ensure their implementation. All required minimum components of Rules A.2.a-e are addressed in this policies and procedures manual.
3. As part of establishing eligibility for Part B funds, Box Elder School District must have revised policies and procedures in alignment with the IDEA 2004 final regulations and current Rules within one year of the final USBE approval of Rules.
4. Policies and procedures submitted by Box Elder School District in accordance with this section, and approved by the USBE staff, remain in effect until any of the following occur (34 CFR § 300.220):
  - a. The LEA submits modifications to the USBE staff that the SEA or LEA determines are necessary;
    - (1) The provisions of the Rules apply to any modifications in an LEA's policies and procedures in the same manner and to the same extent as the LEA's original policies and procedures.
  - b. The USBE staff gives the LEA notice of a new interpretation of the IDEA by Federal or State courts, or a change in Federal statute; or
  - c. There is an official finding of noncompliance with Federal or State law or regulations that requires a change in the LEA's policy and procedures.

5. Box Elder School District must have on file with the USBE staff, information to demonstrate that it will make available to parents of students with disabilities or adult students and to the general public all documents relating to the eligibility of the LEA under Part B of the IDEA (34 CFR § 300.212).
6. Box Elder School District creates annual improvement goals based on the State Performance Plan (SPP) and Annual Performance Report (APR) Indicators to improve outcomes for students with disabilities (Rules IX.A.2.d(2)(r)).
7. Box Elder School District collects and provides additional information which the USBE may require in order to meet Federal reporting requirements, including suspension and expulsion rates, LRE environments, disproportionality data, personnel information, and others (Rules IX.A.2.e).

#### **IX.B. USE OF PART B FEDERAL FUNDS BY THE LEA (34 CFR §§ 300.200–206, 208)**

1. Box Elder School District submits a plan that provides assurances to the USBE that Box Elder School District meets each of the conditions in Rules IX.B. (34 CFR § 300.200).
2. Box Elder School District has in effect policies, procedures, and programs that are consistent with the State policies and procedures established in the Rules (34 CFR § 300.201).
3. Use of amounts (34 CFR § 300.202).

Box Elder School District has on file with the USBE staff, information to demonstrate that amounts provided to the LEA under Part B of the IDEA:

- a. Will be expended in accordance with the applicable provision of the Rules.
  - b. Will be used only to pay the excess costs of providing special education and related services to students with disabilities consistent with the Rules; and
  - c. Will be used to supplement State, local, and other Federal funds and not to supplant those funds.
4. The excess cost requirement prevents Box Elder School District from using funds provided under Part B of the IDEA to pay for all of the costs directly attributable to the education of a student with a disability.
  5. Box Elder School District meets the excess cost requirement if it has spent at least a minimum average amount for the education of its students with disabilities before funds under Part B of the IDEA are used.
  6. Maintenance of effort (34 CFR § 300.203).
    - a. Eligibility standard.
      - (1) For purposes of establishing Box Elder School District’s eligibility for an award for a fiscal year, the USBE must determine that Box Elder School District budgets for the education of students with disabilities for at least the same amount, from at least one of the following sources, as Box Elder School District spent for that

purpose from the same source for the most recent fiscal year for which information is available:

- (a) Local funds only;
- (b) The combination of State and local funds;
- (c) Local funds only on a per capita basis; or
- (d) The combination of State and local funds on a per capita basis.

(2) When determining the amount of funds that Box Elder School District must budget to meet the requirement in paragraph Rules IX.B.6.a.(1), Box Elder School District may take into consideration, to the extent the information is available, the exceptions and adjustment provided in 34 CFR §§ 300.204 and 300.205 that Box Elder School District:

- (a) Took in the intervening year or years between the most recent fiscal year for which information is available and the fiscal year for which Box Elder School District is budgeting; and
- (b) Reasonably expects to take in the fiscal year for which Box Elder School District is budgeting.

(3) Expenditures made from funds provided by the Federal government for which the SEA is required to account to the Federal government or for which Box Elder School District is required to account to the Federal government directly or through the USBE may not be considered in determining whether Box Elder School District meets the standard in Rules IX.B.6.a.(1).

b. Compliance standard.

(1) Except as provided in 34 CFR §§ 300.204 and 300.205, funds provided to Box Elder School District under Part B of the IDEA will not be used to reduce the level of expenditures for the education of students with disabilities made by the LEA from local funds below the level of those expenditures for the preceding fiscal year.

(2) Box Elder School District meets this standard if it does not reduce the level of expenditures for the education of students with disabilities made by Box Elder School District from at least one of the following sources below the level of those expenditures from the same source for the preceding fiscal year, except as provided in 34 CFR §§ 300.204 and 300.205:

- (a) Local funds only;
- (b) The combination of State and local funds;
- (c) Local funds only on a per capita basis; or
- (d) The combination of State and local funds on a per capita basis.

- (3) Expenditures made from funds provided by the Federal government for which the USBE is required to account to the Federal government or for which Box Elder School District is required to account to the Federal government directly or through the USBE may not be considered in determining whether Box Elder School District meets the standard of Rules IX.B.6.b.(1) and IX.B.6.b.(2).
- c. Subsequent years.
- (1) If, in the fiscal year beginning on July 1, 2013 or July 1, 2014, Box Elder School District fails to meet the requirements of 34 CFR § 300.203 in effect at that time, the level of expenditures required of Box Elder School District for the fiscal year subsequent to the year of the failure is the amount that would have been required in the absence of that failure, not Box Elder School District's reduced level of expenditures.
  - (2) If, in any fiscal year beginning on or after July 1, 2015, Box Elder School District fails to meet the requirement of Rules IX.B.6.b.(2)(a) or IX.B.6.b.(2)(c) and Box Elder School District is relying on local funds only, or local funds only on a per capita basis, to meet the requirements of the Rules IX.B.6.a or IX.B.6.b, the level of expenditures required of Box Elder School District for the fiscal year subsequent to the year of the failure is the amount that would have been required under Rules IX.B.6.b.(2)(a) or IX.B.6.b.(2)(c) in the absence of that failure, not Box Elder School District's reduced level of expenditures.
  - (3) If, in any fiscal year beginning on or after July 1, 2015, Box Elder School District fails to meet the requirement of Rules IX.B.6.b.(2)(b) or IX.B.6.b.(2)(d) and Box Elder School District is relying on the combination of State and local funds, or the combination of State and local funds on a per capita basis, to meet the requirements of Rules IX.B.6.a or IX.B.6.b, the level of expenditures required of Box Elder School District for the fiscal year subsequent to the year of the failure is the amount that would have been required under Rules IX.B.6.b.(2)(b) or IX.B.6.b.(2)(d) in the absence of that failure, not Box Elder School District's reduced level of expenditures.
- d. Consequence of failure to maintain effort.
- (1) If Box Elder School District fails to maintain its level of expenditures for the education of students with disabilities in accordance with Rules IX.B.6.b, the USBE is liable in a recovery action under section 452 of the General Education Provisions Act (20 USC § 1234a) to return to the Department, using non-Federal funds, an amount equal to the amount by which Box Elder School District failed to maintain its level of expenditures in accordance with Rules IX.B.6.b. in that fiscal year, or the amount of Box Elder School District's Part B subgrant in that fiscal year, whichever is lower.
  - (2) If the USBE is required to return funds to the Department because of Box Elder School District's failure to meet the Maintenance of Effort requirement, the

USBE shall reduce the amount provided to Box Elder School District's Minimum School Program (MSP) Basic Program on a 1/12 basis.

7. Exception to maintenance of effort (34 CFR § 300.204).

Box Elder School District may reduce the level of expenditures by Box Elder School District under Part B of the IDEA below the level of those expenditures for the preceding fiscal year if the reduction is attributable to any of the following:

- a. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.
- b. A decrease in the enrollment of students with disabilities.
- c. The termination of the obligation of Box Elder School District, consistent with this part, to provide a program of special education to a particular student with a disability that is an exceptionally costly program, as determined by the USBE staff, because the student:
  - (1) Has left the jurisdiction of Box Elder School District;
  - (2) Has reached the age at which the obligation of Box Elder School District to provide a FAPE to the student has terminated; or
  - (3) No longer needs the program of special education.
- d. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.
- e. The assumption of cost by the high-cost (i.e., Intensive Services fund) fund operated by the USBE staff.

8. Adjustment to local fiscal efforts in certain fiscal years (34 CFR § 300.205).

- a. For any fiscal year for which the allocation received by Box Elder School District under Part B of the IDEA exceeds the amount the LEA received for the previous fiscal year, Box Elder School District may reduce the level of expenditures otherwise required by maintenance of efforts requirements by not more than 50 percent of the amount of that excess.

b. Use of amounts to carry out activities under ESEA/ESSA.

If Box Elder School District exercises the authority to reduce the level of expenditures due to an increase in Part B funds, Box Elder School District must use an amount of local funds equal to the reduction in expenditures to carry out activities that could be supported with funds under the ESEA/ESSA, regardless of whether Box Elder School District is using funds under the ESEA/ESSA for those activities.

- c. The USBE staff must prohibit Box Elder School District from reducing the level of expenditures for a fiscal year, if the USBE staff determines that:

- (1) Box Elder School District is unable to establish and maintain programs of FAPE that meet the requirements of Part B of the IDEA, or
  - (2) The USBE staff has taken action against Box Elder School District under Section 616 of the IDEA and subpart F of the regulations (Monitoring, Technical Assistance, and Enforcement).
- d. The amount of funds expended by Box Elder School District for mandatory or voluntary Coordinated Early Intervening Services (CEIS) shall count toward the maximum amount of expenditures that Box Elder School District may reduce under the requirements of this section.
9. If the USBE staff determines that Box Elder School District is not meeting the requirements of the Rules, the USBE staff may prohibit Box Elder School District from treating funds received under Part B of the IDEA as local funds under this section for any fiscal year, but only if it is authorized to do so by the State constitution or State statute.
10. School-wide programs under Title I of the ESEA/ESSA (34 CFR § 300.206).
- a. Box Elder School District may use funds received under Part B of the IDEA for any fiscal year to carry out a school-wide program under section 1114 of the ESEA/ESSA, except that the amount used in any school-wide program may not exceed the amount received by the LEA under Part B of the IDEA for that fiscal year:
    - (1) Divided by the number of students with disabilities in the jurisdiction of the LEA; and
    - (2) Multiplied by the number of students with disabilities participating in the school-wide program.
  - b. The funds described in this section must be considered as Federal Part B funds for purposes of the calculations required for excess costs and supplanting.
  - c. The funds may be used without regard to the requirements of 34 CFR § 300.202(a)(1) of the IDEA.
  - d. All other requirements of Part B of the IDEA must be met by Box Elder School District using Part B funds for school-wide programs under section 1114 of the ESEA/ESSA, including ensuring that students with disabilities in school-wide program schools:
    - (1) Receive services in accordance with a properly developed IEP; and
    - (2) Are afforded all the rights and services guaranteed to students with disabilities under Part B of the IDEA.

**IX.C. CHARTER SCHOOLS AND THEIR STUDENTS (34 CFR § 300.209; RULES IX.C.)**

- 1. Nothing in the Rules prohibit school districts and charter schools from developing a Memorandum of Understanding (MOU) to address student specific needs and/or placements.

#### **IX.D. COORDINATED EARLY INTERVENING SERVICES (CEIS) (34 CFR § 300.226; RULES IX.D.)**

1. Box Elder School District may not use more than 15 percent of the amount Box Elder School District receives under Part B of the IDEA for any fiscal year, less any amount reduced by the LEA pursuant to maintenance of effort, if any, in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated early intervening services (CEIS), which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.
2. In implementing CEIS, Box Elder School District may carry out activities that include:
  - a. Professional learning (which may be provided by entities other than LEAs) for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavior interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and
  - b. Providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.
3. CEIS may not be used to limit or create a right to FAPE under Part B of the IDEA or to delay appropriate evaluation of a student suspected of having a disability.
4. Box Elder School District must annually report to the USBE staff on:
  - a. The number of students served under this section who received early intervening services; and
  - b. The number of students served under this section who received early intervening services and subsequently receive special education and related services under Part B of the IDEA during the preceding two-year period.
5. Funds made available to carry out this section may be used to carry out coordinated early intervening services aligned with activities funded by, and carried out under, the ESEA/ESSA if those funds are used to supplement, and not supplant, funds made available under the ESEA/ESSA for the activities and services assisted under this section. LEAs should refer to the USBE CEIS Technical Assistance for additional information.

#### **IX.E. PERSONNEL DEVELOPMENT (34 CFR § 300.207; RULES IX.E.)**

1. Box Elder School District must ensure that all personnel necessary to carry out Part B of the IDEA are appropriately and adequately prepared, subject to the requirements related to personnel qualifications and section 2122 of the ESEA/ESSA, as well as 34 CFR § 300.156; R277-504, R277-506, R277-520, and R277-524.

2. Paraeducators, when used to carry out Part B of the IDEA, must be appropriately trained and supervised, and utilized in accordance with USBE Paraeducator Standards.
  - a. Box Elder School District shall provide documentation of paraeducator training and supervision to USBE staff upon request.

**IX.F. FUNDED PREVALENCE OF DISABLING CONDITIONS (UCA 53F-2-307; RULES IX.F.)**

1. The USBE shall limit a school district's allocation of State special education monies to 12.18 percent of the school district's average daily membership (ADM).
2. Students three and four years of age and those students turning five after September 1 who are classified as developmentally delayed are not included in the school district's 12.18 percent ADM maximum.
3. Public charter schools are not subject to the prevalence funding limits in this section because a charter school's boundaries are not defined.

**IX.G. LEA PROVISION OF FAPE (34 CFR § 300.101; RULES IX.G.)**

1. Box Elder School District will oversee the caseload of each special educator (including psychologists, social workers, speech-language pathologists, occupational therapists, physical therapists, adapted PE specialists, and any other related servers) to ensure that a free appropriate public education is available to all eligible students with disabilities.

**IX.H. ROUTINE CHECKING OF HEARING AIDS AND EXTERNAL COMPONENTS OF SURGICALLY IMPLANTED MEDICAL DEVICES (34 CFR § 300.113; RULES IX.H.)**

1. Hearing aids. Box Elder School District must ensure that hearing aids worn in school by students with hearing loss, including deafness, are functioning properly.
2. External components of surgically implanted medical devices.
  - a. Subject to Rules IX.H.2.b., each public agency must ensure that the external components of surgically implanted medical devices are functioning properly.
  - b. For a student with a surgically implanted medical device who is receiving special education and related services, Box Elder School District is not responsible for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of the surgically implanted medical device).

**IX.I. EDUCATOR LICENSE REQUIREMENTS (R277-504; R277-506; R277-520; RULES IX.I.)**

Professionals providing services to students with disabilities must hold a Utah Professional Educator License or Endorsement in the area in which they provide services. This includes special education teachers, speech/language pathologists, school psychologists, school social workers, and other professionals. Physical and occupational therapists must hold

appropriate Utah licensure. The Box Elder School District administration shall be responsible for the evaluation of the appropriateness of licenses and endorsements when assigning staff members. Box Elder School District refers to the USBE Teaching, Leadership, and Paraeducator Standards.

1. *Preschool Special Education (Birth–Age 5) License* area of concentration means a teaching license required for teaching preschool students with disabilities (R277-501-2(11)).
2. *Special Education (K–12) License* area of concentration means the license required for teaching students with disabilities in kindergarten through grade 12. Special Education areas of concentration carry endorsements in at least one of the following areas (R277-504-2(13)(a)):
  - a. Mild/Moderate Disabilities,
  - b. Severe Disabilities,
  - c. Deaf and Hard of Hearing,
  - d. Blind and Visually Impaired, and
  - e. Deafblind.
3. Teachers providing services to the single category of Speech Language Impairment must hold the appropriate license, endorsement, or area of concentration in the category of Speech Language Impairment (R277-506).
4. Teachers assigned to teach academic subjects in elementary and secondary special education programs must, in addition to their special education license, meet the standards for personnel under the USBE and the ESEA/ESSA.
5. School social workers and school psychologists providing services to students with disabilities must be licensed by the USBE (R277-506).
6. Teachers serving preschool-aged students with disabilities must hold the Special Education (Birth–Age 5) educator license (R277-504).
7. Individuals providing psychological evaluation services for students with disabilities must hold a Utah education license for school psychologists or State licensure and meet the assessment publisher’s criteria for administration (R277-506).

#### **IX.J. PURCHASE OF INSTRUCTIONAL MATERIALS IN ACCESSIBLE FORMATS (34 CFR § 300.210; RULES IX.J.)**

1. Box Elder School District chooses to coordinate with the National Instructional Materials Access Center (NIMAC), when purchasing print instructional materials, and must acquire those instructional materials in the same manner, and subject to the same conditions as the USBE under Rules VIII.W.

2. Nothing in this section relieves Box Elder School District of its responsibility to ensure that students with disabilities who need instructional materials in accessible formats but are not included under the definition of blind or other persons with print disabilities or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner.
3. For all purposes of this section, the USBE defines timely manner as follows: the USBE and LEAs must take reasonable steps to provide instructional materials in accessible formats to students with disabilities who need those instructional materials at the same time as other students receive instructional materials.

**IX.K. SCHOOL DISTRICTS TO PROVIDE USDB CLASS SPACE (UCA 53E-8-410; RULES IX.K.)**

1. If Box Elder School District has students who reside within Box Elder School District's boundaries and are served by the Utah Schools for the Deaf and the Blind (USDB), Box Elder School District shall make a good faith effort to provide the USDB with space required for programs offered by the USDB.

## **X. SPECIAL EDUCATION FUNDING (RULES X.)**

As the State Education Agency (SEA), the USBE has a responsibility under both Federal and State law to monitor implementation of the IDEA by LEAs through a system of general supervision that improves educational results and functional outcomes and ensures that public agencies meet program requirements. The special education program that is funded both from federal and state funds and it is critical to understand the similarities and differences of these funding sources.

“Federal special education funds” means funds paid to the State under IDEA Part B for the purposes of special education.

“State special education funds” means state funds appropriated to public education for the purposes of special education.

Federal special education funds are calculated, allocated, and classified differently than state special education funds. Rules X outline the regulations, restrictions, and allowable costs and activities applicable to each funding source; some requirements are the same for both funding sources and some provisions apply only to one or the other.

### **X.A. STATE SPECIAL EDUCATION FUNDS GENERALLY (RULES X.A.)**

1. State special education funds may be spent only for direct costs, as outlined in the Rules. Direct costs are those elements of cost which can be easily, obviously, and conveniently identified with specific special education activities or programs, as distinguished from those costs incurred for several different activities or programs and whose elements are not readily identifiable with specific special education activities.
2. State special education funds are appropriated to the Minimum School Program (MSP) and provide restricted (categorical) monies that must be spent for the education of students with disabilities.

### **X.B. ALLOCATION OF STATE SPECIAL EDUCATION FUNDS FOR PROGRAMS FOR STUDENTS WITH DISABILITIES (UCA 53F-2-307; R277-479; RULES X.B.3.)**

1. Box Elder School District must be current with the Utah Program Improvement Planning System (UPIPS) monitoring requirements, including correction of noncompliance within one year of notification, annual Corrective Action Plan (CAP) and Program Improvement Plan (PIP) reports, and desk audit submissions to be eligible for State special education funds.

### **X.C. SPECIAL EDUCATION ADD-ON ALLOWABLE USE (FUND 1205) (UCA 53F-2-307(1); RULES X.C.)**

1. Box Elder School District will use Special Education add-on funds in accordance with Rules X.B. and to cover the direct costs of providing special education to students with disabilities.

**X.D. SPECIAL EDUCATION SELF-CONTAINED ALLOWABLE USE (FUND 1210) (UCA 53F-2-307(3); RULES X.E.)**

1. "Self-contained" means a public-school student with an IEP or a youth in custody/care (YIC) who receives 180 minutes or more of special education or YIC services during a typical school day per R277-419-2(35).
2. Box Elder School District will use Special Education Self-Contained funds only for direct costs attributable to the cost of the special education of students with disabilities whose placement is a special class or self-contained environment.

**X.E. STATE SPECIAL EDUCATION IMPACT AID ALLOWABLE USE (FUND 1225) (UCA 53F-2-307(1); RULES X.I.)**

1. Box Elder School District will use state special education funds for direct costs attributable to the cost of administering the special education program as follows:
  - a. Costs for students in state custody (prisons, detention facilities, and the state hospital)
  - b. Additional costs attributable for services to students with low-incidence disabilities

**X.F. STATE SPECIAL EDUCATION EXTENDED SCHOOL YEAR (ESY) ALLOWABLE USE (FUND 1220) (UCA 53F-2-308(2); RULES X.K.)**

1. Box Elder School District will use state special education funds for direct costs attributable to the cost of extended year services (ESY) provided to students with disabilities, determined by the student's IEP team to require ESY in order to receive a FAPE and in accordance with R277-751.

**X.G. STATE EXTENDED SCHOOL YEAR STIPEND FOR SPECIAL EDUCATORS (EYSE) ALLOWABLE USE (FUND 1278) (UCA 53F-2-310; RULES X.M.)**

1. Box Elder School District will use state special education funds for salaries and allowable benefits of Special Education Teachers, or Speech Language Pathologists who provide eligible services under R277-525-2.
2. A special educator receiving a stipend shall: (a) work an additional day beyond the number of days contracted with the special educator's school district or school for each daily stipend; (b) schedule the additional days of work before or after the school year; and (c) use the additional days of work to perform duties related to the IEP process, including: administering student assessments, conducting IEP meetings, writing IEP's, conferring with parent(s) or adult students, and preparing and maintaining records.

**X.H. STATE SPECIAL EDUCATION INTENSIVE SERVICES ALLOWABLE USE (FUND 1230) (UCA 53F-2-309(1); RULES X.O.)**

1. Box Elder School District will use state special education funds for direct costs attributable to the cost of implementing IEPs for students with disabilities.

2. Cost of services to a student with a disability must be in excess of three times the annual average per pupil expenditure (APPE) as calculated by USBE Financial Operations.
3. Costs must meet the eligibility requirements outlined in R277-752.

#### **X.I. STATE SPECIAL EDUCATION FUNDS ALLOWABLE USE (RULES X.P.)**

1. State special education funds may be spent only for direct costs, as outlined in Rules X.B. Direct costs are those elements of cost which can be easily, obviously, and conveniently identified with specific special education activities or programs, as distinguished from those costs incurred for several different activities or programs and whose elements are not readily identifiable with specific special education activities. (Rules X.A.1.).
2. Box Elder School District will use state special education funds for the costs of providing for specially designed instruction, related services, and supplementary aids and services provided in a regular class or other education-related setting to a student with a disability in accordance with the IEP of the student.
3. Box Elder School District will use state special education funds for the costs of providing inclusive special education preschool services.
4. Box Elder School District will use state special education funds for the costs of including peer models in IEP services that require a peer model.
5. Box Elder School District will use state special education funds for the costs of providing co-teaching, in which both a licensed general educator and licensed special education teacher plan and provide specially designed instruction.
6. Box Elder School District follows the allowable use of state special education funds as listed in Rules X.P.6.

#### **X.J. ALLOWABLE COSTS FOR FEDERAL (IDEA) SPECIAL EDUCATION FUNDS (RULES X.R.1.; 4-7.)**

1. Funds paid to the State under IDEA Part B for the purposes of special education ("Federal special education funds") are calculated, allocated, and classified differently than State special education funds.
2. Box Elder School District will use Federal special education funds for the costs of providing for specially designed instruction, related services, and supplementary aids and services provided in a regular class or other education-related setting to a student with a disability in accordance with the IEP of the student.
3. Box Elder School District will use Federal special education funds for the costs of providing inclusive special education preschool services.
4. Box Elder School District will use Federal special education funds for the costs of including peer models in IEP services that require a peer model.

5. Box Elder School District will use Federal special education funds for the costs of providing co-teaching, in which both a licensed general educator and licensed special education teacher plan and provide specially designed instruction.
6. Box Elder School District follows the allowable use of Federal special education funds, as listed in Rules X.R.8.

# **AP & RISE Data**

# **2020-2021**

**Box Elder School District**

**School Board Report**

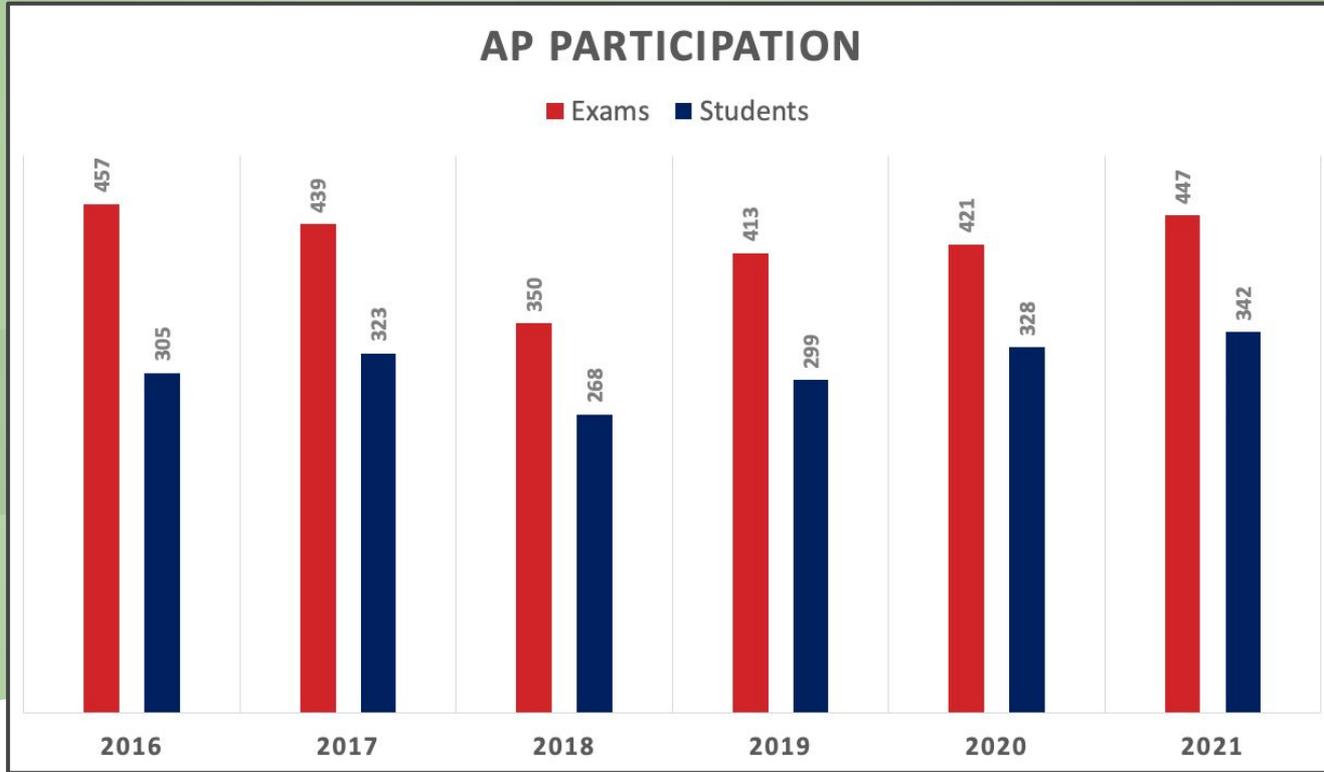
**AP**

**2020-2021**

# AP Participation

District Totals	1	2	3	4	5	Total Exams
Number of Exams	50	140	140	82	35	447
Percentage of Total Exams	11%	31%	31%	18%	8%	100%
Number of AP Students	47	128	122	77	32	
Total AP Students						342

# AP Participation Over Time



# AP Scores by Exam

Subject Totals	1	2	3	4	5	Total Exams	Pass Rate
Biology	2	11	20	9	1	43	70%
Calculus AB	8	32	13	5	3	61	34%
Calculus BC	1	5	10	6	5	27	78%
Chemistry	3	3	5	3		14	57%
Chinese Language and Culture		3	9	7	4	23	87%
Comparative Government and Politics		3	6	4		13	77%
Drawing			1			1	100%
English Language and Composition		1	3	1	2	7	86%

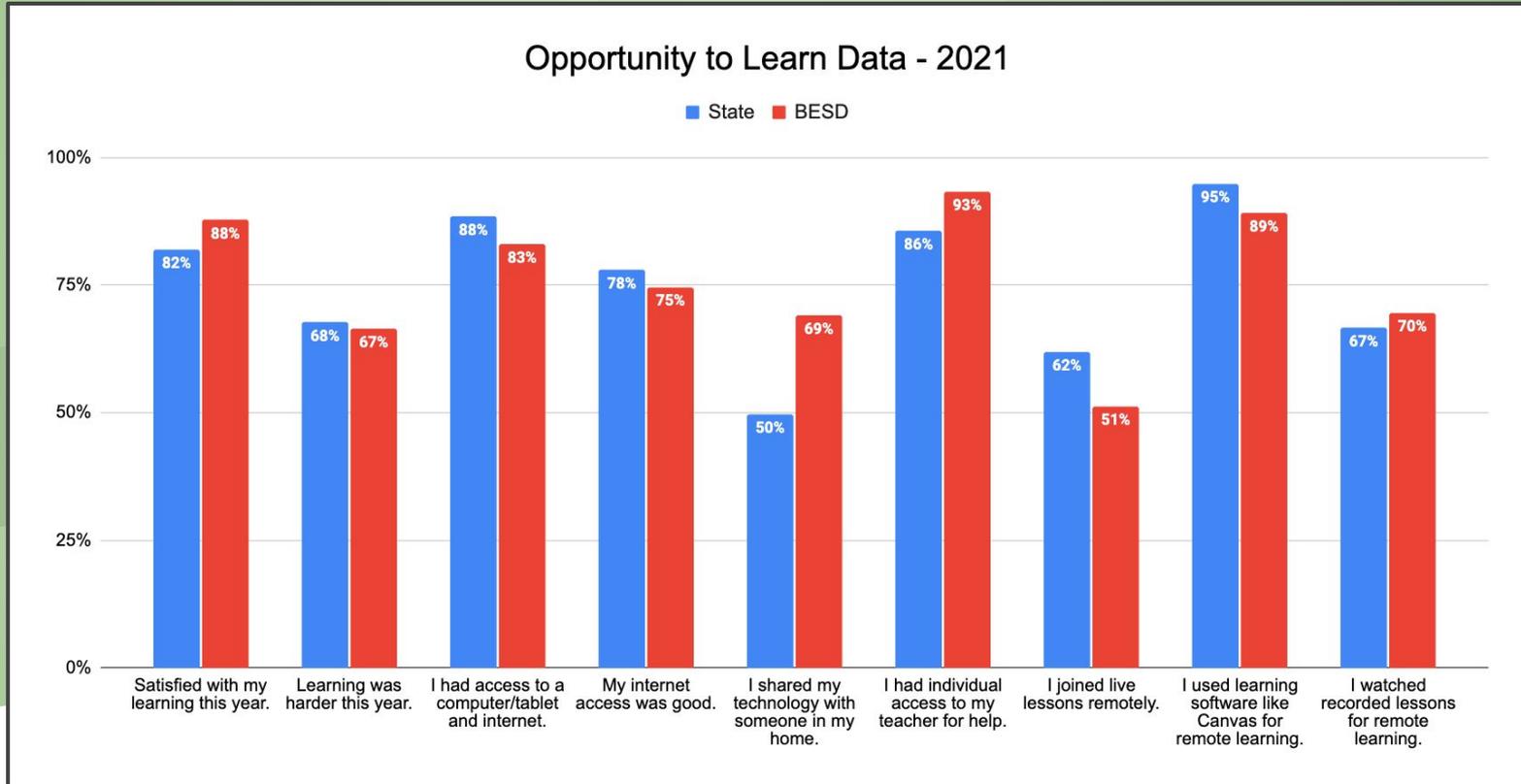
# AP Scores by Exam

Subject Totals	1	2	3	4	5	Total Exams	Pass Rate
English Literature and Composition	10	33	20	3	3	69	38%
Music Theory			1	3	1	5	100%
Physics C: Mechanics	4	3	3	3	1	14	50%
Psychology	6	2	4	16	6	34	76%
Spanish Language and Culture	1	10	18	6	2	37	70%
United States Government and Politics	1	5	6	3	1	16	63%
United States History	11	22	14	9	4	60	45%
World History: Modern	3	7	7	4	2	23	57%

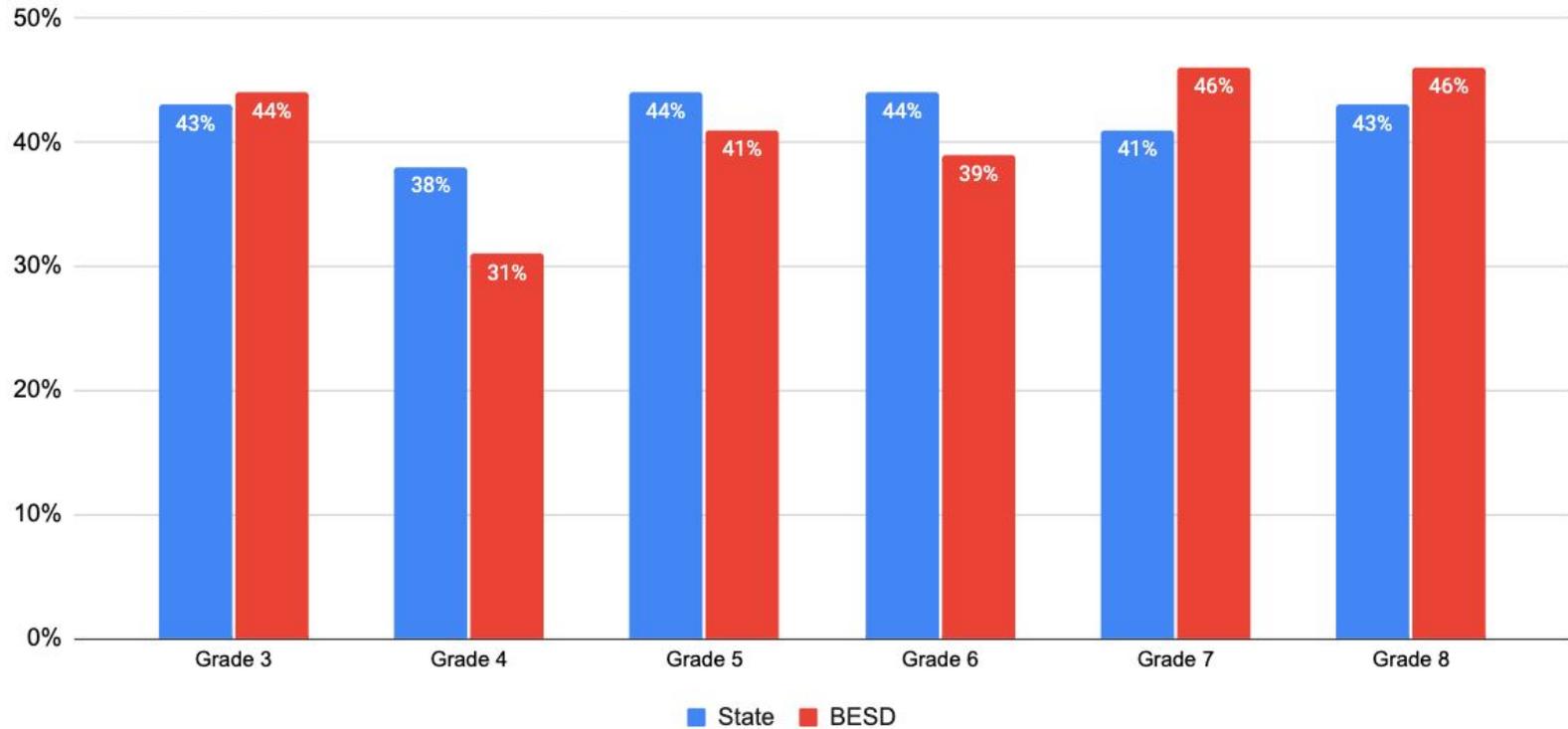
# **RISE**

## **2020-2021**

# Opportunity To Learn Data

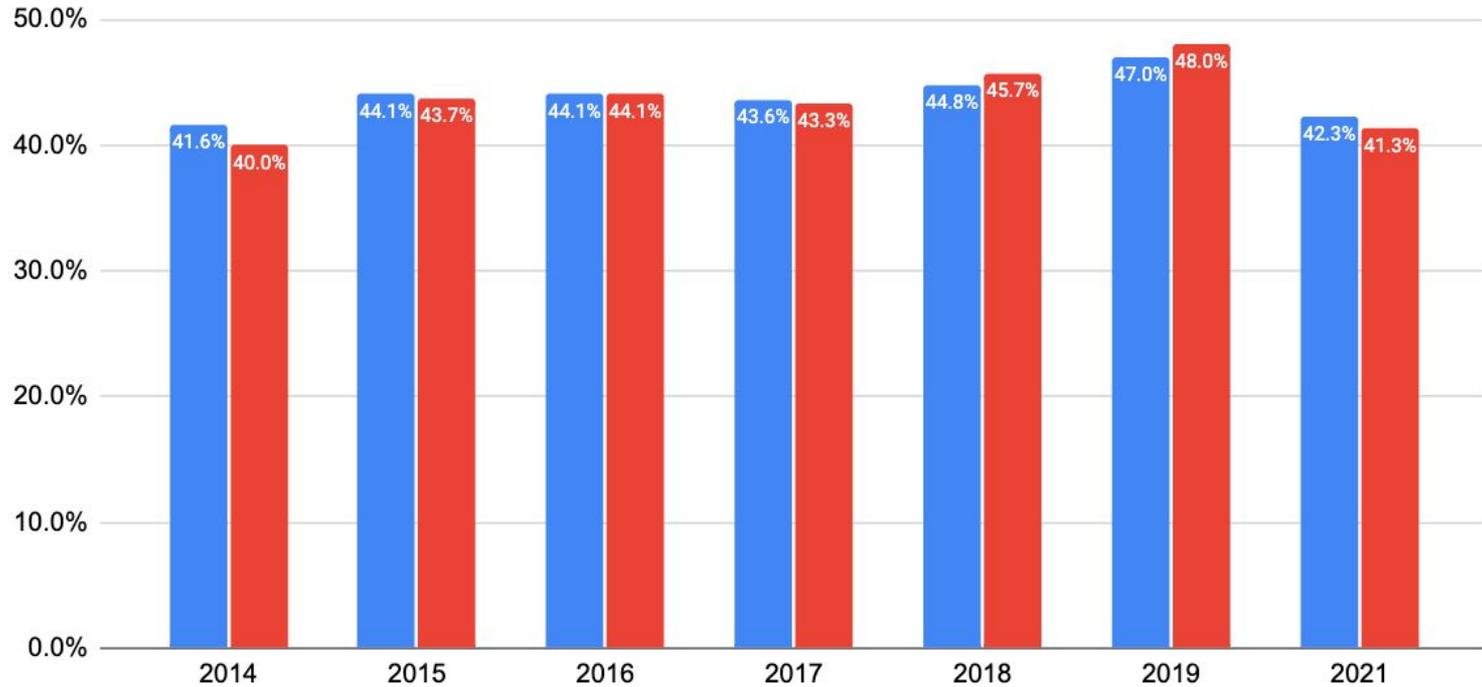


## RISE Proficiency by Grade 2020-2021 (ELA)



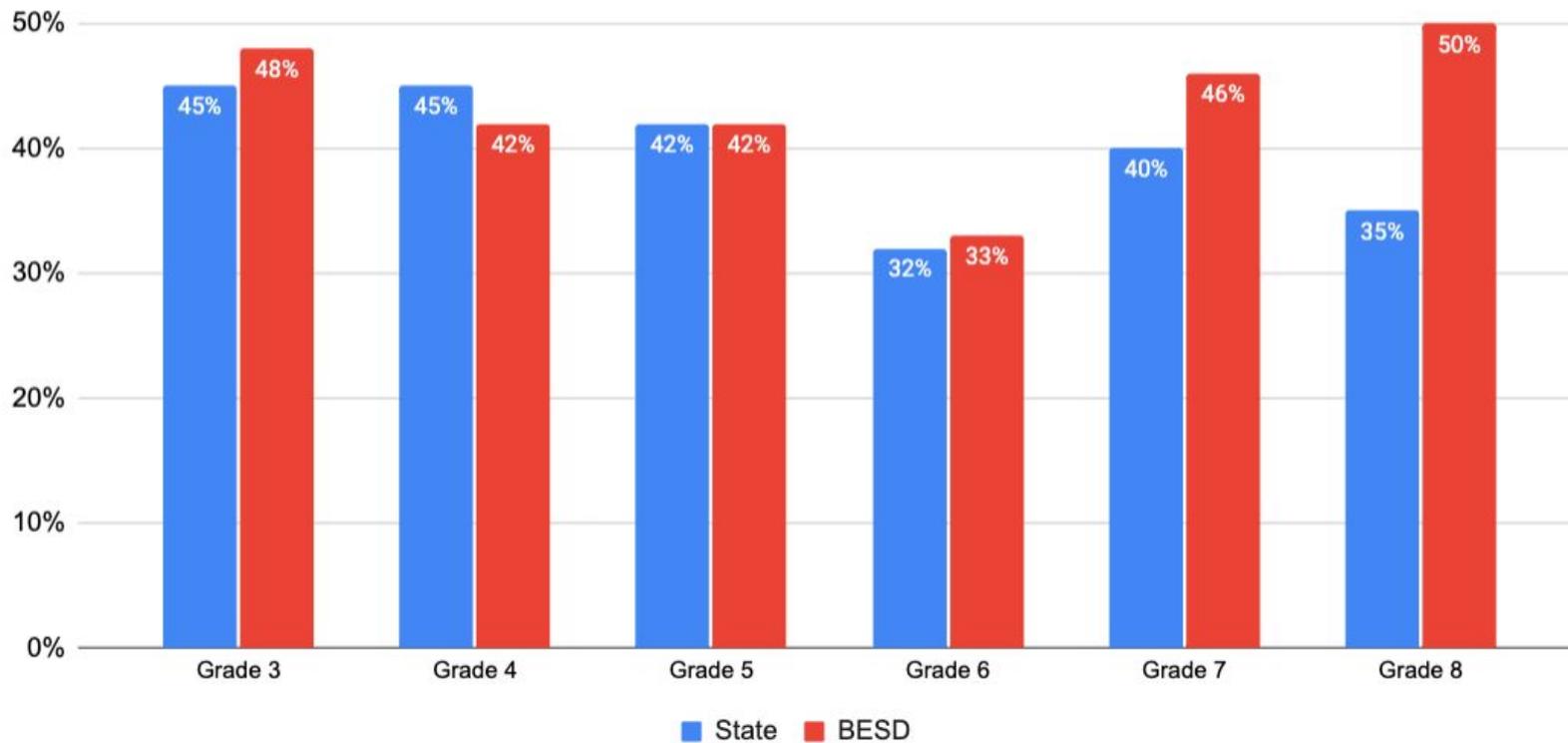
## RISE Proficiency Over Time

■ State of Utah ■ BESD



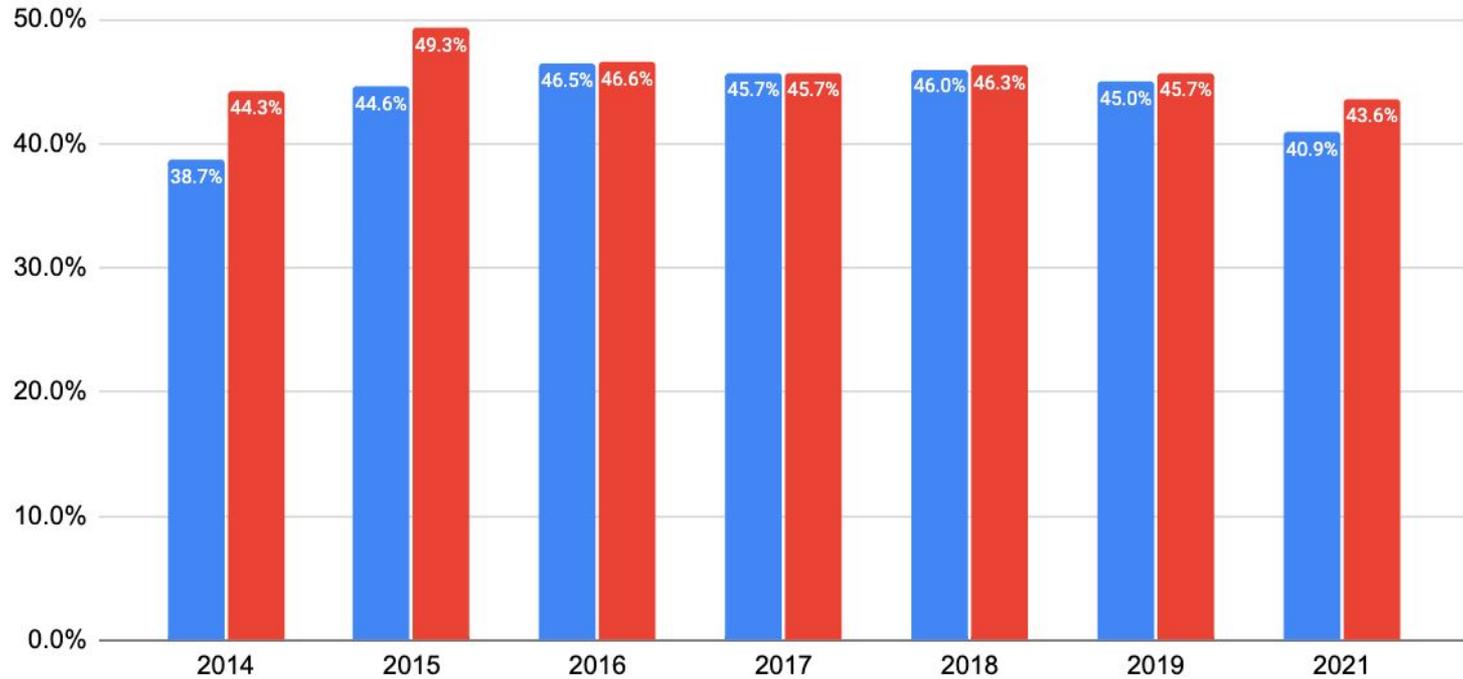
Language Arts

## RISE Proficiency by Grade 2020-2021 (Math)



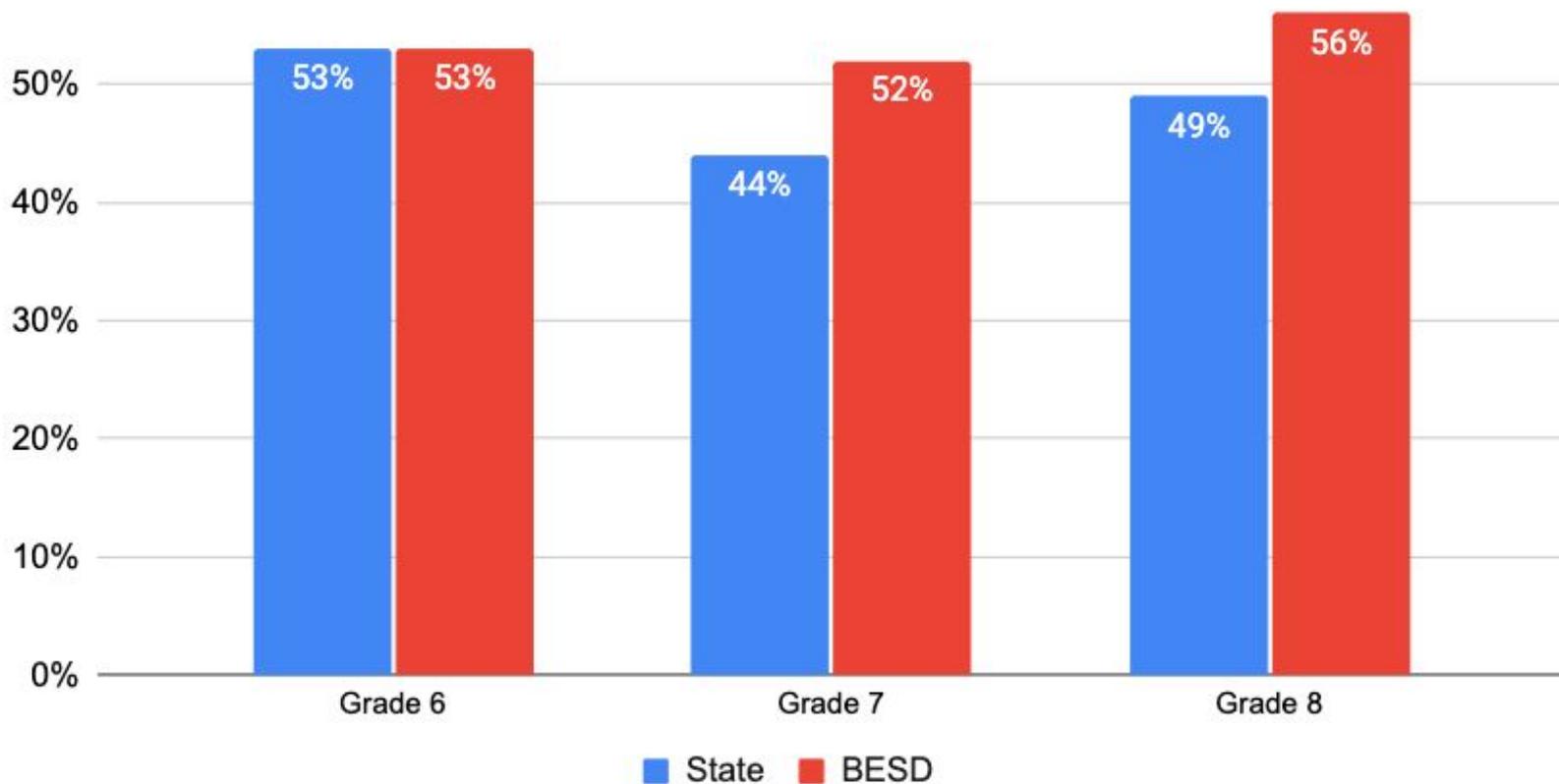
## RISE Proficiency Over Time

■ State of Utah ■ BESD



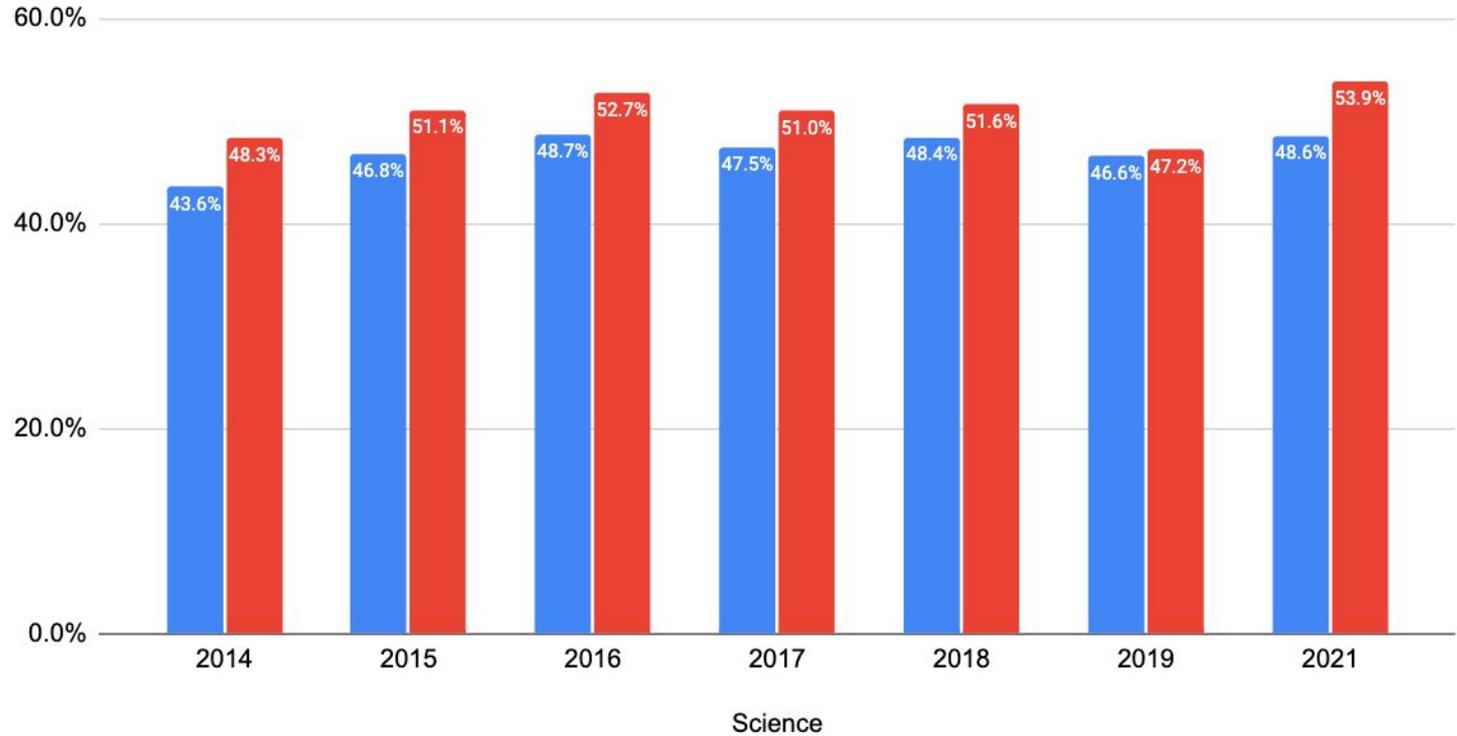
Mathematics

## RISE Proficiency by Grade 2020-2021 (Science)



## RISE Proficiency Over Time

■ State of Utah ■ BESD



## Box Elder School District - October 1, 2021

School	K	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	12th	Oct 1, 2021	Oct 1, 2020	Difference	Oct 1, 2019
Sunrise								2	1	9	20	51	101	184	123	61	116
BRHS											405	378	347	1130	1105	25	1036
BEHS											578	479	464	1521	1501	20	1545
BRMS									425	469				894	840	54	781
BEMS									541	586				1,127	1127	0	1093
Harris							403	415						818	804	14	841
Young							552	561						1,113	1071	42	1060
Century	78	81	79	88	85	88								499	466	33	496
Discovery	92	104	69	79	72	91								507	426	81	457
Fielding	98	95	85	96	69	90								533	444	89	450
Foothill	70	80	70	65	79	80								444	491	(47)	515
Garland	108	113	112	106	122	119								680	645	35	706
Lake View	92	99	102	103	93	100								589	540	49	597
McKinley	102	92	92	94	87	80								547	516	31	499
Mt. View	55	50	50	45	38	57								295	358	(63)	327
No. Park	82	104	91	89	88	63								517	509	8	504
Three Mile			147	137	145	144								573	570	3	562
Willard	128	132												260	245	15	245
Grouse Creek	2	1	2	1			1	1						8	3	5	5
Park Valley	5	6	3	2	4	4	2	4		2	2			34	36	-2	40
Snowville	7	3	5	6	5	6								32	20	12	24
Out of State			1		1		1				1	1	4	9	10	(1)	15
<b>Totals:</b>	<b>919</b>	<b>960</b>	<b>908</b>	<b>911</b>	<b>888</b>	<b>922</b>	<b>959</b>	<b>983</b>	<b>967</b>	<b>1,066</b>	<b>1,006</b>	<b>909</b>	<b>916</b>	<b>12,314</b>	<b>11,850</b>	<b>464</b>	<b>11,914</b>

District Wide	Oct 1 2021	Oct 1 2020	Diff
Kindergarten	919	876	43
Grade 1	960	847	113
Grade 2	908	886	22
Grade 3	911	845	66
Grade 4	888	883	5
Grade 5	922	920	2

Note: Some 2020 totals are affected by BESD online enrollment



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				<b>Current</b>	<b>Prev Bud vs</b>		
		<b>2021-22</b>	<b>2021-22</b>	<b>Bud vs</b>	<b>Actual</b>	<b>2020-21</b>	<b>2020-21</b>
	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>Actual</b>	<b>YTD</b>	<b>Revised</b>
				<b>%</b>	<b>%</b>		
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>1</b>	<b>GENERAL FUND (M&amp;O) FUND (10)</b>						
<b>2</b>							
<b>3</b>	<b>REVENUE:</b>						
<b>4</b>	<b>Local</b>						
<b>5</b>	<b>Property</b>	<b>25,091,289</b>	<b>372,667</b>	<b>1.5%</b>	<b>1.4%</b>	<b>335,628</b>	<b>23,420,275</b>
<b>6</b>	<b>Tuitions</b>	<b>350,000</b>	<b>50,481</b>	<b>14.4%</b>	<b>11.6%</b>	<b>29,086</b>	<b>250,000</b>
<b>7</b>	<b>Inv Earnings</b>	<b>150,000</b>	<b>22,472</b>	<b>15.0%</b>	<b>14.4%</b>	<b>25,840</b>	<b>180,000</b>
<b>8</b>	<b>Inidr. Costs-SL</b>	<b>680,000</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>680,000</b>
<b>9</b>	<b>Rental Fees/Building/Tra</b>	<b>110,000</b>	<b>3,661</b>	<b>3.3%</b>	<b>7.0%</b>	<b>5,631</b>	<b>80,000</b>
<b>10</b>	<b>Other</b>	<b>900,000</b>	<b>108,155</b>	<b>12.0%</b>	<b>3.5%</b>	<b>70,946</b>	<b>2,000,000</b>
<b>11</b>	<b>State</b>	<b>74,424,348</b>	<b>19,239,275</b>	<b>25.9%</b>	<b>24.1%</b>	<b>17,077,585</b>	<b>70,906,273</b>
<b>12</b>	<b>Federal</b>	<b>8,525,000</b>	<b>630,563</b>	<b>7.4%</b>	<b>-3.9%</b>	<b>-252,596</b>	<b>6,525,000</b>
<b>13</b>	<b>Misc./ Fund Bal</b>	<b>1,114,000</b>					<b>0</b>
<b>14</b>	<b>TOTAL M &amp; O</b>						
<b>15</b>	<b>REVENUE</b>	<b>111,344,637</b>	<b>20,427,274</b>	<b>18.3%</b>	<b>16.6%</b>	<b>17,292,120</b>	<b>104,041,548</b>
<b>16</b>	<b>Beg Balance</b>	<b>2,043,744</b>					<b>0</b>
<b>17</b>	<b>Less:</b>						
<b>18</b>	<b>Ending Balance</b>	<b>1,176,013</b>					<b>2,249,988</b>
<b>19</b>	<b>TOTAL M &amp; O FUNDS</b>						
<b>20</b>	<b>available</b>	<b>112,212,367</b>	<b>20,427,274</b>	<b>18.2%</b>	<b>17.0%</b>	<b>17,292,120</b>	<b>101,791,560</b>
<b>21</b>	<b>EXPENDITURES:</b>						
<b>22</b>	<b>Instruction (1000)</b>						
<b>23</b>	<b>Salaries</b>	<b>49,077,975</b>	<b>7,454,702</b>	<b>15.2%</b>	<b>14.9%</b>	<b>6,724,663</b>	<b>45,233,157</b>
<b>24</b>	<b>Benefits</b>	<b>18,358,921</b>	<b>3,648,089</b>	<b>19.9%</b>	<b>19.8%</b>	<b>3,398,505</b>	<b>17,153,955</b>
<b>25</b>	<b>Purchased Serv.</b>	<b>3,070,500</b>	<b>819,165</b>	<b>26.7%</b>	<b>22.4%</b>	<b>686,301</b>	<b>3,070,500</b>
<b>26</b>	<b>Supplies/Textbooks</b>	<b>5,100,000</b>	<b>1,857,258</b>	<b>36.4%</b>	<b>43.5%</b>	<b>2,347,889</b>	<b>5,400,000</b>
<b>27</b>	<b>Equipment</b>	<b>1,905,000</b>	<b>61,473</b>	<b>3.2%</b>	<b>20.9%</b>	<b>210,170</b>	<b>1,005,000</b>
<b>28</b>	<b>Other</b>	<b>700,000</b>	<b>0</b>	<b>0.0%</b>	<b>0.1%</b>	<b>431</b>	<b>600,942</b>
<b>29</b>	<b>Total</b>	<b>78,212,396</b>	<b>13,840,687</b>	<b>17.7%</b>	<b>18.4%</b>	<b>13,367,959</b>	<b>72,463,554</b>
<b>30</b>							
<b>31</b>	<b>Student Services (2100)</b>						
<b>32</b>	<b>Salaries</b>	<b>3,510,841</b>	<b>641,103</b>	<b>18.3%</b>	<b>17.5%</b>	<b>559,693</b>	<b>3,189,715</b>
<b>33</b>	<b>Benefits</b>	<b>1,309,542</b>	<b>264,870</b>	<b>20.2%</b>	<b>18.7%</b>	<b>225,629</b>	<b>1,208,901</b>
<b>34</b>	<b>Other</b>	<b>350,000</b>	<b>48,952</b>	<b>14.0%</b>	<b>2.6%</b>	<b>5,285</b>	<b>200,000</b>
<b>35</b>	<b>Total</b>	<b>5,170,383</b>	<b>954,925</b>	<b>18.5%</b>	<b>17.2%</b>	<b>790,607</b>	<b>4,598,616</b>
<b>36</b>							
<b>37</b>	<b>Instructional Staff (2200)</b>						
<b>38</b>	<b>Salaries</b>	<b>1,605,520</b>	<b>358,541</b>	<b>22.3%</b>	<b>22.7%</b>	<b>335,465</b>	<b>1,479,742</b>
<b>39</b>	<b>Benefits</b>	<b>629,160</b>	<b>150,717</b>	<b>24.0%</b>	<b>23.8%</b>	<b>140,384</b>	<b>589,741</b>
<b>40</b>	<b>Other</b>	<b>400,000</b>	<b>49,423</b>	<b>12.4%</b>	<b>17.7%</b>	<b>49,000</b>	<b>276,738</b>
<b>41</b>	<b>Total</b>	<b>2,634,680</b>	<b>558,681</b>	<b>21.2%</b>	<b>22.4%</b>	<b>524,849</b>	<b>2,346,221</b>

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				<b>Current</b>			
		<b>2021-22</b>	<b>2021-22</b>	<b>Bud vs</b>	<b>Prev Bud vs</b>	<b>2020-21</b>	<b>2020-21</b>
	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>Actual</b>	<b>YTD</b>	<b>Revised</b>
				<b>%</b>	<b>%</b>		
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>42</b>	<b>District Administration (2300)</b>						
<b>43</b>	<b>Salaries</b>	<b>389,454</b>	<b>86,222</b>	<b>22.1%</b>	<b>23.3%</b>	<b>83,481</b>	<b>358,944</b>
<b>44</b>	<b>Benefits</b>	<b>169,797</b>	<b>46,300</b>	<b>27.3%</b>	<b>28.3%</b>	<b>45,380</b>	<b>160,235</b>
<b>45</b>	<b>Purch Services</b>	<b>170,000</b>	<b>444,501</b>	<b>261.5%</b>	<b>33.4%</b>	<b>41,755</b>	<b>125,000</b>
<b>46</b>	<b>Liability Insurance</b>	<b>235,000</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>225,000</b>
<b>47</b>	<b>Supplies</b>	<b>35,000</b>	<b>11,583</b>	<b>33.1%</b>	<b>29.1%</b>	<b>10,177</b>	<b>35,000</b>
<b>48</b>	<b>Other</b>	<b>25,000</b>	<b>20,650</b>	<b>82.6%</b>	<b>83.9%</b>	<b>20,972</b>	<b>25,000</b>
<b>49</b>	<b>Total</b>	<b>1,024,251</b>	<b>609,256</b>	<b>59.5%</b>	<b>21.7%</b>	<b>201,765</b>	<b>929,179</b>
<b>50</b>	<b>School Administration (2400)</b>		<b>ESSER II Contr Serv</b>				
<b>51</b>	<b>Salaries</b>	<b>4,331,198</b>	<b>959,556</b>	<b>22.2%</b>	<b>4.1%</b>	<b>884,036</b>	<b>3,991,888</b>
<b>52</b>	<b>Benefits</b>	<b>1,747,827</b>	<b>386,648</b>	<b>22.1%</b>	<b>3.9%</b>	<b>363,856</b>	<b>1,641,487</b>
<b>53</b>	<b>Prof Serv/Travel</b>	<b>80,000</b>	<b>15,489</b>	<b>19.4%</b>	<b>38.3%</b>	<b>16,727</b>	<b>75,000</b>
<b>54</b>	<b>Other</b>	<b>15,000</b>	<b>5,015</b>	<b>33.4%</b>	<b>44.4%</b>	<b>0</b>	<b>15,000</b>
<b>55</b>	<b>Total</b>	<b>6,174,025</b>	<b>1,366,708</b>	<b>22.1%</b>	<b>22.1%</b>	<b>1,264,619</b>	<b>5,723,375</b>
<b>56</b>							
<b>57</b>	<b>Business &amp; Support (2500)</b>						
<b>58</b>	<b>Salaries</b>	<b>771,881</b>	<b>180,651</b>	<b>23.4%</b>	<b>25.3%</b>	<b>163,413</b>	<b>646,895</b>
<b>59</b>	<b>Benefits</b>	<b>316,483</b>	<b>66,030</b>	<b>20.9%</b>	<b>25.7%</b>	<b>63,460</b>	<b>247,312</b>
<b>60</b>	<b>Purchased Services</b>	<b>165,000</b>	<b>35,129</b>	<b>21.3%</b>	<b>18.0%</b>	<b>28,762</b>	<b>159,665</b>
<b>61</b>	<b>Other</b>	<b>25,000</b>	<b>1,249</b>	<b>5.0%</b>	<b>26.6%</b>	<b>6,662</b>	<b>25,000</b>
<b>62</b>	<b>Total</b>	<b>1,278,364</b>	<b>283,059</b>	<b>22.1%</b>	<b>24.3%</b>	<b>262,297</b>	<b>1,078,872</b>
<b>63</b>							
<b>64</b>	<b>Operation &amp; Maintenance (2600)</b>						
<b>65</b>	<b>Salaries</b>	<b>5,466,376</b>	<b>1,309,451</b>	<b>24.0%</b>	<b>23.7%</b>	<b>1,194,861</b>	<b>5,038,135</b>
<b>66</b>	<b>Benefits</b>	<b>2,202,539</b>	<b>560,372</b>	<b>25.4%</b>	<b>25.5%</b>	<b>528,091</b>	<b>2,068,328</b>
<b>67</b>	<b>Electricity</b>	<b>884,000</b>	<b>168,627</b>	<b>19.1%</b>	<b>12.9%</b>	<b>107,710</b>	<b>834,325</b>
<b>68</b>	<b>Purchased Service</b>	<b>757,500</b>	<b>188,791</b>	<b>24.9%</b>	<b>37.1%</b>	<b>198,823</b>	<b>536,497</b>
<b>69</b>	<b>Telephone</b>	<b>282,012</b>	<b>43,383</b>	<b>15.4%</b>	<b>22.3%</b>	<b>53,860</b>	<b>242,012</b>
<b>70</b>	<b>Natural Gas</b>	<b>515,000</b>	<b>21,478</b>	<b>4.2%</b>	<b>2.8%</b>	<b>14,420</b>	<b>509,011</b>
<b>71</b>	<b>Prop Insurance</b>	<b>195,000</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>189,052</b>
<b>72</b>	<b>Repair</b>	<b>330,000</b>	<b>51,261</b>	<b>15.5%</b>	<b>34.7%</b>	<b>52,007</b>	<b>150,000</b>
<b>73</b>	<b>Supplies</b>	<b>730,000</b>	<b>250,726</b>	<b>34.3%</b>	<b>37.5%</b>	<b>273,633</b>	<b>730,300</b>
<b>74</b>	<b>Other</b>	<b>2,500</b>	<b>0</b>	<b>0.0%</b>	<b>6.0%</b>	<b>150</b>	<b>2,500</b>
<b>75</b>							<b>0</b>
<b>76</b>	<b>Total</b>	<b>11,364,927</b>	<b>2,594,089</b>	<b>22.8%</b>	<b>23.5%</b>	<b>2,423,555</b>	<b>10,300,160</b>
<b>77</b>							

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		<b>2021-22</b>	<b>2021-22</b>	<b>Bud vs</b>	<b>Actual</b>	<b>2020-21</b>	<b>2020-21</b>
	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>Actual</b>	<b>YTD</b>	<b>Revised</b>
				<b>%</b>	<b>%</b>		
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>78</b>	<b>Transportation (2700)</b>						
<b>79</b>	<b>Salaries</b>	<b>2,760,295</b>	<b>374,891</b>	<b>13.6%</b>	<b>14.0%</b>	<b>355,413</b>	<b>2,544,051</b>
<b>80</b>	<b>Benefits</b>	<b>829,152</b>	<b>160,192</b>	<b>19.3%</b>	<b>20.8%</b>	<b>158,511</b>	<b>761,381</b>
<b>81</b>	<b>Purch Serv</b>	<b>280,000</b>	<b>25,582</b>	<b>9.1%</b>	<b>5.9%</b>	<b>16,655</b>	<b>280,000</b>
<b>82</b>	<b>Fuel</b>	<b>505,000</b>	<b>32,083</b>	<b>6.4%</b>	<b>3.8%</b>	<b>14,943</b>	<b>397,785</b>
<b>83</b>	<b>Supplies</b>	<b>450,000</b>	<b>65,748</b>	<b>14.6%</b>	<b>11.1%</b>	<b>34,118</b>	<b>307,565</b>
<b>84</b>	<b>Other/Property</b>	<b>485,800</b>	<b>1,036,703</b>	<b>213.4%</b>	<b>99.9%</b>	<b>1,008,680</b>	<b>1,010,000</b>
<b>85</b>	<b>Total</b>	<b>5,310,247</b>	<b>1,695,199</b>	<b>31.9%</b>	<b>30.0%</b>	<b>1,588,320</b>	<b>5,300,782</b>
<b>86</b>	<b>Community Services (3300)</b>		<b>Bus Order half will go to F-32</b>				
<b>87</b>	<b>Salary</b>	<b>680,566</b>	<b>141,288</b>	<b>20.8%</b>	<b>22.7%</b>	<b>142,620</b>	<b>627,250</b>
<b>88</b>	<b>Benefits</b>	<b>186,527</b>	<b>44,377</b>	<b>23.8%</b>	<b>25.7%</b>	<b>43,583</b>	<b>169,818</b>
<b>89</b>	<b>Purchased Serv</b>	<b>60,000</b>	<b>2,503</b>	<b>4.2%</b>	<b>4.8%</b>	<b>2,815</b>	<b>58,820</b>
<b>90</b>	<b>Supplies/Util</b>	<b>70,000</b>	<b>57,697</b>	<b>82.4%</b>	<b>20.4%</b>	<b>14,022</b>	<b>68,872</b>
<b>91</b>	<b>Property</b>	<b>30,000</b>	<b>859</b>	<b>2.9%</b>	<b>4.0%</b>	<b>1,042</b>	<b>26,000</b>
<b>92</b>	<b>Other Objects</b>	<b>16,000</b>	<b>930</b>	<b>5.8%</b>	<b>17.7%</b>	<b>2,744</b>	<b>15,467</b>
<b>93</b>	<b>Desig. Fund Bal</b>						
<b>94</b>	<b>Total</b>	<b>1,043,093</b>	<b>247,654</b>	<b>23.7%</b>	<b>21.4%</b>	<b>206,826</b>	<b>966,227</b>
<b>86</b>	<b>Total Expenditures</b>	<b>112,212,367</b>	<b>22,150,258</b>	<b>0</b>	<b>2</b>	<b>20,630,797</b>	<b>103,706,986</b>
<b>95</b>	<b>Interfund Trans</b>		<b>1</b>			<b>0</b>	<b>0</b>
<b>96</b>	<b>Change Desig Fund Bal</b>	<b>0</b>	<b>1</b>			<b>0</b>	<b>0</b>
<b>97</b>	<b>Other/Budget Cuts</b>		<b>0</b>			<b>0</b>	<b>0</b>
<b>98</b>	<b>TOTAL EXPENDITURERS</b>		<b>0</b>				<b>0</b>
<b>99</b>	<b>M &amp; O</b>	<b>112,212,367</b>	<b>22,150,260</b>	<b>19.74%</b>	<b>19.9%</b>	<b>20,630,797</b>	<b>103,706,986</b>

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	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>Actual</b>	<b>YTD</b>	<b>Revised</b>
				<b>%</b>	<b>%</b>		
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>100</b>	<b>School Activity Fund (21)</b>						
<b>101</b>							
<b>102</b>	<b>REVENUE:</b>						
<b>103</b>	<b>School Deposits</b>	<b>4,400,000</b>	<b>1,322,023</b>	<b>30.0%</b>	<b>28.2%</b>	<b>1,242,682</b>	<b>4,400,000</b>
<b>104</b>							
<b>105</b>	<b>Other</b>		<b>0</b>			<b>0</b>	
<b>106</b>	<b>Total Revenue</b>		<b>1,322,023</b>		<b>28.2%</b>	<b>1,242,682</b>	<b>4,400,000</b>
<b>107</b>	<b>EXPENDITURES:</b>						
<b>108</b>	<b>Purchased Services</b>	<b>902,150</b>	<b>103,211</b>	<b>11.4%</b>	<b>6.0%</b>	<b>54,431</b>	<b>902,150</b>
<b>109</b>	<b>Supplies</b>	<b>2,882,850</b>	<b>586,289</b>	<b>20.3%</b>	<b>19.5%</b>	<b>561,642</b>	<b>2,882,850</b>
<b>110</b>	<b>Equipment</b>	<b>290,000</b>	<b>39,684</b>	<b>13.7%</b>	<b>3.1%</b>	<b>8,951</b>	<b>290,000</b>
<b>111</b>	<b>Desig/Other/Adm</b>	<b>325,000</b>	<b>48,012</b>	<b>14.8%</b>	<b>15.1%</b>	<b>49,211</b>	<b>325,000</b>
<b>112</b>	<b>Total Expenditures</b>						
<b>113</b>	<b>School Activity</b>	<b>4,400,000</b>	<b>777,196</b>	<b>17.7%</b>	<b>15.3%</b>	<b>674,235</b>	<b>4,400,000</b>
<b>114</b>	<b>DEBT SERVICE FUND (31)</b>						
<b>115</b>							
<b>116</b>	<b>REVENUE:</b>						
<b>117</b>	<b>Property Tax</b>	<b>2,945,632</b>	<b>45,007</b>	<b>1.5%</b>	<b>1.4%</b>	<b>38,193</b>	<b>2,805,364</b>
<b>118</b>	<b>Interest</b>	<b>105,750</b>	<b>3,738</b>	<b>3.5%</b>	<b>9.2%</b>	<b>9,694</b>	<b>105,750</b>
<b>119</b>	<b>Other</b>						
<b>120</b>	<b>Total</b>	<b>3,051,382</b>	<b>48,745</b>	<b>1.6%</b>	<b>1.6%</b>	<b>47,887</b>	<b>2,911,114</b>
<b>121</b>	<b>Begining Bal</b>	<b>5,696,268</b>	<b>4,630,220</b>	<b>81.3%</b>	<b>105.9%</b>	<b>6,034,982</b>	<b>5,696,268</b>
<b>122</b>	<b>LESS:</b>						
<b>123</b>	<b>Ending Balance</b>	<b>5,659,746</b>	<b>3,704,440</b>	<b>65.5%</b>	<b>0.0%</b>		<b>6,034,982</b>
<b>124</b>	<b>Funds Available</b>	<b>4,770,488</b>	<b>1,838,315</b>	<b>38.5%</b>	<b>70.4%</b>	<b>3,261,269</b>	<b>4,630,220</b>
<b>125</b>	<b>EXPENDITURE:</b>						
<b>126</b>	<b>Bond Debt</b>	<b>3,927,162</b>	<b>2,840,650</b>	<b>59.5%</b>	<b>71.8%</b>	<b>2,819,100</b>	<b>3,927,162</b>
<b>127</b>	<b>Fees</b>	<b>50,000</b>	<b>0</b>	<b>0.0%</b>	<b>5.0%</b>	<b>2,500</b>	<b>50,000</b>
<b>128</b>	<b>Other Uses</b>		<b>0</b>			<b>0</b>	<b>0</b>
<b>129</b>	<b>Total</b>	<b>3977162</b>	<b>2,840,650</b>	<b>5681.3%</b>	<b>70.9%</b>	<b>2,821,600</b>	<b>3,977,162</b>

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		<b>2021-22</b>	<b>2021-22</b>	<b>Bud vs</b>	<b>Actual</b>	<b>2020-21</b>	<b>2020-21</b>
	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>%</b>	<b>YTD</b>	<b>Revised</b>
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>130</b>	<b>CAPITAL OUTLAY FUND (32)</b>						
<b>131</b>							
<b>132</b>	<b>REVENUE:</b>						
<b>133</b>	<b>Property Tax</b>	<b>12,837,500</b>	<b>147,881</b>	<b>1.2%</b>	<b>1.5%</b>	<b>172,903</b>	<b>11,750,000</b>
<b>134</b>	<b>Interest</b>	<b>255,941</b>	<b>30,625</b>	<b>12.0%</b>	<b>21.9%</b>	<b>53,492</b>	<b>243,753</b>
<b>135</b>	<b>Other</b>	<b>176,400</b>	<b>15,703</b>	<b>8.9%</b>	<b>10.3%</b>	<b>17,376</b>	<b>168,000</b>
<b>136</b>	<b>State</b>	<b>158,025</b>	<b>9,488</b>	<b>6.0%</b>	<b>13.6%</b>	<b>20,501</b>	<b>150,500</b>
<b>137</b>	<b>Federal /MBA</b>	<b>63,288</b>	<b>0</b>	<b>0.0%</b>	<b>49.9%</b>	<b>30,058</b>	<b>60,274</b>
<b>138</b>	<b>Ins./Prop.Recry</b>	<b>94,500</b>	<b>17,070</b>	<b>18.1%</b>	<b>10.8%</b>	<b>9,694</b>	<b>90,000</b>
<b>139</b>	<b>Total Revenue</b>	<b>13,585,653</b>	<b>220,767</b>	<b>1.6%</b>	<b>2.4%</b>	<b>304,024</b>	<b>12,462,527</b>
<b>140</b>	<b>Lease Revenue MBA</b>	<b>0</b>	<b>0</b>			<b>0</b>	<b>15,000,000</b>
<b>141</b>	<b>Other Sources(F50)</b>	<b>345,580</b>	<b>0</b>			<b>0</b>	<b>345,580</b>
<b>142</b>	<b>Desig. Fund Bal</b>						<b>0</b>
<b>143</b>	<b>TOTAL REVENUE CAPITAL</b>						
<b>144</b>	<b>OUTLAY</b>	<b>13,931,233</b>	<b>220,767</b>	<b>1.6%</b>	<b>1.1%</b>	<b>304,024</b>	<b>27,808,107</b>
<b>145</b>	<b>Beg. Balance</b>	<b>25,428,650</b>					<b>16,120,809</b>
<b>146</b>	<b>Less:</b>						
<b>147</b>	<b>Ending Balance</b>	<b>5,055,580</b>					<b>25,428,650</b>
<b>148</b>	<b>Capital Outlay Funds</b>						
<b>149</b>	<b>available</b>	<b>34,304,303</b>	<b>220,767</b>	<b>4.4%</b>	<b>1.6%</b>	<b>304,024</b>	<b>18,500,266</b>

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		<b>2021-22</b>	<b>2021-22</b>	<b>Bud vs</b>	<b>Actual</b>	<b>2020-21</b>	<b>2020-21</b>
	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>Actual</b>	<b>YTD</b>	<b>Revised</b>
				<b>%</b>	<b>%</b>		
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>150</b>	<b>EXPENDITURES:</b>						
<b>151</b>	<b>Oper/Maint</b>	<b>5,000</b>	<b>3,500</b>	<b>70.0%</b>		<b>0</b>	<b>0</b>
<b>152</b>	<b>Other Equipment</b>	<b>850,000</b>	<b>0</b>	<b>0.0%</b>		<b>0</b>	
<b>153</b>	<b>Purchased Services</b>	<b>0</b>	<b>0</b>		<b>4.5%</b>	<b>250</b>	<b>5,500</b>
<b>154</b>	<b>Technology/Software</b>	<b>0</b>	<b>840,369</b>		<b>54.1%</b>	<b>648,923</b>	<b>1,200,000</b>
<b>155</b>	<b>Improvement</b>	<b>0</b>	<b>0</b>				<b>1</b>
<b>156</b>	<b>Buildings Maint</b>	<b>2,600,000</b>	<b>1,892,176</b>	<b>72.8%</b>	<b>60.5%</b>	<b>1,209,767</b>	<b>2,000,000</b>
<b>157</b>	<b>Vehicles</b>	<b>870,000</b>	<b>38,991</b>	<b>4.5%</b>	<b>21.7%</b>	<b>69,378</b>	<b>320,000</b>
<b>158</b>	<b>Furniture/Equip</b>	<b>1,794,000</b>	<b>580,790</b>	<b>32.4%</b>	<b>41.1%</b>	<b>626,312</b>	<b>1,524,000</b>
<b>159</b>	<b>Other Objects</b>	<b>1</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>1</b>
<b>160</b>	<b>Vehicle charges</b>		<b>0</b>			<b>0</b>	<b>1</b>
<b>161</b>	<b>Total Capital</b>	<b>6,119,001</b>	<b>3,355,826</b>	<b>54.8%</b>	<b>50.6%</b>	<b>2,554,630</b>	<b>5,049,503</b>
<b>162</b>	<b>Other</b>		<b>0</b>			<b>0</b>	<b>1</b>
<b>163</b>	<b>Other Proj</b>	<b>200,000</b>	<b>0</b>	<b>0.0%</b>	<b>68.5%</b>	<b>102,793</b>	<b>150,000</b>
<b>164</b>	<b>Sunrise High School</b>	<b>200,000</b>	<b>0</b>	<b>0.0%</b>	<b>35.3%</b>	<b>1,586,468</b>	<b>4,500,000</b>
<b>165</b>	<b>Golden Spike</b>	<b>25,300,000</b>	<b>2,695,156</b>	<b>10.7%</b>	<b>2.0%</b>	<b>147,675</b>	<b>7,485,762</b>
<b>166</b>	<b>HS Athletic Facilities</b>	<b>80,000</b>	<b>104,866</b>	<b>131.1%</b>	<b>21.5%</b>	<b>109,859</b>	<b>510,000</b>
<b>167</b>	<b>Property Purchase</b>	<b>420,000</b>	<b>0</b>	<b>0.0%</b>		<b>0</b>	<b>480,000</b>
<b>168</b>	<b>Total Construction</b>	<b>26,200,000</b>	<b>2,800,022</b>	<b>10.7%</b>	<b>14.8%</b>	<b>1,946,795</b>	<b>13,125,763</b>
<b>169</b>	<b>Desig. F Bal</b>						
<b>170</b>	<b>MBA/Bond Fee/Fund 50</b>	<b>1,985,302</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>325,000</b>
<b>171</b>	<b>Other</b>		<b>0</b>			<b>0</b>	<b>0</b>
<b>172</b>	<b>TOTAL EXPENDITURES CAPITAL</b>				<b>BRHS Turf not budgeted</b>		
<b>173</b>	<b>OUTLAY</b>	<b>34,304,303</b>	<b>6,155,848</b>	<b>17.9%</b>	<b>24.3%</b>	<b>4,501,425</b>	<b>18,500,266</b>

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		<b>2021-22</b>	<b>2021-22</b>	<b>Bud vs</b>	<b>Actual</b>	<b>2020-21</b>	<b>2020-21</b>
	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>Actual</b>	<b>YTD</b>	<b>Revised</b>
				<b>%</b>	<b>%</b>		
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>174</b>	<b>SCHOOL FOOD SERVICE FUND (49)</b>						
<b>175</b>							
<b>176</b>	<b>REVENUE:</b>						
<b>177</b>	<b>Lunch Sales</b>	<b>250,000</b>	<b>1,940</b>	<b>0.8%</b>	<b>11.0%</b>	<b>27,411</b>	<b>250,000</b>
<b>178</b>	<b>Other Local</b>	<b>1,500</b>	<b>100</b>	<b>6.7%</b>	<b>3.1%</b>	<b>188</b>	<b>6,100</b>
<b>179</b>	<b>State</b>	<b>1,075,000</b>	<b>60,951</b>	<b>5.7%</b>	<b>3.7%</b>	<b>40,113</b>	<b>1,075,000</b>
<b>180</b>	<b>Federal</b>	<b>4,000,000</b>	<b>467,766</b>	<b>11.7%</b>	<b>9.2%</b>	<b>320,434</b>	<b>3,500,000</b>
<b>181</b>	<b>Other/Inventory Adj</b>	<b>0</b>	<b>0</b>		<b>0.0%</b>	<b>0</b>	<b>0</b>
<b>182</b>	<b>TOTAL REVENUE SCHOOL</b>						
<b>183</b>	<b>FOODS</b>	<b>5,326,500</b>	<b>530,757</b>	<b>10.0%</b>	<b>8.0%</b>	<b>388,146</b>	<b>4,831,100</b>
<b>184</b>	<b>Beg. Balance</b>	<b>1,000,835</b>					<b>0</b>
<b>185</b>	<b>Less:</b>						
<b>186</b>	<b>Ending Balance</b>	<b>1,179,481</b>					<b>-132,962</b>
<b>187</b>	<b>School Food Service Funds</b>						
<b>188</b>	<b>available</b>	<b>5,147,854</b>	<b>530,757</b>	<b>10.3%</b>	<b>7.8%</b>	<b>388,146</b>	<b>4,964,062</b>
<b>189</b>	<b>EXPENDITURES:</b>						
<b>190</b>	<b>Salaries</b>	<b>1,786,241</b>	<b>306,949</b>	<b>17.2%</b>	<b>18.5%</b>	<b>304,738</b>	<b>1,646,305</b>
<b>191</b>	<b>Benefits</b>	<b>692,613</b>	<b>121,173</b>	<b>17.5%</b>	<b>18.6%</b>	<b>120,726</b>	<b>648,757</b>
<b>192</b>	<b>Food/Supplies</b>	<b>2,294,000</b>	<b>430,404</b>	<b>18.8%</b>	<b>14.2%</b>	<b>326,360</b>	<b>2,294,000</b>
<b>193</b>	<b>Equipment</b>	<b>50,000</b>	<b>122,026</b>	<b>244.1%</b>	<b>42.0%</b>	<b>20,990</b>	<b>50,000</b>
<b>194</b>	<b>Other Costs</b>	<b>25,000</b>	<b>18,212</b>	<b>72.8%</b>	<b>19.2%</b>	<b>4,802</b>	<b>25,000</b>
<b>195</b>	<b>Dir/Indirect Costs</b>	<b>300,000</b>	<b>139</b>	<b>0.0%</b>	<b>0.0%</b>	<b>139</b>	<b>300,000</b>
<b>196</b>	<b>TOTAL EXPENDITURES SCHOOL</b>		<b>Lunch Tables &amp; Equip</b>				
<b>197</b>	<b>FOODS</b>	<b>5,147,854</b>	<b>998,903</b>	<b>19.4%</b>	<b>15.7%</b>	<b>777,755</b>	<b>4,964,062</b>

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	<b>Description</b>	<b>Preliminary</b>	<b>YTD</b>	<b>Actual</b>	<b>Actual</b>	<b>YTD</b>	<b>Revised</b>
				<b>%</b>	<b>%</b>		
	<b>Percent of Year completed to date</b>			<b>25.00%</b>	<b>25.00%</b>		
	<b>Percent of 9 month contract complete</b>			<b>16.66%</b>	<b>16.66%</b>		
<b>198</b>	<b>Foundation Fund (75)</b>						
<b>199</b>							
<b>200</b>	<b>REVENUE:</b>						
<b>201</b>	<b>Total Revenue</b>	<b>250,000</b>	<b>53,252</b>	<b>21.3%</b>	<b>11.2%</b>	<b>28,037</b>	<b>250,000</b>
<b>202</b>	<b>Avallable Revenue</b>	<b>250,000</b>	<b>53,252</b>	<b>21.3%</b>	<b>11.2%</b>	<b>28,037</b>	<b>250,000</b>
<b>203</b>	<b>EXPENDITURE:</b>						
<b>204</b>	<b>Expenses</b>	<b>180,000</b>	<b>31,820</b>	<b>17.7%</b>	<b>10.6%</b>	<b>19,154</b>	<b>180,000</b>
<b>205</b>	<b>Changes/Desg Fund Bal</b>						<b>0</b>
<b>206</b>	<b>TOTAL EXPENDITURE</b>	<b>180,000</b>	<b>31,820</b>	<b>17.7%</b>	<b>10.6%</b>	<b>19,154</b>	<b>180,000</b>
<b>207</b>	<b>Agency Fund (76)</b>						
<b>208</b>							
<b>209</b>	<b>REVENUE:</b>						
<b>210</b>	<b>Agent Services</b>	<b>125,000</b>	<b>23,176</b>	<b>18.5%</b>	<b>1.7%</b>	<b>2,129</b>	<b>125,000</b>
<b>211</b>	<b>State</b>	<b>5,000</b>	<b>0</b>			<b>4,359</b>	<b>5,000</b>
<b>212</b>	<b>Federal</b>						<b>0</b>
<b>213</b>	<b>Other</b>	<b>7,000</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>7,000</b>
<b>214</b>	<b>TOTAL REVENUE/BB</b>						
<b>215</b>	<b>AGENCY FUND</b>	<b>137,000</b>	<b>23,176</b>	<b>16.9%</b>	<b>4.7%</b>	<b>6,488</b>	<b>137,000</b>
<b>216</b>	<b>EXPENDITURE:</b>						
<b>217</b>	<b>Instruction</b>		<b>0</b>			<b>6,084</b>	<b>0</b>
<b>218</b>	<b>NUCC</b>	<b>125,000</b>	<b>4,135</b>	<b>3.3%</b>	<b>0.0%</b>	<b>0</b>	<b>125,000</b>
<b>219</b>	<b>Other</b>	<b>7,000</b>	<b>0</b>	<b>0.0%</b>	<b>0.0%</b>	<b>0</b>	<b>7,000</b>
<b>220</b>	<b>Changes/Desg Fund Bal</b>	<b>5,000</b>					<b>5,000</b>
<b>221</b>	<b>TOTAL EXPENDITURES</b>						
<b>222</b>	<b>AGENCY FUND</b>	<b>137,000</b>	<b>4,135</b>	<b>3.0%</b>	<b>4.4%</b>	<b>6,084</b>	<b>137,000</b>
<b>223</b>							
<b>224</b>							
<b>225</b>			<b>SUMMARY</b>			<b>SUMMARY</b>	
<b>226</b>							
<b>227</b>	<b>GRAND TOTAL FUNDS AVAILABLE</b>						
<b>228</b>	<b>ALL FUNDS</b>	<b>138,440,752</b>	<b>22,625,994</b>	<b>16.3%</b>	<b>13.4%</b>	<b>19,309,384</b>	<b>144,378,869</b>
<b>229</b>	<b>GRAND TOTAL EXPENDITURE</b>						
<b>230</b>	<b>ALL FUNDS</b>	<b>160,358,686</b>	<b>32,958,812</b>	<b>20.6%</b>	<b>21.7%</b>	<b>29,431,050</b>	<b>135,865,476</b>

## POLICY 1071

### Electronic Meetings

#### A. Electronic meetings authorized

1. The Board authorizes its meetings to be held through electronic means as set forth in this policy. Such electronic means may include communications by telephone, telecommunications, computer, or similar methods of remote communication. Unless specifically stated by this policy, the other policies governing Board meetings (relating to notice, meetings being open to the public, and other matters) also apply to Board meetings held through electronic means.

#### B. Definitions

1. The following terms are used in this policy:
  - a. Anchor location: A designated physical location from which the electronic meeting originates or to which participants are connected.
  - b. Electronic notice: electronic mail (email), text, fax, or other means of electronic communication.

#### C. Member request required for electronic meeting attendance

1. A Board meeting may be held as an electronic meeting only upon request of a member of the Board. This request must be made sufficiently in advance of the time that the Board meeting is scheduled so that the necessary arrangements can be made for the electronic meeting. The request must be made not less than 25 hours before the meeting.

[Utah Code § 52-4-207\(2\)\(b\)\(iii\) \(2021\)](#)

#### D. Notice to board members of an electronic meeting

1. After an electronic meeting has been scheduled, and at least 24 hours before the meeting, the members of the Board shall be notified of the electronic meeting and informed how members of the Board will be connected to the meeting.

[Utah Code § 52-4-207\(3\)\(b\) \(2021\)](#)

E. Anchor location

1. Unless the requirements have been met for holding an electronic meeting without an anchor location, the Board will provide space and facilities at an anchor location for members of the public to attend the open portions of the meeting. The Board may also provide means by which members of the public who are not physically present at the anchor location may attend the meeting remotely by electronic means.

[Utah Code § 52-4-207\(4\) \(2021\)](#)

F. Electronic meetings without an anchor location

1. The Board may convene and conduct an electronic meeting without an anchor location if the president of the Board makes a determination that either
  - a. conducting the meeting with an anchor location presents a substantial risk to the health or safety of those present or who would otherwise be present at the anchor location or
  - b. the location where the Board would normally meet has been ordered closed to the public for health or safety reasons.
2. The public notice for the meeting must include a description of the Board president's determination and a summary of the facts upon which it is based, along with information on how a member of the public may attend the meeting remotely by electronic means. A determination of substantial risk to health or safety expires 30 days after the day on which the president makes it.

[Utah Code § 52-4-207\(5\)\(a\), \(6\) \(2021\)](#)

3. During the course of an electronic meeting with an anchor location where the Board has provided means by which members of the public who are not physically present at the anchor location may attend the meeting remotely by electronic means, the anchor location may be closed and the meeting continued without an anchor location if the Board president determines that continuing to conduct the meeting with an anchor location presents a substantial risk to the health or safety of those present at the anchor location, announces that determination during the meeting, and states a summary of the facts upon which the determination is made.

[Utah Code § 52-4-207\(5\)\(b\) \(2021\)](#)

G. Electronic meeting not available for site visit or traveling tour

1. When the scheduled meeting is a site visit or traveling tour, the meeting may not be conducted or convened electronically.

#### H. Public notice of an electronic meeting

1. In addition to providing and posting the notices required for other Board meetings, the Board shall provide at least 24 hours' advance written or electronic notice of the electronic meeting to
  - a. A newspaper of general circulation within the state; and
  - b. A local media correspondent.
2. Unless the requirements have been met for holding a meeting without an anchor location, the Board shall also post written notice of the electronic meeting at the anchor location at least 24 hours prior to the electronic meeting. The notices of the electronic meeting shall specify the anchor location of the meeting or, if there is no anchor location, shall specify how a member of the public may hear (or view and hear) the meeting and if public comment will be accepted how a member of the public may provide comments by electronic means.

[Utah Code § 52-4-207\(3\) \(2021\)](#)

#### I. Public access to electronic meetings

1. Space and facilities shall be provided at the anchor location of an electronic meeting of the Board to permit members of the public to attend and monitor the electronic meeting (except those portions of such a meeting which have been properly closed to the public by the Board). If the Board meeting is one at which comments from the public will be accepted, then the space and facilities shall also permit members of the public to participate in the electronic meeting. For an electronic meeting which is being held without an anchor location, the Board shall provide access to the meeting as provided for above regarding meetings without an anchor location
2. Members of the public are not entitled to monitor or attend electronic meetings except through the space and facilities provided at the anchor location or through electronic access provided for a meeting without an anchor location. (Members of the public cannot request an electronic meeting and do not have the right to be remotely connected to a Board meeting except as set forth in this policy.)

[Utah Code § 52-4-207\(4\) \(2021\)](#)

## POLICY 2001

### Fiscal Management Goals

- A. The Board recognizes that its primary purpose is to provide the best education possible within the limits of the financial ability of the school district. The Board also recognizes its deep responsibility to the citizens of the district for the efficient use of public funds. To achieve these purposes, the Board establishes the following fiscal management goals:
1. To engage in thorough advance planning, with broad-based staff and community involvement, to develop budgets and guide expenditures to achieve the greatest educational benefit possible.
  2. To pursue all practical and legal sources of public and private funding.
  3. To use the best and most efficient techniques for budgeting, accounting, purchasing, and reporting. **This includes program accounting, cash handling, expenditures, fundraising, donation and gifts, and financial reporting and training. (These areas are covered in other policies and procedures.) R277-113-5**
  4. To work with state legislature, state board of education, and other appropriate agencies to establish and maintain levels of funding adequate to provide quality education.
- B. All budget and other fiscal processes will conform to all state laws, rules, and requirements set forth by constitution, statute, state rules, and Board policy.
- C. District Reporting
1. Definitions
    - a. "Generally Accepted Accounting Principles" ("GAAP") means a common framework of accounting rules and standards for financial report promulgated by either FASB or GASB, as applicable to the district.
    - b. "Financial Accounting Standards Board" ("FASB") means the board whose purpose is to establish GAAP for nongovernmental entities within in the United Sates.

- c. “Governmental Accounting Standards Board” (“GASB”) means the board whose purpose is to establish GAAP for state and local governments within the United States.
- d. “Generally Accepted Auditing Standards” (“GAAS”) a set of auditing standards and guidelines promulgated by the Auditing Standards Board of the American Institute of Certified Public Accountants.
- e. “Generally Accepted Government Auditing Standards” (“GAGAS”) means a set of auditing standards and guidelines promulgated by the Government Accountability Office.

*Utah Admin. Rules R277-113-2(5) – (9) (November 10, 2020)*

- 2. The District shall ~~conduct its financial reporting in accordance with GAAP and shall~~ arrange for external audits of District financial reporting, compliance, and performance in accordance with GAAS and GAGAS. The District’s financial reporting shall be done in a manner consistent with the basis of accounting as required by GAAP, as applicable to the District. ~~Beginning with state fiscal year 2021, the basis for accounting shall be GASB If the District follows FASB standards, the District shall provide reconciliation between the accrual basis of accounting and modified accrual basis of accounting.~~ The District shall provide data and information consistent with budgeting, accounting (including the uniform chart of accounts for local education agencies), and auditing standards for Utah local educational agencies provided online annually by the State Superintendent.

*Utah Admin. Rules R277-113-5(9)(e) (November 10, 2020)*

## POLICY 2135

### Capital Outlay Reporting: New School Plant Capital Outlay Report Building Project or Significant School Remodel

#### A. Definitions

The following definitions apply in this policy:

1. "New school building project" means:
  - a. the construction of a school or school facility that did not previously exist in the District; or
  - b. the lease or purchase of an existing building, by the District, to be used as a school or school facility
2. "School facility" means a facility, including a pool, theater, stadium, or maintenance building, that is built, leased, acquired, or remodeled by the District regardless of whether the facility is open to the public.
3. "Significant school remodel" means a construction project undertaken by the District with a project cost equal to or greater than \$2,000,000, including:
  - a. the upgrading, changing, alteration, refurbishment, modification, or complete substitution of an existing school or school facility in the District with a project cost equal to or in excess of \$2,000,000; or
  - b. the addition of a school facility.
4. The District participates in the Uniform School Fund, which the State Board of Education apportions annually among school districts according to the provisions of the Minimum School Program Act.

Utah Code § 63A-3-402(7)(a) (2019)

#### B. School Plant Capital Outlay Report

1. For each new school building project or significant school remodel, the District shall:

- ~~a. prepare an annual school plant capital outlay report; and~~
  - ~~b. submit the report to the division for publication on the Utah Public Finance Website, Division and in a format, including any raw data or electronic formatting, prescribed by applicable division policy.~~
2. ~~The District shall include in the capital outlay report described the following information as applicable to each new school building project or significant school remodel:~~
- ~~a. the name and location of the new school building project or significant school remodel;~~
  - ~~b. construction and design costs, including:
    - ~~1) the purchase price or lease terms of any real property acquired or leased for the project or remodel;~~
    - ~~2) facility construction;~~
    - ~~3) facility and landscape design;~~
    - ~~4) applicable impact fees; and~~
    - ~~5) furnishings and equipment;~~~~
  - ~~c. the gross square footage of the project or remodel;~~
  - ~~d. the year construction was completed; and~~
  - ~~e. the final student capacity of the new school building project or, for a significant school remodel, the increase or decrease in student capacity created by the remodel.~~
  - ~~f. further itemized data required by the division.~~
1. The district shall prepare and submit an annual school plan capital outlay report to the state auditor on or before the date designated by the state auditor and according to requirements established by the state auditor.

~~Utah Code § 63A-3-402(7)(b) (2019)~~  
[Utah Code § 53E-3-705 2021](#)

## POLICY 3047

### Reemployment of Retirees

- A. A retiree who is reemployed after July 1, 2010, by the District within one year of the date of the person's retirement will have his or her retiree's allowance cancelled by the Utah State Retirement Office and be reinstated as an active member of the State retirement plan, effective the first day of the month following the date of reemployment unless:
1. the retiree is not reemployed by the District for a period of at least sixty (60) days from the retiree's retirement date;
  2. upon reemployment after the break in service, the retiree does not receive any District provided benefit, including:
    - a. medical benefits;
    - b. dental benefits;
    - c. other insurance benefits except workers compensation and withholdings required by state and federal law for Social Security, Medicare, and unemployment insurance; or
    - d. paid time off, including sick, annual or other type of leave; and
    - e. the retiree does not earn in any calendar year of reemployment an amount in excess of the lesser of:
      - 1) \$15,000; or
      - 2) One-half of the retiree's final average salary upon which the retiree's retirement allowance is based.
  3. If the employee retires again within a two-year period from the date of cancellation of the original allowance, the original allowance will resume. Otherwise, if the employee retires after the two-year period, then his or her original allowance will resume, and the retiree will receive an additional allowance based on the formula in effect at the date of the subsequent retirement for the service credit accrued between the first and subsequent retirement dates.
  4. A retiree who is reemployed after July 1, 2010, by the District more than one year from the date of the retiree's retirement may elect to:

- a. Earn additional service credit and cancel the retiree's retirement allowance; or
  - b. Receive the retiree's retirement allowance and forfeit any retirement related contribution from the District.
5. It is the responsibility of the reemployed retiree to report to the Utah State Retirement Office his or her reemployment status. It is the Utah State Retirement Office that ultimately determines the impact, if any, of a retiree's reemployment with the District on the retiree's eligibility for and benefits under the Utah State Retirement System. Therefore, the retiree should contact the Utah State Retirement Office to verify the impact of any reemployment decision prior to accepting reemployment with the District. The Utah State Retirement Board has stated that it will typically find that a retiree has not had an effective termination of service for purposes of the break in employment requirement if prior to retirement the employee has or had any type of prearrangement which anticipates a post-termination of employment fee-for-services relationship with any employer participating in the Utah State Retirement System. In addition, volunteer service for a participating employer may constitute employment or reemployment if there is a prearrangement of any kind that anticipates that the volunteer service is given in exchange for or as a condition of future employment or any fee-for-service relationship with any participating employer or there is any kind of deferred compensation for the volunteer service.

[Utah Code § 49-11-504 et seq. \(2016\)](#)  
[Utah State Retirement Board Resolution #2019-05](#)

## POLICY 4027

### Special Programs: Dropout Prevention and Recovery

#### A. At-Risk Coordinator

1. The District shall designate one or more at-risk coordinators to collect and disseminate data regarding dropouts in the District and to coordinate the District's program for students who are at high risk of dropping out of school.

#### B. Identification of "Designated students"

1. The District shall identify all students: who have withdrawn from school before earning a diploma, and who have been dropped from average daily membership, and whose graduating class (when entering grade 9) have not yet graduated. The District shall further identify students who are at risk of meeting these criteria.

[Utah Code § 53G-9-802 \(2020\)](#)

[Utah Code § 53G-9-801\(3\) \(2020\)](#)

#### C. Dropout Reduction Plan

1. The District shall provide dropout prevention and recovery services to designated students, including:
  - a. Engaging with or attempting to engage with designated students;
  - b. Consulting with designated students and develop a learning plan to identify:
    - 1) Barriers to regular school attendance;
    - 2) An attainment goal through enrollment in education programs; and
    - 3) Means for achieving the attainment goal through enrollment in one or more of the programs described below in Flexible Enrollment Options.
  - c. Monitoring a designated student's progress toward reaching the designated student's attainment goal; and
  - d. Providing tiered interventions for a designated student who is not making progress toward reaching the student's attainment goal.

2. The District shall provide dropout prevention and recovery services throughout the calendar year to students who become designated students while enrolled within the District. The District shall provide dropout prevention and recovery services to students who reside within the District who were enrolled in a charter school that does not include grade 12 and become designated in the summer after the student completes academic instruction at the charter school through the maximum grade level at the charter school.

[Utah Code § 53G-9-802\(1\)\(a\)-\(c\) \(2020\)](#)

3. The District shall establish a policy that describes how the District (or a third party provider) will measure if a designated student made a year's worth of progress toward an attainment goal during the year and how membership days will be determined for a designated student in accordance with the District's school schedule and enrollment policies.

[Utah Admin. Rules R277-606-3\(2\)\(a\) \(September 24, 2020\)](#)

#### D. Flexible Enrollment Option

1. The District shall provide flexible enrollment options for a designated student that are tailored to the designated student's learning plan and include two or more of the following:
  - a. Enrollment in a traditional program in a school within the District;
  - b. Enrollment in the District in a nontraditional program;
  - c. Enrollment in a program offered by a private provider that has entered into a contract with the District to provide educational services; or
  - d. Enrollment in a program offered by another local educational agency.

[Utah Code § 53G-9-802\(2\)\(a\) \(2020\)](#)

#### E. Designated Student Enrollment Options

1. A designated student may enroll in:
  - a. A program offered by the District; or
  - b. The Statewide Online Education Program

2. The District shall make its best effort to accommodate a designated student's choice of enrollment.

F. Third-Party Dropout Prevention and Recovery Services

1. Beginning with the 2017-18 school year (except as stated below), a District shall enter into a contract with a third party to provide dropout prevention and recovery services for any school year in which the District meets the following criteria:
  - a. The District's graduation rate is lower than the statewide graduation rate; and
  - b. The District's graduation rate has not increased by at least 1% on average over the previous three school years, or during the previous calendar year, at least 10% of the District's designated students have not reached the students' attainment goals or made a year's worth of progress toward the students' attainment goals.
2. The contracting requirement does not apply if: (a) the District is in its first three years of operation; (b) the District's average graduation rate for the previous three years is higher than the statewide graduation rate for the same period; or (c) the quotient of the total number of the District's graduating students plus 10 divided by the total number of students in the graduating class, is equal to or greater than the statewide graduation rate.
3. If a District is required to enter into a third-party contract to provide dropout prevention and recovery services, the District shall ensure that:
  - a. The third party has a demonstrated record of effectiveness engaging with and recovering designated students;
  - b. The contract with the third party requires the third party provide the services described the Dropout Reduction Plan and regularly report progress to the District.

[Utah Code § 53G-9-802\(3\)-\(5\) \(2020\)](#)

G. Annual Reporting

1. The District shall annually submit a report to the State Superintendent of Education on dropout prevention and recovery services **by October 30**, including:
  - a. The total number of designated students in the District;

- b. If applicable, the name of the third party the District is contracting with to provide dropout prevention and recovery services;
- c. The methods the District or third party uses to engage with or attempt to recover designated students under the Dropout Reduction Plan;
- d. The number of designated students who enroll in a program described in the Flexible Enrollment Options as a result of the District's efforts to engage with or attempting to recover a designated student;
- e. The number of designated students who reach the designated students' attainment goals; and
- f. Funding allocated to provide dropout prevention and recovery services.

[Utah Code § 53G-9-802\(6\) \(2020\)](#)

[Utah Admin. Rules R277-606-4\(1\)\(b\) \(September 24, 2020\)](#)

#### H. "Attainment Goals" Defined

##### 1. Attainment Goal means:

- a. A high school diploma;
- b. Utah High School Completion Diploma, as defined in State Board of Education rule;
- c. An Adult Education Secondary Diploma, as defined in State Board of Education rule; or
- d. An employer-recognized, industry-based certificate that is likely to result in job placement and is included in the State Board of Education's approved career and technical education industry certification list.

[Utah Code § 53G-9-801\(1\) \(2020\)](#)

## POLICY 4165

### Requests for Charter Schools

#### A. Sponsorship of Charter Schools

1. The Utah State Legislature has authorized school districts to contract with individuals and entities to sponsor charter schools within the district's boundaries, whether the charter school is converted from an existing district school or is a new school.

[Utah Code § 53G-5-305\(1\) \(2019\)](#)

#### B. Application Process for Charter School Status

1. The Board hereby elects to receive applications from individuals and organizations to establish charter schools within the boundaries of the District. An application for a charter school sponsored by the District should address each of the issues which are required to be included in the charter. To be approved by the Board, a proposed charter school at a minimum must serve at least 350 students, must meet the curriculum standards established by the State Board of Education, and must meet the minimum financial standards established by the State Board of Education.

[Utah Code § 53G-5-305\(8\) \(2018\)](#)

#### C. Application to Convert an Existing Public School to a Charter School

1. With the necessary authorization, the principal, teachers, or parents of students at an existing District school may submit an application to the Board to convert all or part of the school to a charter school. Before an application to convert the entire school may be submitted, a petition approving that application must be signed by at least two-thirds of the licensed educators employed at the school and by at least two-thirds of the parents of students enrolled at the school. A petition approving an application to convert a portion of the school must be approved by a majority of the licensed educators employed at the school and a majority of the parents of students enrolled at the school.
2. Before the Board may approve a conversion application, it must determine that the students opting not to attend the proposed converted school would have access to a comparable public education alternative and that current teachers who choose not to teach at the converted school would receive a first preference for transfer to open

teaching positions for which they qualify within the District or that applicable policy or agreements regarding staff reduction would apply.

[Utah Code § 53G-5-305\(1\)\(b\) \(2018\)](#)

#### D. Contents of Proposed Charter

1. An approved charter is a contract between the charter school applicant and the Board of Education which describes the rights and responsibilities of the applicant and the Board of Education and when approved allows for the operation of the proposed charter school. To be approved by the Board, a proposed charter must include each of the following components and do so in a manner satisfactory to the Board:
  - a. The name of the proposed charter school and the name of the charter school applicant;
  - b. The mission statement and purpose of the proposed charter school;
  - c. The proposed opening date of the proposed charter school;
  - d. The grade levels and number of students to be served by the proposed charter school;
  - e. A description of the structure of the proposed charter school's governing board, including the number of board members, how members of the board are appointed, and the terms of office of board members;
  - f. Assurances that:
    - 1) The governing board shall comply with the charter school's bylaws and articles of incorporation and applicable federal and state law and State Board of Education rules;
    - 2) The governing board will meet all reporting requirements applicable to public schools; and
    - 3) That except as provided for under the [Charter School Credit Enhancement Program \(Title 53G, Chapter 5, Part 6\)](#), neither the Board of Education nor the State or any agency of the State is liable for the debts or financial obligations of the charter school or a person who operates the charter school;

- g. Which administrative rules the State Board of Education will waive for the charter school;
- h. The minimum financial standards for operating the charter school;
- i. The minimum standards for student achievement at the charter school;
- j. The mission and educational goals of the school, the curriculum offered, and the methods of assessing whether students are meeting educational goals;
- k. How the school will provide adequate liability and other appropriate insurance for the school, its governing body, and its employees, including its ability to participate in the state's risk management program;
- l. The proposed school calendar, including the length of the school day and school year;
- m. The physical facility in which the school will be housed, if known at the time the charter is signed;
- n. The qualifications to be required of the teachers, which shall include undergoing a criminal background check;
- o. The school's intentions regarding creation of or access to library facilities;
- p. A description of the school administrative and supervisory services;
- q. The school's policies and procedures regarding employee evaluation and employment of relatives; and
- r. The signatures of the charter school's governing board members and (upon approval by the Board) the signature of the president of the Board of Education.

[Utah Code § 53G-3-303 \(2018\)](#)

2. Upon approval of the charter agreement and execution by both the charter school's governing board and by the Board, the Board shall maintain the original and official signed copy of the charter agreement.

Utah Admin. Rules R277-552-3(7) (February 9, 2021)

E. Acceptance or Rejection of Application

1. The Board shall act to accept or reject the application for charter school status within forty-five (45) days after initial submission.
2. If the Board rejects the application, it shall state in writing the specific reasons for rejection.
3. A rejected applicant may modify its application and resubmit for reconsideration by the Board or may appeal the denial under the procedure set out below.

[Utah Code § 53G-5-305\(3\) \(2018\)](#)

#### F. Accountability and Review

1. As required by Utah State Office of Education regulations, an authorized representative or representatives of the Board shall visit and inspect the charter school at least once within the first year of its operation. An authorized representative or representatives of the Board shall visit and inspect the charter school thereafter as determined during the approval process. The Board shall provide the charter school with a written report regarding each visit and inspection which sets forth any identified strengths, deficiencies, required corrective actions, and timelines for corrective action, as applicable. Deficiencies are matters where the charter school is in violation of [Utah Code § 53G-5-404](#) or with other governing law, is not satisfying financial, academic, or operational obligations in its charter agreement, or is not providing required documentation after receiving a notice of noncompliance.
2. The Board may also issue a written notice of noncompliance to a charter school if the charter school does not meet standards described in its charter agreement or Board standards due to a significant structural or organizational problem, or if the school fails to follow its charter agreement, or if the school violates any law or regulation. This notice may be accompanied by suggestions or a plan for compliance. The Board shall send a copy of the notice of noncompliance to the State Charter School Board.
3. In addition, the Board shall annually review and evaluate the performance of the charter school and monitor the school for compliance with state and federal laws and regulations. In evaluating the school's performance, the Board may use data and information including, but not limited to, the school's annual financial audit report, statutorily required reports from the school, or reports required in the school's charter. However, the Board may not impose performance standards which are not permitted by statute and which limit, infringe, or prohibit the charter school's ability to successfully accomplish the statutory purposes of charter schools outlined in [Utah Code § 53G-5-104](#) or as otherwise provided for by law.

4. The Board shall notify the State Board of Education within 20 days of any charter school deficiencies that initiate direction from the Board to the charter school for corrective action.

[Utah Code § 53G-5-404 \(2018\)](#)  
[Utah Admin. Rules R277-481-5](#)

#### G. Remediation of Deficiencies

1. The Board's notice to a charter school of deficiencies, required corrective action, and the time for completing corrective action shall also inform the charter school that it has a reasonable time to remedy the deficiency. (This does not apply in cases where immediate termination of the school's charter is appropriate.)
2. If the charter school fails to remedy the deficiency or deficiencies within the established time line, then the Board may:
  - a. Remove a charter school director or finance officer;
  - b. Remove a governing board member;
  - c. Appoint an interim director or mentor to work with the charter school, to be paid from charter school funds; or
  - d. Subject to the procedure set forth below, terminate the school's charter.

[Utah Code § 53G-5-501\(2\), \(3\) \(2018\)](#)

#### H. Termination of Charter School Status

1. The Board may terminate a charter school that it sponsors for the following reasons:
  - a. Failure to meet the requirements stated in its charter;
  - b. Failure to meet generally accepted standards of fiscal management;
  - c. Failure to provide adequate liability and other appropriate insurance;
  - d. Subject to space being available for students in other public schools, for failure to make adequate yearly progress under the [No Child Left Behind Act](#) under the circumstances that local districts are required to implement alternative educational arrangements under that law;

- e. Designation of the school as a low performing school under the [School Grading Act](#);
- f. Failure to improve the school's grade under the conditions described in the [School Turnaround and Leadership Development Act](#);
- g. Violation of law, including but not limited to violation of the requirements to
  - 1) Submit an annual progress report to the Board of Education stating:
    - a) The school's progress toward achieving its goals set forth in its charter; and
  - 2) Financial records of the school, including revenues, expenditures, and employee salary and benefit levels.
  - 3) Be non-sectarian in its programs, admission policies, employment practices and operations;
  - 4) Not charge tuition or fees except those normally charged by public schools;
  - 5) Not employ an educator whose license has been suspended or revoked by the State Board of Education;
  - 6) Meet all applicable health, safety, and civil rights requirements;
  - 7) Submit all annual reports required of public schools, including an annual audited financial report;
  - 8) Not advocate unlawful conduct; or,
- h. Other good cause shown.

[Utah Code § 53G-5-503\(1\) \(2018\)](#)

[Utah Code § 53G-5-404\(1\), \(4\), \(6\), \(8\), \(10\) \(2018\)](#)

#### I. Procedure for Termination of Charter

1. If the Board determines that the charter of a school it sponsors should be terminated, then the following procedure shall apply:

- a. The Board shall notify the charter's school governing board in writing of the proposed termination and the grounds for termination. This notice shall also inform the school governing board that it may in writing request an informal hearing before the Board regarding the proposed termination.
  - b. If the school governing board requests a hearing, the Board shall conduct that hearing within 30 days of receiving the request. The hearing shall be conducted under the informal hearing procedures of the [Utah Administrative Procedures Act](#).
  - c. If following the hearing the Board by majority vote determines to terminate the charter, the school governing body may appeal that decision to the State Board of Education.
2. Notwithstanding the above, the Board may terminate a charter immediately if good cause therefore is shown or if the health, safety, or welfare of the students at the charter school is threatened, except as provided below for schools with qualifying outstanding bonds.

[Utah Code § 53G-5-503\(2\), \(5\) \(2018\)](#)

J. Procedures Applicable to Charter Schools With Outstanding Bonds

1. The procedures for remedying deficiencies and for terminating a charter school's charter are modified where the school has outstanding bonds issued under the [Charter School Credit Enhancement Program](#), as follows.
2. The notice of deficiencies shall also be given to the [Utah Charter School Finance Authority](#).
3. The Board must also give notice to that agency before it may take one of the actions other than termination. Where the Board seeks to terminate the school's charter, the notice of proposed termination and grounds for termination is also provided to the [Utah Charter School Finance Authority](#). The hearing on termination is held at least 120 days after the notice is given to the Authority and the charter school governing board (rather than 30 days). Before the hearing is held, the Authority will meet with the Board to determine whether the deficiency may be remedied in lieu of termination of the charter. If after the hearing the Board votes to terminate the charter, termination nevertheless may not be effected without the agreement of the Authority. Similarly, where immediate termination of a charter might be appropriate, such termination cannot be effected without the agreement of the Authority.

[Utah Code § 53G-5-501\(1\)\(b\), \(4\) \(2018\)](#)

[Utah Code § 53G-5-503\(2\)\(a\)\(ii\), \(2\)\(e\), \(3\) \(2018\)](#)

K. Appeals from Board Actions

1. Subject to and pursuant to the rules and procedures established by the State Board of Education, the following actions may be appealed to the State Board:
  - a. Termination of a charter;
  - b. Denial of proposed amendments to a charter;
  - c. Denial or withholding of funds from the charter school governing board; and
  - d. Denial of a charter application.
2. In taking any of these actions, the Board shall provide written notice to the charter school governing board chair or authorized agent of the action and of appeal rights and timelines. (An appeal must be submitted to the State Superintendent within 14 calendar days of the challenged action.) The Board shall also post information about the appeals process on its website and shall provide training to charter school governing board members and authorized agents regarding the appeals process.

[Utah Admin. Rules R277-481-8](#)

L. School Operation Following Termination

1. If a charter is terminated, then the District may either assume management and operation of the charter school or may upon application permit the governing board of another charter school or a private management company to operate the school.

[Utah Code § 53G-5-503\(6\) \(2018\)](#)

## POLICY 4190

### Driver Training

- A. The District will provide driver education to help develop the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles.

[Utah Code § 53G-10-502\(2\) \(2021\)](#)

- B. Educators who act as driver education instructors must have a driver education endorsement from the State Board of Education.

[Utah Admin. Rules R277-311-3 \(January 8, 2021\)](#)

- C. Driver education shall consist of both classroom and behind-the-wheel/observation instruction. This instruction will be provided outside of regular school hours. Both portions of this instruction will be provided in accordance with the rules established by the State Office of Education.

[Utah Code § 53G-10-501 \(2019\)](#)

- D. Driver education shall be solely funded through student fees and funds from the Automobile Driver Education Tax Account. The Board of Education will set the fee required for participation in driver education. This fee shall be determined by taking into consideration the costs associated with providing driver education that are not covered by reimbursements from the Automobile Driver Education and the costs associated with students obtaining a waiver of driver education fees.

[Utah Code § 53G-10-503\(1\)\(a\) \(2021\)](#)

[Utah Code § 53G-10-503\(7\) \(2021\)](#)

## POLICY 5050

### Immunization Requirements

A. The following definitions apply within this policy:

1. "Immunization record" means a record relating to a student that includes:
  - a. Information regarding each required vaccine that the student has received, including the date each vaccine was administered, and which is verified by one of the following: a licensed health care provider, a registered nurse, a pharmacist, an authorized representative of a local health department, or an authorized representative of the Utah Department of Health; and
  - b. Information regarding each disease against which the student has been immunized by previously contracting the disease; and
  - c. An exemption form identifying each required vaccination from which the student is exempt.
2. "Legally responsible individual" means:
  - a. The student's parent, legal guardian, or (if the student does not have a legal guardian) an adult brother or sister of the student; or
  - b. The student, if the student is an adult or is a minor who may give consent under [Utah Code § 26-10-9](#) (which identifies certain minors who may consent to vaccinations and examinations for school attendance).
3. "Licensed health care provider" means a health care provider licensed by the Division of Occupational and Professional Licensing of the Utah Department of Commerce as a medical doctor, an osteopathic doctor, a physician assistant, or an advance practice registered nurse.
4. "Local health department" means the same as that term is defined in [Utah Code § 26A-1-102](#).
5. "Required vaccine" means a vaccine required by the Utah Department of Health as a condition of attending school.

6. "Vaccination exemption form" means a form established by the Utah Department of Health and which documents and verifies that a student is exempt from the requirement to receive one or more vaccines.

[Utah Code § 53G-9-301 \(2019\)](#)

#### B. Immunization Required for School Admission

1. Except for the circumstances specified elsewhere in this policy, a student may not attend a school in the District unless the school has received an immunization record from a permitted source (which are the legally responsible individual of the student, the student's former school, or a statewide registry) that shows either that the student has received all required vaccinations or that the student has immunity from the disease for which the vaccination is required or that the student is exempt from receiving the vaccination.

[Utah Code § 53G-9-302\(1\) \(2018\)](#)

[Utah Admin. Rules R396-100-3 \(January 13, 2020\)](#)

#### C. Obtaining and Maintaining Immunization Records

1. Each school shall request an immunization record for each student at the time the student enrolls in the school and shall retain the immunization record as part of the student's permanent school record.

[Utah Code § 53G-9-306\(1\) \(2018\)](#)

2. Within five business days after a student enrolls in a school, a person designated by the principal or other administrator shall determine whether the school has received an immunization record for the student, shall review the student's immunization record for compliance with the requirements for that record, and shall identify any deficiencies in the immunization record.

[Utah Code § 53G-9-306\(2\)\(a\) \(2018\)](#)

3. Each school shall maintain a current list of all enrolled students which notes:
  - a. Each student for whom the school has received a valid and complete immunization record;
  - b. Each student who is exempt from receiving a required vaccine;
  - c. Each student who is attending school under conditional enrollment; and

- d. For each student, each disease against which the student is not immunized.

[Utah Code § 53G-9-309\(1\), \(2\) \(2018\)](#)

4. The student names on this immunization list are confidential and private information and, notwithstanding the requirements of GRAMA, may only be released as provided for in [Utah Code Title 26](#) or [Utah Code § 53E-9-202](#).

[Utah Code § 53G-9-309\(4\) \(2018\)](#)

[Utah Code § 53E-9-202 \(2019\)](#)

[Utah Code § 26-1-17.5 \(2018\)](#)

5. The District and district schools may share a student immunization record or other records relating to vaccination or immunization with other schools or school districts and with local and state health departments and the Utah Department of Human Services as necessary to ensure compliance with student immunization requirements and to prevent, investigate, and control the causes of epidemic, infectious, communicable, and other diseases affecting the public health.

[Utah Code § 26-1-17.5 \(2018\)](#)

6. Upon request, a school shall provide a student's immunization record to a new school to which a student transfers (this does not require consent of the student's legally responsible individual).

#### D. Exemptions

1. Vaccination with required vaccines is not a prerequisite for admission to the District schools if the student qualifies for a medical or personal exemption to the vaccination requirement.
- a. A student qualifies for the medical exemption if the student's legally responsible individual provides the school with:
- 1) A completed vaccination exemption form and
  - 2) A written notice signed by a licensed health care provider stating that, due to the physical condition of the student, administration of the vaccine would endanger the student's life or health.
- b. A student qualifies for the personal exemption if the student's legally responsible individual provides the school with a completed vaccination form stating that the student is exempt from the vaccination because of a personal or religious belief.

2. A vaccination exemption form is valid for as long as the student remains at the school to which the form is first presented. If the student changes schools before the student is old enough to enroll in kindergarten, the form accepted as valid at the student's previous school is valid until the earlier of the day on which the student enrolls in kindergarten or turns six years old. If the student changes schools after the student is old enough to enroll in kindergarten but before the student is eligible to enroll in grade 7, the form accepted as valid at the student's previous school is valid until the earlier of the day on which the student enrolls in grade 7 or turns twelve years old. (However, regardless of a school change before grade 7 or age twelve, an exemption form obtained through the online education module is valid for at least 2 years.) If the student changes schools after the student is old enough to enroll in grade 7, the form accepted as valid at the student's previous school is valid until the student completes grade 12. **If the school offers both remote and in-person learning options, a student with a vaccination exemption may not be denied the opportunity to participate in in-person based on the student's vaccination status.**

[Utah Code § 53G-9-303 \(2021\)](#)

#### E. Conditional Enrollment

1. If upon review it is determined that the school has not received an immunization records for a newly enrolled student, or that there are deficiencies in the immunization record, the school shall place the student on conditional enrollment and within five days of doing so provide written notice (in person or by mail) to the student's legally responsible person. This notice shall state that the student has been placed on conditional enrollment for failing to meet the immunization record requirements, shall describe the deficiencies in the immunization record or state that no immunization record has been provided, shall give notice that the student will not be allowed to attend school unless a compliant record is provided or the deficiencies are cured within the conditional enrollment period, and shall describe the process for obtaining a required vaccination.

[Utah Code § 53G-9-306\(2\)\(b\) \(2018\)](#)

[Utah Code § 53G-9-308\(2\)\(a\) \(2018\)](#)

2. If the school receives a compliant immunization record within the conditional enrollment period, the student shall remove the conditional enrollment status. Unless an extension is granted as provided below, if the record is not provided within the conditional enrollment period, the student shall be prohibited from attending the school.

[Utah Code § 53G-9-308\(2\)\(b\), \(c\) \(2018\)](#)

3. The conditional enrollment period is the time period during which the student's immunization record is under review by the school or 21 calendar days after the school provides notice of the lack of or a deficiency in an immunization record. The student must begin receiving required immunizations within 21 calendar days of school enrollment. Where the student is receiving multiple doses of a required vaccine, the principal or other administrator shall extend the conditional enrollment period by the amount of time medically recommended to complete all required vaccination dosages. The principal or other administrator may grant an extension of the conditional enrollment period if there is agreement between the administrator and a school nurse, health official, or health official designee that an extension will likely lead to compliance with the immunization record requirement.

[Utah Code § 53G-9-308\(1\), \(2\)\(d\) \(2018\)](#)  
[Utah Admin. Rules R396-100-7 \(January 13, 2020\)](#)

#### F. Conditional Enrollment of Military Child

1. A military child who at the time of school enrollment has not been completely immunized against each specified disease may attend under a conditional enrollment, and shall be given 30 days from the day of enrollment to obtain:
  - a. each specified vaccine if the specified vaccine only requires one dose; and
  - b. at least the first dose of a specified vaccine, if the specified vaccine is a series of vaccines.
2. Except as provided above, a military child is subject to rules developed by the Utah Health Department in accordance with [Utah Code § 53G-9-305](#).

[Utah Code § 53E-3-905\(3\) \(2018\)](#)

#### G. Action Upon Disease Outbreak

1. In the case of a disease outbreak, the school principal or other administrator shall, upon the request of an official from a local health department, take the following steps:
  - a. Identify each student who is not immune to the outbreak disease;
  - b. Notify the legally responsible individual of any such student, providing information regarding steps the legally responsible individual may take to protect students; and

- c. For a period determined by the local health official, but not to exceed the duration of the disease outbreak, do one of the following at the discretion of the principal or other administrator after obtaining approval from the local health department:
- 1) Provide a separate educational environment for non-immune students that ensures the protection of those students and of the remainder of the student body; or
  - 2) Prevent non-immune students from attending school.

[Utah Code § 53G-9-309\(3\) \(2018\)](#)

## POLICY 5053

### School Breakfast Program

#### A. Definitions

1. "Alternative breakfast service model" means a method of serving breakfast to a student after the instructional day begins.
2. "National School Lunch Program" means the same as that term is defined in [7 CFR § 210.2](#).
3. "School Breakfast Program" means the same as that term is defined in [7 CFR § 220.2](#).
4. "Traditional breakfast service model" means a method of serving breakfast to a student before the instructional day begins.

[Utah Code § 53G-9-205.1 \(2021\)](#)

#### B. Participation in School Breakfast Program

1. Unless granted an undue hardship waiver by the State Board of Education, each school in the District that participates in the National School Lunch Program shall also participate in the School Breakfast Program.

[Utah Code § 53G-9-205.1\(2\), \(3\) \(2021\)](#)

[Utah Admin. Rules R277-723-3 \(September 24, 2020\)](#)

#### C. Alternative Breakfast Service Model

1. The following requirements apply to District schools who participate in the School Breakfast program but do not apply to a school in which 70% or more of the students who qualify for free or reduced lunch participate in the School Breakfast Program.
2. Beginning with the 2021-22 school year, a school in which **570%** or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
3. Beginning with the 2022-23 school year, a school in which **350%** or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.

4. Beginning with the 2023-2024 school year, a school in which 30% or more of the students qualify for free or reduced lunch shall use a alternative breakfast service model.
5. A school which is required to use an alternative breakfast service model may also, in addition to that service model, use a traditional breakfast service model.

[Utah Code § 53G-9-205.1\(2\) \(2021\)](#)

## POLICY 5061

### Do Not Resuscitate Directives

- A. It is the policy of Box Elder School District that life-sustaining emergency care shall be provided to any and all students in need of such care while under the control and/or supervision of the Box Elder School District. In very isolated situations, a child who is terminally ill may be enrolled and actively participating in a public school. This policy sets forth what school personnel may and must do if a student subject to a “do not resuscitate” (DNR) directive faces a life-threatening medical emergency.
- B. The law provides that a ~~“life with dignity order”~~ Physician’s Order for Life Sustaining Treatment (POLST) executed pursuant to [Utah Code § 75-2a-106](#) may be directed to health care providers or emergency medical service providers licensed or certified under [Utah Code § 26-8a](#). ~~A POLST order gives direction to health care providers, health care facilities, and emergency medical services providers regarding the specific health care decisions of the person to whom the order relates.~~ The law further provides that those licensed or certified emergency medical providers may be directed to withhold or withdraw all life-sustaining procedures. Professionals licensed pursuant to [Utah Code § 26-8a-302](#) include paramedics, medical services instructors, ~~behavioral emergency services technicians~~, and other emergency medical personnel. Such professionals are granted immunity from liability for complying in good faith with a ~~POLST life-with-dignity~~ order. Such professionals are also granted immunity for providing life-sustaining treatment notwithstanding a contrary directive in a ~~POLST life-with-dignity~~ order.

[Utah Code § 26-8a-302 \(2021\)](#)

[Utah Code § 75-2a-103\(20\) \(2021\)](#)

[Utah Code § 75-2a-106 \(2021\)](#)

- C. Medical service providers who are school employees may have responsibilities related to the treatment or withholding of treatment for persons for whom a ~~valid POLST life-with-dignity~~ order has been issued pursuant to [Utah Code § 75-2a](#). Such providers may act in good faith to exercise their judgment with regard to complying with a ~~POLST life-with-dignity~~ order to withhold or withdraw life-sustaining treatment or to provide life-sustaining treatment despite a contrary directive in the order.
- D. With the exception of situations governed by A. above, it is the policy of the District that first aid shall be provided to any and all students in need of such assistance while under the control and/or supervision of the School District. ~~POLST Life-with-dignity~~ orders will

**not** be followed by school district staff who are not licensed under [Utah Code § 26-8a-302](#).

- E. When a school employee or volunteer observes or becomes aware of a medical emergency involving a student, normal responsive actions should be taken, including the summoning of emergency medical personnel and administering first aid. This should be done by school staff irrespective of whether a **POLST life-with-dignity** order is in place and has been provided to the school with respect to the particular student.

## POLICY 5070

### Communicable Diseases

- A. The principal shall report to the local health authority or to the Utah Department of Health those students attending school who are suspected of having a reportable disease or condition, as defined by state law and the Utah Department of Health.

[Utah Code § 26-6-6 \(2008\)](#)

[Utah Admin Rules R386-702-4\(1\)\(i\) \(September 8, 2020\)](#)

- B. Exclusion

1. The principal, at the direction of local health officers, or an official of the State Department of Health shall exclude from attendance any student suffering from a reportable disease, as defined by the Utah Department of Health, until directed otherwise by the same officials.

[Utah Code § 26-6-4 \(2006\)](#)

[Utah Admin. Rules R386-702-11\(2\)\(c\), \(3\), \(4\) \(September 8, 2020\)](#)

- C. Re-Admittance

1. Students excluded for reason of communicable disease according to [Policy 5071 Communicable Disease Guidelines for Exclusion of Children from School](#) shall be readmitted as determined by the local or state health authority.

[Utah Code § 26-6-4 \(2006\)](#)

[Utah Admin. Rules R386-702-11\(2\)\(c\), \(3\), \(4\) \(September 8, 2020\)](#)

- D. Communicable Disease and Event Reports

1. School personnel shall report diseases and health events in writing to the Utah Department of Health or to the local health department as required by [Utah Admin. Rules R386-702-3](#) and [R386-702-6](#). Certain diseases and events must be reported by telephone immediately upon discover, as well as in writing. Each verified report should include the name of the student afflicted, age, sex, address, date of onset, and such other information as prescribed by the State Department of Health. If available, the report form supplied by the Department of Health should be used.

[Utah Admin. Rules R386-702-4\(1\)\(i\) \(September 8, 2020\)](#)

[Utah Admin. Rules R386-702-3 \(September 8, 2020\)](#)

[Utah Admin. Rules R386-702-6 \(September 8, 2020\)](#)

2. ~~All~~ Reports made by school personnel are confidential, but full assistance shall be given to attending physicians or public health workers.

[Utah Admin. Rules R386-702-8\(1\), \(2\) \(September 8, 2020\)](#)

## Policy 5227

### Student Concussion and Head Injuries –Return to Learn/Return to Play

- ~~A. The Board of Education recognizes the need to take appropriate steps to assure the safety of students participating in normal school activities including, but not limited to, athletic events. Examples of activities include games, field days, recess, athletic practices, sports camps, physical education classes, competitions, and tryouts. The Board also recognizes the serious consequences that can arise from head injuries that disrupt the normal function of the brain due to a bump, blow, jolt, or penetrating head injury. Any incident of head injury is a matter of great concern. Accordingly, the following will govern specific considerations for student safety regarding head injuries.~~
- ~~B. Any coach, teacher, employee, representative, or volunteer of Box Elder School District who suspects a student has received a concussion or other traumatic head injury, including loss of consciousness, shall immediately remove the student from participation and prohibit their return until written clearance has been given by a qualified health care provider who is trained in the evaluation and management of a concussion. BESD follows UHSAA Sports Concussion Management Policy.~~
- ~~C. All appropriate staff shall attend a yearly in-service meeting in which procedures for managing sporting event related concussions are discussed.~~

#### A. Introduction

1. The District, in compliance with Utah State Board of Education Rule R277-614 and based on the model policy issued by the State Board of Education, has established this protocol to provide education about concussion for coaches, school personnel, parents, and students. This protocol outlines procedures for staff to follow in managing concussions, and outlines school policy as it pertains to return to play issues following a traumatic head injury or concussion.

#### Utah Admin. Rules R277-614-4 (June 7, 2021)

2. The District seeks to provide a safe return to activity for all students following any injury, but particularly after a traumatic head injury or concussion. In order to effectively and consistently manage these injuries, procedures have been developed to aid in ensuring that concussed students are identified, treated and referred appropriately, receive appropriate follow-up medical care during the school day, and are fully recovered prior to returning to activity.

3. District leadership shall review this protocol annually. Any changes or modifications will be reviewed and given to athletic department staff, including coaches and other appropriate school personnel in writing.
4. All appropriate staff shall attend a yearly in-service meeting in which procedures for managing sporting event-related traumatic head injuries and concussions are discussed.

## B. Definitions

1. "Traumatic head injury" means an injury to the head arising from blunt trauma, an acceleration force, or a deceleration force, with one of the following observed or self-reported conditions attributable to the injury:
    - a. Transient confusion, disorientation, or impaired consciousness;
    - b. Dysfunction of memory;
    - c. Loss of consciousness; or
    - d. Signs of other neurological or neuropsychological dysfunction, including:
      - 1) Seizures;
      - 2) Irritability;
      - 3) Lethargy;
      - 4) Vomiting;
      - 5) Headache;
      - 6) Dizziness; or
      - 7) Fatigue.
- [Utah Code § 26-53-102\(6\) \(2013\)](#)
2. "Head injury" means any injury to the head that is NOT a "traumatic head injury" as defined above, including a mild bump.

3. "Sporting event" means any of the following athletic activities that is organized, managed, or sponsored by a District school: a game, a practice, a sports camp, a physical education class, a competition, or a tryout. It does NOT include:
  - a. Free play or recess taking place during school hours; or
  - b. The District or a District school merely making available a District-owned or controlled field, facility, or other location to a child or to an amateur sports organization, regardless of whether a fee is being charged by the District for the use; or

[Utah Code § 26-53-102\(5\) \(2013\)](#)

4. "Physical education class" means a structured school class that includes an adult supervisor.

[Utah Admin. Rules R277-614-2\(6\) \(June 7, 2021\)](#)

5. "Free play" means unstructured student play, games and field days during school hours.

[Utah Admin. Rules R277-614-2\(2\) \(June 7, 2021\)](#)

6. "Qualified health care provider" means a health care provider who:
  - a. is licensed under Utah Code Title 58, Occupations and Professions; and
  - b. may evaluate and manage a concussion within the health care provider's scope of practice.

[Utah Code § 26-53-102\(4\) \(2013\)](#)

7. "Written statement of a qualified health care provider" means a written statement from a qualified health care provider which states that:
  - a. The health care provider has, within three years before the date of the statement, successfully completed a continuing education course in the evaluation and management of a concussion; and
  - b. That the student to whom the statement relates is cleared to resume participation in the District sporting event.

[Utah Code § 26-53-301\(1\)\(b\)\(ii\) \(2011\)](#)

8. “Agent of the District” means a coach, teacher, employee, representative, or volunteer of the District.

[Utah Code § 26-53-102\(1\) \(2013\)](#)

C. Requirements

1. As described in more detail below, any student who is suspected to have sustained a concussion or traumatic head injury shall be immediately removed from participation in a District sporting event and may not resume participation until the student has been evaluated by a qualified health care provider who is trained in the management and evaluation of a concussion and the student provides the District with a written statement from the qualified health care provider. Notice of the concussion or traumatic head injury shall be provided to the student’s parent. Each agent of the District shall be familiar with this policy and shall be provided a copy of this policy. Before a student may participate in any District sporting event, the student’s parent must be provided a written copy of this policy and the student’s parent must sign an acknowledgment that the parent has read, understands, and agrees to abide by this policy.

[Utah Code § 26-53-201\(2\), \(3\) \(2011\)](#)

[Utah Code § 26-53-301\(1\) \(2011\)](#)

D. Evaluation by School Nurse

1. A school nurse may assess a child who is suspected of having sustained a concussion or traumatic head injury during school hours on school property regardless of whether the nurse has received specialized training in the evaluation and management of concussion or traumatic head injury. If the nurse evaluating the student has not been trained in the evaluation and management of concussion and has not completed a continuing education course in that area in the prior three years, the nurse shall refer the student to a qualified health care provider who is trained in the evaluation and management of a concussion and the nurse may not provide the written statement of a qualified health care provider for the student. School nurses shall be trained in the evaluation and management of a concussion as funding allows.

[Utah Code § 26-53-401 \(2014\)](#)

E. Notice to Parent of Head Injury

1. The District shall notify a parent if a student is reported to have experienced a head injury during school hours or during a school-sanctioned activity.

*Utah Admin. Rules R277-614-4(5) (June 7, 2021)*

#### F. Annual Notice to Students and Parents

1. Notice of this policy shall be provided at least annually to parents of students who participate in District sporting events and students may not participate in such events until the District receives a signed written acknowledgement that the parent has read, understands, and agrees to abide by this policy.

*Utah Code § 26-53-201 (3) (2011)*

#### G. Posting of Policy on Website

1. This policy shall be posted on the District's website in a location readily accessible to parents and members of the public.

*Utah Admin. Rules R277-614-4(4) (June 7, 2021)*

#### H. Recognition of a Concussion

1. A concussion is a type of traumatic brain injury that interferes with normal function of the brain **and is clinically referred to as mild Traumatic Brain Injury (mild TBI)**. It occurs when the brain is rocked back and forth or twisted inside the skull as a result of a blow to the head or body. What may appear to be only a mild jolt or blow to the head or body can result in a concussion. A concussion can occur even if a ~~player or~~ student ~~in an activity is~~ does not ~~knocked out or~~ loses consciousness ~~from the head injury~~. (NFHS "Suggested Guidelines for Management of Concussion in Sports.")
2. Common signs and symptoms of concussions (observed by others)
  - a. Student appears dazed or stunned
  - b. Confusion
  - c. Forgets ~~plays information~~
  - d. Unsure about ~~game, score, opponent date, location, time~~
  - e. Moves clumsily (altered coordination)

- f. Balance problems
  - g. Personality change
  - h. Responds slowly to questions
  - i. Forgets events prior to hit
  - j. Forgets events after the hit
  - k. Loss of consciousness (any duration)
  - l. vomiting
3. Symptoms (reported by student)
- a. Headache
  - b. Fatigue
  - c. Nausea or vomiting
  - d. Double vision, blurry vision
  - e. Sensitive to light or noise
  - f. Feels sluggish
  - g. Feels “foggy”
  - h. Problems concentrating
  - i. Problems remembering
4. These signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion. A student who has suffered a concussion (mild TBI) may have one or many of these signs/symptoms. Any student is suspected of having sustained a concussion or traumatic brain injury shall be immediately removed from the District sporting event and shall not return to participation until cleared by an appropriate health care professional (provides the

District with a written statement of a qualified health care provider as defined in this policy).

I. Management and Referral Guidelines for All Staff

1. The following situations indicate a medical emergency and require activation of the Emergency Medical System:
  - a. Any student with a witnessed loss of consciousness (~~LOG~~) of any duration ~~should shall~~ be ~~spine boarded and~~ transported immediately to ~~the~~ nearest emergency department via emergency vehicle. ~~Staff shall remain in contact with 911 and stabilize the student while waiting for EMS to arrive.~~
  - b. Any student who has symptoms of a concussion and who is not stable (i.e., ~~whose~~ condition is worsening) is to be transported immediately to the nearest emergency department via emergency vehicle.
  - c. A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle:
    - 1) Deterioration of neurological function
    - 2) Decreasing level of consciousness
    - 3) Decrease or irregularity in respirations
    - 4) Any signs of symptoms of associated injuries, spine or skull fracture, or bleeding
    - 5) Mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation
    - 6) Seizure activity
    - 7) ~~Being disoriented~~
  - d. A student who is symptomatic but stable, may be transported by his or her parent. The parents ~~s~~ should be advised to contact the student's ~~primary health~~ care provider or seek at the nearest emergency department on the day of the injury.

J. Guidelines and Procedures for Coaches and Teachers Supervising Physical Education Classes, Athletic Contests and Games

a. ~~Recognize—Remove—Refer~~

1. Recognize concussion

- a. All educators and agents of Box Elder School District should be familiar with the signs and symptoms of concussion that are described above.
- b. Educators and agents of Box Elder School District ~~should~~ shall have appropriate training about recognizing and responding to traumatic head injuries consistent with the employees' responsibilities for supervising students and athletes.

2. Remove from activity

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

3. Refer the athlete/student for medical evaluation

- a. The District ~~employee or~~ agent is responsible for notifying the student's parent of the injury. Contact the parent to inform a parent of the injury. ~~Depending on the injury, transport can be provided by~~ either an emergency vehicle ~~will transport~~ or parent ~~will pick the student up at the event for transport~~.
- b. A medical evaluation ~~by an appropriate health care provider~~ is required before returning to play ~~athletics. See UHSAA Sports Concussion Management Policy for protocol~~.
- c. In the event that a student's parent cannot be reached, and the student is able to be sent home (rather than directly to ~~MD~~ a health care provider):
  - 1) The District's ~~employee or~~ agent should ensure that the student will be with a responsible individual ~~who is~~ capable of monitoring the student and understanding the home care instructions, before allowing the student to go home.
  - 2) The District's ~~employee or~~ agent should continue efforts to reach a parent.

- d. If there is any question about the status of the student, or if the student cannot be monitored appropriately, the student should be referred to an Emergency Department for evaluation. A District ~~employee or~~ agent should accompany the student and remain with the student until a parent arrives.
  - e. ~~A The~~ District's ~~employee or~~ agent shall provide for supervision of other students for whom he or she is responsible when accompanying the injured student.
  - f. Students with ~~a~~ suspected ~~concussion head injuries~~ should not be permitted to drive home.
4. District ~~employees or~~ agents should seek assistance from the host site's certified athletic trainer (ATC) or team physician, if available, ~~if the injury occurs at an away contest.~~
- K. ~~Return to Learn (RTL) &~~ Return to Play (RTP) Procedures ~~and Stages~~ After Concussion
1. Return to activity and play is a medical decision. The student must meet all of the following criteria in order to progress to activity:
    - a. ~~Asymptomatic at rest and with exertion (including mental exertion in school) AND~~
    - b. ~~Have written clearance from an appropriate health care provider.~~
  2. ~~Once the above criteria are met, the student will be progressed to full activity while following the stepwise process detailed below. (This progression must be closely supervised by a District agent. If your school does not have an athletic trainer, then the coach must have a very specific plan to follow as directed by the appropriate health-care provider).~~
  3. ~~Progression is individualized, and will be determined on a case-by-case basis. Factors that may affect the rate of progression include: previous history of concussion, duration and type of symptoms, age of the student, and sport/activity in which the student participates. An athlete/student with a prior history of concussion, one who has had an extended duration of symptoms, or one who is participating in a collision or contact sport may be progressed more slowly.~~
  4. ~~District employees should be familiar with the different stages that students with concussions will go through. A copy of this RTL & RTP stages should be given to parents as a resource by the school counselor or administrator upon receiving information about the concussion. The duration of each stage should be specific to each individual student and is based on the symptoms experienced by the student~~

~~as prescribed by the student's primary care provider or specialist. Please reference RTL and RTP procedures below.~~

~~L. Annual Notice to Students and Parents~~

- ~~a. Notice of this concussion and head injury policy shall be provided at least annually to parents of student who participate in sporting events as defined in Utah Code.~~

~~M. Return to Learn (RTL) Procedures and Stages After Concussion~~

~~a. 1<sup>st</sup> Stage: Cognitive Rest (typically same day of injury)~~

- ~~i. Due to the energy crisis after a concussion, cognitive rest allows the brain to heal more quickly. While the student is still experiencing symptoms without stressors or activity, they should remain at the cognitive rest stage. When the student has no symptoms while resting, they will progress to the next stage.~~

~~1) The student should avoid:~~

- ~~a) Classroom attendance~~
- ~~b) Homework~~
- ~~c) Reading~~
- ~~d) Loud noise and bright lights~~
- ~~e) "Screen time" (i.e. phone, computer, video games use)~~

~~2. 2<sup>nd</sup> Stage: Trial of Cognitive Activity (return to homework)~~

- ~~a. Attempt cognitive activity such as homework or reading for 30 minutes, gradually increase time increments.~~
- ~~b. Allow for approximately 15 minutes of rest in between each activity. If the student develops symptoms after participating in activities, they should rest until symptoms subside.~~
- ~~c. Once the student can complete approximately an hour of cognitive activity without the onset of concussion symptoms, they will progress to the next stage.~~

3. ~~3<sup>rd</sup> Stage: Return to Class (with maximum modifications)~~

- ~~a. Return for a partial day of classes.~~
- ~~b. Avoid specific classes or activities that lead to the onset of symptoms (e.g., challenging classes, labs, excessive computer use).~~
- ~~c. The student should **not** participate in physical education classes.~~
- ~~d. The student should communicate to their academic teachers/counselors, when they are experiencing symptoms and ask to leave class or modify classes in order to minimize the experience of concussion symptoms.~~
- ~~e. The student should **not** take quizzes or tests. Tests taken while concussed will not accurately represent their ability and knowledge.~~
- ~~f. The student can begin to make up missed school work.~~

4. ~~4<sup>th</sup> Stage: Return to Class (with minimum modifications)~~

- ~~b. Increase class activities and duration.~~
- ~~c. Begin to add back challenging classes and activities.~~
- ~~d. Still may become occasionally symptomatic and may need breaks or modifications from classes as necessary.~~
- ~~e. Once the student can complete one full day of classes without the onset of concussion symptoms, they will progress to the next stage.~~

5. ~~5<sup>th</sup> Stage: Full Class Attendance (no modifications)~~

- ~~g. The student returns to classes as usual, fully participating and taking all quizzes and tests in the original format.~~
- ~~h. The student will continue to work with teachers in order to ensure that any work missed work is made up and they are caught up.~~

6. ~~In extreme cases, the school administrator along with the district nurse should work with parent(s) to consider other necessary accommodations up to and including a 504.~~

~~N. Return to Play (RTP) Procedures After Concussion~~

- ~~1. Return to activity and play is a medical decision. Athletic Trainers will follow the UHSAA Return to Play policy.~~
  - ~~a. The student must meet all of the following criteria in order to progress to activity.~~
    - ~~3) Asymptomatic at rest and with exertion (including mental exertion in school)  
AND~~
    - ~~4) Have written clearance from an appropriate health care provider.~~
  - ~~b. Once the above criteria are met, the student will be progressed to full activity while following the step-wise process detailed below. This progression must be closely supervised by the school's athletic trainer.~~
  - ~~c. Progression is individualized and will be determined on a case-by-case basis. Factors that may affect the rate of progression include: previous history of concussion, duration and type of symptoms, age of the student, and sport/activity in which the student participates. An athlete/student with a prior history of concussion, one who has had an extended duration of symptoms, or one who is participating in a collision or contact sport may be progressed more slowly.~~
4. Stepwise progression as described below.
  - a. Step 1. Complete cognitive rest. This may include staying home from school or limiting school hours (and studying) for several days. Activities requiring concentration and attention may worsen symptoms and delay recovery.
  - b. Step 2. Return to school. **LEA The District** will follow health care provider's protocol on return to learn.
  - c. Step 3. Light exercise. At this point, the athlete may begin brisk walking, riding an exercise bike or other light exertional activities with supervision. No weight lifting.
  - d. Step 4. Running in the gym or on the field. No helmet or other equipment.
  - e. Step 5. Non-contact training drills in full equipment or weight training can begin.
  - f. Step 6. Full contact practice or training.
  - g. Step 7. Play in game. Must be cleared by an appropriate health care provider before returning to play.

5. The student should spend 1 to 2 days at each step before advancing to the next. If post-concussion symptoms occur at any step, the student must stop the activity and the treating health care provider must be contacted. Depending upon the specific type and severity of the symptoms, the student may be told to rest for 24 hours and then resume activity at a level one step below where he or she was at when the symptoms occurred. This resumption of activity could be considerably simplified for a student injured during recess compared to a student injured at a game or formal practice.
- O. While current Utah law designates that a student may be returned to play by “an appropriate health care provider,” it is the prerogative of the District to designate the credentials of the providers from whom it will accept clearance. This is a very important decision and should be made after careful consideration by the athletic director, principal, superintendent, teacher (elementary), and parent. The District’s liability carrier may also be consulted.
1. For students injured during formal competitions, serious consideration must also be given as to what the school will do in the case where an athlete is clearly still having concussion symptoms, but has been given return to play clearance by a health care provider. The District shall designate a specific individual (preferably an expert in the field of concussion management – typically a licensed athletic trainer, physician or neuropsychologist) who shall evaluate the athlete and make the final decision regarding return to play.

## Policy 5272

### Transgender Students

#### A. Definitions

1. “Assigned gender.” This is the gender designated at the time of birth and may also be thought of as the gender corresponding to the individual’s original physiology, or biological gender.
2. “Gender identity.” This is the individual’s internal sense of gender, and “identified gender” refers to the gender that matches this internal sense. Gender identity can be shown by information including but not limited to medical history, care or treatment of the gender identity, consistent and uniform assertion of the gender identity, or other evidence that the gender identity is sincerely held, part of a person’s core identity, and not being asserted for an improper purpose.
3. “Gender expression” means the external cues or indications used to communicate gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.
4. “Transgender” means that an individual’s assigned gender differs from the individual’s gender identity.
5. “Transgender boy” (or “transgender man”) is an individual whose assigned gender is female but whose gender identity is male.
6. “Transgender girl” (or “transgender woman”) is an individual whose assigned gender is male but whose gender identity is female.

[Utah Code § 34A-5-102 \(1\)\(o\) \(2016\)](#)

#### B. Records and References

1. The official records of the student shall reflect the student’s legal name and gender, which is the name and gender listed on the student’s birth certificate or as changed by court order. Access to this portion of official student records shall be restricted to maintain the confidentiality of a student’s transgender status.

[Utah Code § 26-2-11 \(1995\)](#)

[Utah Code § 42-1-1 \(1933\)](#)

2. The unofficial records of the student shall reflect the preferred name and gender identity of the student. Students shall be addressed or referred to by the pronouns associated with the identified gender: transgender boys shall be referred to using “he” “his” and “him” and transgender girls shall be referred to using “she” and “her.”
3. A student’s transgender status shall not be disclosed without the student’s consent except as expressly authorized by the superintendent following such legal consultation as the superintendent determines is appropriate.

#### C. Facilities

1. In determining which gender-segregated school facilities (restrooms and locker rooms) are to be used by transgender students, the school administrator shall take into consideration the desires of the individual transgender student and of the student’s parents as well as the privacy interests of other students. In addition to having the transgender student use the facilities corresponding with the gender identity, potential accommodations include use of single user restrooms or changing spaces or using facilities at a different time than other students. If the desired use by the transgender student is in significant conflict with privacy interests of other students, the school administrator should consult with the superintendent and as appropriate with legal counsel.

#### D. Classes and Activities

1. When classes or intramural activities are segregated by gender, transgender students are to be grouped according to the student’s gender identity. Where students are grouped according to qualities which may have some association with gender (such as vocal quality for singing groups), the pertinent quality shall be evaluated without regard to assigned gender or transgender status. Where school activities involve overnight travel, lodging arrangements for transgender students shall take into consideration the desires of the individual transgender student and of the student’s parents as well as the privacy interests of other students. If the arrangement desired by the transgender student is in significant conflict with privacy interests of other students, the school administrator should consult with the superintendent and as appropriate with legal counsel.

#### E. UHSAA Extracurricular Activities

4. Participation by students in activities under the oversight of the Utah High School Activities Association is subject to UHSAA rules and policies. **Therefore, participation of transgender students in such activities shall be governed by those rules and policies. ~~Where a transgender student wishes to participate in a gender-segregated~~**

~~UHSAA sport or activity according to gender identity rather than assigned gender, the school shall allow the student to participate according to the student's gender identity as determined by the District, which is to determine that the gender identity is bona fide and not for the purpose of gaining an unfair advantage in competitive athletics. The District shall make this determination at the time that sports eligibility is determined based on the student's gender identification in school records and in daily life activities at the school and in the community. This determination shall be based on the following types of evidence:~~

- ~~a. Documentation from individuals which affirms that the actions, attitudes, dress and manner demonstrate the student's consistent gender identification and expression;~~
  - ~~b. A complete list of the student's prescribed, non-prescribed or over the counter, treatments or medications;~~
  - ~~c. Written verification from an appropriate health-care professional (doctor, psychiatrist, or psychologist) of the student's consistent gender identification and expression; and~~
  - ~~d. Any other pertinent documentation or information which the student, parent or legally appointed guardian(s) believe relevant and appropriate.~~
2. ~~A student may not transfer from a gender-specific team to a gender-specific team of another gender during a sports season. Once a student's gender identity has been addressed by the student and the District, the determination shall remain consistent for the remainder of the student's high school sports eligibility. The school shall not disclose the transgender student's identity to UHSAA without the consent of the student and the student's parents.~~

[Utah High Schools Activities Association Handbook 2020-21, Interps. & Guidelines 1.1.4 \(P. 26-27\)](#)

## F. Bullying and Harassment

1. [Policy 5270 Student Rights and Responsibilities Bullying, Cyberbullying, Hazing, and Abusive Conduct](#), which prohibits bullying, cyberbullying and harassment regardless of the motivation for such misconduct, applies to prohibit bullying, cyberbullying or harassment of students because of their transgender status or gender expression. When the parent of a transgender student is given the required notification of a bullying or harassment incident against a transgender student which is motivated by transgender status or gender expression, care should be taken to avoid disclosing

the student's transgender status to the student's parents if the student has not consented to such disclosure.

2. When a student has been bullied, cyberbullied, or harassed because of the student's transgender status or gender expression, consideration should be given to what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student's ability to learn and function in the school setting.

## POLICY 5380

### Notification Received from Juvenile Courts

#### A. Superintendent to Notify Principal

1. Within three days of receiving a notification from juvenile court or a law enforcement agency that a student of the district has been taken into **temporary** custody or **admitted to a detention facility for a violent felony adjudicated for a crime of violence, a violent felony** as defined by [Utah Code § 76-3-203.5](#), or **an offense in** violation of Title 76, Chapter 10, Part 5, Weapons, the superintendent shall notify the principal of the school that the juvenile attends or last attended. The superintendent shall inform the principal:
  - a. The name of the student;
  - b. The offense for which the student was taken into custody or **adjudicated admitted to detention; and**
  - c. If available, the name of the victim, if the victim is a student of the School District and:
    - 1) Resides in the **same school** district **as the student**; or
    - 2) Attends the same school as the **student in custody minor**.
2. **Within three days of receiving notification of a juvenile court's disposition and orders following a detention hearing for a student of the District who is alleged to have committed a violent felony as defined by Utah Code § 76-3-203.5 or a violation of Utah Code Title 76, Chapter 10, Part 5, Weapons, the Superintendent shall inform the principal of the court's disposition and orders.**
3. Upon receipt of the information from the superintendent, the principal shall make a notation in a secure file other than the student's permanent file and shall, with the school multidisciplinary team, use the information to assess the level of threat the student poses, including potential for self-harm, suicide ideation, harm to others, or harm to school property. In making this assessment, the principal and multidisciplinary team shall use an evidence-based threat assessment approved by the State Board of Education.

[Utah Code § 53G-8-402 \(2021\)](#)

[Utah Code § 53G-8-403 \(2018\)](#)

[Utah Code § 80-6-102\(19\) \(2021\)](#)

[Utah Code § 80-6-103 \(2021\)](#)

*Utah Admin. Rules R277-736-3(1) to (3) (June 22, 2020)*

B. Dissemination of Information to School Staff

1. The principal and multidisciplinary team shall determine, based on the level of threat posed by the student, the appropriate school staff who should receive the information about the student. In cases where the information demonstrates possible imminent harm to the student or others, the principal may share information as necessary to ensure the safety of the student, the victim, and the school's general population without first consulting with the multidisciplinary team. In determining what information should be shared and which staff members should receive the information, the principal and multidisciplinary team should share only the information and data needed to ensure the safety of the student, the victim, and the school's general population.

*Utah Admin. Rules R277-736-3(1), (4), (5) (June 22, 2020)*

2. The superintendent, principal, and any other staff member notified by the principal shall not intentionally cause the information to become public knowledge.

C. Action Against Student Based on Information

1. Any action taken against a student based on the information received must be consistent with restorative justice practices.

*Utah Admin. Rules R277-736-3(6) (June 22, 2020)*

## POLICY 1032

### Vacancies on the Board

#### A. Appointment

1. A local school board shall fill vacancies on the Board by appointment, except where an election to a two-year term is required as set forth below. **Unless the vacancy occurs because of the death of a board member, the Board must fill the vacancy within 30 days after it occurs, or the county legislative body or municipal legislative body shall fill the vacancy by appointment. When the vacancy occurs due to the death of a board member, the Board must fill the vacancy within 45 days after it occurs, or the county legislative body or municipal legislative body shall fill the vacancy by appointment.**

[Utah Code § 20A-1-511\(1\) \(2020\)](#)

#### B. Interim appointment followed by election for two-year term

1. In the event a vacancy on the Board occurs, or a letter of resignation is received by the Board, at least 14 days before the deadline for filing a declaration of candidacy for the Board, and at least two years of the vacated term will remain after the first Monday of January following the next school board election, then the vacancy on the Board shall be filled by an interim appointment for the remaining unexpired term, which term shall be followed by an election to fill a new two-year term for that Board position.

[Utah Code § 20A-1-511\(2\) \(2020\)](#)

#### C. School board to provide notice of ending appointment and interview candidates

1. Before appointing an individual to fill a vacancy, the Board shall give public notice of the vacancy and the pending appointment. This public notice shall:
  - a. Be given at least two weeks before the Board meeting where the vacancy will be filled;
  - b. Inform the public of:

- 1) The date, time, and place of the Board meeting at which the vacancy will be filled; and
  - 2) The person to whom and date and time before which an interested individual may submit his or her name for consideration for appointment to fill the vacancy.
- c. In an open meeting, the Board shall interview each individual whose name is submitted for consideration and who meets the qualifications for office, regarding the person's qualifications.

[Utah Code § 20A-1-511\(3\) \(2020\)](#)

D. Appointment pending effective resignation of Board member

1. Where a Board vacancy will occur because a member has submitted a letter of resignation to the Board, the Board may make an appointment to fill that vacancy before the vacancy occurs (before the effective date of the resignation). However, the individual so appointed may not take office until on or after the day on which the vacancy occurs. After the Board has made the appointment to fill the pending vacancy, the member may not rescind the letter of resignation which led to the appointment.

[Utah Code § 20A-1-511\(4\) \(2020\)](#)

## POLICY 1040

### Board Member Elections/Board Officers

- A. No more than four members may be elected to the Board in any election year, unless otherwise required as a consequence of reapportionment or appointment to fill a vacancy under [Utah Code § 20A-14-202\(1\)\(g\) \(2016\)](#).
- B. An individual may become a candidate for a local school board by filing a statement of candidacy. Election of a local school board member shall be in accordance with [Utah Code § 20A-14](#). Filings required by [Utah Code § 20A-9-202](#) shall be made in the county clerk's office.
- C. The term of office for an elected member is four years, beginning on the first Monday in January following the election, except as provided in [Utah Code § 20A-14-203\(2\) \(2016\)](#). A member shall serve until a successor is elected or appointed and qualified.
- [Utah Code § 20A-14-203\(2\) \(2016\)](#)
- D. A member shall qualify to serve upon taking the constitutional oath of office.
- ~~E. The Board shall elect from their number a president and a vice president whose terms of office are for two years and until their successors are elected. Board officer elections shall be held during the first meeting in January following a regular school Board election.~~
- ~~[Utah Code § 53G-4-203 \(2019\)](#)~~
- ~~F. When a vacancy occurs on the office of president or vice president of the board for any reason, a replacement shall be elected for the unexpired term.~~
- ~~[Utah Code § 53G-4-203 \(4\) \(2019\)](#)~~
- ~~G. An elected officer of the Board may be removed for cause by a vote of two-thirds of the Board.~~
- ~~[Utah Code § 53G-4-203 \(2019\)](#)~~
- ~~H. The president shall preside at all meetings of the Board, appoint all committees, and sign all warrants and other legal documents approved by the Board.~~
- ~~I. In the absence of the Board President, the Vice President shall preside. In a case~~

Policy 1040  
Amended  
August 12, 2020  
First Reading  
September 8, 2021  
Second Reading  
October 12, 2021

~~where both the President and Vice President are absent the members present shall elect a temporary chair who shall preside for that meeting only.~~

## POLICY 1072

### Board Meetings: Notice Requirements

- A. At least once each year, the Board shall give public notice of its annual meeting schedule. The notice shall specify date, time, and place of such meetings.

[Utah Code § 52-4-202\(2\) \(2021\)](#)

- B. The Board shall provide public notice of each meeting at least 24 hours in advance of each meeting; such notice shall include the agenda, date, time, and place of the meeting.

[Utah Code § 52-4-202\(1\) \(2021\)](#)

- C. Where a meeting agenda must be included in the required public notice of a Board meeting, that agenda shall be sufficiently specific to notify the public of the topics to be considered at the Board meeting. To be sufficiently specific, the agenda shall at least list each anticipated topic under an agenda item in a manner which identifies the subject of discussion and if known the nature of the Board action being considered on the subject. The Board may not consider the topic in an open meeting which was not listed under an agenda item and included with the advance public notice of the meeting, except that if an unlisted topic is raised by the public during an open meeting the Board may, at the discretion of the presiding Board member, discuss the topic but may not take any final action on the topic during the meeting. This limitation may not apply to an emergency meeting where the requirements for holding and giving the best practicable notice of such a meeting have been met.

[Utah Code § 52-4-202\(6\) \(2021\)](#)

- D. When the Board is meeting to conduct a public hearing with respect to adopting the budget or levying a tax rate which exceeds the certified tax rate, the Board's agenda must be limited to the hearing(s) and discussion and action on those items. (If the Board holds another meeting on the same date to address general business items, the other meeting must conclude before the meeting on the budget and/or tax rate levy.)

[Utah Code § 59-2-919\(8\)\(b\)\(i\)\(B\), \(e\) \(2021\)](#)

- E. Public notice of each Board meeting and of the Board's annual meeting schedule shall be given by:
1. Posting written notice at the local Board of Education office;
  2. Posting notice on the Utah Public Notice Website; and,
  3. Providing notice to two newspapers of general circulation within the geographic jurisdiction of the public body or to a local media correspondent.
  4. The District shall also endeavor to post notice of Board meetings on the District's web site at least 24 hours in advance of the Meeting.
  5. Notice of each Board meeting shall also be given to each mayor or interested county executive (or their designee). An "interested mayor" is the mayor of a municipality that is partly or entirely within the boundaries of the school district. An "interested county executive" is the county executive or county manager of a county with unincorporated area within the boundaries of the school district. This notice shall be provided by mail, email, or other effective means agreed to by the person to receive notice.

[Utah Code § 52-4-202\(3\), \(4\) \(2021\)](#)

[Utah Code § 63A-12-201 \(2021\)](#)

[Utah Code § 53G-7-208\(3\)\(e\) \(2019\)](#)

- F. In case of emergency or urgent public necessity which renders it impractical to give the notice identified in the paragraphs above, the best notice practicable shall be given of the time and place of the meeting and of the topics to be considered at the meeting. No such emergency meeting of the Board shall be held unless an attempt has been made to notify all of its members and a majority of the members vote in the affirmative to hold the meeting.

[Utah Code § 52-4-202\(5\) \(2021\)](#)

- G. In addition to complying with the aforementioned public notice requirements, in regards to the budget hearing, the Board shall do the following:
1. Publish the required newspaper advertisement and/or electronic newspaper advertisement (see [Utah Code § 45-1-101 \(2021\)](#)) and the required Utah Public Notice Website advertisement at least ten days before the day on which the hearing is held

- a. The public hearing notice will include information on how the public may access the proposed budget.
2. File a copy of the proposed budget with the Board's business administrator for public inspection; and
3. Post a copy of the proposed budget on the District's internet website.
4. In addition, if the proposed budget includes a tax rate in excess of the certified tax rate, or if the Board meeting is required to consider whether to adopt a tax rate in excess of the certified tax rate, the Board shall provide the notices and schedule the meeting as required by [Utah Code § 59-2-919](#).

[Utah Code § 53G-7-303\(2\) \(2019\)](#)

[Utah Code § 53F-8-201\(3\) \(2019\)](#)

[Utah Code § 59-2-919 \(2021\)](#)

- H. In addition to complying with the aforementioned public notice requirements, if the Board is meeting under the [Transparency of Ballot Propositions Act](#) to hear arguments for or against a ballot proposition to authorize issuance of bonds or to increase taxes, the Board must post notice of the time, date, and place of the meeting (along with the arguments for and against the proposition):
1. On the Statewide Electronic Voter Information Website for 30 consecutive days before the election on the proposition;
  2. On the [District's website](#) in a prominent place for 30 consecutive days before the election on the proposition;
  3. If the District publishes a newsletter or other periodical, in the next scheduled edition before the election on the proposition.

[Utah Code § 59-1-1604\(5\) \(2016\)](#)

[Utah Code § 59-1-1605 \(2016\)](#)

4. The meeting must begin at or after 6:00 p.m.

[Utah Code § 59-1-1605\(3\)\(b\) \(2016\)](#)

- I. In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider authorizing issuance of bonds under the Local Government Bonding Act, it shall publish notice of the intent to issue bonds ~~in the~~

~~newspaper and~~ on the Utah Public Notice Website at least 14 days in advance of the public hearing on the bond issuance as required by [Utah Code § 11-14-318](#). The notice shall give notice that the hearing will be held to receive input from the public respecting the issuance of the bonds and the potential economic impact that the proposed improvement, facility, or property that the bonds will fund will have on the private sector.

[Utah Code § 11-14-318 \(2021\)](#)

- J. In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider a request to increase a budget appropriation, it shall publish the required newspaper notice and notice under [Utah Code § 45-1-101](#) of such meeting at least one week prior to the hearing.

[Utah Code § 53G-7-305\(6\)\(b\) \(2019\)](#)

- K. In addition to complying with the aforementioned public notice requirements, if the Board meeting is either to hold a public hearing regarding closing one or more schools or changing the attendance area boundaries for one or more schools, or to take such action, the additional notice requirements set out in Policy 1210 must also be met.

[Utah Code § 53G-4-402\(21\) \(2021\)](#)

- L. Beginning July 1, 2007, in addition to meeting the aforementioned public notice requirements, if the Board is meeting to consider adopting a new Board member compensation schedule or schedules, or to consider amending an existing compensation schedule or schedules, the notice of the meeting with public hearing shall be given at least seven days prior to the meeting by:
1. Publishing the notice at least once in a newspaper published in the county where the District is situated and which is also generally circulated within the District, and publishing notice on the Utah Public Notice Website;
  2. Posting the notice:
    - a. At each school in the District
    - b. In at least three other public places within the District; and
    - c. On the Internet in a manner that is easily accessible to citizens who use the internet.

[Utah Code § 53G-4-204\(3\) \(2021\)](#)

## POLICY 1074

### Board Meetings: Closed Meetings

- A. A closed meeting may be held upon a two-thirds affirmative vote of the Board members present at a meeting for which public notice was given pursuant to [Utah Code § 52-4-202](#), providing a quorum is present. No resolution, rule, regulation, contract or appointment shall be approved at a closed meeting, nor may the Board interview an applicant to fill an elected position at such a meeting. The recording and minutes of an open meeting at which the vote is taken to hold a closed meeting shall contain the reason or reasons for holding a closed meeting and the votes, by name, of the members present, either for or against the proposition to hold such a meeting. **No vote may be taken in a closed meeting except a vote on a motion to end the closed portion of the meeting and return to an open meeting. A motion to end the closed portion of the meeting may be approved by a majority of the members present.**

[Utah Code § 52-4-204 \(2021\)](#)

- B. Closed meetings may only be held for the following purposes:
1. Discussion of the character, professional competence, or physical or mental health of an individual;
    - a. However, the Board may not interview a person applying to fill an elected position, midterm vacancy or temporary absence in a closed meeting regardless of whether the interview may include a discussion of the character, professional competence, or physical or mental health of the applicant.
  2. Strategy sessions with respect to collective bargaining or pending or imminent litigation; or
  3. Strategy sessions with respect to the purchase, exchange, or lease of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms; or
  4. Strategy sessions with respect to the sale of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms, but only if the Board previously gave public notice that the property

would be offered for sale, and the terms of the sale are publicly disclosed before the Board approves the sale; or

5. Discussion regarding deployment of security personnel, devices, or systems;
  6. Investigative proceedings regarding allegations of criminal misconduct; or
  7. The Board is fulfilling one of the following procurement functions:
    - a. Deliberations as an evaluation committee regarding a solicitation or as protest officer regarding a protest; or
    - b. Consideration of information designated as a trade secret if the consideration is necessary to properly conduct a procurement; or
    - c. Discussion of information provided to the Board during a procurement if (at the time the Board meets) the information may not be disclosed to the public or procurement participants and the Board needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process.
- C. If the meeting is closed for any reason stated in paragraph 1 or 5 of this Section, then the person presiding must sign a sworn statement affirming that the sole purpose of closing the meeting was to discuss those specific topics, and neither a recording nor minutes shall be kept of that portion of the closed meeting.

[Utah Code § 20A-1-511\(3\)\(c\) \(2019\)](#)

[Utah Code § 52-4-205 \(2021\)](#)

[Utah Code § 52-4-206\(6\) \(2018\)](#)

## POLICY 1100

### Minutes

- A. The ~~Clerk~~ **Business Administrator** shall keep, or cause to be kept, written minutes and a recording of all open school board meetings with the exception of site visits or traveling tours of the board where no vote or action is taken. Only written minutes are required during site visits or travelling tours.
- B. The written minutes of open meetings must include:
1. The date, time, and place of the meeting;
  2. The names of all members present and absent;
  3. The substance of all matters proposed, discussed, or decided, which may include a summary of comments by board members;
  4. A record, by individual members, of all votes taken;
  5. The name of each person who is not a Board member who was recognized by the presiding Board member and upon recognition presented testimony or comments to the Board and a brief summary of the public testimony or comments; and
  6. Any other information that is a record of the meeting proceedings that any member requests be entered in the minutes.
  7. The requirement that the written minutes include the substance of Board discussion and of public comments may be satisfied by maintaining a publicly available online version of the minutes, which includes a link to that portion of the meeting recording, which relates to the discussion or comments.
- C. The recording of the meeting must be a complete and unedited recording of all open portions of the meeting from the commencement of the meeting through the adjournment. Those in attendance may also record the meeting as long as their recording does not interfere with the meeting.
- D. The written minutes and the recording of an open board meeting are public records and must be available upon request within three business days after the end of the meeting

(recording) or within a reasonable time but no more than thirty days (written). Written minutes made available to the public should be marked in a way signifying that they have yet to be approved until the Board takes formal action to approve them.

- E. Copies of the minutes of a meeting shall be sent to the members of the Board before the meeting at which they are to be approved. Corrections in the minutes may be made at the meeting at which they are to be approved. Permanent minutes shall be signed by the president upon approval of the Board. **Approved minutes and any public materials distributed at the meeting that the minutes relate to shall be made available to the public within three business days after they are approved by the Board by (1) making them available at the District office, (2) posting them on the District's website, and (3) by either posting the minutes and materials on the Utah Public Notice website or posting a link on the Utah Public Notice website which can be used to access the minutes and materials on the District website or another website.**

[Utah Code § 52-4-203\(g\) \(2021\)](#)

- F. With the exception of a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices, or systems, a recording must be kept of a closed meeting. Written minutes may also be kept.
- G. A recording of a closed session must include:
1. The date, time, and place of the meeting;
  2. The names of all Board members present and absent;
  3. The names of all others present except where such disclosure would infringe on the confidence necessary to fulfill the original purpose of closing the meeting.
- H. The recording of a closed session must be a complete and unedited recording of all portions of the closed meeting.

Reference:

[Utah Code § 52-4-203 \(2021\)](#) and [Utah Code § 52-4-206 \(2018\)](#)

## POLICY 2010

### Budget Planning/Development/Adoption

- A. The District participates in the Uniform School Fund, which the State Board of Education apportions annually among school district according to the provisions of the Minimum School Program

[Utah Constitution, Article X, Sec. 5](#)  
[Utah Code § 53F-9-202\(2\) \(2019\)](#)  
[Utah Code Title 53F, Chapter 2](#)

- B. The Superintendent shall serve as Budget Officer for the school district.

[Utah Code § 53G-7-302 \(2018\)](#)

- C. The District shall participate in all appropriate state funding programs and conform to all state laws and rules concerning participation.

[Utah Code § 53F](#)

- D. Prior to June 1 of each year, the Superintendent shall prepare and file with the School Board a tentative budget. The tentative budget and supporting documents shall include the following items:

1. The revenues and expenditures of the preceding fiscal year.
2. The estimated revenues and expenditures of the current fiscal year.
3. An estimate of the revenues for the succeeding fiscal year based upon the lowest tax levy that will raise the required revenue, using the current year's taxable value, state and federal levied taxes, current financial climate, and obligations as the basis for this calculation.
4. A detailed estimate of the essential expenditures for all purposes for the next succeeding fiscal year.
5. The estimated financial condition of the district by funds at the close of the current fiscal year.

- E. The tentative budget shall be filed with the district business administrator for public inspection at least 15 days prior to the date of its proposed adoption by the local school board.

[Utah Code § 53G-7-302 \(2018\)](#)

- F. Prior to ~~22~~ 30 June of each year, the Board shall adopt a budget and make appropriations for the next fiscal year. The budget for the previous year may be revised as needed concurrently with adoption of the following year budget.

[Utah Code 53G-7-303 \(2018\)](#)

- G. The Board shall comply with the provisions of the Tax Increase Disclosure Act if the tax rate in the proposed budget exceeds the tax rate defined in [Utah Code § 59-2-924](#).
- H. Prior to adoption of a budget or budget revision, the Board shall hold an open, public hearing on the proposed budget. In preparation of the hearing, the Board shall:
1. Publish notice that the board will consider and adopt a budget at the designated board meeting in a newspaper of general circulation within the district at least one week prior to the meeting; and
  2. File a copy of the proposed budget with the Board's business administrator for public inspection at least ten days prior to the hearing.

[Utah Code § 53G-7-303 \(2018\)](#)

- I. The Board shall file a copy of the adopted budget with the state auditor and the State Board of Education within 20 days after it is adopted.

[Utah Code § 53G-7-303\(3\) \(2018\)](#)

- J. The Board may place an undistributed reserve in the budget that does not exceed 5% of the maintenance and operation budget.

[Utah Code § 53G-7-304 \(2018\)](#)

- K. The Board may appropriate all or part of the undistributed reserve made to any expenditure classification in the maintenance and operation budget by a written resolution adopted by a majority vote of the Board. The writing shall state the reasons for the appropriations. A copy of the written resolution shall be filed with the State Board of Education and the State Auditor.

[Utah Code § 53G-7-304 \(2018\)](#)

- L. The Board may not use the undistributed reserve in the negotiation or settlement of contract salaries for school district employees.

[Utah Code § 53G-7-304\(3\) \(2018\)](#)

- M. The Board shall not make any appropriation in excess of the district's estimated expendable revenue, including undistributed reserves, for the following fiscal year.

[Utah Code 53G-7-305 \(2018\)](#)

- N. The Board may reduce any budget appropriation at its regular meetings if notice of the proposed action is given to all Board members and the district superintendent at least one week prior to the meeting.

[Utah Code § 53G-7-305\(3\) \(2018\)](#)

- O. The Board may increase any budget appropriation only if:
  - 1. The Superintendent sets forth in a writing delivered to the Board a request to increase a specified budget appropriation and states the reasons for the proposed increases; and
  - 2. Notice that the request will be considered by the Board is published in a newspaper of general circulation at least one week prior to the board meeting at which the request is considered; and
  - 3. The Board holds a public hearing on the request prior to acting on the request and approves the increase by a majority vote of board members.

[Utah Code § 53G-7-305\(c\) \(2018\)](#)

## POLICY 2040

### Audits

- A. In accordance with state statutes, all financial records of the district including all elementary and secondary schools, will be audited following the close of each fiscal year. ([Utah Code § 51-2a-201](#))
- B. The Board will appoint a qualified independent auditor to conduct this audit, after considering the recommendation of the audit committee, which shall conform to all requirements contained in [Utah Code § 51-2a](#).
- C. The Board will select three members to serve on an audit committee. The committee shall be composed of two other people who are not administrators or employees of the school district. **The District website shall post the names of the Board members serving on the audit committee, the name and contact information of the internal audit director, and a copy of the District's annual audit plan.**
- D. Training
1. **The president of the Board of Education shall ensure that members of the Board and of the audit committee are provided with training on the requirements of [Utah Code Title 53G, Chapter 7, Part 4](#), Internal Audits and of Utah Admin. Rules R277-113-4 as part of the member on-boarding process. This training shall comply with [Utah Code Title 63G, Chapter 22](#), State Training and Certification Requirements and shall use the online training and informational materials provided by the State Superintendent in accordance with Utah Admin. Rules R277-113-3(3).**
- Utah Admin. Rules R277-113-4(1), (2) (November 10, 2020)*
- E. The District Audit Committee has the following responsibilities: (Utah Admin. Rules R277-116-3)
- [Utah Code § 53G-7-401\(1\) \(2018\)](#)
1. **Ensure that corrective action on findings, concerns, issues and exception reported by independent external auditors, internal auditors, or other regulatory bodies are resolved in a timely manner by District administration ~~Ensuring that management~~**

~~properly develops and adheres to a sound system of internal controls consistent with the requirements of [Utah Admin. Rules R277-113-6](#).~~

- ~~2. Present, as appropriate, information and reports from the audit committee's meetings to the Board of Education Developing a process to review financial information, financial statements, and district and individual school records on a regular basis, including monthly reports to the board of education;~~
- ~~3. With regard to engagements completed by an independent external auditor, the District audit committee shall Ensuring that management conducts a competitive request for proposal (RFP) process to hire external auditors and other professional services and making a recommendation to the district board on the results of the RFP process consistent with the State Procurement Code;~~
  - a. Manage the audit procurement and quality process in compliance with the state procurement code ([Utah Code Title 63G, Chapter 6a](#)) and Utah Administrative Rules R123-5,
  - b. Ensure that the independent external auditor has access to directly communicate with the audit committee,
  - c. Review disagreements between independent external auditors and District administration,
  - d. Consider District responses to audits or agreed-upon procedures, and
  - e. Determine the scope and objectives of other non-audit services, as necessary;
- ~~4. Receiving communication from or meeting with the external auditors annually and receiving a direct report of the audit findings, exceptions, and other matters noted by the auditor;~~
- ~~5. Reporting the annual audit reports and findings or other matters communicated by the external auditor or other regulatory bodies to the District Board of Education.~~
- ~~6. Ensuring that matters reported by external audits, internal audits, or other regulatory bodies are resolved in a timely manner.~~
7. Establish an internal audit program that provides audit services for the programs administered by the District.

8. Ensure copies of all reports of audit findings issued by the internal auditor are available upon request to audit director of the State Board of Education, the Office of the State Auditor, ~~and~~ or the Office of Legislative Auditor General.
  9. Ensure that significant audit matters that cannot be appropriately addressed by the district's internal auditor are referred to the audit director of the State Board of Education, the Office of the State Auditor, or the Office of Legislative Auditor General.
  10. The Audit Committee will recommend an Audit Director and/or a consultant for internal audit services to the Board of Education.
- F. Audits will be conducted using the current standards of the International Standards for Professional Practice of Internal Auditing or The Government Auditing Standards issued by the Comptroller General of the United States.

[Utah Code § 53G-7-401\(2\), \(5\) \(2018\)](#)

[Utah Code § 53G-7-402\(3\), \(4\), \(5\) \(2019\)](#)

*Utah Admin. Rules R277-113-4(4), (5), (6) (November 10, 2020)*

- G. The internal audit function shall include the following:
1. Independent appraisal to examine and evaluate the adequacy and effectiveness of internal control systems within the district.
  2. A plan which includes a prioritized list of audits to be performed within a specific amount of time.
  3. Independent evaluation of the effectiveness of the district governance, risk management, and efficiency of the operations.
  4. The independent auditors shall complete their field work in sufficient time to verify necessary audit adjustments included in the District's Annual Financial Report which shall be submitted to the state superintendent not later than October 1 each year.
  5. The annual audit shall be completed and copies delivered to the District Board of Education and state superintendent, not later than November 30 each year.
  6. An official copy of the audit shall be placed on file in the office of the District business administrator and shall be available for public inspection.

Policy 2040  
Amended  
January 8, 2020  
First Reading  
September 8, 2021  
Second Reading  
October 12, 2021

[Utah Code § 53G-7-401\(2\), \(5\) \(2018\)](#)

[Utah Code § 53G-7-402\(3\) \(2019\)](#)

*Utah Admin. Rules R277-113-4(3), (6) (November 10, 2020)*

## POLICY 2175

### Buildings & Grounds - Energy Conservation

- A. The Board embraces energy conservation and believes it to be our responsibility to ensure that every reasonable effort is made to conserve energy and natural resources while exercising sound financial management.
- B. We recognize the importance of adopting an energy conservation policy to govern this program. We also affirm the implementation of this policy will be the joint responsibility of the Board, administration, faculty, staff, students, ~~and support personnel,~~ ~~and~~ **Cenergistic**. Success is based on cooperation amid all groups.
- C. To ensure the overall success of our behavior-based energy conservation program, the following areas will be emphasized:
1. A designated campus Administrator will be accountable for energy conservation on his/her campus with **an** Energy Specialist **teams** conducting energy audits and providing timely feedback.
  2. All personnel at each campus are expected to make a positive contribution to maximize energy conservation and produce real energy savings.
  3. **Cenergistic BESD** will implement its energy conservation program primarily through an energy management team led by the Energy Specialist(s) in accordance with "Energy Guidelines" that will be adopted by administration and will define the "rules of engagement:" for our energy program.
  4. Accurate records of energy consumption and cost will be maintained by the Energy Specialist for each campus to provide verifiable performance results on the goals and progress of the energy conservation program.
- D. Further, to promote a safe, healthy learning environment and to complement the energy conservation program, each campus shall review and adhere to the preventive maintenance and monitoring plan administered by the campus physical plant for its facilities and systems, including HVAC, building envelope, and moisture management.
- E. **Whereas** the Board is responsible for overseeing the operations and fiscal accountability of each institution under its governance,

- F. **Whereas** the Board embraces energy conservation and desire for the District to become a nationwide institutional leader in energy conservation as part of our social responsibility to respect our natural resources,
- G. ~~**Whereas** the Board has engaged Cennergistic to use its expertise to develop and implement a comprehensive, behavior-based energy conservation program across the District,~~
- H. **Therefore**, the Board directs the Superintendent and Administration to develop and implement short- and long-range strategies to maximize energy conservation.

## POLICY 3023

### Educator Induction, Mentoring, and Professional Learning

#### A. Educator Induction Program

1. The District and each school shall develop an educator induction program for educators who are: licensed as associate educators, licensed as professional educators and have less than 3 years of experience teaching, and licensed under District-specific licensure during the first 3 years of working in the District. The induction program shall provide for:
  - a. A ~~documented professional learning plan appropriate to the educator~~ plan for on-going support and development of an educator, which may include reflective goal setting, implementation of action steps, and evaluation of outcomes that lead to refinement in instructional practice.
  - b. Assistance in meeting the Utah Educator Standards (Utah Admin. Rules R277-530).
  - c. Mentoring (including observation and feedback beginning early in the program).
  - d. Evaluation consistent with [Policy 3210 Educator Evaluation](#), including observation and feedback from the principal.
    - 1) For associate educators, support in meeting the requirements for a professional educator license.

*Utah Admin. Rules R277-308-3 (April 8, 2021)*

#### B. Mentoring

1. Mentors serving educators in the District's educator induction program must be licensed as professional educators and shall be trained to advise, coach, consult, and guide the development of a new educator. The mentor shall assist the educator in meeting the Utah Effective Educator Standards. A mentor may not act as the evaluator of an educator that the mentor is assigned to serve.

*Utah Admin. Rules R277-308-2(2) (April 8, 2021)*

*Utah Admin. Rules R277-308-3 (April 8, 2021)*

C. Learning Opportunities for Professional Educators

1. Each year, each District employee holding a professional educator license shall be provided professional learning opportunities which upon completion would enable the employee to obtain the equivalent of twenty license renewal points as defined by Utah Administrative Rules R277-302-7, including trainings required by state law or State Board of Education rule. The District shall maintain documentation of these professional learning activities or shall provide the documentation to the employee. If an employee does not participate in these activities, the District shall notify the employee and the State Superintendent that the employee is not eligible to use the simplified license renewal provisions provided under Utah Administrative Rules R277-302-4(1)(a).

*Utah Admin. Rules R277-302-6 (November 10, 2020)*

D. Professional Learning Standards

1. Professional learning” means a comprehensive, sustained, and evidence-based approach to improving teachers’ and principals’ effectiveness in raising student achievement. Professional development plans shall implement high quality professional learning which meets the following standards:
  - a. It occurs within learning communities committed to continuous improvement, individual and collective responsibility, and goal alignment;
  - b. It requires skillful leaders who develop capacity, advocate for professional learning and create support systems for professional learning;
  - c. It requires prioritizing, monitoring, and coordinating resources for educator learning;
  - d. It uses a variety of sources and types of student, educator, and system data to plan, assess, and evaluate professional learning;
  - e. It integrates theories, research, and models of human learning to achieve its intended outcomes;
  - f. It applies research on change and sustains support for implementation of professional learning for long-term change;

- g. It aligns its outcomes with:
- 1) Performance standards for teachers and school administrators as described in rules of the State Board of Education and
  - 2) Performance standards for students as described in the core standards for Utah public schools adopted by the State Board of Education; and
- h. It incorporates the use of technology in the design, implementation, and evaluation of high-quality professional learning practices and includes targeted professional learning on the use of technology devices to enhance the teaching and learning environment and the integration of technology in content delivery.

[Utah Code § 53G-11-303\(1\), \(2\) \(2019\)](#)

## POLICY 3098

### Employee Surveys

#### A. Definition

1. For purposes of this policy, “educator” means a general education classroom teacher, a preschool teacher, a special education teacher, or a school-based specialist.

*Utah Admin. Rules R277-325-2(1) (June 7, 2021)*

#### B. Administration of Engagement Survey

1. Beginning with the 2019-2020 school year and at least every other year thereafter, all educators in the District shall be requested to complete the Utah State Board of Education Model Public Education Engagement Survey through an online provider approved by the State Board of Education **or a provider approved by the District**. The survey shall be administered in alternating years with the school climate survey, **except as provided below for new educators**.

*Utah Admin. Rules R277-325-4(1) (June 7, 2021)*

- ~~2. The District shall request that new educators complete the Utah State Board of Education Model Public Education Engagement Survey each of the educator’s first three years in the profession.~~

*Utah Admin. Rules R277-325-4(2) (January 9, 2020)*

- ~~3. If the District administers the survey through a provider other than one approved by the State Board of Education, the District shall provide the data from the surveys to the State Superintendent each year by June 30 in the manner required by the State Superintendent.~~
4. The survey shall be administered so as to allow each educator to remain anonymous and shall ask the educator to identify the educator’s school district. The survey may ask the educator to voluntarily identify the educator’s school and may ask the educator to provide basic nonidentifying demographic data as requested by the State Superintendent. The District may also include additional questions along

with the required survey questions. The survey may not request the educator's CACTUS ID number.

Utah Admin. Rules R277-325-4(4), (6)(a) (June 7, 2021)

#### C. Administration of Exit Survey

1. At the time of separation from employment, the District shall request all educators who leave employment with the District to complete the Utah State Board of Education Model Public Education Exit Survey through an online provider approved by the State Board of Education **or through a provider approved by the District.**

Utah Admin. Rules R277-325-4(3) (June 7, 2021)

2. **If the District administers the survey through a provider other than one approved by the State Board of Education, the District shall provide the data from the surveys to the State Superintendent each year by June 30 in the manner required by the State Superintendent.**

Utah Admin. Rules R277-325-4(3) (June 7, 2021)

#### D. Confidentiality of Survey Information

1. All District staff are prohibited from identifying survey participants or to attempting to identify survey participants. Survey results shall be provided only to the Superintendent and the Superintendent's designee or designees. Data from answers to any additional District questions added to the model surveys shall be disseminated only as directed by the Superintendent.

Utah Admin. Rules R277-325-4(5), (6)(a) (June 7, 2021)

#### E. Access to Model Surveys

1. The USBE model surveys can be obtained at the Utah State Board of Education offices and online at:

<https://schools.utah.gov/administrativerules/documentsincorporated>  
<https://schools.utah.gov/file/b470b911-a489-4278-8b05-809adbf7e360>  
<https://schools.utah.gov/file/f3d60dcc-c592-4137-9e90-981a60b749d5>

Utah Admin. Rules R277-325-3(2) (June 7, 2021)

## POLICY 3120

### Orderly School Termination for Employees

#### A. Definitions

1. For purposes of this policy, the following definitions apply:

a. "Career Employee"

(1) An employee of the Box Elder School District who has obtained a reasonable expectation of continued employment. An employee who works for the Box Elder School District on at least a half-time basis or 25 hours per week becomes a career employee upon the successful completion of at least three (3) full consecutive academic school years with the District as a provisional employee (The Box Elder School District may extend the three-year provisional status of an employee up to an additional two (2) consecutive years). If the provisional employee starts after the beginning of the school year, that school year does not count toward "career employee" status. Successful completion is determined by performance of all contractual duties within standards acceptable to the Box Elder School District.

(2) An employee who has obtained a reasonable expectation of continued employment under this policy and then accepts a position with the District which is substantially different from the position in which career status was obtained shall become a provisional employee. An employee with career status who is separated from employment with the District and later returns to work with the District shall upon return be a provisional employee.

[Utah Code § 53G-11-501\(3\) \(2020\)](#)

[Utah Code § 53G-11-503 \(2018\)](#)

2. "Provisional Employee"

a. Any employee who has not achieved career employee status is a "Provisional Employee." A provisional employee is an employee, who works for the Box Elder School District on at least a half-time basis or 25 hours or more per week, hired on an individual, one-year contract and who is not a temporary employee. Provisional employees have no expectation of continued employment beyond the current one-year contract term. Provisional employees are employed at will and

their employment can be terminated at the discretion of the Board of Education except that provisional employees can be discharged during the term of each contract only for cause. The Box Elder School District may extend the provisional status of an employee up to an additional two consecutive years by written notification to the provisional employee no later than 30 days before the end of the contract term of that individual. Circumstances under which an employee's provisional status may be extended include:

- (1) less-than-perfect score on a performance evaluation; or
- (2) receipt of complaint(s) or expression(s) of concern from a parent, co-worker, or member of the community that creates uncertainty about the employee's professionalism, performance, or character;
- (3) declining student enrollment in the district or in a particular program or class;
- (4) the discontinuance or substantial reduction of a particular service or program;  
or
- (5) budgetary concerns.

[Utah Code § 53G-11-501\(11\) \(2020\)](#)

[Utah Code § 53G-11-503 \(2018\)](#)

3. "Educational Support Professional (Classified) Employees"
  - a. Educational Support Professional (Classified) Employees are all non-certified employees of the District.
4. "Temporary Employee"
  - a. Temporary employees are all employees employed on a temporary basis. Employees hired after August 1st are also considered Temporary Employees. Temporary employees also include those seasonal employees who are employed for less than the full academic year. An appointment of a temporary employee may not be for a period of time greater than one year. Temporary employees are employed at the will of the District and have no expectation of continued employment and their employment may be terminated at any time without cause. Temporary employees are not career employees or provisional employees as defined by [Utah Code § 53G-11-501](#) and the policies of this District.

[Utah Code § 53G-11-501\(15\) \(2020\)](#)

5. “Contracted Service Providers”

- a. Contracted Service Providers are individuals regardless of employment status (full or part-time) who by nature of their profession are not required to hold a professional certificate issued by the Utah State Board of Education who are paid by contract to provide specific types of services for the Box Elder School District but who are not employees, are not on the Box Elder School District payroll and do not receive the same benefits enjoyed by regular employees of the District.

6. “Extra Duty Contracts”

- a. An employee who is given extra duty assignments in addition to a primary assignment, such as a teacher who also serves as a coach or activity advisor, is a temporary employee in those extra duty assignments and may not acquire career status beyond the primary assignment. There are no rights to a due process hearing if a person is released from coaching or an extra duty position. A person may be released from a coaching or extracurricular position at the discretion of the school with notification to the Board.

7. “Employee”

- a. A person, other than the District superintendent or business administrator, who is a career or provisional employee of the District.

[Utah Code § 53G-11-501\(7\)\(a\) \(2020\)](#)

8. “Contracted Term or Term of Employment”

- a. The term of employment is the period of time during which an employee is engaged by the District under a contract of employment, whether oral or written. Notwithstanding, all contracts of employment shall be in writing.

9. “Dismissal or Termination”

- a. An employee shall be deemed to be discharged upon occurrence of any of the following events:

- (1) Termination of the status of employment of an employee.

- (2) Failure to renew the employment contract of a career employee
- (3) Reduction in salary of an employee not generally applied to all employees of the same category employed by the District during the employee's contract term.
- (4) Change of assignment of an employee with an accompanying reduction in pay unless the assignment change and salary reduction are agreed to in writing.

[Utah Code § 53G-11-501\(5\) \(2020\)](#)

10. "Unsatisfactory performance"

- a. A deficiency in performing work tasks which may be:
  - (1) due to insufficient or undeveloped skills or a lack of knowledge or aptitude;  
and
  - (2) remediated through training, study, mentoring, or practice.
- b. Does not include the following conduct that is designated as a cause for termination or a reason for license discipline:
  - (1) a violation of work policies;
  - (2) a violation of District policies, State Board of Education rules, or law;
  - (3) a violation of standards or ethical, moral or professional conduct; or
  - (4) insubordination

[Utah Code § 53G-11-501\(15\) \(2020\)](#)

B. Causes for Dismissal or Non-Renewal

- 1. Any employee may be suspended or discharged during a contract term for any of the following:
  - a. Insubordination or failure to comply with directives from supervisors;

- b. Incompetence;
- c. Conviction, including entering a plea of guilty or nolo contendere (no contest), of a felony or misdemeanor involving moral turpitude or immoral conduct;
- d. Conduct which may be harmful to students or to the District;
- e. Improper or unlawful physical contact with students;
- f. Any violation of the District's Employee Code of Conduct;
- g. Violation of district policy, State Board of Education rules, or law;
- h. Unprofessional conduct not characteristic of or befitting a District employee including a violation of standards of ethical, moral, or professional conduct;
- i. Manufacturing, possessing, using, dispensing distributing, selling and/or engaging in any transaction or action to facilitate the use, dispersal or distribution of any illicit (as opposed to authorized) drugs or alcohol on District premises or as a party of any District activity;
- j. Current addiction to or dependency on a narcotic or other controlled substance;
- k. Dishonesty or falsification of any information supplied to the District; including data on application forms; employment records or other information given to the District;
- l. Engagement in sexual harassment of a student or employee of the District;
- m. Neglect of duty, including unexcused absences, excessive tardiness, excessive absences, and abuse of leave policies or failure to maintain certification;
- n. Deficiencies pointed out as part of any appraisal or evaluation;
- o. Failure to fulfill duties or responsibilities or a violation of work rules;

- p. Inability to maintain discipline in the classroom or at assigned school-related functions;
- q. Drunkenness or excessive use of alcoholic beverages or controlled substances;
- r. Disability not otherwise protected by law that impairs performance of required job duties;
- s. Failure to maintain an effective working relationship, or to maintain good rapport with parents, co-workers, the community or colleges;
- t. Failure to maintain requirements for licensure or certification;
- u. Unsatisfactory performance;
- v. For any other reason justifying termination of employment for cause.

C. Termination for Unsatisfactory Performance – Procedural Due Process Notice to Career Employee of Unsatisfactory Performance

1. If the District intends not to renew the contract of a career employee for reasons of unsatisfactory performance it shall:
  - a. Notify the employee at least 30 days prior to issuing a notice of intent not to renew the employee's contract that continued employment is in question and the reasons for anticipated non-renewal;
  - b. The principal or designee shall provide and discuss with the employee written documentation clearly identifying the deficiencies in performance;
  - c. The principal or designee shall develop and implement a plan of assistance, in accordance with procedures and standards established by [Policy 3210 Educator Evaluation](#), to allow the employee an opportunity to improve performance;

- d. Provide to the employee a sufficient time period to successfully complete the plan of assistance of at least 30 days but not more than 120 days in which to correct the deficiencies; except the 120-day limit may be extended when:
  - (1) an employee is on leave from work during the period the plan of assistance is scheduled to be implemented; and the leave was not approved and scheduled before the written notice intent not to renew was provided; or
  - (2) the leave is specifically approved by the Board
- e. The time period to correct the deficiencies may continue into the next school year;
- f. The time period to implement the plan of assistance and correct the deficiencies shall begin when the employee receives the written notice provided in [Policy 3210](#) and end when the determination is made that the employee has successfully remediated the deficiency or notice of intent to not renew or terminate the employee's contract is given in accordance with [Policy 3210](#);
- g. The principal or designee shall reevaluate the employee's performance;
- h. If upon a reevaluation of the employee's performance, the District determines the employee's performance is satisfactory, and within a three-year period after the initial documentation of unsatisfactory performance for the same deficiency pursuant to [Policy 3210](#), the employee's performance is determined to be unsatisfactory, the District may elect to not renew or terminate the employee's contract.
- i. If the employee's performance remains unsatisfactory after reevaluation, the Superintendent or designee shall give notice of intent to not renew or to terminate the employee's contract, which shall include written documentation of the employee's deficiencies in performance.
- j. Nothing in this Policy shall be construed to require compliance with or completion of evaluations prior to non-renewal of a career employee's contract.

- k. An employee whose performance is unsatisfactory may not be transferred to another school unless the Board specifically approves the transfer of the employee.

[Utah Code § 53G-11-514 \(2018\)](#)

[Utah Code § 53G-11-517 \(2018\)](#)

D. Notice of Intent not to Renew Contract of Career Employee

1. If the District intends not to renew the contract of employment of a career employee after giving notice that continued employment is in question, it shall:
  - a. Give notice that a contract of employment will not be offered for the following school year to the individual.
  - b. Issue notice at least 30 days before the end of the contract term of the individual.
  - c. Serve notice by personal delivery or certified mail to the employee's most recent address shown on the District's personnel records.

E. Notice of Intent to Terminate Employment During Term of Contract

1. If the District intends to terminate an employee's contract during the contract term, the District shall:
  - a. Give written notice of that intent to the employee;
  - b. Serve the notice by personal delivery or by certified mail addressed to the individual's last known address;
  - c. Serve the notice at least 30 days prior to the proposed date of termination;
  - d. State the date of termination and detailed reasons for termination;
  - e. Give notice of the individual's right to appeal the decision to terminate employment and the right to a hearing and the right to legal counsel, to present evidence, cross-examine witnesses and present arguments at the hearing;

- f. Notify the employee that failure to request a hearing within 15 days after the notice of termination was either personally delivered or mailed to the employee's most recent address shown on the district's personnel records shall constitute a waiver of the right to contest the decision to terminate.

[Utah Code § 53G-11-513 \(2018\)](#)

F. Notice of Intent Not to Offer a Contract to a Provisional Employee

1. If the District intends not to offer a contract of employment for the succeeding school year to a provisional employee, it shall give notice at least 60 days before the end of the provisional employee's contract term that the employee will not be offered a contract for a following term of employment. Because provisional employees do not have an expectation of continued employment, they do not have a right to grieve the decision not to renew employment and do not have a right to a hearing.

[Utah Code § 53G-11-513 \(2018\)](#)

G. Notice of Intent to Terminate or Not Offer a Contract to a Temporary Employee

1. Temporary employees will be given notice of a minimum of 10 working days of the termination of their employment. Because temporary employees do not have an expectation of continued employment, they do not have a right to grieve the decision to terminate or not to extend employment and do not have a right to a hearing.

H. Expectation of Continued Employment in Absence of Notice

1. In the absence of a notice, a career or provisional employee is considered employed for the next contract term with a salary based upon the salary schedule applicable to the class of employees into which the individual falls.
2. This provision does not preclude the dismissal of a career or provisional employee during the contract term for cause.

[Utah Code § 53G-11-513 \(2018\)](#)

I. Right to an Informal Conference

1. A notice of intention not to renew the contract of a career employee or of an intention to terminate the contract of a career or provisional employee during its term must advise the individual that he or she may request an informal conference before the

Superintendent or Superintendent's designee. The request for an informal conference must be made in writing and delivered to the Superintendent's within 10 days of the date on the notice of intention not to renew or notice of termination during the contract term. The informal conference will be held as soon as is practicable. Suspension pending a hearing may be without pay if the Superintendent or a designee determines after the informal conference, or after the employee had an opportunity to have an informal conference, that it is likely that the reasons for cause will result in termination.

[Utah Code § 53G-11-513 \(2018\)](#)

J. Employee's Right to Hearing

1. A notice of intention not to renew the contract of a career employee or of an intention to terminate the contract of a career or provisional employee during its term must also advise the individual that if after the informal conference the employee wishes a hearing on the matter, he or she must submit written notice to that effect to the Superintendent's office within five (5) days of the informal conference. If the employee wishes to not have an informal conference, but does wish to have a hearing, he or she must submit written notice to that effect within 15 days of the date on the notice of intent not to renew or notice of termination during the contract term. Upon timely receipt of the notice, the Superintendent will notify the Board, which will then either appoint a hearing examiner or hearing board or determine to hear the matter itself. In either case, the Board will then send notice of the date, time and place of hearing to the Superintendent and to the employee. If the employee does not request a hearing within 15 days, then the employee shall have waived any right to a hearing and to contest the decision.

[Utah Code § 53G-11-513 \(2018\)](#)

K. Appointing a Hearing Examiner

1. If the Board of Education determines that the hearing shall be conducted by a hearing examiner or board, it shall so advise the Superintendent to appoint a board of three District administrators who have no substantial knowledge of the facts of the case or select an independent hearing examiner.
2. In so appointing a hearing examiner or hearing board, the Board of Education may delegate its authority to the hearing officer or hearing board to make findings and decisions relating to the employment of the employee that are binding upon both the employee and the Board of Education. In the absence of an express delegation, the

Board retains the right to make its own decision based on the factual findings of the hearing officer.

[Utah Code § 53G-11-515\(1\) \(2021\)](#)

#### L. Rights of Employee at a Hearing

1. At the hearing, the employee and administration each have right to counsel, to produce witnesses, to hear testimony, to cross-examine witnesses, and to examine documentary evidence.

[Utah Code § 53G-11-515\(2\) \(2021\)](#)

#### M. Hearing Record

1. Hearings before the Board or before a hearing examiner appointed by the Board shall be recorded at the District's expense.

[Utah Code § 53G-11-515\(4\) \(2021\)](#)

#### N. Decision

1. Within 15 days after the hearing, the person or entity that conducted the hearing, whether the hearing examiner, hearing board, or Board of Education, shall issue written findings and conclusions deciding the matter. These shall be provided to the employee by mail or personal delivery.
2. In the event the decision of the board or hearing officer is to not terminate the employment of the employee, then the employee shall be reinstated and back pay shall be paid if the employee was suspended without pay pending a hearing.

[Utah Code § 53G-11-513 \(2018\)](#)

#### O. Appeal of Decision

1. The final decision or action of the Board may be appealed to the Utah Court of appeals as provided in [Utah Code § 53G-11-515\(5\)](#).

[Utah Code § 53G-11-515\(5\) \(2021\)](#)

#### P. Suspension During Investigation

1. The active service of an employee may be suspended by the Superintendent pending a hearing if it appears that the continued employment of the individual may be harmful to students or to the District. The employee shall be provided written notice of the suspension, which may be included with written notice of termination of employment during the contract term or notice of non-renewal of contract.

[Utah Code § 53G-11-513 \(2018\)](#)

Q. Necessary Staff Reduction Not Precluded

1. Nothing in this policy prevents staff reduction if necessary to reduce the number of employees because of the following:
  - a. declining student enrollments in the district;
  - b. the discontinuance or substantial reduction of a particular service or program;
  - c. the shortage of anticipated revenue after the budget has been adopted; or
  - d. school consolidation.

[Utah Code § 53G-11-516 \(2018\)](#)

R. No Verbal Agreements

1. It is the policy of the District that all agreements with employees must be written; there are no verbal agreements because all agreements must be approved by the Board of Education. Only the Board of Education has authority to hire and fire unless such authority has been expressly delegated in writing.

S. Notification to Utah Professional Practices Advisory Commission

1. The Superintendent shall notify the Utah Professional Practices Advisory Commission if an educator is determined, in any judicial or administrative proceeding, to have violated any of the Utah Educator Standards
  - a. If possible, this notification shall be made using the form provided by the UPPAC Executive Secretary. In submitting the notification to UPPAC, the Superintendent may make a recommendation to the UPPAC Executive Secretary regarding whether UPPAC investigation would be appropriate under the circumstances, taking into consideration any employment action taken by the District. Notice is

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not required to be given if there are no other proceedings other than a District administrative proceeding and the District's proceeding determines that the allegations constituting the violation are unsupported. (A criminal charge would be an example of another proceeding.)

*Utah Admin. Rules R277-217-5 (April 8, 2021)*

## POLICY 4062

### Curriculum: College Course Work

#### A. Definitions

1. "Concurrent enrollment" means enrollment in a course that allows a student to earn credit both towards high school graduation and at an institution of higher education.
2. "Eligible student" means a student who (a) is enrolled in and counted towards average daily membership in a school within the District, (b) has on file a plan for college and career readiness, and (c) is in grade 9, 10, 11 or 12.
3. "Eligible instructor" means an instructor who is either employed as faculty by an institution of higher education or who is employed by the District and meets the requirements of [Utah Code § 53E-10-302\(6\)](#).

[Utah Code § 53E-10-301\(2\), \(4\), \(5\)\(a\)\(i\) \(2021\)](#)  
[Utah Code § 53E-10-302\(6\) \(2020\)](#)

4. "Designated institution of higher education" means an institution of higher education designated by the Utah Board of Higher Education to provide a course or program of study within a specific geographic region.

[Utah Code § 53E-10-303\(1\) \(2020\)](#)

#### B. Establishing Concurrent Enrollment Courses

1. The District may establish concurrent enrollment courses by entering into a contract with an institution of higher education to provide such courses. The District and the institution of higher education must (a) ensure that the course instructor is an eligible instructor, (b) establish qualifying academic criteria for enrollment in the course, (c) ensure that students enrolling are eligible students, and (d) coordinate advising of the eligible students.
2. In establishing a particular concurrent enrollment course, the District must first offer to contract with the designated institution of higher education for the course. If the designated institution of higher education either chooses not to offer the course or does not respond to the District's proposal within 30 days, the District may then contract with another institution of higher education to provide the course.

[Utah Code § 53E-10-303 \(2018\)](#)

3. ~~A contract with an institution of higher education for a concurrent enrollment course for the upcoming school year shall be entered into and a copy provided to the State Superintendent by May 30. The contract shall use the standard language developed by the State Superintendent and the Utah System of Higher Education.~~ The District and the institution of higher education must provide the State Superintendent and the Utah System of Higher Education with proposed new course offerings, including syllabi and curriculum materials, by November 15 of the year preceding the school year in which the courses would be offered.

*Utah Admin. Rules R277-713-9 (September 24, 2020)*

4. The student is responsible for expenses and arrangements associated with college enrollment as provided for in [Utah Code § 53E-11-305](#).

[Utah Code § 53E-11-305 \(2018\)](#)

*Utah Admin. Rules R277-701-11(3), (4) (September 24, 2020)*

C. Participation Form and Parental Permission

1. Before allowing an eligible student to participate in a concurrent enrollment course, the District and the institution of higher education must ensure that the student has, for the current school year, (a) submitted a completed participation form which includes the signature of the student's parent indicating permission to participate and (b) signed an acknowledgment of program participation requirements. (The participation form shall be that which is created by the Utah Board of Higher Education.)

[Utah Code § 53E-10-304 \(2020\)](#)

## POLICY 4200

### Term of Instruction: School Year & School Day

#### A. Length of School Year

1. The schools of the District shall ~~provide educational services be in operation for at least over a minimum of 180 instructional school days and at least 990 instructional hours~~ during each school year, except as follows:
  - a. The Board may reallocate up to 32 instructional hours or 4 school days for teacher preparation time or professional development by a two-thirds majority vote of the Board in a properly noticed and held public meeting. If a reallocation is made, parents and guardians shall be notified of the school calendar at least 90 days before the beginning of the school year.

[Utah Code § 53F-2-102\(4\)\(d\) \(2020\)](#)

2. The required days ~~and hours~~ of instruction may be provided at any time during the school year as determined by the Board. The Board will approve school calendars providing for instructional time and days in an open meeting.
  - a. If a school is using a modified 45-day/15-day year-round schedule initiated prior to July 1, 1995, it is considered to be in compliance with State Board of Education regulations if the school's schedule includes a minimum of 990 hours of ~~instructional~~ time ~~the school will provide educational services over in~~ a minimum of 172 days.

[Utah Admin. Rules R277-419-14\(2\) \(May 10, 2021\)](#)

#### B. Term Basis

1. The District shall operate on a quarter, semester, or trimester basis and shall adhere to the requirements of the appropriate curriculum prepared by the State Board of Education.

#### C. Beginning Date

1. Student attendance for the first quarter, semester, or trimester of the regular school term shall be established by the Board pursuant to a calendar adopted annually.

#### D. Emergency/Activity Days

1. The annual school calendar adopted by the Board shall include exigency time for closures for emergencies, activities, or extreme weather conditions. If school is closed for these or any other reason, the instructional time missed shall be made up under the exigency time so that the minimum school program instructional requirements are met. However, the Board may request a waiver from the State Superintendent from the instructional day requirement as provided for in Utah Administrative Rules R277-121-5.

*Utah Admin. Rules R277-121-5 (April 9, 2020)*

#### E. Parent-Teacher and Student Plan Conferences

1. With Board approval, schools may conduct parent-teacher and student Plan for College and Career Readiness conferences during the day and the time for those conferences may be counted as instructional time up to the equivalent of three full school days ~~or 16.5 hours~~ during a school year.

*Utah Admin. Rules R277-419-5(6)(b) (May 10, 2021)*

#### F. Kindergarten Assessment

1. ~~With Board approval, schools may conduct parent-teacher and student Plan for College and Career Readiness conferences during the day and the time for those conferences may be counted as instructional time up to the equivalent of three full school days or 16.5 hours during a school year.~~ The Board may designate up to 12 educational service days at either or both the beginning or end of the school year for assessment of students entering or completing kindergarten. Assessments shall be conducted by qualified school employees. The assessment time per student must be adequate to justify the amount of instruction time used for assessment. Such action must be taken in a properly noticed public meeting and the parents of these students shall be given notice and an explanation of the assessment well in advance of the assessment period.

*Utah Admin. Rules R277-419-5(6)(d), (e) (May 10, 2021)*

#### G. Length and Schedule Per Day

1. ~~Schools shall be in session for not less than 6 hours and 20 minutes each instructional day, including intermissions and recesses, of which not less than 4-~~

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~~hours shall be devoted to instruction. Kindergarten sessions shall have at least 2 hours per instructional day of instructional time.~~ A school day is a day where the school provides educational services to students consistent with the requirements of Utah Admin. Rules R277-419-5.

*Utah Admin. Rules R277-419-2(31) (May 20, 2021)*

#### H. Exceptions for Students with Compelling Circumstances

1. In the Board's discretion, the length of the time an individual student is required to be in school on instructional days may be varied for students with compelling circumstances. Such variance will be established on an individual basis according to the student's IEP or Plan for College and Career Readiness.

*Utah Admin. Rules R277-419-14(1) (May 20, 2021)*

## POLICY 5010

### Admissions Eligibility Requirements

- A. The Board shall admit into the free public schools of the District all minor children who are between the ages of 5 and 18 years **of age old** before September 2 of the school year in which admission is sought if the child's parent resides or is domiciled in the state, and if any of the following conditions exist:
1. The child's parent resides in the District at the time of application for admission regardless of whether the child lives with the parent.
  2. The child resides in the District while in the custody or under the supervision of a Utah State agency, local mental health authority, or substance abuse authority.
  3. The child resides in the District while under the supervision of a private or public agency authorized to provide child placement services by the state of Utah.
  4. The child has been enrolled under [Policy 5025 Student Transfers: Enrollment Option Program](#).
  5. The child resides in the District and is an emancipated minor, such as by marriage.
    - a. The emancipated minor may attend the regular high school program but will be subject to the same school policies as other minors.
  6. The District, in its sole discretion may accept a non-emancipated student as a resident of the District if each of the following are demonstrated to the Board's satisfaction:
    - a. The child lives with a responsible adult who resides in the District and is the student's non-custodial parent, grandparent, brother, sister, uncle or aunt; and
    - b. The child's presence in the District is not for the primary purpose of attending the public schools; and
    - c. The child's physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes; and
    - d. The child is prepared to abide by the rules and policies of the District; and

- e. The person with whom the child resides in the District has been designated as the child's custodian in a durable power of attorney which the District agreed in its sole discretion to accept. (Durable Power of Attorney Form available at schools and the District Office.)

[Utah Code § 53G-6-302\(3\) \(2020\)](#)

[Utah Code § 53G-6-302 \(2020\)](#)

[Utah Code § 53G-6-303 \(2020\)](#)

- B. The District may require evidence that a child is eligible to attend the public free schools of the District at the time it considers an application for admission of the child. The District may withdraw any student who ceases to be a resident subject to Board [Policy 5025 Student Transfers: Enrollment Options Program](#).
- C. Upon enrollment of a student for the first time in a particular school in the District, that school shall notify in writing the person enrolling the student that within 30 days he or she must provide the school with either a certified copy of the student's birth certificate, or other reliable proof of the student's identity and age, together with an affidavit explaining the inability to produce a copy of the birth certificate. If the affidavit appears inaccurate or suspicious, the school shall immediately report such to the Bureau of Criminal Identification within the Department of Public Safety. If a person enrolling a student fails to comply with this requirement, the school shall notify that person in writing that unless he or she complies within ten days the case shall be referred to the local law enforcement authority for investigation. If the person fails to comply within the ten-day period, the school shall refer the case to the Bureau of Criminal Identification with the Department of Public Safety.
  - 1. If a school within the District receives notification from the bureau of Criminal Identification that a child, which is currently or was previously enrolled is missing, the school shall flag that child's records sufficiently to alert school officers that the record is that of a missing child. If the school receives notification from the Bureau of Criminal Investigation that the child is no longer missing, it shall remove the flag from the record.
  - 2. Within 14 days after enrolling a transfer student, a school shall request, directly from the student's previous school, a certified copy of his record, and shall exercise due diligence in obtaining the record.
    - a. If a school within the District is requested to forward a copy of a transferring student's record to the student's new school, it shall comply unless the record has been flagged as being that of a missing child, in which case the copy shall

not be forwarded and the school shall notify the Bureau of Criminal Identification of the request.

- b. Any knowledge as to the whereabouts of a missing child shall be reported immediately to the Bureau of Criminal Identification.
- D. A child may be enrolled in the first grade if the child is at least six years of age before September 2 of the current school year or has been enrolled in the first grade, or completed kindergarten in the public schools of another state prior to transferring to the District.
- E. Records and transcripts of students from Utah non-public schools or from out-of-state shall be evaluated, and students shall be placed promptly in appropriate classes. A child may be assigned to a grade other than that which would normally be assigned on the basis of age at the discretion of the District and with the consent of the child's parent.
- F. Any student enrolling in the District for the first time must provide satisfactory evidence of required immunizations.
- G. The principal of each District school shall ensure that each student admitted to that school has complied with Department of Health requirements for vision, dental and hearing examinations.
- H. The District shall accept all credits earned toward state graduation requirements by students in accredited Utah Districts and in accredited non-public schools, including credits earned in accredited summer school programs. Accreditation shall be effective for purposes of this part if done by the Utah State Board of Education for non-public schools, or if done by the Utah State Board of Education or AdvancedEd for public schools.
- I. A student who has been expelled from another District who is otherwise eligible to enroll may enroll in District schools; however, upon receipt of the expulsion order from the other District, the District may continue the expulsion under the terms of the order or may allow the student to attend classes without completing the period of expulsion.
- J. Any individual enrolling a student, or enrolling as a student, in Box Elder District, will be asked, consistent with the law, to provide any information about the enrolling student(s) that the school should or needs to know to protect the safety of this student(s) or other District students. If a student or parent intentionally withholds information about the student's background that could be important for school safety, the student may be excluded from school under [Utah Code § 53G-8-205\(3\)](#) and/or provided alternative educational services.

K. Any individual enrolling a student who claims to be homeless and meets the federal definition of “homeless” shall be admitted immediately and notified that they have 90 days to complete all necessary paperwork including but not limited to birth certificate, immunizations, and guardianship as applicable.

L. Transfer from a Persistently Dangerous School

1. The State Superintendent may designate a school as “persistently dangerous” when at least 3% of students for three consecutive school years have been suspended or expelled for either a gun free school violation or for a reported violent criminal offense that took place either on school property or at a school-sponsored activity.

[20 U.S.C. § 7912](#)

[20 U.S.C. § 7961](#)

[Utah Code § 53G-8-205\(2\) \(2019\)](#)

*Utah Admin. Rules R277-714-2 (April 9, 2020)*

*Utah Admin. Rules R277-714-3(1) (April 9, 2020)*

2. If a District school is designated by the State Superintendent as persistently dangerous, then the District shall, within 15 days of receiving notice of the designation, notify the parents of the school’s students:
  - a. That the school has been designated as persistently dangerous and the criteria that caused the designation;
  - b. That a parent may transfer the parent’s student to a safer school within the District if the parent chooses; and
  - c. That the parent may request the transfer within 30 days after the parent received notice of the designation.

*Utah Admin. Rules R277-714-3(3) (April 9, 2020)*

3. Upon receipt of a timely transfer request, the student shall be promptly transferred to a safe school within the District notwithstanding other limitations on transfers or enrollment changes contained in this policy.
4. In the event of a persistently unsafe school designation, the District shall also provide the State Superintendent with the information and materials required under Utah Administrative Rules R277-714-3 and R277-714-4.

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*Utah Admin. Rules R277-714-3 (April 9, 2020)*  
*Utah Admin. Rules R277-714-4 (April 9, 2020)*

## Policy 5035

### Attendance Requirements / Procedures

- A. Regular attendance at school increases the opportunities for students to benefit from their educational programs. The Utah Compulsory Attendance Law ([Utah Code § 53G-6-201](#)) directs parents to require their children between the ages of six and eighteen years to attend school. Frequent absences of students from daily classroom experiences disrupt the instructional process thus impairing a student's opportunity to learn.
- B. Special circumstances specified in the law allow the Board to excuse a student from attendance and exempt a parent from consequences listed in the law. ([Utah Code § 53G-6-204](#))
- C. Due to Box Elder School District's commitment to quality education, there is concern when a student misses school for any reason. In keeping with state law and to promote the educational goals of the school district, the following attendance requirements are established for all students.
  - 1. It is the responsibility of all students to attend school and to be on time every school day. If a student is absent for any reason, it is the student's responsibility to follow the procedures outlined by the district attendance procedure. Valid absences (excluding pre-arranged family event absences) and parent contact absences must be called in within one week of the absence.
  - 2. Students who are absent will be responsible to make up course work that can be made up. Teachers are required to give students an opportunity to make up course work missed. It is essential that teachers be precise in assigning work to be made up, as well as setting any time deadlines. Make up assignments should be as closely related to work missed as possible and should not exceed quantity of work assigned students during the time missed.
  - 3. When students must leave school for any reason, they shall follow the established procedures outlined by the school. If a student leaves their assigned area without formally checking out, the student will be considered truant.
  - 4. For each student who is or should be enrolled within the school, the administrator, or designee, shall make efforts to resolve attendance problems. These efforts shall include:

- a. A personal meeting with the student when he/she has missed ten days or any one class period ten times.
- b. Maintain a record of school absences that distinguish between absences that are considered as having a “valid excuse” and those considered to be without a valid excuse or “truancy”. Valid excuses include the following:
  - 1) Illness including mental or physical (the school may not require documentation from a medical professional to substantiate the illness);
  - 2) Mental or behavioral health of the school-age child;
  - 3) Family death
  - 4) School activities
  - 5) Prearranged family events with at least one day notice
  - 6) Absence permitted by the provisions of an IEP
  - 7) Absence permitted by the provisions of a 504 plan
- c. Issue a written notice of a compulsory education violation to a student’s parent when the student has accumulated at least ten absences without a valid excuse during the school year. However, during the period from March 17, 2021 to June 1, 2022, the District shall not issue or enforce notices of compulsory education or violations and shall not make any reports of such violations to city, county, or district attorneys. The notice of violation shall:
  - 1) direct the parent to meet with school authorities to discuss the student’s attendance problems
  - 2) instruct the parent that cooperation is required by state law
  - 3) designate who the parent is to meet with
  - 4) notify the parents that it is a class B misdemeanor
- d. A student who is between the ages of twelve and fifteen years and has been truant at least ten times during the school year may be classified as “habitual

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truant” if the school’s administration has made a reasonable, documented effort to resolve the attendance problems without success.

- D. Students requesting an appeal to the school attendance policy may follow the procedures outlined in Box Elder School District [Policy 5350 Student Complaints - Resolution](#).

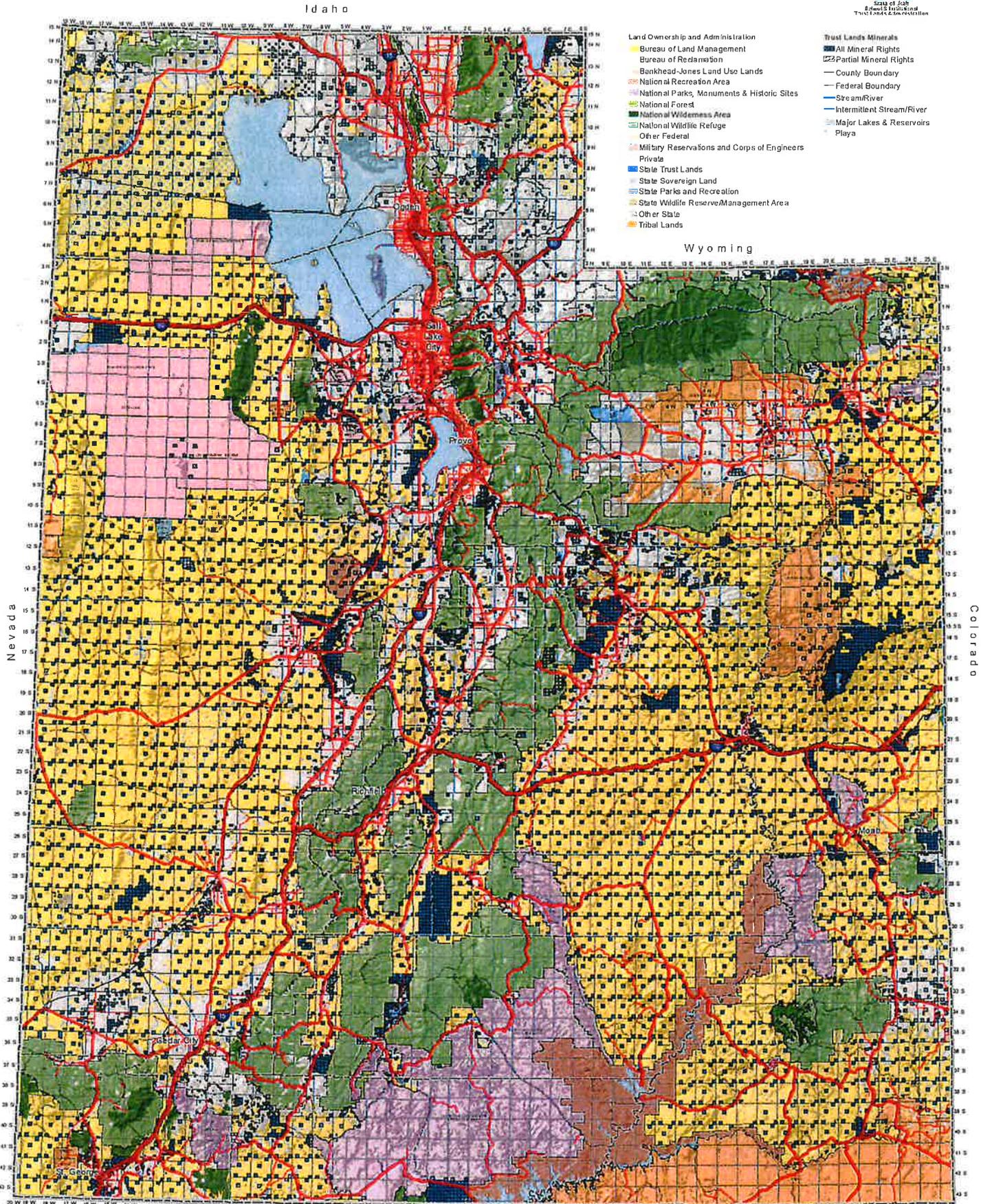
## POLICY 5037

### Attendance Enforcement

- A. A parent of a child who is subject to the compulsory school attendance law may be subject to a class B misdemeanor if:
1. They intentionally or recklessly fail to enroll a school-age child in school, unless that child is exempt from enrollment.
  2. After being served with a notice of compulsory education violation they intentionally or recklessly fail to meet with the school authorities designated in the notice of compulsory education violation to discuss the student's school attendance problems. **However, during the period from March 17, 2021 to June 1, 2022, the District shall not issue or enforce notices of compulsory education or violations and shall not make any reports of such violations to city, county, or district attorneys.**
  3. After being served with a notice of compulsory education violation they intentionally or recklessly fail to prevent the student from being absent without a valid excuse five or more times during the remainder of the school year. **However, during the period from March 17, 2021 to June 1, 2022, the District shall not issue or enforce notices of compulsory education or violations and shall not make any reports of such violations to city, county, or district attorneys.**
- B. Designated school officials shall make earnest and persistent efforts to resolve a student's attendance problems. These efforts shall include the following, as deemed appropriate or feasible in individual cases:
1. Counseling of the student by school authorities including a meeting with the student after their fifth absence without a valid reason.
  2. Issuing a written notice of a compulsory attendance violation after at least five unexcused absences (truancies). **However, during the period from March 17, 2021 to June 1, 2022, the District shall not issue or enforce notices of compulsory education or violations and shall not make any reports of such violations to city, county, or district attorneys.**
  3. Enlisting parental support for attendance by the student.
  4. Meeting with the student and the parents.

5. Adjusting the curriculum and schedule if determined necessary to meet special needs of the student.
  6. Monitoring of attendance by parents and the school.
  7. Classifying a student who is at least twelve years of age as a habitual truant after at least ten trancies during the school year.
  8. **Except during the period from March 17, 2021 to June 1, 2022, e**Enlisting the assistance of community and law enforcement agencies as appropriate.
- C. If, after earnest and persistent efforts are made by the parents and the school, the truant behavior has not been corrected, the board or designee shall either refer the child to truancy mediation. **However, during the period from March 17, 2021 to June 1, 2022 the District shall not issue or enforce notices of compulsory education or violations and shall not make any reports of such violations to city, county, or district attorneys.**
- D. The District shall annually report to the State Board of Education
1. The number of absences with a valid excuse,
  2. The number of absences without a valid excuse.

# UTAH LAND STATUS AND AREAS OF RESPONSIBILITY



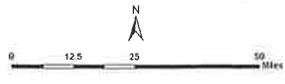
- Land Ownership and Administration**
- Bureau of Land Management
  - Bureau of Reclamation
  - Bankhead-Jones Land Use Lands
  - National Recreation Area
  - National Parks, Monuments & Historic Sites
  - National Forest
  - National Wilderness Area
  - National Wildlife Refuge
  - Other Federal
  - Military Reservations and Corps of Engineers
  - Private
  - State Trust Lands
  - State Sovereign Land
  - State Parks and Recreation
  - State Wildlife Reserve/Management Area
  - Other State
  - Tribal Lands

- Trust Lands Minerals**
- All Mineral Rights
  - Partial Mineral Rights
- Other Features**
- County Boundary
  - Federal Boundary
  - Stream/River
  - Intermittent Stream/River
  - Major Lakes & Reservoirs
  - Playa

Data represented on this map is for REFERENCE USE ONLY and is not suitable for legal, engineering, or surveying purposes. Users of this information should refer to the primary data and information sources to ascertain the usability of the information. SITLA provides this data in good faith and shall not be liable for any consequences, direct or indirect, arising from the use of this data for purposes other than those intended.

Copyright, lease boundaries and associated SITLA data layers may have been updated by other divisions of the State of Utah. The Bureau of Land Management provides this data as a service to the public and does not warrant the accuracy of the data. The State of Utah provides this data as a service to the public and does not warrant the accuracy of the data.

Please Note: While SITLA strives to ensure data accuracy and content, discrepancies may exist within the data. Access the most updated SITLA ownership GIS data by contacting the GIS staff directly 801-538-3100 or TLR@utah.gov. The SITLA GIS department maintains your comments and concerns regarding the data and will attempt to resolve issues as they are brought to our attention.



**For Reference Use Only**  
 Produced: November 12, 2015, SITLA  
 Name: Surface\_st8x11.mxd  
 Trust Lands Administration  
 675 East 500 South, Suite 500  
 Salt Lake City, Utah 84102

# School LAND Trust Program

## Box Elder County

**\$1.7 MILLION** in Trust Land funds were distributed, to 22 schools, in Box Elder County.

A record \$92.84 million from the Utah Trust Lands Permanent Trust Fund was sent to Utah schools for the 2021 – 2022 school year.

Trust land funds augment state education funding at no cost to Utah taxpayers. These distributions are made through the work of the Utah School and Institutional Trust System. These distributions are the schoolchildren’s annual share from \$3.1 billion Permanent State School Trust Fund.

**QUESTIONS CALL:**

**Paula Plant**  
801-201-6681  
paula.plant@schools.utah.gov  
*School Children’s Trust Director  
Utah State Board of Education*

**Tim Donaldson**  
385-249-4509  
tdonaldson@utah.gov  
*Land Trusts Protection &  
Advocacy Director*

School Name	Distribution Amount	Enrollment
<b>Box Elder District</b>		
Adele C. Young	\$152,240	1071
Alice C. Harris	\$114,002	802
Bear River High	\$156,647	1102
Bear River Middle	\$119,404	840
Box Elder High	\$213,363	1501
Box Elder Middle	\$160,200	1127
Century School	\$66,241	466
Discovery School	\$60,555	426
Fielding School	\$63,114	444
Foothill School	\$69,794	491
Garland School	\$91,685	645
Grouse Creek School	\$426	3
Lake View School	\$76,760	540
McKinley School	\$73,348	516
Mountain View School	\$51,031	359
North Park School	\$72,353	509
Park Valley School	\$5,117	36
Snowville School	\$2,843	20
Sunrise High School	\$16,916	119
Three Mile Creek School	\$81,024	570
Willard School	\$34,826	245
*Distribution amounts may be adjusted by district, due to fall enrollment changes.		
<b>Charter Schools</b>		
Promontory School of Expeditionary Learning	\$59,537	448
*Charter schools received a base distribution of \$44,197 in FY2022, with a per-pupil amount added for schools with largers enrollments.		
<b>Total</b>	<b>\$1,741,426</b>	<b>12,280</b>



# School LAND Trust Program

Representative Joel Ferry



**\$1.4 MILLION** in Trust Land funds were distributed, to 17 schools, in your legislative district

A record \$92.84 million from the Utah Trust Lands Permanent Trust Fund was sent to Utah schools for the 2021 – 2022 school year.

Trust land funds augment state education funding at no cost to Utah taxpayers. These distributions are made through the work of the Utah School and Institutional Trust System. These distributions are the schoolchildren’s annual share from \$3.1 billion Permanent State School Trust Fund.

Elementary School		
School Name	Distribution Amount	Enrollment
Grouse Creek School	\$426	3
Snowville School	\$2,843	20
Park Valley School	\$5,117	36
Discovery School	\$60,555	426
Fielding School	\$63,114	444
Century School	\$66,241	466
Foothill School	\$69,794	491
North Park School	\$72,353	509
McKinley School	\$73,348	516
Lake View School	\$76,760	540
Garland School	\$91,685	645
Middle & Junior School		
Alice C. Harris Intermediate	\$114,002	802
Bear River Middle	\$119,404	840
Adele C. Young Intermediate	\$152,240	1071
High School		
Bear River High	\$156,647	1102
Box Elder High	\$213,363	1501
Online & Other		
Sunrise High School	\$16,916	119



# School LAND Trust Program

Senator Scott D. Sandall

**\$3.7** in Trust Land funds were distributed, to 45 schools, in your legislative district  
**MILLION**

A record \$92.84 million from the Utah Trust Lands Permanent Trust Fund was sent to Utah schools for the 2021 – 2022 school year.

Trust land funds augment state education funding at no cost to Utah taxpayers. These distributions are made through the work of the Utah School and Institutional Trust System. These distributions are the schoolchildren's annual share from \$3.1 billion Permanent State School Trust Fund.

School Name	Distribution Amount	Enrollment
<b>Elementary</b>		
Grouse Creek School	\$426	3
Ibapah School	\$2,418	18
Snowville School	\$2,843	20
Vernon School	\$3,090	23
Park Valley School	\$5,117	36
Anna Smith School	\$26,199	195
Willard School	\$34,826	245
Mountain View School	\$51,031	359
Rose Springs School	\$51,458	383
Nibley School	\$55,440	408
Stansbury Park School	\$58,982	439
Discovery School	\$60,555	426
Lincoln School	\$62,234	458
Fielding School	\$63,114	444
Century School	\$66,241	466
Wellsville School	\$68,213	502
Foothill School	\$69,794	491
North Park School	\$72,353	509
McKinley School	\$73,348	516
Old Mill School	\$76,583	570
Lake View School	\$76,760	540
Three Mile Creek School	\$81,024	570
Canyon School	\$90,225	664
Grantsville School	\$90,556	674
Willow School	\$91,093	678
Garland School	\$91,685	645
Heritage School	\$99,737	734
<b>Middle &amp; Junior</b>		
Grantsville Jr High	\$63,550	473
Alice C. Harris Intermediate	\$114,002	802
Bear River Middle	\$119,404	840
South Cache Middle School	\$138,871	1022
Adele C. Young Intermediate	\$152,240	1071
Box Elder Middle	\$160,200	1127
<b>High</b>		
Dugway	\$12,361	92
Wendover High	\$23,915	178
Grantsville High	\$124,682	928
Bear River High	\$156,647	1102
Mountain Crest High	\$201,648	1484
Box Elder High	\$213,363	1501
Stansbury High	\$244,662	1821
<b>Charter</b>		
Bonneville Academy	\$69,238	521
Promontory School of Expeditionary Learning	\$59,537	448
Excelsior Academy	\$177,016	1332
Thomas Edison - South	\$86,382	650
Bonneville Academy	\$69,238	521
Promontory School of Expeditionary Learning	\$59,537	448
Excelsior Academy	\$177,016	1332
Thomas Edison - South	\$86,382	650
<b>Online &amp; Other</b>		
Sunrise High School	\$16,916	119

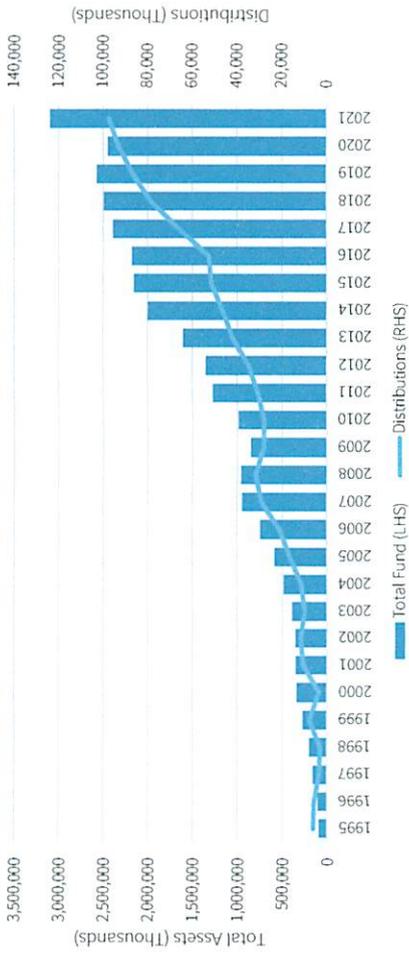


**OUR MISSION**

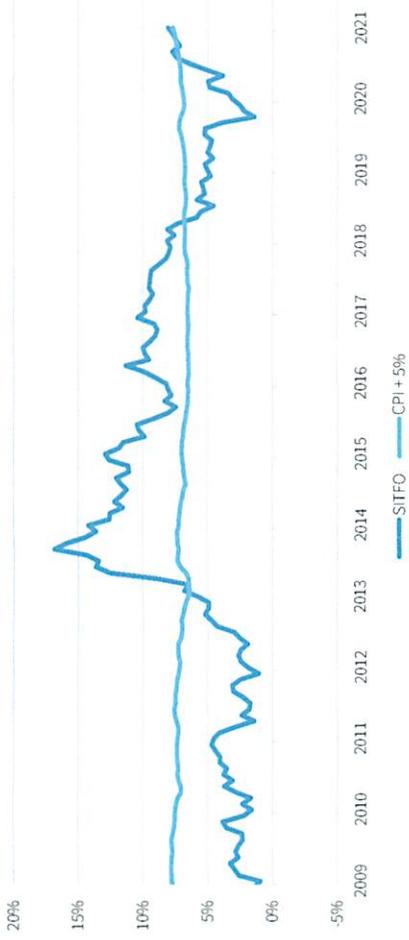
To responsibly maximize the return on the invested principal of the School and Institutional Trusts for the current and future benefit of Utah's education programs.



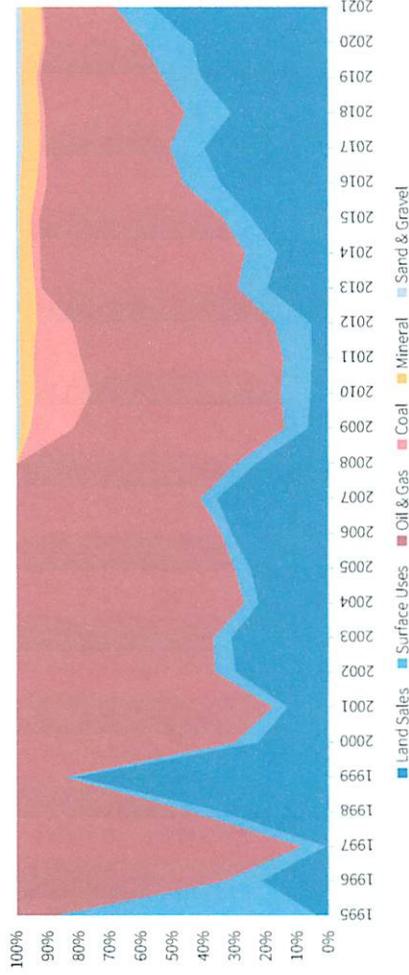
Total Fund Value & Distributions (FY)



Rolling 5-Year Performance vs. Investment Objective



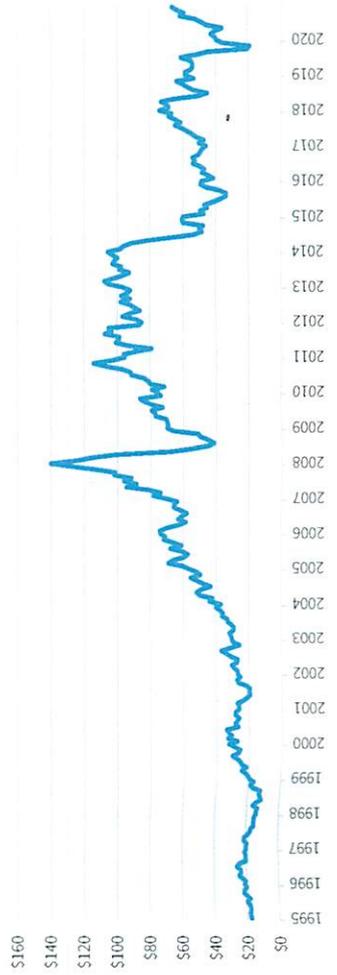
Sources of Contributions\*



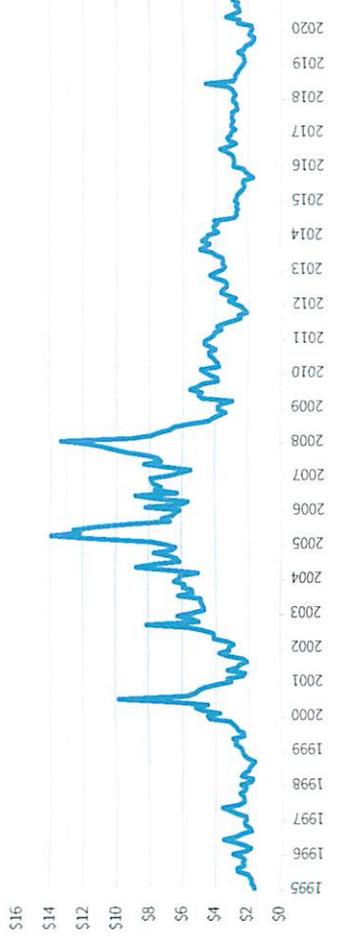
Distributions & Contributions as % of Portfolio (FY)



WTI Crude Oil Prices



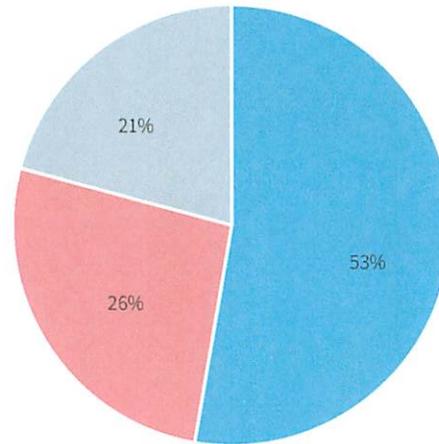
Natural Gas Prices



\*Prior to 2009, Oil & Gas includes Coal, Mineral, and Sand & Gravel

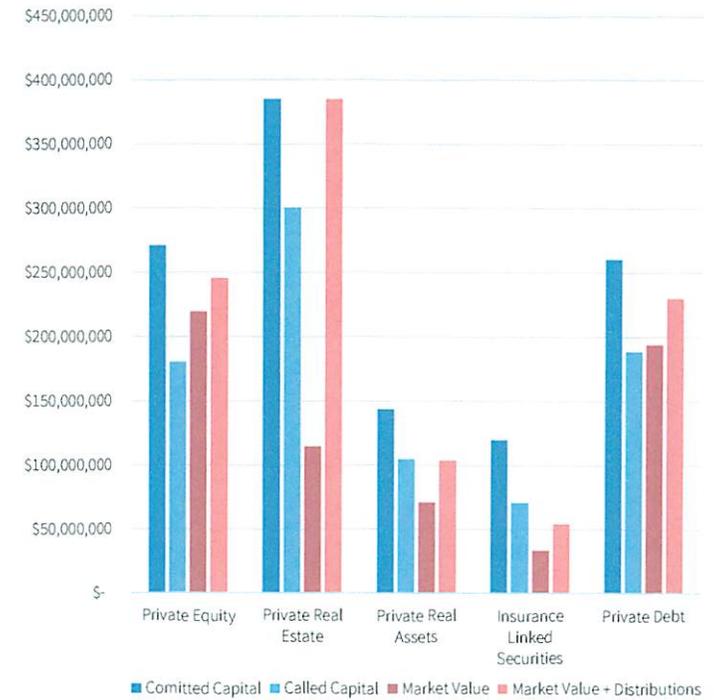
Asset Classes	Min %	Long Term		Interim		Current %
		Target %	Max %	Target%	Current %	
<b>Growth</b>	<b>32.0</b>	<b>43.5</b>	<b>55.0</b>	<b>40.5</b>	<b>44.8</b>	
Global Equity	6.0	10.0	14.0	2.0	4.0	
US Equity	6.5	10.5	14.5	15.5	15.7	
US Large Cap	5.0	8.0	11.0	8.0	8.5	
US Small Cap	1.5	2.5	3.5	7.5	7.2	
International Equity	6.0	10.0	14.0	16.0	17.9	
International Developed Equit	3.5	5.5	7.5	7.5	8.2	
Emerging Markets Equity	2.5	4.5	6.5	8.5	9.7	
Private Equity	4.0	13.0	18.0	7.0	7.2	
<b>Real Assets</b>	<b>12.5</b>	<b>17.5</b>	<b>22.5</b>	<b>16.5</b>	<b>1.7</b>	
Public Real Assets	1.5	2.5	3.5	4.5	10.5	
Private Real Estate	5.0	7.5	10.0	7.5	3.8	
Private Real Assets	2.0	7.5	10.0	4.5	2.3	
<b>Income</b>	<b>22.0</b>	<b>27.0</b>	<b>32.0</b>	<b>29.0</b>	<b>2.8</b>	
Credit	4.0	5.0	7.0	6.5	6.1	
Securitized	4.0	5.0	7.0	8.0	7.9	
Insurance Linked Securities	3.0	3.5	5.0	3.5	3.2	
Non-US	2.0	3.5	5.0	5.0	4.1	
Private Debt	3.0	10.0	14.0	6.0	6.4	
<b>Defensive</b>	<b>8.0</b>	<b>12.0</b>	<b>20.0</b>	<b>14.0</b>	<b>11.0</b>	
TIPS	1.5	2.5	6.0	3.0	2.2	
Long US Treasury	1.5	2.5	6.0	4.0	2.0	
Systematic Convexity	5.0	7.0	14.0	7.0	6.5	
Cash	0.0	0.0	3.0	0.0	0.2	

### Liquidity Overview

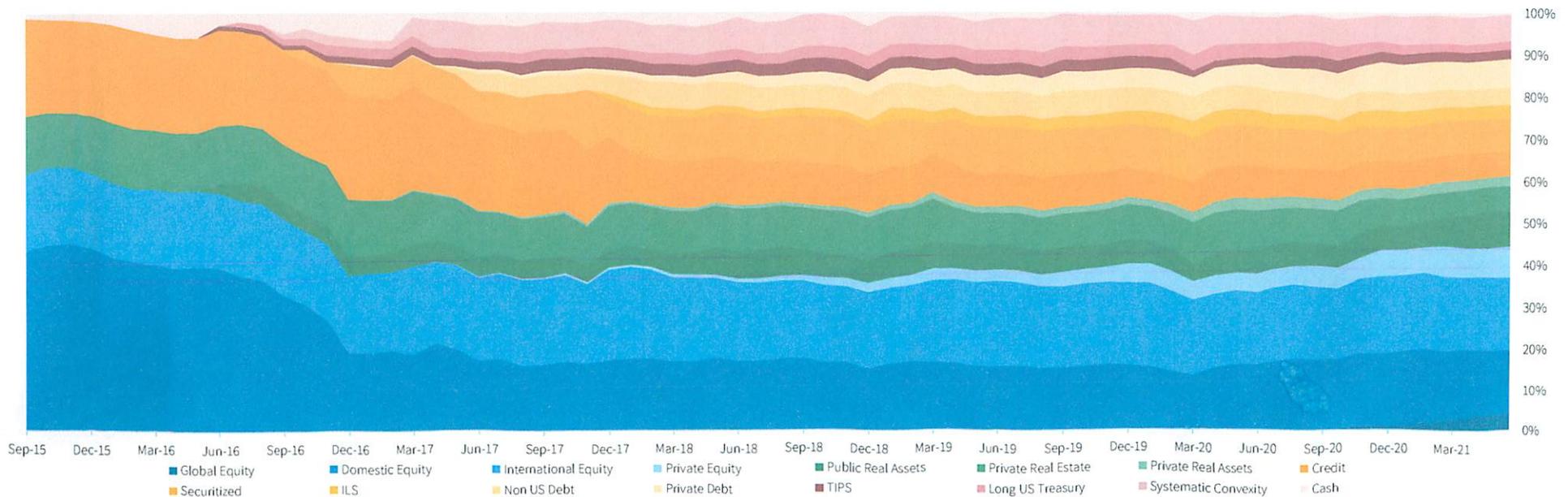


■ Liquid ■ Semi-Liquid ■ Illiquid

### Private Investments



### SITFO Asset Allocation Mix

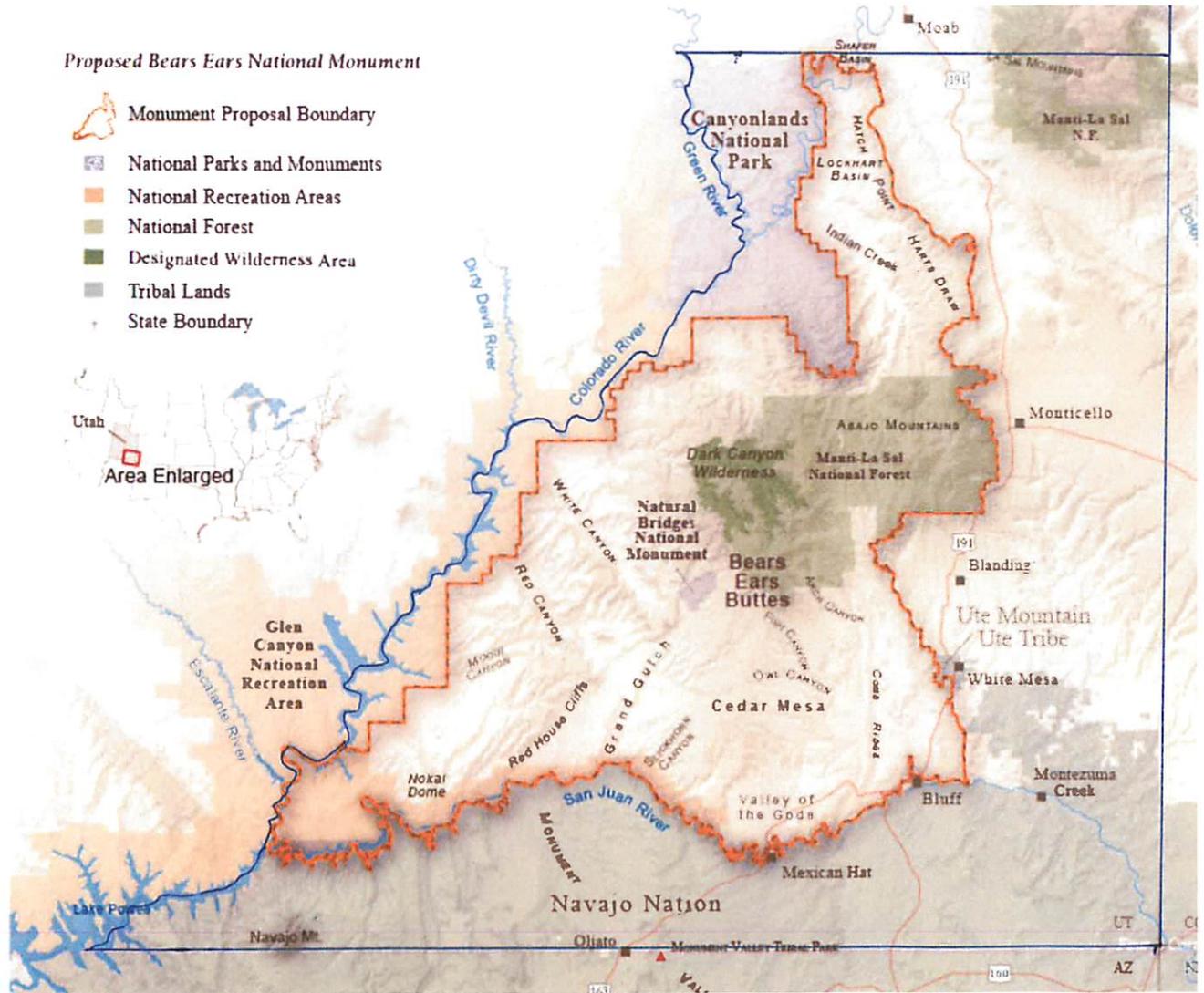


Greater Canyonlands 1.8 million acres  
 Bears Ears 1.9 million acres

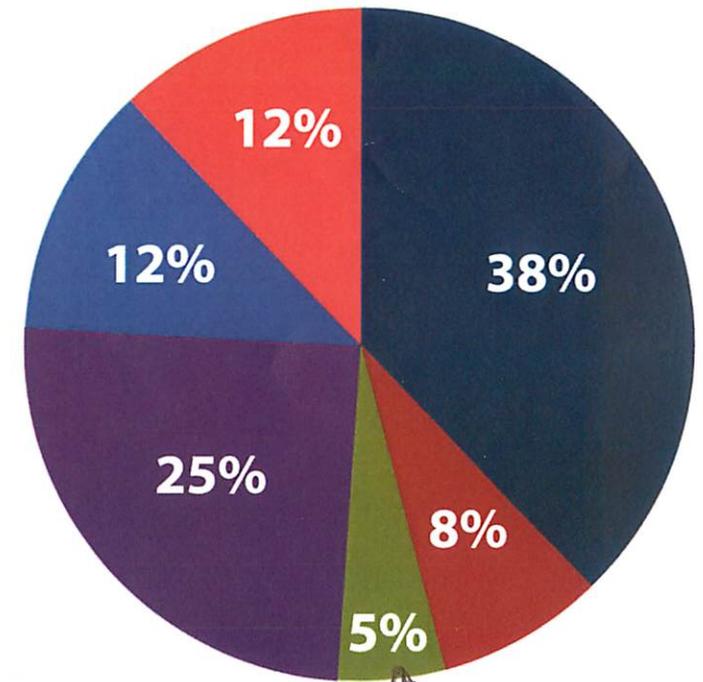
Takes away water rights  
 and water storage system.

Proposed Bears Ears National Monument

-  Monument Proposal Boundary
-  National Parks and Monuments
-  National Recreation Areas
-  National Forest
-  Designated Wilderness Area
-  Tribal Lands
-  State Boundary



San Juan County Land



-  Bears Ears Natl Monument - 38% - More restricted
-  Private - 8% - Owner use
-  State - 5% - Multiple use -- trust lands
-  Tribal - 25% - Most restricted
-  National Park Service - 12% - Most restricted
-  BLM/US Forest Service - 12% - Multiple use

TENTATIVE MINUTES OF A REGULAR MEETING  
OF THE BOARD OF EDUCATION  
BOX ELDER SCHOOL DISTRICT

The School Board met at 5 p.m. to view the artwork and meet the artists from the district of the artwork displayed in the District Office.

At 5:30 p.m. there was a work session scheduled for a presentation of Professional Learning Communities (PLC) by the Box Elder Leadership Team (BELT).

Tentative minutes of the Regular Session of the Board of Education, Box Elder School District, held Wednesday evening September 8, 2021 at 6:30 p.m. at ILSC.

Those in attendance at the meeting included Board President Julie Taylor, Vice President Tiffani Summers, Connie Archibald, Karen Cronin, Wade Hyde, Nancy Kennedy, and Bryan Smith. Also present were Superintendent Steven Carlsen, Assistant Superintendents Keri Greener, Gary Allen and Keith Mecham, Business Administrator Rod Cook. Members of the press, employees and patrons.

President Taylor welcomed those in attendance and conducted the business of the meeting.

After the Reverence which was offered by Steve Carlsen, Superintendent, Wade Hyde, Board Member, led the pledge of allegiance.

**Student Board Member swearing in**

The student board member, Shan Robinson, took the oath of office administered by the Business Administrator, Rod Cook.

**Recognitions**

Tiffani Summers presented the following recognitions:

Jason Bingham, Teacher at Box Elder High School received the Air Force Association Salt Lake City Chapter 237 Teacher of the Year Award for 2020.

Jacqueline Whitaker, Student Services Director, was recognized for heading up the Art Project for the District Office.

**Approval of Agenda**

Nancy Kennedy made the motion to approve the agenda. Bryan Smith seconded the motion, which passed unanimously.

**Public Comment**

No Public Comment

**Action Items**

Approval of ESSER III Grant

Superintendent Carlsen presented the grant outline for the ESSER III Funds.

Wade Hyde made the motion to approve the ESSER III grant as presented. Karen Cronin seconded the motion which passed unanimously.

**Information Items**

Construction Report

Corey Thompson presented the construction update.

PBS Statute and Wellbeing Website

Jacqueline Whitaker, Student Services Director, shared information on the PBS Statute and showed the Board the BESD Wellbeing Website.

Trauma Training

Jacqueline Whitaker, Student Services Director, presented the trauma training she is offering to all school district employees to the Board.

Monthly Financial Report

Rod Cook, Business Administrator, presented the financial report for August 2021 to the Board.

**Board Committee Reports**

None

**Policy Review**

Deleted Policies

Policy 3055 Substitute Teachers  
Policy 3060 Student Teachers and Interns

### First Reading

Policy 1032 Vacancies on the Board  
Policy 1040 Board Member Elections – Board Officers  
Policy 1072 Board Meetings Notice Requirements  
Policy 1074 Board Meetings Closed Meetings  
Policy 1100 Minutes  
Policy 2010 Budget Planning/Development/Adoption  
Policy 2040 Audits  
Policy 2175 Buildings and Grounds – Energy Conservation  
Policy 3023 Employee Surveys  
Policy 3120 Orderly School Termination of Employees  
Policy 4062 Curriculum: College Course Work  
Policy 4200 Term of Instruction School Year and School Day  
Policy 5010 Admission Eligibility Requirements -Procedures  
Policy 5037 Attendance Enforcement

Karen Cronin made the motion to approve the above policies for deletion and on first reading. Tiffani Summers seconded the motion which passed unanimously.

### Board Discussion Items

#### Covid Update

Superintendent Steve Carlsen reported on the Covid situation in the school district. So far, the numbers of Covid positives are staying fairly low.

#### “Ring of Fire” Presentation on Leadership

Superintendent Steve Carlsen presented on the “Ring of Fire”.

#### Utah PTA’s Electronic Cigarettes and Utah’s Youth

Business Administrator Rod Cook explained the discussion he had on the telephone concerning a law suit that had been started against the Juul company. The rationale behind the law suit is to disrupt Juul from targeting adolescents in their advertising. The discussion was positive and Superintendent Carlsen and Business Administrator Cook shared with the Board they will reach out and get more information on the law suit.

### Consent Calendar

Nancy Kennedy moved to accept the consent items. The motion was seconded Karen Cronin with an agreement for her to edit **her comment in the minutes**. The motion passed unanimously.

The Consent Calendar included the following items:

Approval of the minutes of the working and regular meeting August 11, 2021.

Approval of claims numbered 37840-38069,05081021, 07083121, 08083121, 09080221, 09082021, 09083121, and the District Foundation and ACH payments as well as School Activity checks for the month of August.

Personnel Action

As detailed in the agenda.

**Adjournment**

Karen Cronin made the motion to adjourn the meeting. Tiffani Summers seconded the motion which passed by unanimous vote.

With the announcement that the next meeting will be held on October 12 ,2021 at Century Elementary, with a work session at 5:30 p.m. and regular session beginning at 6:30 p.m. President Julie Taylor adjourned the meeting at 9:00 p.m.

APPROVED: \_\_\_\_\_

ATTESTED: \_\_\_\_\_  
School Business Administrator  
Box Elder School District

\_\_\_\_\_  
President, Board of Education

A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
01	00038070	150.00	09/09/21	1 ALISHA DEAKIN	C
01	00038071	15.40	09/09/21	1 ANGELA DONNELLS	C
01	00038072	200.00	09/09/21	1 JAYDEN OR JORDIN GRAY	C
01	00038073	154.84	09/09/21	1 JENNIFER SHY	C
01	00038074	31.10	09/09/21	1 JESSE MITCHELL	C
01	00038075	37.80	09/09/21	1 KRISTINA PENFOLD	C
01	00038076	84.20	09/09/21	1 LIZ JOHNSON	C
01	00038077	800.00	09/09/21	1 MARY HAMBLIN	C
01	00038078	3,750.00	09/09/21	109111 GLADYS AGUILERA	C
01	00038079	768.31	09/09/21	812477 ALSCO/AMERICAN LINEN	C
01	00038080	255.50	09/09/21	85768 BEAR RIVER SEWER DEPT	C
01	00038081	257.32	09/09/21	87120 BEEHIVE TELEPHONE CO	C
01	00038082	2,340.00	09/09/21	111635 BRIDGERLAND BAND INSTRUMENT REPAIR	C
01	00038083	53,359.96	09/09/21	108217 BRIGHAM CITY CORPORATION	C
01	00038084	111.00	09/09/21	107994 CERTIFIED SHRED	C
01	00038085	297.00	09/09/21	138420 CHEMTECH FORD INC	C
01	00038086	293.39	09/09/21	45055 CAREY CHRISTENSEN	C
01	00038087	82.00	09/09/21	156817 CORINNE CITY CORP	C
01	00038088	1,350.00	09/09/21	111223 COUNTRY CARPET CLEANING LLC	C
01	00038089	10,445.00	09/09/21	56197 DENTONS DURHAM JONES PINEGAR PC	C
01	00038090	4,221.62	09/09/21	143160 FRONTIER COMMUNICATION	C
01	00038091	752.71	09/09/21	304217 GARLAND CITY	C
01	00038092	140.54	09/09/21	50679 GC GONE COUNTRY	C
01	00038093	325.00	09/09/21	57525 HUANG, YUHAN	C
01	00038094	300.00	09/09/21	1821 IXL LEARNING	C
01	00038095	5,287.30	09/09/21	100774 JEPPSEN DISTRIBUTING/JEFF JEPPSEN	C
01	00038096	540.84	09/09/21	104384 JOHNSTONE SUPPLY	C
01	00038097	54.40	09/09/21	57568 LANGUAGE ACCESS NETWORK LLC	C
01	00038098	17,359.85	09/09/21	530755 LOGAN SCHOOL DISTRICT	C
01	00038099	120.00	09/09/21	543168 MADDOX RANCH HOUSE	C
01	00038100	455.27	09/09/21	3832 NATIONAL FEDERATION OF STATE HIGH SCHOOL	C
01	00038101	900.00	09/09/21	612068 NORTH PARK SCHOOL	C
01	00038102	16,792.64	09/09/21	3050 OBSERVETAB, LLC	C
01	00038103	233.50	09/09/21	700077 PERRY CITY	C
01	00038104	168.00	09/09/21	104992 PRINT SHOP	C
01	00038105	3,000.00	09/09/21	35270 CMRS-POC	C
01	00038106	307.39	09/09/21	35270 QUADIENT, INC	C
01	00038107	678.48	09/09/21	732367 RAFT RIVER RURAL	C
01	00038108	7,387.64	09/09/21	892645 ROCKY MOUNTAIN POWER	C
01	00038109	502.91	09/09/21	769715 SAM'S CLUB BUSINESS PAYMENTS	C
01	00038110	3,222.72	09/09/21	103604 SCHOLASTIC MAGAZINES	C
01	00038111	39.95	09/09/21	110789 SECURE INSTANT PAYMENTS LLC	C
01	00038112	35.95	09/09/21	110914 SUPERIOR WATER AND AIR INC	C
01	00038113	1,000.00	09/09/21	54585 TOP NOTCH COLLISION	C
01	00038114	3,147.11	09/09/21	55034 UTAH PARENT CENTER, INC	C
01	00038115	19,141.40	09/09/21	892916 DGO FUEL NETWORK TEAM	C
01	00038116	35.00	09/09/21	891181 UTAH STATE UNIVERSITY	C
01	00038117	95.00	09/09/21	891133 UTAH/YAMAS CONTROLS INC	C
01	00038118	179.55	09/09/21	941217 WILLARD CITY CORP	C
01	00038119	3,050.00	09/09/21	31364 95 PERCENT GROUP	C
01	00038120	12,368.66	09/09/21	38032 AMAZON CAPITAL SERVICES INC	C
01	00038121	3,496.00	09/09/21	106497 APPLE STORE	C
01	00038122	10,000.00	09/09/21	56766 ATOMIC JOLT INC	C
01	00038123	596.40	09/09/21	37354 ATTAINMENT COMPANY INC	C
01	00038124	925.60	09/09/21	110509 AUDIO ENHANCEMENT	C

A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
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01	00038126	1,835.77	09/09/21	100913 BORDER STATES INDUSTRIES, INC	C
01	00038127	119.87	09/09/21	111967 CHINASPROUT	C
01	00038128	13,215.60	09/09/21	152716 COMMITTEE FOR CHILDREN	C
01	00038129	68,045.04	09/09/21	11517 COMPUNET, INC	C
01	00038130	3,490.00	09/09/21	100293 DELL COMPUTER	C
01	00038131	4,701.94	09/09/21	729332 ECONO WASTE INC	C
01	00038132	1,298.05	09/09/21	111247 ESTRELLITA	C
01	00038133	1,965.00	09/09/21	53449 EXPLORELEARNING, LLC	C
01	00038134	261.78	09/09/21	104881 FERGUSON ENTERPRISES INC	C
01	00038135	88.61	09/09/21	109704 FOLLETT SCHOOL SOLUTIONS	C
01	00038136	1,895.00	09/09/21	110413 FULL COMPASS SYSTEM LTD	C
01	00038137	422.70	09/09/21	106378 GOLDEN SPIKE POWERSPORTS	C
01	00038138	2,675.85	09/09/21	324430 GRAYBAR ELECTRIC COMPANY INC	C
01	00038139	5,617.25	09/09/21	4502 HIGH COUNTRY TECHNOLOGY CONSULTANTS	C
01	00038140	191,313.00	09/09/21	107027 HOUGHTON MIFFLIN HARCOURT	C
01	00038141	2,806.59	09/09/21	386370 HYKO SUPPLY CO	C
01	00038142	9,841.44	09/09/21	901150 IMT COMPANIES LLC	C
01	00038143	4,055.88	09/09/21	111125 IML SECURITY SUPPLY	C
01	00038144	1,108.74	09/09/21	110259 KONE INC	C
01	00038145	2,729.78	09/09/21	111841 THE LAMPO GROUP, LLC	C
01	00038146	436.06	09/09/21	545971 MARC / MID AMERICAN RESEARCH	C
01	00038147	19,524.86	09/09/21	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00038148	913.97	09/09/21	29858 MOUNTAINLAND SUPPLY COMPANY	C
01	00038149	11,395.80	09/09/21	633340 OFFICE DEPOT	C
01	00038150	381.84	09/09/21	100683 REALLY GOOD STUFF INC	C
01	00038151	1,331.44	09/09/21	759360 ROTO AIRE	C
01	00038152	2,487.15	09/09/21	54313 SCHOOL SPECIALTY, LLC	C
01	00038153	771.10	09/09/21	110873 SOLUTION TREE	C
01	00038154	4,785.35	09/09/21	157371 STAPLES	C
01	00038155	825.68	09/09/21	21210 SPIRALEDGE INC	C
01	00038156	230.92	09/09/21	107622 TEACHER CREATED MATERIALS	C
01	00038157	1,536.23	09/09/21	56960 TOUCHMATH LLC	C
01	00038158	511.99	09/09/21	866716 UTAH CORRECTIONAL INDUSTRIES	C
01	00038159	1,141.80	09/09/21	109355 VOYAGER SOPRIS LEARNING	C
01	00038160	6,328.95	09/09/21	924155 WASTE MGMT OF UTAH INC	C
01	00038161	36.00	09/09/21	110931 WEESE GLASS LLC	C
01	00038162	736.47	09/09/21	36501 WILKINSON SUPPLY INC	C
01	00038163	499.00	09/09/21	57215 WISCONSIN CENTER FOR EDUCATION PROD&SERV	C
01	00038164	3,882.60	09/09/21	41068 ZOH0 CORPORATION	C
01	00038165	311.30	09/16/21	1 BRETT LEWIS	C
01	00038166	9.58	09/16/21	1 EMILEE CHRISTENSEN	C
01	00038167	29.60	09/16/21	1 LORI TYLER	C
01	00038168	61.19	09/16/21	1 MAMIE JANE WHEATLEY	C
01	00038169	80.80	09/16/21	1 RACHEL WILSON	C
01	00038170	12.70	09/16/21	1 TONY PADILLA	C
01	00038171	160.32	09/16/21	102532 5TH WEST RENTAL & REPAIR	C
01	00038172	3.38	09/16/21	1724 ACE HARDWARE TREMONTON	C
01	00038173	386.27	09/16/21	6617 ACME WATER CO	C
01	00038174	179.60	09/16/21	10260 ADELE C YOUNG INTERM SCH	C
01	00038175	129.00	09/16/21	11088 AMERICAN SCHOOL COUNSELOR ASSOC	C
01	00038176	315.00	09/16/21	106895 BADGER SCREEN PRINTING CO	C
01	00038177	1,995.00	09/16/21	4260 BCI / UTAH BUREAU OF CRIMINAL IDENTIF	C
01	00038178	80.00	09/16/21	85556 BEAR RIVER HEALTH DEPARTMENT	C
01	00038179	111.84	09/16/21	102956 BEAR RIVER MENTAL HEALTH	C

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Bank	Check No	Amount	Date	Vendor	Type
01	00038180	10.00	09/16/21	110782 BETTER HOMES AND GARDENS	C
01	00038181	502.75	09/16/21	104242 BIZWEAR INC	C
01	00038182	329.23	09/16/21	108217 BRIGHAM CITY CORPORATION	C
01	00038183	305.00	09/16/21	40363 CIO MEDICAL SERVICES	C
01	00038184	30.00	09/16/21	14958 CULLIGAN	C
01	00038185	7,839.20	09/16/21	102017 DAVIS SCHOOL DISTRICT	C
01	00038186	67.02	09/16/21	57665 NEIL EVANS	C
01	00038187	206.26	09/16/21	57720 BRAD GLOVER	C
01	00038188	300.00	09/16/21	50270 IMAGING CONCEPTS OF NORTHERN UTAH, LLC	C
01	00038189	6,843.00	09/16/21	48879 KREMEDY LLC / KANNACT	C
01	00038190	2,323.00	09/16/21	26000 LEAR & LEAR LAW OFFICE, LLP	C
01	00038191	350.00	09/16/21	56839 KIRK G MCRAE	C
01	00038192	1,691.52	09/16/21	937851 PRAXAIR DISTRIBUTION INC	C
01	00038193	191.92	09/16/21	55336 S & D CARWASH MANAGEMENT, LLC	C
01	00038194	16,500.00	09/16/21	48470 SCHOOLS CUBED	C
01	00038195	1,449.17	09/16/21	25976 SHERWIN-WILLIAMS	C
01	00038196	8.00	09/16/21	112027 SMITHSONIAN MAGAZINE	C
01	00038197	760.75	09/16/21	802087 SNOWVILLE WATERWORKS INC	C
01	00038198	30,000.00	09/16/21	112080 SQUIRE & COMPANY	C
01	00038199	75.11	09/16/21	810361 STANDARD PLUMBING SUPPLY	C
01	00038200	128.72	09/16/21	6009 IRLANDA STEVENS	C
01	00038201	441.14	09/16/21	5223 SWIRE COCA-COLA	C
01	00038202	85,640.55	09/16/21	12688 SYSCO	C
01	00038203	1,008.12	09/16/21	852617 TREMONTON CITY CORP	C
01	00038204	769.95	09/16/21	44512 TREMONTON LEADER	C
01	00038205	15,065.00	09/16/21	999016 UTAH RETIREMENT SYSTEMS	C
01	00038206	9,032.32	09/16/21	42846 VERACITY NETWORKS, LLC	C
01	00038207	10,691.20	09/16/21	31364 95 PERCENT GROUP	C
01	00038208	324.95	09/16/21	112046 ACE HARDWARE - BRIGHAM	C
01	00038209	15,752.12	09/16/21	38032 AMAZON CAPITAL SERVICES INC	C
01	00038210	11,174.28	09/16/21	110509 AUDIO ENHANCEMENT	C
01	00038211	751.12	09/16/21	108543 B & H PHOTO VIDEO	C
01	00038212	1,098.00	09/16/21	106895 BADGER SCREEN PRINTING CO	C
01	00038213	7,500.00	09/16/21	110222 BENCHMARK EDUCATION CO	C
01	00038214	2,997.60	09/16/21	46540 BOB BOOKS PUBLICATIONS LLC	C
01	00038215	4,875.00	09/16/21	100293 DELL COMPUTER	C
01	00038216	1,298.05	09/16/21	111247 ESTRELLITA	C
01	00038217	5,390.00	09/16/21	104881 FERGUSON ENTERPRISES INC	C
01	00038218	333.00	09/16/21	57207 FILTERBUY INC.	C
01	00038219	82,875.00	09/16/21	107027 HOUGHTON MIFFLIN HARCOURT	C
01	00038220	4,167.97	09/16/21	386370 HYKO SUPPLY CO	C
01	00038221	1,071.10	09/16/21	50270 IMAGING CONCEPTS OF NORTHERN UTAH, LLC	C
01	00038222	108.25	09/16/21	1791 INTERSTATE ALL BATTERIES CENTER	C
01	00038223	249.00	09/16/21	14044 KIDCARPET.COM	C
01	00038224	126.00	09/16/21	102451 LAF GRAPHICS	C
01	00038225	474.05	09/16/21	45560 LAKESHORE LEARNING MATERIALS	C
01	00038226	888.22	09/16/21	33430 LEADING EDGE LAMINATING	C
01	00038227	2,200.00	09/16/21	53082 LEXIA LEARNING SYSTEMS LLC	C
01	00038228	1,327.41	09/16/21	3727 MCGRAW-HILL SCHOOL EDUCATION	C
01	00038229	13,238.28	09/16/21	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00038230	11,288.44	09/16/21	633340 OFFICE DEPOT	C
01	00038231	7,650.00	09/16/21	43460 ONIX NETWORKING CORP	C
01	00038232	51.00	09/16/21	104992 PRINT SHOP	C
01	00038233	11,798.95	09/16/21	111379 REALITYWORKS	C
01	00038234	381.84	09/16/21	100683 REALLY GOOD STUFF INC	C

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Bank	Check No	Amount	Date	Vendor	Type
01	00038235	250.01	09/16/21	32590 RELYCO SALES INC	C
01	00038236	492.22	09/16/21	54313 SCHOOL SPECIALTY, LLC	C
01	00038237	1,214.24	09/16/21	157371 STAPLES	C
01	00038238	124.08	09/16/21	109887 STARFALL EDUCATION	C
01	00038239	360.27	09/16/21	111788 THE LIFE GUARD STORE	C
01	00038240	2,689.35	09/16/21	111109 TOM RANDALL DIST	C
01	00038241	35,741.20	09/16/21	109355 VOYAGER SOPRIS LEARNING	C
01	00038242	3,880.16	09/16/21	53376 WING AERO PRODUCTS, INC	C
01	00038243	214.35	09/23/21	1 LEEANN LUNDGREN	C
01	00038244	96.82	09/23/21	1 MORGAN CHRISTENSEN	C
01	00038245	54.00	09/23/21	1 ROSS RODDOM	C
01	00038246	70.00	09/23/21	1 SHANNA HAWS	C
01	00038247	70.00	09/23/21	1 SUYENMIS TORRES	C
01	00038248	22.99	09/23/21	112046 ACE HARDWARE - BRIGHAM	C
01	00038249	872.00	09/23/21	36784 AMERICAN RED CROSS	C
01	00038250	410.10	09/23/21	104348 BOX ELDER MIDDLE SCHOOL	C
01	00038251	636.33	09/23/21	890740 CENTURYLINK LONG DISTANCE	C
01	00038252	4,760.00	09/23/21	53279 EDFICIENCY LLC	C
01	00038253	20.69	09/23/21	46116 ROBERT GORDON	C
01	00038254	3,300.00	09/23/21	36455 HEARTLAND SCHOOL SOLUTIONS	C
01	00038255	367,022.90	09/23/21	999093 INTERNAL REVENUE SERVICE	C
01	00038256	1,368.00	09/23/21	106568 IRON GATE CATERING	C
01	00038257	33,334.60	09/23/21	100774 JEPPSEN DISTRIBUTING/JEFF JEPPSEN	C
01	00038258	46.30	09/23/21	489250 KENTS MARKET PL/BRIGHAM	C
01	00038259	661.98	09/23/21	110561 MAXIM HEALTHCARE SERVICES INC	C
01	00038260	39,455.67	09/23/21	892645 ROCKY MOUNTAIN POWER	C
01	00038261	1,444.15	09/23/21	10731 SMITH'S CUSTOMER CHARGES	C
01	00038262	65.12	09/23/21	44040 LISA SMITH	C
01	00038263	48.00	09/23/21	159 COREY THOMPSON	C
01	00038264	5,015.00	09/23/21	891125 UAESP/UTAH ASSOCIATION ELEMENTARY PRIN	C
01	00038265	127.77	09/23/21	891181 LB 410027	C
01	00038266	3,000.00	09/23/21	24961 806 TECHNOLOGIES	C
01	00038267	396.53	09/23/21	17558 ACADIENCE LEARNING INC	C
01	00038268	6,669.61	09/23/21	38032 AMAZON CAPITAL SERVICES INC	C
01	00038269	1,207.00	09/23/21	106497 APPLE STORE	C
01	00038270	6,519.78	09/23/21	46540 BOB BOOKS PUBLICATIONS LLC	C
01	00038271	121,958.00	09/23/21	113116 BRYSON SALES & SERVICE	C
01	00038272	5,408.00	09/23/21	5568 CANNON SALES INC	C
01	00038273	1,735.87	09/23/21	31429 COMPETITIVE EDGE.COM	C
01	00038274	178,009.41	09/23/21	779 GOVCONNECTION INC	C
01	00038275	47.45	09/23/21	105243 DECKER INC	C
01	00038276	856.24	09/23/21	57207 FILTERBUY INC.	C
01	00038277	5,334.00	09/23/21	27839 HI-POD INC	C
01	00038278	4,006.76	09/23/21	386370 HYKO SUPPLY CO	C
01	00038279	208.25	09/23/21	100522 INTERMOUNTAIN FARMERS ASSOC / IFA	C
01	00038280	250.00	09/23/21	111841 THE LAMPO GROUP, LLC	C
01	00038281	450.00	09/23/21	111013 MARKERBOARD PEOPLE	C
01	00038282	940.00	09/23/21	108190 MILLER COMPANIES	C
01	00038283	17,086.87	09/23/21	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00038284	769.50	09/23/21	105708 NICKYS FOLDERS/ROCHESTER 100	C
01	00038285	7,513.28	09/23/21	633340 OFFICE DEPOT	C
01	00038286	35.06	09/23/21	664141 ORIENTAL TRADING COMPANY INC	C
01	00038287	5,105.79	09/23/21	4987 PICTURELINE INC	C
01	00038288	813.80	09/23/21	157371 STAPLES	C
01	00038289	787.35	09/23/21	824825 SWANSON BUILDING MATERIALS INC	C

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Bank	Check No	Amount	Date	Vendor	Type
01	00038290	961.00	09/23/21	861085 TV SPECIALISTS INC	C
01	00038291	109.00	09/23/21	109355 VOYAGER SOPRIS LEARNING	C
01	00038292	1,247.07	09/29/21	999014 AFLAC / AMERICAN FAMILY LIFE ASSURANCE	C
01	00038293	4,585.51	09/29/21	999014 AMERICAN FAMILY LIFE COMP	C
01	00038294	70.00	09/29/21	999027 B E SCHOOL BOARD FUND	C
01	00038295	764.32	09/29/21	999024 BOSTON MUTUAL LIFE INS CO - W	C
01	00038296	8,196.83	09/29/21	999021 BOX ELDER CREDIT UNION	C
01	00038297	411.00	09/29/21	999055 BOX ELDER FOUNDATION	C
01	00038298	1,655.57	09/29/21	999033 BUREAU CHILD SUPPORT SERV	C
01	00038299	29,809.52	09/29/21	999077 DENTAL SELECT	C
01	00038300	641.57	09/29/21	999019 EDUCATORS MUTUAL	C
01	00038301	542.71	09/29/21	999131 EDWIN B PARRY ATTORNEY	C
01	00038302	69.12	09/29/21	999017 GLOBE LIFE INSURANCE CO	C
01	00038303	19,609.03	09/29/21	999035 HORACE MANN INSURANCE COMPANY	C
01	00038304	451.00	09/29/21	51080 IDAHO DIV OF MANAGEMENT/CHILD SUPPORT	C
01	00038305	498.87	09/29/21	5851 JOHNSON MARK ATTORNEYS LLC	C
01	00038306	252.55	09/29/21	999111 MEADE RECOVERY SERVICES LLC	C
01	00038307	8,225.00	09/29/21	999084 NATIONAL BENEFITS SERVICES LLC	C
01	00038308	3,411.85	09/29/21	999008 OPTICARE	C
01	00038309	749,017.74	09/29/21	999079 PUBLIC EMPLOYEES HEALTH P	C
01	00038310	1,750.55	09/29/21	999032 PRE-PAID LEGAL SERVICES	C
01	00038311	22,107.23	09/29/21	999018 THE HARTFORD	C
01	00038312	640.00	09/29/21	999012 UESP	C
01	00038313	207,992.64	09/29/21	999003 UTAH STATE TAX COMMISSION	C
01	00038314	186.28	09/30/21	107488 ARCHIBALD & SONS INC	C
01	00038315	5,471.73	09/30/21	100913 BORDER STATES INDUSTRIES, INC	C
01	00038316	1,775.03	09/30/21	890740 CENTURYLINK	C
01	00038317	922.41	09/30/21	819370 CLASSICAL STRINGS / G WILHELMSEN	C
01	00038318	84.85	09/30/21	104223 CODALE ELECTRIC	C
01	00038319	155.00	09/30/21	57797 SHERYL ELLSWORTH	C
01	00038320	25,665.11	09/30/21	107136 ERS HEATING & COOLING	C
01	00038321	112,000.00	09/30/21	13757 GARLAND CITY POLICE DEPARTMENT	C
01	00038322	1,179.20	09/30/21	103070 HEYWOOD ENGINEERING & CONSULT	C
01	00038323	219.12	09/30/21	111457 KEITH MECHAM	C
01	00038324	2,353.36	09/30/21	104436 POWER ENGINEERING INC	C
01	00038325	667.78	09/30/21	51500 RITE OF PASSAGE	C
01	00038326	4,752.07	09/30/21	103604 SCHOLASTIC MAGAZINES	C
01	00038327	161.08	09/30/21	810361 STANDARD PLUMBING SUPPLY	C
01	00038328	50.00	09/30/21	107837 UTAH RURAL SCHOOLS ASSOCIATION	C
01	00038329	850.00	09/30/21	102878 VAL KOTTER & SONS	C
01	00038330	7,131.24	09/30/21	24580 VERIZON WIRELESS	C
01	00038331	3,183.50	09/30/21	31364 95 PERCENT GROUP	C
01	00038332	9,452.90	09/30/21	38032 AMAZON CAPITAL SERVICES INC	C
01	00038333	537.00	09/30/21	106497 APPLE STORE	C
01	00038334	7,943.64	09/30/21	46540 BOB BOOKS PUBLICATIONS LLC	C
01	00038335	405.00	09/30/21	3271 CANON SOLUTIONS AMERICA	C
01	00038336	118,699.41	09/30/21	779 GOVCONNECTION INC	C
01	00038337	12,960.00	09/30/21	100293 DELL COMPUTER	C
01	00038338	112.00	09/30/21	110099 FLUXLIGHT INC	C
01	00038339	366.67	09/30/21	109704 FOLLETT SCHOOL SOLUTIONS	C
01	00038340	1,208.72	09/30/21	386370 HYKO SUPPLY CO	C
01	00038341	1,949.36	09/30/21	455120 JACKS TIRE & OIL INC	C
01	00038342	11,900.00	09/30/21	53082 LEXIA LEARNING SYSTEMS LLC	C
01	00038343	214.36	09/30/21	109001 LINCOLN AQUATICS	C
01	00038344	259.16	09/30/21	52035 LITERACY RESOURCES, LLC	C

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Bank	Check No	Amount	Date	Vendor	Type
01	00038345	18,252.00	09/30/21	49387 LUCID SOFTWARE INC	C
01	00038346	27,330.99	09/30/21	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00038347	3,006.90	09/30/21	633340 OFFICE DEPOT	C
01	00038348	356.95	09/30/21	48283 PHOENIX TREE PUBLISHING INC	C
01	00038349	536.25	09/30/21	2780 RIFTON EQUIPMENT	C
01	00038350	799.68	09/30/21	759360 ROTO AIRE	C
01	00038351	546.21	09/30/21	103604 SCHOLASTIC MAGAZINES	C
01	00038352	6,042.32	09/30/21	157371 STAPLES	C
01	00038353	570.90	09/30/21	109355 VOYAGER SOPRIS LEARNING	C
01	00038354	599.99	09/30/21	109463 WOODWIND AND BRASSWIND	C
01	05091021	122,382.35	09/10/21	888540 US BANK	M
01	07090321	43,000.00	09/29/21	999070 HEALTH EQUITY INC	M
01	07090721	1,000.00	09/29/21	999070 HEALTH EQUITY INC	M
01	07090821	156,537.00	09/29/21	999070 HEALTH EQUITY INC	M
01	07093021	134,954.01	09/29/21	999070 HEALTH EQUITY INC	M
01	08093021	1,257,502.43	09/29/21	999005 UTAH STATE RETIREMENT FUND	M
01	09092021	98,642.47	09/29/21	999140 BANK OF UTAH	M
01	09093021	1,030,123.68	09/29/21	999140 BANK OF UTAH	M
<b>Total Bank No 01</b>		<b>6,125,948.33</b>			
02	00100906	-60.00	09/07/21	347560 ALICE C HARRIS INTERM SCH	CV
02	00100915	560.00	09/09/21	10260 ADELE C YOUNG INTERM SCH	C
02	00100916	182.56	09/09/21	106055 BLICK ART MATERIALS	C
02	00100917	300.00	09/09/21	109248 J W PEPPER MUSIC	C
02	00100918	1,000.00	09/09/21	804830 SOUTHERN UTAH UNIVERSITY	C
02	00100919	558.52	09/16/21	38032 AMAZON CAPITAL SERVICES INC	C
02	00100920	1,000.00	09/16/21	804830 SOUTHERN UTAH UNIVERSITY	C
02	00100921	1,200.00	09/21/21	57762 ADAPTIVE CYCLING OF SOUTHERN IDAHO	C
02	00100922	500.00	09/21/21	702688 PETTY CASH	C
02	00100923	296.16	09/23/21	38032 AMAZON CAPITAL SERVICES INC	C
02	00100924	1,183.00	09/23/21	587760 MSR WEST INC / E3 DIAGNOSTICS	C
02	00100925	250.00	09/23/21	53937 GENERATION GENIUS, INC	C
02	00100926	171.99	09/23/21	252525 HAND2MIND INC	C
02	00100927	278.84	09/23/21	100683 REALLY GOOD STUFF INC	C
02	00100928	3,416.00	09/23/21	52140 EAGLE MOUNTAIN GOLF COURSE	C
02	00100929	29.99	09/30/21	38032 AMAZON CAPITAL SERVICES INC	C
02	00100930	126.42	09/30/21	106055 BLICK ART MATERIALS	C
02	00100931	262.00	09/30/21	19178 CHEAPER THAN SHIRT	C
02	00100932	125.00	09/30/21	47686 TNT ENGRAVING	C
<b>Total Bank No 02</b>		<b>11,380.48</b>			
07	77090921	2,657,197.50	09/07/21	102931 ZIONS BANK NATIONAL BANK	M
07	77092321	17,754.90	09/20/21	102931 ZIONS BANK NATIONAL BANK	M
<b>Total Bank No 07</b>		<b>2,674,952.40</b>			
11	01103284	30.00	09/09/21	29785 HENRY BAKER	A
11	01103285	152.96	09/09/21	104132 BEAZER LOCK & KEY	A
11	01103286	5,583.39	09/09/21	101520 BELL JANITORIAL	A
11	01103287	82.77	09/09/21	102177 BRADY INDUSTRIES LLC	A
11	01103288	30.00	09/09/21	110766 TRICIA BURBIDGE	A
11	01103289	313.16	09/09/21	106437 CARSON ELEVATOR CO INC	A
11	01103290	903.01	09/09/21	134250 CEM SALES & SERVICE	A
11	01103291	60.00	09/09/21	4090 MARY CLARK	A
11	01103292	2,818.08	09/09/21	728870 DOMINION ENERGY UTAH	A
11	01103293	492.90	09/09/21	322776 GRAINGERS INC	A
11	01103294	30.00	09/09/21	111750 MARCI HATCH	A
11	01103295	30.00	09/09/21	434 MAEGAN HEINER	A

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Bank	Check No	Amount	Date	Vendor	Type
11	01103296	40.00	09/09/21	110864 JEFF HUNT	A
11	01103297	4,363.13	09/09/21	35718 O C TANNER RECOGNITION COMPANY	A
11	01103298	40.00	09/09/21	112077 BOB PROFAIZER	A
11	01103299	30.00	09/09/21	21105 DUANE RICE	A
11	01103300	40.00	09/09/21	779470 LORI SECRIST	A
11	01103301	438.45	09/09/21	100590 WAXIE SANITARY SUPPLY	A
11	01103302	30.00	09/09/21	28150 KARIE WEAVER	A
11	01103303	809.81	09/16/21	108695 AIRGAS USA LLC - CENTERAL DIVISION	A
11	01103304	1,657.69	09/16/21	101520 BELL JANITORIAL	A
11	01103305	225.00	09/16/21	134250 CEM SALES & SERVICE	A
11	01103306	1,150.14	09/16/21	53473 CHARLIE'S PRODUCE	A
11	01103307	30.00	09/16/21	56103 KARA MORRISS	A
11	01103308	468.63	09/16/21	100590 WAXIE SANITARY SUPPLY	A
11	01103309	1,073.78	09/23/21	101520 BELL JANITORIAL	A
11	01103310	102,400.00	09/23/21	100325 CDW GOVERNMENT INC	A
11	01103311	1,075.17	09/23/21	134250 CEM SALES & SERVICE	A
11	01103312	2,750.90	09/23/21	53473 CHARLIE'S PRODUCE	A
11	01103313	4,098.07	09/23/21	728870 DOMINION ENERGY UTAH	A
11	01103314	27.78	09/23/21	322776 GRAINGERS INC	A
11	01103315	4.50	09/23/21	47686 TNT ENGRAVING	A
11	01103316	185.50	09/23/21	27570 UTAH TESTING & ENGINEERING	A
11	01103317	2,108.16	09/23/21	100866 VALCOM	A
11	01103318	488.77	09/30/21	101520 BELL JANITORIAL	A
11	01103319	1,052.85	09/30/21	134250 CEM SALES & SERVICE	A
11	01103320	544.58	09/30/21	322776 GRAINGERS INC	A
11	01103321	30.00	09/30/21	434 MAEGAN HEINER	A
11	01103322	19,927.40	09/30/21	27243 KELLY SERVICES INC	A
11	01103323	2,397.00	09/30/21	100866 VALCOM	A
11	01103324	146.23	09/30/21	100590 WAXIE SANITARY SUPPLY	A
<b>Total Bank No 11</b>		<b>158,159.81</b>			
20	10400470	176.72	09/03/21	103604 SCHOLASTIC MAGAZINES	C
20	10400471	115.20	09/10/21	53309 DEIDRE ORTIZ	C
20	10400472	45.00	09/17/21	57312 HANSEN, LAVAR	C
20	10400473	50.00	09/21/21	104321 BOX ELDER SCHOOL DISTRICT	C
<b>Total Bank No 20</b>		<b>386.92</b>			
22	13200626	81.00	09/10/21	27510 LINDSI FLORENCE	C
22	13200627	178.83	09/10/21	489240 KENTS MARKET PL/TREMONTON	C
22	13200628	101.25	09/21/21	38032 AMAZON CAPITAL SERVICES	C
22	13200629	291.51	09/21/21	104321 BOX ELDER SCHOOL DISTRICT	C
<b>Total Bank No 22</b>		<b>652.59</b>			
23	13400638	105.83	09/22/21	999055 BOX ELDER FOUNDATION	C
23	13400639	975.84	09/22/21	104321 BOX ELDER SCHOOL DISTRICT	C
23	13400640	24.95	09/22/21	164108 CULLIGAN WATER CONDITIONING	C
23	13400641	133.83	09/22/21	489250 KENTS MARKET PL/BRIGHAM	C
<b>Total Bank No 23</b>		<b>1,240.45</b>			
24	13600972	23.27	09/21/21	104321 BOX ELDER SCHOOL DISTRICT	C
24	13600973	300.00	09/21/21	54429 BOYS AND GIRLS CLUB OF UTAH COUNTY	C
24	13600974	191.18	09/21/21	489240 KENTS MARKET PL/TREMONTON	C
24	13600975	2,212.71	09/21/21	104321 BOX ELDER SCHOOL DISTRICT	C
<b>Total Bank No 24</b>		<b>2,727.16</b>			
25	15000689	82.70	09/01/21	47686 TNT ENGRAVING	C
25	15000690	41.49	09/14/21	104321 BOX ELDER SCHOOL DISTRICT	C
25	15000691	387.84	09/22/21	104321 BOX ELDER SCHOOL DISTRICT	C

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Bank	Check No	Amount	Date	Vendor	Type
<b>Total Bank No 25</b>		<b>512.03</b>			
26	16400963	2,180.75	09/21/21	31658 BSN SPORTS, LLC	C
26	16400964	109.29	09/21/21	489240 KENTS MARKET PL/TREMONTON	C
26	16400965	234.71	09/21/21	43567 PENCIL WHOLESALE LLC	C
26	16400966	149.95	09/21/21	13625 PLANK ROAD PUBLISHING INC	C
26	16400967	60.00	09/21/21	39667 SIGN GYPSIES BOX ELDER	C
26	16400968	30.00	09/21/21	110914 SUPERIOR WATER AND AIR INC	C
26	16400969	84.68	09/21/21	9903 ASHLEE WISE	C
<b>Total Bank No 26</b>		<b>2,849.38</b>			
27	16600447	1,957.50	09/07/21	57509 SADIE BARNUM	C
27	16600448	66.72	09/07/21	104321 BOX ELDER SCHOOL DISTRICT	C
27	16600449	1,365.02	09/21/21	104321 BOX ELDER SCHOOL DISTRICT	C
<b>Total Bank No 27</b>		<b>3,389.24</b>			
28	16701075	11.00	09/13/21	1 SALLY SHUMWAY	C
28	16701076	53.05	09/13/21	41998 BEAR RIVER FLORAL & GIFTS	C
28	16701077	171.99	09/13/21	104321 BOX ELDER SCHOOL DISTRICT	C
28	16701078	167.85	09/13/21	489240 KENTS MARKET PL/TREMONTON	C
28	16701079	130.00	09/13/21	55905 MD SECURE STORAGE	C
28	16701080	1,485.75	09/13/21	103604 SCHOLASTIC MAGAZINES	C
28	16701081	256.63	09/27/21	104321 BOX ELDER SCHOOL DISTRICT	C
<b>Total Bank No 28</b>		<b>2,276.27</b>			
29	16800456	75.00	09/08/21	45934 KUNZLER CATERING	C
29	16800457	25.00	09/08/21	53805 AMY PUGSLEY	C
29	16800458	962.16	09/27/21	104321 BOX ELDER SCHOOL DISTRICT	C
<b>Total Bank No 29</b>		<b>1,062.16</b>			
30	17200563	235.88	09/03/21	104321 BOX ELDER SCHOOL DISTRICT	C
30	17200564	4,942.00	09/03/21	19178 CHEAPERTHANSHIRT	C
30	17200565	1,183.68	09/16/21	104321 BOX ELDER SCHOOL DISTRICT	C
30	17200566	6.87	09/16/21	110337 MOUNT OLYMPUS WATERS	C
30	17200567	112.83	09/16/21	769715 SAM'S CLUB BUSINESS PAYMENTS	C
<b>Total Bank No 30</b>		<b>6,481.26</b>			
31	18800333	15.92	09/01/21	56065 TATUM PAGE	C
31	18800334	130.40	09/13/21	104321 BOX ELDER SCHOOL DISTRICT	C
31	18800335	188.00	09/15/21	57690 JAISY THAIN	C
31	18800336	93.75	09/28/21	104321 BOX ELDER SCHOOL DISTRICT	C
<b>Total Bank No 31</b>		<b>428.07</b>			
32	20000256	1,417.18	09/29/21	104321 BOX ELDER SCHOOL DISTRICT	C
32	20000257	511.92	09/29/21	19178 CHEAPERTHANSHIRT	C
32	20000258	110.67	09/29/21	43567 PENCIL WHOLESALE LLC	C
<b>Total Bank No 32</b>		<b>2,039.77</b>			
33	30402567	100.00	09/07/21	1 ASHLEY WATSON	C
33	30402568	94.00	09/07/21	1 STACIE MAXFIELD	C
33	30402569	672.13	09/07/21	38032 AMAZON CAPITAL SERVICES INC	C
33	30402570	838.09	09/07/21	109248 J W PEPPER MUSIC	C
33	30402571	255.84	09/07/21	489240 KENTS MARKET PL/TREMONTON	C
33	30402572	1,000.00	09/13/21	53058 SODA FIXX SODA SHACK	C
33	30402573	50.00	09/17/21	1 DARYL ANDERSON	C
33	30402574	50.00	09/17/21	1 GINA KINIKIN	C
33	30402574	-50.00	09/27/21	1 GINA KINIKIN	CV
33	30402575	190.05	09/17/21	38032 AMAZON CAPITAL SERVICES INC	C
33	30402576	34,218.80	09/17/21	104321 BOX ELDER SCHOOL DISTRICT	C
33	30402577	696.19	09/17/21	109248 J W PEPPER MUSIC	C

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Bank	Check No	Amount	Date	Vendor	Type
33	30402578	305.14	09/17/21	769715 SAM'S CLUB BUSINESS PAYMENTS	C
33	30402579	68.40	09/17/21	103604 SCHOLASTIC MAGAZINES	C
33	30402580	70.00	09/17/21	39667 SIGN GYPSIES BOX ELDER	C
33	30402581	50.00	09/27/21	347560 ALICE C HARRIS INTERM SCH	C
33	30402581	-50.00	09/28/21	347560 ALICE C HARRIS INTERM SCH	CV
33	30402582	106.33	09/27/21	38032 AMAZON CAPITAL SERVICES INC	C
33	30402583	451.22	09/27/21	100359 NASCO MODESTO	C
33	30402584	300.00	09/27/21	12190 PETERSEN, STERLING	C
33	30402585	166.70	09/27/21	157371 STAPLES	C
33	30402586	50.00	09/28/21	1 CHRISTIN YOUNGER	C
<b>Total Bank No 33</b>		<b>39,632.89</b>			
34	30802981	1,713.97	09/09/21	38032 AMAZON CAPITAL SERVICES INC	C
34	30802982	8.98	09/09/21	39349 RANAE GONZALES	C
34	30802983	123.46	09/09/21	489250 KENTS MARKET PL/BRIGHAM	C
34	30802984	49.44	09/09/21	8940 JEANNETTE ZOBELL	C
34	30802985	86.00	09/15/21	1 ANNA OLSON	C
34	30802986	40.00	09/15/21	1 ARIEL SCHERRY	C
34	30802987	65.00	09/15/21	1 JEN BURNETT	C
34	30802988	100.00	09/15/21	1 JOHANNA BARTSCH	C
34	30802989	88.72	09/15/21	1 LARA HADFIELD	C
34	30802990	39.00	09/15/21	1 LYNDSEY QUINNEY	C
34	30802991	33.18	09/15/21	1 THOMAS RAISOR	C
34	30802992	9.50	09/15/21	38032 AMAZON CAPITAL SERVICES INC	C
34	30802993	54.99	09/15/21	109248 J W PEPPER MUSIC	C
34	30802994	588.00	09/15/21	5070 SAVON	C
34	30802995	71.22	09/15/21	11711 SOUTHWEST STRINGS	C
34	30802996	86.08	09/22/21	347560 ALICE C HARRIS INTERM SCH	C
34	30802997	787.40	09/22/21	38032 AMAZON CAPITAL SERVICES INC	C
34	30802998	500.69	09/22/21	104321 BOX ELDER SCHOOL DISTRICT	C
34	30802999	20.26	09/29/21	1 LAKEVIEW ELEMENTARY	C
34	30803000	40.00	09/29/21	1 QUINN FULLER	C
34	30803001	564.79	09/29/21	38032 AMAZON CAPITAL SERVICES INC	C
34	30803002	410.00	09/29/21	819370 CLASSICAL STRINGS / G WILHELMSSEN	C
34	30803003	109.89	09/29/21	633340 OFFICE DEPOT	C
34	30803004	300.00	09/29/21	40878 ELIZABETH PRATT	C
34	30803005	841.34	09/29/21	5908 WALMART COMMUNITY	C
<b>Total Bank No 34</b>		<b>6,731.91</b>			
35	40402644	1,263.44	09/02/21	38032 AMAZON CAPITAL SERVICES INC	C
35	40402645	39.95	09/02/21	110914 SUPERIOR WATER AND AIR INC	C
35	40402646	19.80	09/02/21	109463 WOODWIND AND BRASSWIND	C
35	40402647	50.00	09/09/21	1 JUSTIN LUND	C
35	40402648	237.47	09/09/21	1724 ACE HARDWARE TREMONTON	C
35	40402649	74.13	09/09/21	38032 AMAZON CAPITAL SERVICES INC	C
35	40402650	35.98	09/09/21	327480 GREER'S HARDWARE	C
35	40402651	1,373.73	09/09/21	103961 INTERMOUNTAIN WOOD PRODUCTS	C
35	40402652	286.75	09/09/21	489240 KENTS MARKET PL/TREMONTON	C
35	40402653	2,816.00	09/09/21	40509 LIGHTSPEED TECHNOLOGIES	C
35	40402654	2,544.49	09/09/21	57541 PEAR DECK, INC.	C
35	40402655	129.72	09/09/21	157371 STAPLES	C
35	40402656	85.00	09/15/21	1 DEBRA HARWOOD	C
35	40402657	50.00	09/15/21	1 JORDAN MILLER	C
35	40402658	103.82	09/15/21	1 RICK JEPPESEN	C
35	40402659	7.00	09/15/21	1 TIFANEE ANDERSON	C
35	40402660	205.08	09/15/21	27308 ADVANCED HARDWARE SUPPLY INC	C

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Bank	Check No	Amount	Date	Vendor	Type
35	40402661	381.80	09/15/21	38032 AMAZON CAPITAL SERVICES INC	C
35	40402662	203.78	09/15/21	110509 AUDIO ENHANCEMENT	C
35	40402663	1,164.77	09/15/21	104321 BOX ELDER SCHOOL DISTRICT	C
35	40402664	221.98	09/15/21	729276 QUILL CORPORATION	C
35	40402665	290.00	09/16/21	1457 U S POSTMASTER	C
35	40402666	100.11	09/22/21	1 ANDREA WHITECOTTON	C
35	40402667	8.93	09/22/21	1 EVELYN PORRUS	C
35	40402668	100.00	09/22/21	1 RICK JEPPESEN	C
35	40402669	334.27	09/22/21	38032 AMAZON CAPITAL SERVICES INC	C
35	40402670	1,860.00	09/22/21	45500 BOX ELDER SCHOOL DISTRICT	C
35	40402671	47.12	09/22/21	104321 BOX ELDER SCHOOL DISTRICT	C
35	40402672	961.00	09/22/21	104321 BOX ELDER SCHOOL DISTRICT	C
35	40402673	105.87	09/22/21	17078 CHERRY TREE	C
35	40402674	823.90	09/22/21	286060 WHITEBOX LEARNING	C
35	40402675	2,816.00	09/22/21	40509 LIGHTSPEED TECHNOLOGIES	C
35	40402676	83.13	09/22/21	830460 TACO TIME/TREMONTON	C
35	40402677	76.89	09/22/21	102470 THE BOOK TABLE	C
<b>Total Bank No 35</b>		<b>18,901.91</b>			
36	40803593	213.97	09/02/21	112046 ACE HARDWARE - BRIGHAM	C
36	40803594	164.25	09/02/21	52833 MANUVERING THE MIDDLE, LLC	C
36	40803595	27.99	09/02/21	19879 SHEET MUSIC PLUS	C
36	40803596	23.19	09/02/21	810361 STANDARD PLUMBING SUPPLY	C
36	40803597	329.87	09/02/21	5908 WALMART COMMUNITY	C
36	40803598	443.23	09/08/21	38032 AMAZON CAPITAL SERVICES INC	C
36	40803599	564.40	09/08/21	158220 COVER UP	C
36	40803600	99.16	09/08/21	7099 LD PRODUCTS	C
36	40803601	174.01	09/08/21	157371 STAPLES	C
36	40803602	1,072.10	09/08/21	111790 SUNSTONE POTTERY	C
36	40803603	110.00	09/16/21	1 CORRIE PEREA	C
36	40803604	635.60	09/16/21	38032 AMAZON CAPITAL SERVICES INC	C
36	40803605	2,700.00	09/16/21	104321 BOX ELDER SCHOOL DISTRICT	C
36	40803606	141.03	09/16/21	57339 CLEARBAGS	C
36	40803607	2,155.14	09/16/21	109248 J W PEPPER MUSIC	C
36	40803608	2,000.00	09/16/21	57649 JAKS THEATRE COMPANY	C
36	40803609	33.84	09/16/21	4855 K&K BEARING	C
36	40803610	51.17	09/16/21	7099 LD PRODUCTS	C
36	40803611	47.10	09/16/21	54313 SCHOOL SPECIALTY, LLC	C
36	40803612	83.58	09/16/21	19879 SHEET MUSIC PLUS	C
36	40803613	450.00	09/23/21	7609 UTAH FBLA-PBL	C
36	40803614	457.23	09/23/21	38032 AMAZON CAPITAL SERVICES INC	C
36	40803615	509.60	09/23/21	19178 CHEAPER THAN SHIRT	C
36	40803616	675.00	09/23/21	57703 MIKAROSE LLC	C
36	40803617	382.11	09/23/21	157371 STAPLES	C
36	40803618	500.00	09/23/21	109476 UTAH FCCLA	C
36	40803619	34.98	09/29/21	38032 AMAZON CAPITAL SERVICES INC	C
36	40803620	2,455.00	09/29/21	45500 BOX ELDER SCHOOL DISTRICT	C
36	40803621	68.75	09/29/21	12386 CHOURNOS PRINT SERVICES	C
36	40803622	220.00	09/29/21	27383 UTAH RESTAURANT ASSOCIATION	C
36	40803623	851.70	09/29/21	5908 WALMART COMMUNITY	C
<b>Total Bank No 36</b>		<b>17,674.00</b>			
37	70411133	-120.00	09/07/21	1 UMPIRE	CV
37	70411242	-100.00	09/14/21	107871 TED RICHARDS	CV
37	70411285	806.29	09/02/21	38032 AMAZON CAPITAL SERVICES INC	C
37	70411286	5,259.95	09/02/21	104321 BOX ELDER SCHOOL DISTRICT	C

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37	70411287	9,891.39	09/02/21	31658 BSN SPORTS	C
37	70411288	2,423.92	09/02/21	31658 BSN SPORTS, LLC	C
37	70411289	500.00	09/02/21	57517 CHASE CARTER	C
37	70411290	184.22	09/02/21	422180 INDUSTRIAL TOOL & SUPPLY	C
37	70411291	203.00	09/02/21	57487 LICKETY SPLIT TIMING	C
37	70411292	1,315.68	09/02/21	769715 SAM'S CLUB BUSINESS PAYMENTS	C
37	70411293	86.78	09/02/21	5908 WALMART COMMUNITY	C
37	70411294	270.00	09/02/21	56421 WE DO BALLOONS	C
37	70411295	230.00	09/02/21	38210 WEBER COUNTY CORPORATION	C
37	70411296	13,000.00	09/03/21	13420 HUDL	C
37	70411297	144.00	09/09/21	1 HOLLIE RICHARDS	C
37	70411298	36.55	09/09/21	1724 ACE HARDWARE TREMONTON	C
37	70411299	544.16	09/09/21	35519 AL'S TROPHIES & FRAMES, INC.	C
37	70411300	1,694.37	09/09/21	38032 AMAZON CAPITAL SERVICES INC	C
37	70411301	285.00	09/09/21	48585 AMERICAN REFRIGERATION LLC	C
37	70411302	1,022.46	09/09/21	106055 BLICK ART MATERIALS	C
37	70411303	625.00	09/09/21	111004 BRIDGERLAND APPLIED TECH/BATC	C
37	70411304	289.14	09/09/21	6742 CLARION SUITES	C
37	70411305	180.64	09/09/21	327480 GREER'S HARDWARE	C
37	70411306	1,541.60	09/09/21	489240 KENTS MARKET PL/TREMONTON	C
37	70411307	10,297.00	09/09/21	57398 LET'S DO IT / LET'S PRINT IT	C
37	70411308	13.09	09/09/21	101405 NAPA AUTO PARTS	C
37	70411309	247.38	09/09/21	633340 OFFICE DEPOT	C
37	70411310	585.60	09/09/21	21539 PREMIER FOODS	C
37	70411311	1,345.10	09/09/21	18007 ROCKY MOUNTAIN RUNNERCARD	C
37	70411312	2,100.79	09/09/21	157371 STAPLES	C
37	70411313	61.18	09/09/21	25674 STUDIO R MEDIA	C
37	70411314	54.49	09/09/21	32824 YES PRINT COPY N MORE, LLC	C
37	70411315	100.00	09/14/21	49697 TARENA AVERY	C
37	70411316	943.75	09/14/21	1910 BEAR RIVER VALLEY HOSPITAL	C
37	70411317	650.00	09/14/21	12483 FIREWORKS WEST	C
37	70411318	285.75	09/14/21	304217 GARLAND CITY	C
37	70411319	693.98	09/14/21	109248 J W PEPPER MUSIC	C
37	70411320	300.00	09/14/21	41424 LUV-UR-SELFY	C
37	70411321	1,260.00	09/14/21	28576 MINKY COUTURE LLC	C
37	70411322	2,173.16	09/14/21	25453 PRIDE EMBROIDERY & SCREEN PRINTING	C
37	70411323	1,334.61	09/14/21	56189 PRINT PROS LLC	C
37	70411324	191.47	09/14/21	107871 TED RICHARDS	C
37	70411325	100.00	09/14/21	28967 ROBOTICS ED & COMPETITION FOUNDATION	C
37	70411326	15.00	09/16/21	1 AUGUST JENSEN	C
37	70411327	15.00	09/16/21	1 AVERY STEINMANN	C
37	70411328	15.00	09/16/21	1 CERA NELSON	C
37	70411329	15.00	09/16/21	1 HANNA PRISBREY	C
37	70411330	15.00	09/16/21	1 JESSE NAVEJAS	C
37	70411331	15.00	09/16/21	1 JORDAN FEWKES	C
37	70411332	15.00	09/16/21	1 KACHE JOHNSON	C
37	70411333	15.00	09/16/21	1 KLOEE BROWN	C
37	70411334	15.00	09/16/21	1 RANSOM HATCH	C
37	70411335	3,446.08	09/16/21	38032 AMAZON CAPITAL SERVICES INC	C
37	70411336	9,077.51	09/16/21	104321 BOX ELDER SCHOOL DISTRICT	C
37	70411337	10,170.11	09/16/21	31658 BSN SPORTS	C
37	70411338	551.75	09/16/21	43893 ISTITCH	C
37	70411339	1,050.00	09/16/21	46965 LITTLE REDS LLC	C
37	70411340	1,060.88	09/16/21	7277 PIONEER ATHLETICS	C
37	70411341	187.96	09/16/21	103778 SCHOLASTIC BOOK CLUBS	C

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Bank	Check No	Amount	Date	Vendor	Type
37	70411342	141.00	09/16/21	40010 SOUTHEASTERN PERFORMANCE APPAREL	C
37	70411343	1,386.00	09/16/21	18244 TENNIS WAREHOUSE	C
37	70411344	420.00	09/16/21	17760 NCA/NDA REGISTRATION	C
37	70411345	2,567.00	09/16/21	43176 WALTON FEED WEST, INC	C
37	70411346	520.00	09/17/21	27383 UTAH RESTAURANT ASSOCIATION	C
37	70411347	300.00	09/17/21	49697 TARENA AVERY	C
37	70411348	639.03	09/30/21	38032 AMAZON CAPITAL SERVICES INC	C
37	70411349	4,948.37	09/30/21	106895 BADGER SCREEN PRINTING CO	C
37	70411350	2,335.00	09/30/21	45500 BOX ELDER SCHOOL DISTRICT	C
37	70411351	300.00	09/30/21	104338 BOX ELDER HIGH SCHOOL	C
37	70411352	1,820.72	09/30/21	31658 BSN SPORTS	C
37	70411353	75.00	09/30/21	470448 BURLEY HIGH SCHOOL	C
37	70411354	825.00	09/30/21	12386 CHOURNOS PRINT SERVICES	C
37	70411355	200.00	09/30/21	31437 LIBBY CHRISTENSEN	C
37	70411356	325.00	09/30/21	12734 CITY OF ST GEORGE	C
37	70411357	2,200.00	09/30/21	109873 COLORADO TIME SYSTEMS	C
37	70411358	243.70	09/30/21	22144 COUNTRY INN & SUITES BOUNTIFUL	C
37	70411359	243.70	09/30/21	22144 COUNTRY INN & SUITES BOUNTIFUL	C
37	70411360	500.00	09/30/21	47635 EPIC PRODUCTIONS LLC	C
37	70411361	75.00	09/30/21	57819 FAB FINDS	C
37	70411362	1,311.05	09/30/21	39209 FAIRFIELD INN DRAPER	C
37	70411363	160.00	09/30/21	7013 FELDMAN'S	C
37	70411364	131.54	09/30/21	286060 FLINN SCIENTIFIC	C
37	70411365	300.00	09/30/21	304217 GARLAND CITY	C
37	70411366	246.10	09/30/21	33790 HENRY SCHEIN INC	C
37	70411367	2,823.03	09/30/21	4790 HOME DEPOT CREDIT SERVICE	C
37	70411368	222.10	09/30/21	45535 HYATT PLACE PROVO/DOWNTOWN	C
37	70411369	781.91	09/30/21	45535 HYATT PLACE PROVO/DOWNTOWN	C
37	70411370	113.98	09/30/21	422180 INDUSTRIAL TOOL & SUPPLY	C
37	70411371	931.01	09/30/21	100550 JOSTENS INC	C
37	70411372	215.00	09/30/21	11924 MOUNTAIN CREST HIGH SCHOOL	C
37	70411373	150.00	09/30/21	47007 SPANISH FORK HIGH SCHOOL	C
37	70411374	2,000.00	09/30/21	57835 RIQUEL RAY OLANDER-PETERSON	C
37	70411375	375.00	09/30/21	39217 PAYSON CITY CORPORATION	C
37	70411376	595.00	09/30/21	57843 REDTIE EVENTS	C
37	70411377	43.06	09/30/21	1309 PRESTON RICHEY	C
37	70411378	375.00	09/30/21	28967 ROBOTICS ED & COMPETITION FOUNDATION	C
37	70411379	60.00	09/30/21	39667 SIGN GYPSIES BOX ELDER	C
37	70411380	1,091.23	09/30/21	157371 STAPLES	C
37	70411381	2,871.76	09/30/21	25674 STUDIO R MEDIA	C
37	70411382	75.00	09/30/21	52434 SUNSHINE & SUGAR	C
37	70411383	1,575.08	09/30/21	111790 SUNSTONE POTTERY	C
37	70411384	48.20	09/30/21	830460 TACO TIME/TREMONTON	C
37	70411385	299.00	09/30/21	35335 TECHNOLOGY STUDENT ASSOCIATION	C
37	70411386	40.00	09/30/21	7625 UHSTCA	C
37	70411387	800.00	09/30/21	7609 UTAH FBLA-PBL	C
37	70411388	200.00	09/30/21	20494 UTAH HOSA	C
37	70411389	474.67	09/30/21	16535 VEX ROBOTICS	C
37	70411390	65.04	09/30/21	5908 WALMART COMMUNITY	C
<b>Total Bank No 37</b>		<b>127,169.07</b>			
38	70811074	232.60	09/01/21	112046 ACE HARDWARE - BRIGHAM	C
38	70811075	2,540.42	09/01/21	38032 AMAZON CAPITAL SERVICES INC	C
38	70811076	210.00	09/01/21	45500 BOX ELDER SCHOOL DISTRICT	C
38	70811077	1,630.79	09/01/21	106055 BLICK ART MATERIALS	C

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Bank	Check No	Amount	Date	Vendor	Type
38	70811078	360.00	09/01/21	110723 BOX ELDER CHAMBER OF COMMERCE	C
38	70811079	6,755.10	09/01/21	31658 BSN SPORTS	C
38	70811080	1,325.50	09/01/21	19178 CHEAPERTHANSHIRT	C
38	70811081	353.35	09/01/21	158220 COVER UP	C
38	70811082	1,432.01	09/01/21	23736 WEISSMAN	C
38	70811083	188.00	09/01/21	42609 FIREHOUSE PIZZERIA	C
38	70811084	1,575.00	09/01/21	57452 FRAND OLE OPRY, LLC	C
38	70811085	156.60	09/01/21	19810 INTEGRATED TECHNOLOGIES	C
38	70811086	425.00	09/01/21	50318 BRITT AMY JOHNSON	C
38	70811087	1,288.92	09/01/21	57460 JORDAN PETERSON	C
38	70811088	873.19	09/01/21	107589 TIGERDIRECT	C
38	70811089	100.00	09/01/21	21814 UHSBCA	C
38	70811090	1,302.00	09/08/21	4545 AL'S SPORTING GOODS	C
38	70811091	1,992.02	09/08/21	38032 AMAZON CAPITAL SERVICES INC	C
38	70811092	5,279.68	09/08/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811093	20.00	09/08/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811094	440.00	09/08/21	19178 CHEAPERTHANSHIRT	C
38	70811095	375.00	09/08/21	12734 CITY OF ST GEORGE	C
38	70811096	250.00	09/08/21	47660 ANDREW DAVIS	C
38	70811097	50.00	09/08/21	109652 DREWES FLORAL & GIFTS	C
38	70811098	247.00	09/08/21	28991 FAMILY CAREER & COMMUNITY LEADERS	C
38	70811099	200.00	09/08/21	38644 GREEN CANYON HIGH SCHOOL	C
38	70811100	41.56	09/08/21	633340 OFFICE DEPOT	C
38	70811101	194.88	09/08/21	4960 OLD GRIST MILL BREAD	C
38	70811102	192.75	09/08/21	23337 PREMIUM MEAT COMPANY	C
38	70811103	70.00	09/08/21	39667 SIGN GYPSIES BOX ELDER	C
38	70811104	332.44	09/08/21	19836 ST GEORGE INN & SUITES	C
38	70811105	1,400.00	09/08/21	7528 UMEA	C
38	70811106	75.00	09/08/21	34185 UTAH DANCE & DRILL ASSOCIATION	C
38	70811107	2,097.57	09/08/21	36935 UTAH'S BEST VACATION RENTALS	C
38	70811108	100.00	09/14/21	1 CONNOR AND SOPHIE HARRIS	C
38	70811109	100.00	09/14/21	1 DUNCAN & MCKENNA STOLWORTHY	C
38	70811110	152.00	09/14/21	85738 BEAR RIVER HIGH SCHOOL	C
38	70811111	735.34	09/14/21	106055 BLICK ART MATERIALS	C
38	70811112	350.00	09/14/21	104370 BOX ELDER NEWS JOURNAL	C
38	70811113	330.00	09/14/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811114	20.00	09/14/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811115	50.00	09/14/21	109652 DREWES FLORAL & GIFTS	C
38	70811116	12.90	09/14/21	109248 J W PEPPER MUSIC	C
38	70811117	275.00	09/14/21	57487 LICKETY SPLIT TIMING	C
38	70811118	179.90	09/14/21	23337 PREMIUM MEAT COMPANY	C
38	70811119	1,061.93	09/14/21	10731 SMITH'S CUSTOMER CHARGES	C
38	70811120	4.20	09/14/21	107490 SOUTH FORK HARDWARE	C
38	70811121	1,202.00	09/14/21	5223 SWIRE COCA-COLA	C
38	70811122	2,480.00	09/14/21	51551 TENNIS CLOTHING COMPANY LLC	C
38	70811123	2,805.00	09/14/21	5290 UHSAA / UTAH HIGH SCHOOL ACT ASSOC	C
38	70811124	209.00	09/14/21	892908 UTAH SAW WORKS INC	C
38	70811125	396.00	09/14/21	7692 WASATCH HIGH SCHOOL	C
38	70811126	2,748.66	09/16/21	38032 AMAZON CAPITAL SERVICES INC	C
38	70811127	1,280.00	09/16/21	108217 BRIGHAM CITY CORPORATION	C
38	70811128	200.00	09/16/21	57495 COX'S HONEYLAND INC	C
38	70811129	425.00	09/16/21	50300 ALYSON CROFT	C
38	70811130	1,632.00	09/16/21	53724 BRIANNA DAVIS	C
38	70811131	182.37	09/16/21	489250 KENTS MARKET PL/BRIGHAM	C
38	70811132	2,007.21	09/16/21	110154 MEDCO SUPPLY	C

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Bank	Check No	Amount	Date	Vendor	Type
38	70811133	422.50	09/16/21	4910 NATIONAL FFA ORGANIZATION	C
38	70811134	1,196.00	09/16/21	33561 PREMIER DANCE CLASSIC	C
38	70811135	78.00	09/16/21	40010 SOUTHEASTERN PERFORMANCE APPAREL	C
38	70811136	914.06	09/16/21	111790 SUNSTONE POTTERY	C
38	70811137	1,750.00	09/16/21	100686 UHSAA / UTAH HIGH SCHOOL ACT ASSOC	C
38	70811138	452.00	09/16/21	109476 UTAH FCCLA	C
38	70811139	4,452.77	09/16/21	5908 WALMART COMMUNITY	C
38	70811140	15,610.05	09/16/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811141	2,149.51	09/21/21	57789 REBECCA AMMONS	C
38	70811142	732.58	09/21/21	108543 B & H PHOTO VIDEO	C
38	70811143	94.11	09/21/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811144	4,967.09	09/21/21	31658 BSN SPORTS	C
38	70811145	1,173.52	09/21/21	158220 COVER UP	C
38	70811146	38.70	09/21/21	23736 WEISSMAN	C
38	70811147	50.00	09/21/21	109652 DREWES FLORAL & GIFTS	C
38	70811148	2,137.54	09/21/21	4790 HOME DEPOT CREDIT SERVICE	C
38	70811149	456.46	09/21/21	489250 KENTS MARKET PL/BRIGHAM	C
38	70811150	3,500.00	09/21/21	10723 NORTHRIDGE HIGH SCHOOL	C
38	70811151	264.96	09/21/21	104992 PRINT SHOP	C
38	70811152	2,256.90	09/21/21	57754 RED ROCK VACATION RENTALS	C
38	70811153	300.00	09/21/21	863370 UASSP/UTAH ASSOCIATION OF	C
38	70811154	360.00	09/21/21	20494 UTAH HOSA	C
38	70811155	500.00	09/21/21	32026 UTAH SCIENCE TEACHERS ASSOCIATION	C
38	70811156	65.00	09/21/21	43869 UTAH VOLLEYBALL COACHES ASSOCIATION	C
38	70811157	23.75	09/23/21	1 HEATHER TOLMAN	C
38	70811158	72.00	09/23/21	102532 5TH WEST RENTAL & REPAIR	C
38	70811159	1,490.08	09/23/21	38032 AMAZON CAPITAL SERVICES INC	C
38	70811160	32.00	09/23/21	36784 AMERICAN RED CROSS	C
38	70811161	200.00	09/23/21	85738 BEAR RIVER HIGH SCHOOL	C
38	70811162	35.82	09/23/21	106055 BLICK ART MATERIALS	C
38	70811163	110.00	09/23/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811164	1,152.39	09/23/21	31658 BSN SPORTS	C
38	70811165	676.06	09/23/21	52140 EAGLE MOUNTAIN GOLF COURSE	C
38	70811166	500.00	09/23/21	47635 EPIC PRODUCTIONS LLC	C
38	70811167	1,170.00	09/23/21	57436 MAPLE HILL GOLF	C
38	70811168	402.40	09/28/21	45500 BOX ELDER SCHOOL DISTRICT	C
38	70811169	2,160.00	09/28/21	52515 JODIE'S CUSTOM DANCEWEAR	C
38	70811170	302.99	09/28/21	633340 OFFICE DEPOT	C
38	70811171	193.13	09/28/21	23337 PREMIUM MEAT COMPANY	C
38	70811172	94.00	09/28/21	51683 SKILLSUSA, INC	C
38	70811173	349.00	09/28/21	25674 STUDIO R MEDIA	C
38	70811174	25.00	09/28/21	47686 TNT ENGRAVING	C
38	70811175	750.00	09/28/21	7609 UTAH FBLA-PBL	C
38	70811176	1,865.00	09/28/21	7552 UTAH FFA ASSOCIATION	C
38	70811177	144.00	09/30/21	1 JENA LANGFORD	C
38	70811178	439.76	09/30/21	38032 AMAZON CAPITAL SERVICES INC	C
38	70811179	2,650.52	09/30/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811180	40.00	09/30/21	104321 BOX ELDER SCHOOL DISTRICT	C
38	70811181	1,879.35	09/30/21	31658 BSN SPORTS	C
38	70811182	104.80	09/30/21	19178 CHEAPER THAN SHIRT	C
38	70811183	109.78	09/30/21	158220 COVER UP	C
38	70811184	111.45	09/30/21	52140 EAGLE MOUNTAIN GOLF COURSE	C
38	70811185	1,216.96	09/30/21	103961 INTERMOUNTAIN WOOD PRODUCTS	C
38	70811186	250.00	09/30/21	57916 IZABEL MORFIN PHOTOGRAPHY	C
38	70811187	100.00	09/30/21	57487 LICKETY SPLIT TIMING	C

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Bank	Check No	Amount	Date	Vendor	Type
38	70811188	140.00	09/30/21	11924 MOUNTAIN CREST HIGH SCHOOL	C
38	70811189	562.08	09/30/21	31046 SPRINGHILL SUITES / PROVO	C
38	70811190	834.00	09/30/21	19488 T SHIRT CHOP SHOP	C
<b>Total Bank No 38</b>		<b>117,052.96</b>			
39	77800516	566.79	09/22/21	104321 BOX ELDER SCHOOL DISTRICT	C
39	77800517	365.00	09/22/21	45500 BOX ELDER SCHOOL DISTRICT	C
39	77800518	10.00	09/22/21	1 BELLA BLACK WILSON	C
39	77800519	45.00	09/22/21	1 NATHAN CHA	C
39	77800520	55.00	09/22/21	1 VERONICA RANGEL	C
39	77800521	35.00	09/22/21	1 BRIGHAM CITY ANIMAL SHELTER	C
39	77800522	40.00	09/22/21	1 CADE MCNEELY	C
<b>Total Bank No 39</b>		<b>1,116.79</b>			

Total Manual Checks	5,519,094.34
Total Computer Checks	3,645,891.70
Total ACH Checks	158,159.81
Total Other Checks	.00
Total Electronic Checks	.00
Total Computer Voids	-380.00
Total Manual Voids	.00
Total ACH Voids	.00
Total Other Voids	.00
Total Electronic Voids	.00

<b>Grand Total</b>	<b>9,322,765.85</b>
<b>Number of Checks</b>	<b>750</b>

Batch Yr	Batch No	Amount
22	000058	-120.00
22	000116	2,257.03
22	000193	1,661.73
22	000242	5,754.80
22	000263	37,382.72
22	000310	-100.00
22	000333	44,825.78
22	000335	-60.00
22	000424	15.92
22	000425	19,446.48
22	000427	82.70
22	000440	759.27
22	000446	1,323.19
22	000447	21,171.23
22	000450	176.72
22	000451	13,000.00
22	000453	5,177.88
22	000459	98,522.44
22	000460	70,226.36
22	000461	22,385.00
22	000462	519,726.53
22	000463	2,658,004.04
22	000464	2,042.56
22	000466	2,024.22
22	000470	1,960.06
22	000479	2,352.90
22	000480	14,559.90
22	000483	75.00
22	000484	25.00

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<u>Bank</u>	<u>Check No</u>	<u>Amount</u>	<u>Date</u>	<u>Vendor</u>	<u>Type</u>	
				<b>Batch Yr</b>	<b>Batch No</b>	<b>Amount</b>
				22	000486	7,548.27
				22	000490	1,895.85
				22	000492	21,067.55
				22	000498	115.20
				22	000507	178.83
				22	000508	81.00
				22	000509	188.00
				22	000513	130.40
				22	000514	172,900.56
				22	000515	2,155.14
				22	000516	11,857.75
				22	000517	96,816.46
				22	000518	3,398.00
				22	000519	1,558.52
				22	000525	1,000.00
				22	000526	2,019.64
				22	000529	10,463.27
				22	000540	41.49
				22	000542	8,032.72
				22	000550	2,423.23
				22	000553	1,175.61
				22	000558	35,598.58
				22	000561	14,991.91
				22	000562	7,957.46
				22	000565	2,748.66
				22	000566	30,193.29
				22	000568	290.00
				22	000570	1,303.38
				22	000572	15,610.05
				22	000576	45.00
				22	000577	520.00
				22	000581	300.00
				22	000587	421,837.90
				22	000588	44,190.07
				22	000589	127.77
				22	000590	444,900.27
				22	000591	17,754.90
				22	000592	2,179.99
				22	000593	1,700.00
				22	000597	19,046.37
				22	000601	1,365.02
				22	000603	514.45
				22	000604	2,849.38
				22	000605	2,212.71
				22	000606	50.00
				22	000607	392.76
				22	000612	1,374.17
				22	000614	1,240.45
				22	000615	387.84
				22	000616	566.79
				22	000618	365.00
				22	000619	110.00
				22	000620	75.00
				22	000622	7,317.22
				22	000628	450.00
				22	000629	2,523.94
				22	000630	5,462.10
				22	000631	3,416.00
				22	000644	140,939.26
				22	000645	8,906.27
				22	000646	33,736.13
				22	000647	191,729.37
				22	000648	972.64



For October 12, 2021 Board Meeting

**Leaving the District**

<i>Site</i>	<i>Employee</i>	<i>Position</i>	<i>Reason</i>
	Michael Sittner	Custodian	resigned

**New Hires**

<i>Site</i>	<i>Employee</i>	<i>Position</i>	<i>Replacing</i>
North Park	Lori Adams	Head Preschool Para	
Transportation	Ashley Hess-Brown	Bus Para	
Mtn View	Rachel Buck	Functional Skills Para	
Century	Amber Davidsavor	Functional Skills Para	
BRHS	Steven Dabb	Math Para	
BEHS	Spencer Davis	Custodian	
District Office	Jennifer Green	School Nurse	
North Park	Jaci Hawkes	Functional Skills Para	
BEHS	Jennifer Madsen	Credit Recovery Para/ Migrant Support Para	
BEMS	Logan Percy	ED Para	
Garland	Eileen udy	Office Aide	
Mtn View	Jan Welsh	Lead Title 1 Para	
BEHS	Tosha Williams	ED Para	
ILSC	Penny Young	Functional Skills Para	

## POLICY 4170

### Private and Home School Assessments

- A. In accordance with [Utah Rule R277-604](#), private school students and home school students that are Utah residents may apply to be included in statewide assessments, if they so desire.
- B. The Board of Education of Box Elder School District authorizes the Superintendent and District Administration to establish Administrative Regulations consistent with this policy.
- C. The following definitions shall apply under this policy:
1. “Home School Student” means a student who has been excused from compulsory education and for whom documentation has been completed under [53G-6-204](#).
  2. “Private School” means a school that is not a public school but:
    - a. has a current business license through the Utah Department of Commerce;
    - b. is accredited as described in [R277-410](#); and
    - c. has and makes available a written policy for maintaining and securing student records.
  3. “Statewide Assessments” mean:
    - a. the summative adaptive assessment of a student in grades 3 through 8 in basic skills courses (RISE);
    - b. the online writing assessments in grades 5 and 8 (RISE);
    - c. a high school assessment in grades 9 and 10 (Utah Aspire Plus);
    - d. a statewide English Language Proficiency assessment (WIDA ACCESS for ELLs);
    - e. the college readiness assessment in grade 11 (ACT); and
    - f. the benchmark assessment of a student in grades 1 through 3 to measure reading competence (Acadience Reading);

- g. The benchmark assessment of a student in grades 1 through 3 to measure math competence (test not yet selected).

D. Statewide Assessment Participation for Private Schools or Private School Students

1. Private schools (or private school students) that are interested in participating in statewide assessments must participate, at the school district's discretion, in the public school district where the private school is located.
2. A private school may request the following from the school district in which it is located:
  - a. an annual schedule of statewide assessment dates
  - b. the location at which private schools may be tested; and
  - c. written policies for private school student participation.
3. Private school students who are not Utah residents may participate in statewide assessments only by payment in advance by either the private school or the student of the full cost of individual assessment including the cost of materials, proctoring, scoring, reporting, and State-related costs.
  - a. The District shall provide an explanation of reasonable costs.
4. The District shall provide notice to private school administrators of any required private school administrator participation in monitoring or proctoring of tests.
5. A private school student or school administrator shall adhere to the following requirements to participate in statewide testing within the district:
  - a. A private school student or school administrator shall request participation at least thirty (30) days prior to the enrollment/rostering deadline and at least thirty (30) days prior to the beginning of the assessment window.
  - b. The Assessment Department shall respond to the request in a timely manner. If the request is approved, the response shall include:
    - 1) the location(s) and time(s) for the assessment,
    - 2) assessment rules, including identification and proof of residency,
    - 3) reasonable timelines regarding participation in statewide assessments and associated communications and information requests,

- 4) fees, which must be paid prior to the day of the assessment,
  - 5) a list of implements or materials which the student may or may not bring to the assessment,
  - 6) the minimum required information needed to roster the student for assessment participation,
  - 7) required participation of school administrator proctoring if necessary, and
  - 8) any other information deemed relevant by the Assessment Department.
- c. The Assessment Department shall determine the location within the District at which the student may take assessments. Participation will be determined after currently enrolled public school students have been accommodated.
- d. In the event that a private school student has an IEP or 504 accommodations in place, it is the responsibility of the private school student/parent or school administrator to indicate such with the initial request. Any costs associated with providing the accommodations will be included in the Assessment Department's initial response to the request to test.
6. Assessment results will be delivered electronically to the email address of the student's parent and/or private school administrator. Once delivery is confirmed, retention of the record of the student's assessment results becomes the responsibility of the parent and/or private school.

#### E. Statewide Assessment Participation of Home School Students

1. A home school student who desires to participate in statewide assessment must participate in the public school district in which the home school student's parent resides.
2. A home school student or parent may request the following from the school district in which it is located:
  - a. an annual schedule of statewide assessment dates
  - b. the locations at which home school students may be tested; and
  - c. written policies for home school student participation.
3. The District shall not require a home school student to pay a fee that is not charged to traditional students.

4. The District shall provide notice to home school students or parents of any required parent or adult participation in monitoring or proctoring of tests.
5. A home school student or parent shall adhere to the following requirements to participate in statewide testing within the district:
  - a. A home school student or parent shall request participation at least thirty (30) days prior to the enrollment/rostering deadline and at least thirty (30) days prior to the beginning of the assessment window.
  - b. The Assessment Department shall respond to the request in a timely manner. If the request is approved, the response shall include:
    - 1) the location(s) and time(s) for the assessment,
    - 2) assessment rules, including identification and proof of residency,
    - 3) reasonable timelines regarding participation in statewide assessments and associated communications and information requests,
    - 4) a list of implements or materials which the student may or may not bring to the assessment,
    - 5) the minimum required information needed to roster the student for assessment participation,
    - 6) required participation of parent proctoring if necessary, and
    - 7) any other information deemed relevant by the Assessment Department.
  - c. The Assessment Department shall determine the location within the District at which the student may take assessments. Participation will be determined after currently enrolled public school students have been accommodated.
  - d. In the event that a home school student has an IEP or 504 accommodations in place, it is the responsibility of the home school student or parent to indicate such with the initial request.
6. Assessment results will be delivered electronically to the email address of the student's parent. Once delivery is confirmed, retention of the record of the student's assessment results becomes the responsibility of the parent.

**Effective 3/17/2021**

**53G-6-204 School-age children exempt from school attendance.**

- (1)
  - (a) A local school board or charter school governing board may excuse a school-age child from attendance for any of the following reasons:
    - (i) a school-age child over age 16 may receive a partial release from school to enter employment, or attend a trade school, if the school-age child has completed grade 8; or
    - (ii) on an annual basis, a school-age child may receive a full release from attending a public, regularly established private, or part-time school or class if:
      - (A) the school-age child has already completed the work required for graduation from high school;
      - (B) the school-age child is in a physical or mental condition, certified by a competent physician if required by the local school board or charter school governing board, which renders attendance inexpedient and impracticable;
      - (C) proper influences and adequate opportunities for education are provided in connection with the school-age child's employment; or
      - (D) the district superintendent or charter school governing board has determined that a school-age child over the age of 16 is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline.
  - (b) A school-age child receiving a partial release from school under Subsection (1)(a)(i) is required to attend:
    - (i) school part time as prescribed by the local school board or charter school governing board; or
    - (ii) a home school part time.
  - (c) In each case, evidence of reasons for granting an exemption under Subsection (1) must be sufficient to satisfy the local school board or charter school governing board.
  - (d) A local school board or charter school governing board that excuses a school-age child from attendance as provided by this Subsection (1) shall issue a certificate that the child is excused from attendance during the time specified on the certificate.
- (2)
  - (a) A local school board shall excuse a school-age child from attendance, if the school-age child's parent files a signed and notarized affidavit with the school-age child's school district of residence, as defined in Section 53G-6-302, that:
    - (i) the school-age child will attend a home school; and
    - (ii) the parent assumes sole responsibility for the education of the school-age child, except to the extent the school-age child is dual enrolled in a public school as provided in Section 53G-6-702.
  - (b) A signed and notarized affidavit filed in accordance with Subsection (2)(a) shall remain in effect as long as:
    - (i) the school-age child attends a home school; and
    - (ii) the school district where the affidavit was filed remains the school-age child's district of residence.
  - (c) A parent of a school-age child who attends a home school is solely responsible for:
    - (i) the selection of instructional materials and textbooks;
    - (ii) the time, place, and method of instruction; and
    - (iii) the evaluation of the home school instruction.
  - (d) A local school board may not:

- (i) require a parent of a school-age child who attends a home school to maintain records of instruction or attendance;
  - (ii) require credentials for individuals providing home school instruction;
  - (iii) inspect home school facilities; or
  - (iv) require standardized or other testing of home school students.
- (e) Upon the request of a parent, a local school board shall identify the knowledge, skills, and competencies a student is recommended to attain by grade level and subject area to assist the parent in achieving college and career readiness through home schooling.
- (f) A local school board that excuses a school-age child from attendance as provided by this Subsection (2) shall annually issue a certificate stating that the school-age child is excused from attendance for the specified school year.
- (g) A local school board shall issue a certificate excusing a school-age child from attendance:
- (i) within 30 days after receipt of a signed and notarized affidavit filed by the school-age child's parent pursuant to this Subsection (2); and
  - (ii) on or before August 1 each year thereafter unless:
    - (A) the school-age child enrolls in a school within the school district;
    - (B) the school-age child's parent notifies the school district that the school-age child no longer attends a home school; or
    - (C) the school-age child's parent notifies the school district that the school-age child's school district of residence has changed.
- (3) A parent who files a signed and notarized affidavit as provided in Subsection (2)(a) is exempt from the application of Subsections 53G-6-202(2), (5), and (6).
- (4)
- (a) Nothing in this section may be construed to prohibit or discourage voluntary cooperation, resource sharing, or testing opportunities between a school or school district and a parent of a child attending a home school.
  - (b) The exemptions in this section apply regardless of whether:
    - (i) a parent provides education instruction to the parent's child alone or in cooperation with other parents similarly exempted under this section; or
    - (ii) the parent makes payment for educational services the parent's child receives.

Amended by Chapter 359, 2021 General Session

Box Elder School District  
Out of State Travel Request

School BEAR RIVER HIGH SCHOOL

Organization/Team/Club/Etc. FFA

Purpose of Trip (Educational Value) TO INCREASE STUDENTS AWARENESS AND UNDERSTANDING OF THE LIVESTOCK INDUSTRY AND PROMOTE CAREER OPTIONS RELATED TO THAT INDUSTRY.

Destination DENVER, CO Miles to be traveled (one way) 550

Number of Students Traveling 24

Freshmen	<u>-</u>
Sophomore	<u>-</u>
Junior	<u>12</u>
Senior	<u>12</u>
Number of Adults (Chaperones) Traveling	<u>8</u>

Departure Date 1/11/22 Time 8 AM

Return Date 1/14/22 Time 10 PM

Means of Travel  Bus  Van  Other (please list) (CHARTER BUS)

Anticipated Actual Cost of the Trip per Individual Student \$300

Anticipated Direct Cost to Each Student \$300

**THIS SECTION MUST BE COMPLETED AND SUBMITTED TO THE SUPERINTENDENT PRIOR TO ADVERTISING FOR THE TRIP OR CONDUCTING THE REQUIRED PARENT SURVEY.**

List all methods of transportation that will be used and when they are being used

CHARTER BUS ONLY FOR ENTIRE TRIP

A copy of the parent survey must be submitted for approval prior to sending the survey to parents.

How will the survey be distributed? GOOGLE FORM VIA PARENT EMAILS

How will surveys be collected? GOOGLE FORM

Who will tabulate survey results? FFA ADVISORS + ADMINISTRATION

Does the trip involve some type of performance or competition? LIVESTOCK JUDGING CONTEST

Did the students have to qualify for this performance/competition? NO

How? \* STUDENTS WILL APPLY TO GO AND BE SELECTED BASED UPON FFA PARTICIPATION.

Signatures:

Organization/Team leader/Coach [Signature]

Date 9/10/21

Principal [Signature]

Date \_\_\_\_\_

Superintendent Approval to Proceed with Parent Survey and Final Trip Plans

[Signature]

Date 9-14-21

**2021-2022Box Elder School District  
LEA Specific Licenses**

Wednesday, October 12, 2021

**Requesting Board Approval**

Name		School	# of Years Requesting
Journey	Greenwell	BEHS	3
Brock	Durfee	BEHS	3
Talia	Roundy	BEMS	1
Janalyn	Brown	BRHS	1
Katie	Bowcutt	BRHS	1
Heather	Biggs	BRMS	3
Rachel	Coon	BRMS	3
Marcus	Leonard	BRMS	3
Kimberly	Merrell	BRMS	3
Tricia	Payne	BRMS	3
Emmalee	Watts	Discovery	2
Shaun	Wilkinson	Fielding	1
Mekelle	Willson	Fielding	1
Bing	Bai	Foothill	3
Yuhan	Huang	Foothill	3
Erin	Iverson	Foothill	1
xiaoxiao	Tang	Foothill	3
Jessica	Weston	Foothill	1
Mailey	Hershfeldt	Garland	1
Nicole	Nelson	Garland	3
Maria	Renteria Sandoval	Garland	3
Elizabeth	Strong	Harris	2
Phillip	Merrill	Harris	3
Kendi	Ostermiller	Harris	3
Alberto	Lanza	Harris	3
Bethany	Lundgreen	Harris	2
Adam	Willams	ILSC	1
Megan	Johnson	Mtn View	1
Rachel	Sheen	Mtn View	1
Paola	Carerra	North Park	3
Leonardo	Bohorquez Martinez	TMC	3
Sandy	Warner (Wilson)	Willard	3
Nicolette	Robins	Willard	1
Carissa	Dominy	Young	3
Ashlee	Hendricks	Young	1

**2021-2022Box Elder School District  
LEA Specific Endorsements**

Wednesday, October 12, 2021

**Requesting Board Approval**

Name		School	# of Years Requesting
Patrica	Novoa	Garland	3
Maria (Carmina)	Leal Lamata	Lake View	3
Brenda	Lopez	Lake View	3
Briant	Hall	Park Valley	3
Tricia	Henrie	TMC	1
Lana	Coombs	Harris	3
Daniel	Francom	Harris	3
Phil	Lundgreen	Harris	3
Jo	Thomas	Harris	3
Julia	Wilcox	Harris	3
Jonathan	Bradshaw	Young	3
Lisa	Kirby	Young	3
Nathan	Thompson	Young	3
Susan	Thompson	Young	3
Curtis	Armstrong	BRMS	3
Evelyn	Porras	BRMS	3
Tyler	Robertson	BEMS	3
Suzanne	Robinson	BEMS	3
Dal	Wiscombe	BEMS	3
Craig	Day	BRHS	3
Caleb	Hardy	BRHS	3
Melissa	Ingram	BRHS	3
Shaun	Norton	BRHS	3
Reggie	Shaw	BRHS	3
Stacy	Church	BEHS	3
Kolt	Lund	BEMS	2
Jed	Craner	BEHS	3
Aaron	Crawford	BEHS	3
Val (Kasey)	Cullimore	BEHS	3
Jaron	Gold	BEHS	3
Nathan	Toll	BEHS	3
Ann	Turner	Sunrise	3

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## Suggestions for Future Board Meetings

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### **November 10, 2021 – (tentative)**

- Brigham City RDA Update
- Audit Report – Rod Cook
- Policy Review

### **December 8, 2021 – (tentative)**

- New Courses – Gary Allen
- Approval of 2022-23 School District Calendar – Keith Mecham
- Policy Review

### **January 12, 2022 – (tentative)**

- School Fees – Rod Cook
- Review of Policies 1034 Board of Education Code of Conduct and 1035 Board Member Ethics
- ACT and AP Data
- Policy Review
- Board Committee Assignments

### **February 9, 2022 – (tentative)**

- Approval 2 Year Contract for Superintendent – Keith Mecham
- Legislative Update – Steve Carlsen
- Policy Review
- USBA Conference Report

### **March 9, 2022 – (tentative)**

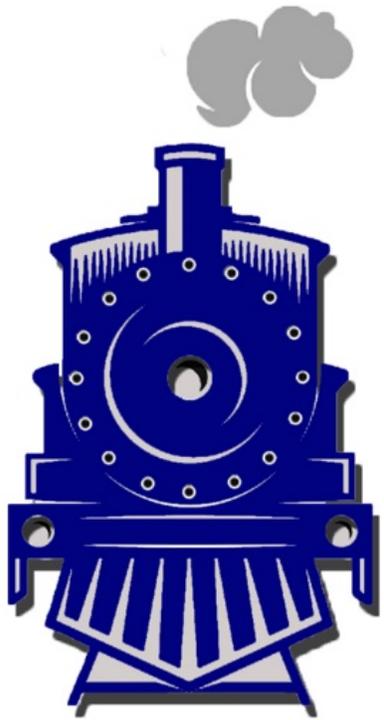
- Negotiations Team Approval – Keith Mecham
- Legislative Update – Steve Carlsen
- Policy Review

### **April 13, 2022 – (tentative)**

- ESP Recognitions
- College and Career Readiness Counseling Program (CCRCP) Approval – Alison Williams
- FY 2023 Capital Improvement Plan – Corey Thompson
- School Lunch Report – Candace Parr
- Energy Report – Mike Clark
- Policy Review
- Board Graduation Assignments

**May 11, 2022 – *(tentative)***

- Retirement Recognitions
- Administrative Association Recognitions
- Approval of School Land Trust Plans – Gary Allen and Keri Greener
- Policy Review



**BOX ELDER  
SCHOOL DISTRICT**

*Learning is Everything*

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BOX ELDER SCHOOL DISTRICT  
BOARD OF EDUCATION  
HANDBOOK

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REVISED  
OCTOBER 9, 2019  
BOX ELDER SCHOOL DISTRICT

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# BOARD OF EDUCATION HANDBOOK INTRODUCTION

This Board of Education Handbook has been developed to capture, in one place and in plain language, the primary operating procedures and governing principles of the Box Elder County School District Board of Education.

This handbook serves as a resource for members of the board as they assume their offices and carry out their responsibilities. It will be posted on the school district's website and updated periodically.

The Box Elder County School District Board of Education has one goal and one purpose: **student learning**.

## Authority and Responsibilities of the Board

The powers and mandatory duties of the Board of Education are defined in the Utah Code and State Board of Education Rule.

## Principles of Board Leadership

Remembering three important principles of board leadership will help keep the Box Elder County School District Board of Education focused on its most important responsibilities:

1. The board delegates authority.  
The board delegates authority to the superintendent to manage the district and provide leadership for the staff. Such authority is communicated through written policies that designate board ends and define operating limits.
2. The board monitors performance.  
The board constantly monitors progress toward district goals and compliance with written board policies.
3. The board takes responsibility for itself.  
The board, collectively and individually, takes full responsibility for board activity and behavior. Board deliberations and actions are limited to board work, not staff work.

[Utah Code § 53G-4](#)

# Making School Board Decisions

State and federal laws, financial constraints, and local expectations must govern school districts. Nevertheless, decisions made by a local board of education create the environment in which a district will flourish or flounder.

Although the typical school board makes many different decisions, all of those decisions can be put into four general categories:

**Policy decisions** are the most important work of the board. The majority of a board's time should be spent on policy development, monitoring, and review. Written policies accomplish the following:

- articulate district direction and goals;
- delegate authority and define limitations on that authority;
- establish board processes, including those for monitoring progress toward district goals and ensuring compliance with laws and board policy.

The board is empowered to make policy decisions for district schools. Board members act as trustees for the community; therefore, policies are often understood as expressions of the community's aspirations for its public schools.

**Problem solving decisions** come in response to a crisis or opportunity that cannot be resolved by the superintendent or is not fully addressed in existing board policy. For example, in the face of declining enrollment, a typical school board would not expect its superintendent to make a final decision on which building to close. Although the superintendent would be expected to provide information and make recommendations, the school board would make the final decision, after deliberating alternatives and consulting policy statements.

Problem-solving decisions usually have isolated, one-time impacts. However, such decisions can establish a precedent that may have the force of policy. For example, a school board's decision to grant a benefit to one group of students may obligate it to grant the same benefit to another group in a similar situation.

**Managerial decisions** required of each local Utah school board are set forth in the statutes, most notably in [Utah Code § 53G-4-402](#). For example, a school board is required to do the following:

- implement the core curriculum
- administer tests,
- implement training programs,
- enroll children in school,
- establish school libraries, and

- establish school safety traffic committees
- ensure that school community councils receive the required annual training and review and approve the school improvement plans developed by the school community councils.

With few exceptions, managerial duties are delegated to the superintendent. Where there is good communication and high level of trust between the board and superintendent, combined with sound policies that set directions and establish parameters, routine managerial duties will consume only a small amount of time at public board meetings. Legally required board actions can usually be accomplished through approval of consent agendas.

School boards must learn to distinguish policy decisions from problem-solving decisions. Sometimes this is challenging but, in general, boards that emphasize policy development will need to make fewer decisions in response to routine problems. Superintendents who have strong policy guidance are able to resolve a wider array of problems without bringing them to the board for action. Good policy development and review processes allow boards to operate at the systemic level - dealing with mission, purpose, direction, and results.

Conversely, boards without up-to-date written policies often find their meetings running late into the night. Their superintendents must bring numerous issues for discussion and action, which wastes time and yields inconsistent results.

**Personnel decisions** represent a special category of managerial decisions. Most school boards delegate personnel matters to the superintendent and use policies to express their desired standards for hiring, evaluation, compensation, discipline, and dismissal. This approach avoids the quagmire of wrestling directly with hiring or disciplining employees other than the superintendent and business administrator. Personnel actions, therefore, are usually found on the consent agenda, because a board is required by law to approve all employment contracts, salaries, benefits, and dismissals.

The superintendent is an appointed public official, the district's chief executive, and an employee of the board. Only the board can employ, evaluate, discipline, or dismiss the superintendent.

## **Holding Closed Meetings**

**A closed meeting may be held if:**

1. A quorum is present.
2. The meeting is an open meeting for which specific notice for a closed meeting has been given with the stated purpose defined.

3. Two-thirds of the members present vote to close the meeting. Voting must be taken by roll call. Name and vote.

**Minutes of the closed meeting shall contain:**

1. Reason for holding the meeting.
2. Location of the meeting.
3. Vote by name, of each member of the board, either for or against the motion to hold the closed meeting.

**Purpose of a closed meeting:**

1. Discussion of the character, professional competence, or physical or mental health of individual.
2. Strategy sessions to discuss collective bargaining.
3. Strategy sessions to discuss pending or reasonably imminent litigation.
4. Strategy sessions to discuss the purchase, exchange, or lease of real property including any form of a water right or water shares if public discussion of the transaction would:
  - a. Disclose the appraisal or estimated value of the property under consideration; or
  - b. Prevent the board from completing the transaction on the best possible terms.
5. Strategy sessions to discuss the sale of real property, including any form of water right or water shares if public discussion of the transaction would:
  - a. Disclose the appraisal or estimated value of the property under consideration; or
  - b. Prevent the board from completing the transaction of the best possible terms.
6. Discussion regarding deployment of security personnel, devices or systems.
7. Investigative proceedings regarding allegations of criminal misconduct.

**A Board may not interview a person applying to fill an elected position in a closed meeting.**

**Record of closed meetings:**

1. A recording shall be made of the closed portion of the meeting.
2. Detailed written minutes may be kept that disclose the content of the closed portion of the meeting.
3. A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment.
4. The recording and any minutes of a closed meeting shall include:
  - a. Date, time, and place of the meeting.
  - b. Name of the members present and absent.
  - c. Names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of the closing the meeting.
5. No recording or minutes will be taken if the purpose of the closed meeting is for the discussion of the character, professional competence, or physical or mental health of an individual.

- a. A sworn statement must be signed by the presiding member of the board that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

## **Collaborative Relationships: Shared Governance**

The Box Elder County School District Board of Education has the exclusive right and responsibility to determine the goals and direction of the schools and use all its resources to achieve such goals, within the bounds of state and federal law and rules of the Utah State Board of Education.

Box Elder School District is a complex organization, which can succeed only if we enlist the energy, creativity, and effort of many people to accomplish our goals. The board believes that ideal conditions for student learning can be realized when shared governance is thoughtfully used to support student achievement.

Board decisions should accurately reflect the public's interests. Statutes of the state of Utah require local school boards to make decisions by majority vote; thus the obligation to seek consensus under shared governance does not bind the board in its decision-making.

The board delegates to school sites and departments the right to make some decisions using the shared governance process. Site-based decisions must conform to legal requirements, state and federal rules and regulations, the district's Student Achievement Plan, policies, procedures, guidelines, and contractual obligations, including negotiated employee agreements.

## **Essentials of A Professional Learning Community**

- A. The Superintendent and district administrators will ensure that all of the schools in the district function as professional learning communities. Professional learning communities are defined as educators committed to working collaboratively in ongoing processes of collective inquiry and action research to achieve better results for the students they serve. Professional learning communities operate under the assumption that the key to improved learning for students is continuous, job-embedded learning for educators.
  1. The Board, district, and school administrators will ensure that time is available, within the contract day, for educators to meet together regularly in collaborative teams.

2. District/school administrators will ensure this time is reserved for activities directly related to the process of collective inquiry and action research to achieve better achievement results for our students.
3. Collaborative teacher teams will focus on the following four questions:
  - a. What is it that our students are expected to know and do?
  - b. How will we know if they know and can do what is expected?
  - c. How will we respond if they don't know and can't do what is expected?
  - d. How will we respond if they already know and can do it?

District and school administrators will ensure that ongoing training and professional learning opportunities are provided to ensure that all Box Elder School District educators are proficient in the philosophies and practices related to professional learning communities/collaborative teacher teams.

## **Authority of Individual Board Members**

Power belongs not to individual members of a Board of Education but to the Board of Education acting as a corporate body through collective action. Board members have authority only when acting as a Board of Education in a legally constituted session, with a quorum present. The statement or action of an individual member or group of members of the Board of Education does not bind the Board of Education itself, except when that statement or action is specifically authorized by an official act of the board. This does not preclude individual board members from representing the board at meetings and ceremonial events or speaking to constituent groups in their capacity as board members.

## **Nominations and Elections for Board Leadership**

### **Nominations**

- A. An office must be created by Board Policy or by a motion to that effect before it can be filled by election or otherwise.
- B. The Board President must call for nominations.
- C. Nominations do not require a second. However, any number of persons may second a given nomination just to show their support of that nominee.
- D. The motion "to close nominations" is not in order until the assembly is ready to close nominations.
  1. When there are two or more nominees for the office the motion to close nominations requires a two-thirds vote. (This motion must be seconded.)
  2. A negative vote on the motion signifies that there are additional nominations forthcoming.
  3. If and when there are no further nominations the Board President may then put the motion to close nominations to a vote without waiting for a second.

## **Elections**

- A. Elections and nominations must conform to the procedure prescribed by the Utah State Law and Board Policy.
- B. In case of a tie vote, the election is decided by lot unless the organization adopts a motion to do otherwise.
- C. Elections are decided by a roll call vote, not by secret ballot. Election to the office is determined by a simple majority.

## **Board Leadership Responsibilities**

The board president will:

- 1. Conduct meetings of the board in accordance with law and policy.
- 2. Communicate regularly with the superintendent, business administrator, and members of the board to set meeting agendas, facilitate the flow of necessary information, and respond to community issues and queries.
- 3. Sign legal assurances, correspondence, and contracts on behalf of the board as required by law, policy, or vote of the board.
- 4. Represent the board, or designate others to represent the board, as requested, in executive meetings with community and business leaders or elected officials to promote perform their duties.

The board vice president will:

- 1. Advise and assist the president as needed.
- 2. Substitute for the president as required.
- 3. Attend meetings with or at the request of the president and superintendent.
- 4. Keep the board appropriately informed of issues or data that would help members

Board leadership may speak for the board, or designate others to speak for the board, when requested to do so by vote or consensus of the board communication, without binding the board to a specific decision or position.

## **New Board Member Orientation**

Following the election or appointment of new members, the superintendent and board leadership will provide for an orientation, as to the board's operation and processes, the working relationships with the Superintendent of Schools and staff of the Box Elder School District, and substantive background information pertaining to school system issues and procedures. A copy of this handbook will be provided online. New board members are also encouraged to attend the orientation session organized by the Utah School Boards Association (USBA).

# **Board of Education Code of Conduct**

The members of the Board of Education agree to abide by the following norms of behavior, both as they govern the conduct of board meetings and as they govern the actions of individual board members. These norms will provide an orderly way to conduct public business, promote an atmosphere of mutual respect, and establish a level of expectation for those who aspire to become school board members in the future.

Board members shall:

1. Represent the Board with dignity, honesty, and integrity.
2. Attend meetings regularly, prepared, professional, engaged, and dedicated to accomplishing and adhering to the agenda.
3. Support efforts to focus on the important matters, remembering that the student is always our most important matter.
4. Communicate effectively, early, and often with each other and with others concerned, seeking to make your own ideas clear while respecting the different opinions of others.
5. Be loyal to the Board and work to achieve unity by supporting its decisions, even though you may personally espouse a different view.
6. Value civility and avoid contention realizing conflict on some issues is inherent and not undesirable.
7. Represent and seek to understand the needs of all students, staff and citizens in the District without partisanship.
8. Work effectively with the Superintendent, and through him/her, with the staff throughout the District.
9. Develop and improve Board skills by establishing goals, measuring progress, and participating in a variety of training opportunities
10. If at all possible Board members should notify the Superintendent or the Board President well in advance of any concerns or questions regarding the Board agenda so that they can be resolved in advance if possible.

## **Board Member Commitments and Ethics**

The Board and its members commit to standards of conduct that are consistent with the public trust placed in elected officials. Accordingly, the Board and its members will:

1. Strive to make policies that promote the educational growth and development of all students;
2. Endeavor to appoint the most competent person available as superintendent of schools and hold that superintendent responsible for carrying out the vision, mission, and goals of the District in the administration of its schools;

3. Support and allow administrators, teachers, and staff to function in their authorized capacities while holding employees responsible for carrying out the District's vision, mission, and goals in their respective roles;
4. Seek to employ the best qualified personnel available without regard to race, color, sex, pregnancy, religion, national origin, age, marital status, disability, sexual orientation, or gender identity—except when justified to meet a bona fide occupational requirement (see 20 U.S.C. 1681 et seq.; Utah Code § 34A-5 et seq.);
5. Promulgate policies and procedures dedicated to maintaining a learning and working environment in the District free of discrimination and unlawful harassment, including sexual harassment;
6. Promulgate policies and procedures that ensure operational transparency, including directing employees to maintain, manage, and where appropriate, produce records consistent with federal and state laws (see 20 U.S.C. § 1232g; 34 C.F.R. Part 99; and Utah Code § 53E-9 et seq.);
7. Attend Board meetings, insofar as possible, being informed and prepared to discuss and act upon the items on the Board agenda;
8. Conduct Board business in compliance with the Utah Open Meetings Act (Utah Code § 52-4-1 et seq.);
9. Exercise Board authority exclusively to perform legislative and judicial functions;
10. Encourage free expression of opinion and seek regular communication and feedback from the public;
11. Work toward consensus in Board decision making and foster respectful and civil working relationships with other Board members and with the superintendent and District staff while recognizing the value of diverse perspectives and differences of opinion; and
12. Strive to be effective educational leaders by participating in professional development, studying education issues, fulfilling assigned Board duties, building relationships with community organizations and leaders, communicating with constituents, and advocating for public education.

A. Board of Education Code of Ethics

1. Members of the Board may receive compensation for services and necessary expenses in accordance with Utah Code § 53G-4-204. For purposes of Utah Retirement Systems (URS) coverage, however, duly elected members of the Board are classified as part-time employees and ineligible for URS benefits.
2. Members of the Board may not use their position, or information acquired by reason of their position, for any improper or unlawful purpose including substantially furthering personal economic interests or securing special privileges or benefits for themselves or others that would impair the members' independent judgement or interfere with the ethical performance of the members' duties in

violation of Utah Code, § 67-16-4.

3. The Board will officially accept gifts and donations on behalf of the District; such acceptance, however, shall not obligate the Board to act in any way contrary to the best interests of students and the public. Further, the Board or its members shall not request, demand, or accept personally or on behalf of the District, a loan, donation, gift of substantial value, or an economic benefit tantamount to a gift in violation of Utah Code §§ 67-16-5 to 5.6
4. The Board and its members shall not misappropriate or misuse public funds or resources and shall be responsible fiscal managers of public funds. Expenditure of public funds shall only be made in accordance with federal or state law and District policies.
5. Members of the Board shall disclose any compensation or any position (whether officer, director, agent, employee, or owner of a substantial interest) in any business entity that does business with or is subject to the regulations governing the District or other public agency in a sworn affidavit and file it with the state attorney general, the District, and any other agency involved in the business or transaction consistent with Utah Code §§ 67-16-6 to 8. Further, members of the Board shall have no personal investments and/or conduct any business creating a substantial conflict of interest between Board members' private interests and their public duties in violation of Utah Code § 67-16-9.
6. Members of the Board shall maintain the confidentiality of information obtained in executive session or other confidential information otherwise obtained in an official capacity.
7. Members of the Board have no individual authority to act on behalf of the Board and the Board only exercises its authority as a body by taking official action through voting in a duly scheduled Board meeting. Individual Members of the Board should not speak on behalf of the Board without prior Board approval.

Members of the Board shall abide by state and federal laws and District policies and refrain from personal or professional conduct that would bring censure, ridicule, damage, or reproach upon the Board or the District.

## **Disciplining Board Members**

If a member of the Board of Education violates the Code of Conduct or the ethical assurances outlined in Board [Policies 1034](#) and [1035](#), the board president and vice president will speak to that member about his or her responsibilities. If disruptive or destructive behavior occurs, the board may issue a formal reprimand by a vote of five members.

## Policies Governing the Board

Detailed information about the board's process of conducting meetings and other guidance around board operation can be found in [School Board Policy Article 1](#).

Links to other helpful resources, including specific citations to Utah Code, are included with the appropriate policy on the district's website.

## Guidelines and Parliamentary Motions

The following guidelines and examples have been taken from the Utah School Boards Association book titled Coming to Order, which is available on the USBA website. The Box Elder School District Board of Education appoints a Business Administrator who serves as the board's parliamentarian:

1. A board should agree on and adopt an agenda format that it will follow at regular meetings.
2. Action items on the agenda require:
  - a motion by a board member,
  - a second to the motion (required by most boards but not all),
  - a discussion of the motion by board members, and
  - a vote by board members.
3. Other than the consent agenda, each motion should be limited to one idea or issue.
4. No new motion may be made while another is being discussed.
5. A motion may be amended and votes on the amendments must be taken before acting on the original motion.
6. Before a vote on a main motion is taken, business can be interrupted by a motion:
  - to table the main motion,
  - to postpone action,
  - to refer the motion to a committee,
  - to withdraw it from consideration, or
  - to adjourn the meeting.

The subsidiary motions must be disposed of prior to action on the main motion.
7. Debate can be closed formally with a motion to move the question and a two-thirds affirmative vote.
8. When a Board member wishes to speak in board meeting, he/she should request to be recognized by the Board President before speaking. He/she may gain recognition by the President by raising a hand or speaking audibly, "Mr./Mrs. President". Once recognized the Board member should address the Board.

9. When the president senses the discussion has ended, a vote may be taken without a formal motion to close debate unless a member objects.
10. Some motions, such as a motion to adjourn, are not debatable. See the “Simplified Chart of Parliamentary Motions” on page 10.
11. Before a motion is voted upon, it should be repeated aloud.
12. The president, by virtue of membership on the board, is expected to vote on each issue before the board.
13. The president should indicate before each vote whether a simple or special majority is required.
14. The president should keep readily at hand a reference guide, such as the chart of parliamentary motions.

## Simplified Chart of Parliamentary Motions

Motion & Order of Precedence	You Say:	Debatable	Amendable	Vote Required
Adjourn	I move to adjourn	No	No	Majority
Recess	I move to recess for	No	No	Majority
Close Debate	I move the previous question	No	No	2/3
Postpone Definitely	I move to postpone the motion to	Yes	Yes	Majority
Refer to Committee	I move to refer the motion to	Yes	Yes	Majority
Amend the Amendment	I move to amend the amendment by	Yes	Yes	Majority
Amend or substitute	I move to amend the motion by	Yes	Yes	Majority
Main motion	I move to	Yes	Yes	Majority
Reconsider		Yes	Yes	Majority

Rescind		Yes	Yes	Majority (with notice)
Incidental Motions				
No order of precedence. Arise incidentally and decided immediately				
Point of Order (to enforce rules)	Point of Order	No	No	None
Parliamentary Inquiry	Parliamentary questions	No	No	None
Withdraw or Modify a Motion	I withdraw (or modify) my motion	No	No	Majority

# Board Policies Relevant to Board of Education Legal Status, Responsibilities, and Ethics

## Policy 1010 School Board’s Legal Status

- A. Promote education
  - 1. The Board has the legal power and duty to do all things necessary for the maintenance, prosperity and success of the schools and for the promotion of education and to exercise all powers given by statute. The Board’s legal powers and duties include the actions set forth in this policy, but are not necessarily limited to the listed powers and duties.  
[Utah Code § 53G-4-402\(20\) \(2018\)](#)
- B. Govern
  - 1. The Board of Education recognizes that under Utah law “it is the province of the Board of Education to determine what things are detrimental to the successful management, good order, and discipline of the schools and the rules required to produce” successful management, good order, and discipline in the schools.  
*Beard v. Board of Education, 16 P.2d 900 (Utah 1932)*
- C. Adopt rules
  - 1. Adopt such rules, regulations, and bylaws as the Board deems proper for the operation of the Board and for the control and management of the District’s schools.  
[Utah Code § 53F-8-201 \(2018\)](#)

- D. Levy taxes
1. Establish tax rates each year and submit the proposed rate to the county legislative body in which the District is located according to statutory procedures:  
[Utah Code § 53F-8-201\(1\) \(2018\)](#)  
[Utah Code § 53F-8-202 \(2018\)](#)  
[Utah Code § 53F-8-402 \(2018\)](#)
- E. Annual budget
1. Prepare, adopt, and file a budget for the next succeeding fiscal year with the county legislative body in which the District is located as required by statute.  
[Utah Code § 53F-8-201 \(2018\)](#)
- F. Bequests
1. Receive bequests and donations or other monies or funds which are made for educational purposes.  
[Utah Code § 53G-4-402\(12\) \(2018\)](#)
- G. Acquisition and ownership of property
1. Acquire and hold real and personal property in the name of the District, inclusive of all rights and titles, and lease and lease with an option to purchase property. The Board of Education has the direction and control of all school property in the district.  
[Utah Code § 53G-4-401\(4\) \(2018\)](#)
- H. Eminent domain
1. Exercise the right of eminent domain to acquire property.  
*Board of Education of South Sanpete School District v. Barton, 617 P.2d 347 (Utah 1980).*  
*Olsen v. Board of Education of the Granite School District, 571 P.2d 1336 (Utah 1977).*
- I. Employ personnel
5. Employ by contract a Superintendent, Business Administrator, Principal(s), teacher(s), or other executive officer(s) and set salary schedules therefor.  
[Utah Code § 53G-7-202 \(2018\)](#)  
[Utah Code § 53G-4-301 \(2018\)](#)  
[Utah Code § 53G-4-302 \(2018\)](#)
- J. Close schools and change school boundaries
1. Close schools or suspend operation of schools or change school attendance area boundaries as determined to be appropriate by the Board of Education after appropriate public notice and hearing as required by statute.  
*Allen v. Board of Education Weber County School District 236 P.2d 756 (Utah 1951)*  
*Save Our Schools v. Board of Education of Salt Lake City, 2005 UT 55*  
[Utah Code § 53G-4-402\(21\) \(2018\)](#)
- K. Sue and be sued
1. Sue and be sued in the name of the District.  
[Utah Code § 53G-4-401\(4\) \(2018\)](#)

- L. Fulfill other statutory duties and exercise other statutory powers
  - 1. The Board also has the duty to comply with such other duties as are set forth in the laws and regulations of Utah and the United States, and also may exercise the powers and authorities established by such laws and regulations.

## **Policy 1020 Board Power and Duties**

- A. The Board of Education, on its own behalf, hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it by applicable law, rules and regulations to establish the framework of school policies and projects including, but without limitation because of enumeration, the right:
  - 1. To appoint, by contract, a district superintendent who serves as the Board's chief executive officer. [Utah Code § 53G-4-301\(1\)](#)
  - 2. To appoint a business administrator. [Utah Code § 53G-4-302\(1\)](#)
  - 3. To make and enforce policy necessary for the control and management of the district schools. [Utah Code § 53G-4-402\(15\)](#)
  - 4. To prepare and adopt a budget and make appropriations for the next fiscal year. [Utah Code § 53G-7-303\(2\)](#)
  - 5. To administer and implement Federal education programs in accordance with the Federal Programs Act. [Utah Code § 53G-4-402\(10\)](#)
  - 6. To establish, locate, and maintain elementary, secondary, and applied technology schools. [Utah Code § 53G-4-402\(5\)](#)
  - 7. To employ staff necessary to carry out the functions of the school district. The Board shall also determine qualifications, conditions of employment, salary schedules, dismissal, demotion, promotion and work assignments.
  - 8. To establish and supervise the program of instruction, including methods of instruction, schedules, materials, necessary staff, etc., and to make the necessary assignments for all extra-curricular programs that, in the opinion of the Board, benefit students.
  - 9. To sue and be sued in the name of the district. [Utah Code § 53G-4-401\(4\)](#)
  - 10. To take, hold, lease, sell, and convey real and personal property as the interests of the schools may require. [Utah Code § 53G-4-401\(4\)](#)
  - 11. To purchase, sell, and make improvements on school sites, buildings, and equipment and construct, erect, and furnish school buildings. [Utah Code § 53G-4-402\(3\)](#)
  - 12. To accept private grants, loans, gifts, endowments, devises, or bequests that are made for educational purposes. [Utah Code § 53G-4-402\(12\)\(a\)](#)
  - 13. To close the schools or suspend operation if necessary.
  - 14. To do all things necessary for the maintenance, prosperity, and success of the schools and the promotion of education. [Utah Code § 53G-4-402\(20\)](#)
- B. The exercise of the foregoing powers, rights, authority, duties and responsibilities by the Board, the adoption of policies, rules, regulations and practices in furtherance thereof, and the use of judgement and discretion in connection therewith shall be

limited only by the Constitution and Laws of the State of Utah and the Constitution and Laws of the United States.

- C. To work to understand and represent the interest of the community members.

## **Policy 1025 Administration Relations**

### **A. District Governance**

- 1. The Board has the power to manage and govern the public schools of the District.

[Utah Code § 53G-4-402 \(2018\)](#)

*Elwell v. Board of Education of Park City, 626 P.2d 460 (Utah 1981)*

### **B. Consultation**

- 1. The Board and its administrative personnel may consult with teachers with respect to matters of educational policy and conditions of employment. The Board may adopt and make reasonable rules, regulations, and agreements to provide for such consultation, but these shall not limit or affect the power of the Board to manage and govern the schools of the District, nor shall such rules, regulations or agreements favor one educational association over another or give preferential treatment to an educational association.

[Utah Code § 53G-11-205\(4\) \(2018\)](#)

### **C. Exclusivity and Coercion**

- 1. If the Board chooses to engage in consultation, the process shall be structured so that there is no direct or indirect coercion of employees to join or refrain from joining a labor union, labor organization or other type or association, and such consultation shall be structured so that the Board does not favor one educational association over another or give preferential treatment to an educational association.

[Utah Code § 34-34-4 \(1969\)](#)

[Utah Code § 34-34-7 \(1969\)](#)

[Utah Code § 34-34-8 \(1969\)](#)

[Utah Code § 53G-11-205\(4\) \(2018\)](#)

### **D. Association Negotiations**

- 1. Public employees may negotiate in groups or through employee associations with the District. This is not to be construed as granting to district employees the right to strike, which action is specifically prohibited.

[Utah Code § 34-34-2 \(1969\)](#)

[Utah Code § 34-34-16 \(1969\)](#)

- 2. The term "labor organization" means any organization of any kind, or any agency or employee, representation committee, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with one or more employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

E. Publication of Negotiated Agreement

1. If the Board engages in negotiations with labor organizations and a negotiated or collective bargaining agreement is reached, the Board shall, within ten (10) days of ratification, post the agreement or memorandum on the District's website [Utah Code § 53G-11-207 \(2018\)](#)

F. Distribution of Organization Materials

1. The District shall not allow unstamped, or stamped but not cancelled, employee organization mail to be delivered by interschool mail. Unless off-duty and acting as an agent of an employee organization, a District employee shall not distribute unstamped, or stamped but not cancelled, mail from employee organizations to other District employees.

G. Equal Access for Employee Associations

1. The schools in the District shall allow all employee associations equal access to distribution of information in or access to employee physical or electronic mailboxes (including school-provided email accounts), and to membership solicitation activities at new teacher or new employee training meetings or functions. (This policy does not require the school to afford association access to these activities, but requires that if access is granted to one employee association, equal access must be provided to other employee associations.)  
[Utah Code § 53G-11-205\(2\), \(3\) \(2018\)](#)

H. No Endorsement of or Preference for Any Employee Association

1. The District does not endorse any one employee association, and District policies, structures, and procedures shall not be applied to favor one employee association over another or to otherwise give preferential treatment to one employee association. District calendars and publications shall not include or refer to the name of any employee association in relation to any day or break in the school calendar.  
[Utah Code § 53G-11-205\(4\), \(5\) \(2018\)](#)

## **Policy 1034 Board of Education Code of Conduct**

A. Board members shall:

1. Represent the Board with dignity, honesty, and integrity.
2. Attend meetings regularly, prepared, professional, engaged, and dedicated to accomplishing and adhering to the agenda.
3. Support efforts to focus on the important matters, remembering that the student is always our most important matter.
4. Communicate effectively, early, and often with each other and with others concerned, seeking to make your own ideas clear while respecting the different opinions of others.

5. Be loyal to the Board and work to achieve unity by supporting its decisions, even though you may personally espouse a different view.
6. Value civility and avoid contention realizing conflict on some issues is inherent and not undesirable.
7. Represent and seek to understand the needs of all students, staff and citizens in the District without partisanship.
8. Work effectively with the Superintendent, and through him/her, with the staff throughout the District.
9. Develop and improve Board skills by establishing goals, measuring progress, and participating in a variety of training opportunities.

## **Policy 1035 Board Member Commitments and Ethics**

### **A. Board of Education Commitments**

The Board and its members commit to standards of conduct that are consistent with the public trust placed in elected officials. Accordingly, the Board and its members will:

1. Strive to make policies that promote the educational growth and development of all students;
2. Endeavor to appoint the most competent person available as superintendent of schools and hold that superintendent responsible for carrying out the vision, mission, and goals of the District in the administration of its schools;
3. Support and allow administrators, teachers, and staff to function in their authorized capacities while holding employees responsible for carrying out the District's vision, mission, and goals in their respective roles;
4. Seek to employ the best qualified personnel available without regard to race, color, sex, pregnancy, religion, national origin, age, marital status, disability, sexual orientation, or gender identity—except when justified to meet a bona fide occupational requirement (see [20 U.S.C. 1681 et seq.](#); [Utah Code § 34A-5 et seq.](#));
5. Promulgate policies and procedures dedicated to maintaining a learning and working environment in the District free of discrimination and unlawful harassment, including sexual harassment;
6. Promulgate policies and procedures that ensure operational transparency, including directing employees to maintain, manage, and where appropriate, produce records consistent with federal and state laws (see [20 U.S.C. § 1232g](#); [34 C.F.R. Part 99](#); and [Utah Code § 53E-9 et seq.](#));
7. Attend Board meetings, insofar as possible, being informed and prepared to discuss and act upon the items on the Board agenda;
8. Conduct Board business in compliance with the [Utah Open Meetings Act \(Utah Code § 52-4-1 et seq.\)](#);
9. Exercise Board authority exclusively to perform legislative and judicial

functions;

10. Encourage free expression of opinion and seek regular communication and feedback from the public;
11. Work toward consensus in Board decision making and foster respectful and civil working relationships with other Board members and with the superintendent and District staff while recognizing the value of diverse perspectives and differences of opinion; and
12. Strive to be effective educational leaders by participating in professional development, studying education issues, fulfilling assigned Board duties, building relationships with community organizations and leaders, communicating with constituents, and advocating for public education.

#### B. Board of Education Code of Ethics

1. Members of the Board may receive compensation for services and necessary expenses in accordance with [Utah Code § 53G-4-204](#). For purposes of Utah Retirement Systems (URS) coverage, however, duly elected members of the Board are classified as part-time employees and ineligible for URS benefits.
2. Members of the Board may not use their position, or information acquired by reason of their position, for any improper or unlawful purpose including substantially furthering personal economic interests or securing special privileges or benefits for themselves or others that would impair the members' independent judgement or interfere with the ethical performance of the members' duties in violation of [Utah Code, § 67-16-4](#).
3. The Board will officially accept gifts and donations on behalf of the District; such acceptance, however, shall not obligate the Board to act in any way contrary to the best interests of students and the public. Further, the Board or its members shall not request, demand, or accept personally or on behalf of the District, a loan, donation, gift of substantial value, or an economic benefit tantamount to a gift in violation of [Utah Code §§ 67-16-5 to 5.6](#)
4. The Board and its members shall not misappropriate or misuse public funds or resources and shall be responsible fiscal managers of public funds. Expenditure of public funds shall only be made in accordance with federal or state law and District policies.
5. Members of the Board shall disclose any compensation or any position (whether officer, director, agent, employee, or owner of a substantial interest) in any business entity that does business with or is subject to the regulations governing the District or other public agency in a sworn affidavit and file it with the state attorney general, the District, and any other agency involved in the business or transaction consistent with [Utah Code §§ 67-16-6 to 8](#). Further, members of the Board shall have no personal investments and/or conduct any business creating a substantial conflict of interest between Board members' private interests and their

public duties in violation of [Utah Code § 67-16-9](#).

6. Members of the Board shall maintain the confidentiality of information obtained in executive session or other confidential information otherwise obtained in an official capacity.
7. Members of the Board have no individual authority to act on behalf of the Board and the Board only exercises its authority as a body by taking official action through voting in a duly scheduled Board meeting. Individual Members of the Board should not speak on behalf of the Board without prior Board approval.
8. Members of the Board shall abide by state and federal laws and District policies and refrain from personal or professional conduct that would bring censure, ridicule, damage, or reproach upon the Board or the District.

### **Policy 1036 Conflict of Interest: Board Member and Employee**

- A. Purpose: The purpose of this policy is to set forth standards of conduct for board members and employees of the Box Elder District in areas where there are actual or potential conflicts of interest between their public duties and their private interests. This policy is intended to strengthen public confidence in the district and its employees. The policy is based on state law, [Utah Code 67-16](#).
- B. No member of the Board of Education or any employee of the Box Elder School District shall:
  1. Improperly disclose confidential information acquired by reason of his or her official position or use such information for his or her or another's private gain or benefit;
  2. Use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others;
- C. A written statement shall be filed annually with the superintendent by all board members, superintendent, business administrator, facilities administrator, coordinators of school lunch, purchasing and transportation, and any other district employee who:
  1. Accepts other employment that he or she might expect would impair his or her independence of judgment in the performance of his or her public duties; or would interfere with the ethical performance of his or her public duties.
  2. Accepts any gift, compensation, or loan that comes because of past, present, or future action directly affecting the donor. (An award publicly presented in recognition of public services or a non-pecuniary gift of less than \$50.00 value is not prohibited.)
  3. Initiates business dealings on behalf of the district with any business or individual from whom the board member or employee receives compensation or gifts in any form.
- D. Statements filed with the superintendent under "C" above, shall be signed by the board member or district employee and contain:
  1. The name and address of the board member or district employee involved;

2. The name and address of the person or business entity with whom a conflict of interest may exist;
  3. A brief description of the board member's or employee's involvement or interest with the individual or business entity named.
- E. The statement shall be filed within ten days or the earlier of:
1. The date of any agreement between the board member or district employee and the person or business entity being assisted or;
  2. The receipt of compensation from that entity.
- F. The statement is public information and shall be available for examination by the public.
- G. Penalties for violation of this policy may include removal from office, dismissal from employment, and/or criminal prosecution. Additionally, the school district may rescind or void any contract or subcontract entered into as a result of actions prohibited under this policy, and do so without returning any part of the consideration that the district may have received.

**POLICY 1037 Employment/Assignment of Relatives (Nepotism)**  
**(Reference - [Utah Code 52-3](#))**

- A. Definition: As used in this policy, "appointee" means an employee whose salary, wages, pay, or compensation is paid from public funds; "relative" means father, mother, husband, wife, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law - "household member" means a person who resides in the same residence.  
[Utah Code § 52-3-1\(1\)\(d\) \(2018\)](#)
- B. No Board member or employee of the district may employ, appoint, or vote for or recommend the appointment of a relative or household member in or to any position or employment, when the appointee will be directly supervised by a relative or household member, unless:
1. The appointee is certificated or otherwise determined eligible or qualified to be employed by the District pursuant to the State Office of Education or other state department or agency; or
  2. The appointee will be compensated from funds designated for vocational training; or
  3. The appointee will be employed for a period of 12 weeks or less; or
  4. The appointee is a volunteer as defined by the District; or
  5. The Superintendent determines that appointee is the only or best person available, qualified, or eligible for the position.  
[Utah Code § 52-3-1\(2\)\(a\) \(2018\)](#)
- C. No district employee may directly supervise an appointee who is a relative or household member of the employee unless:

1. The appointee was appointed or employed before the district employee assumed his or her supervisory position, if the appointee's appointment was not unlawful at the time of the appointee's appointment; or
  2. The appointee will be compensated from funds designated for vocational training; or
  3. The appointee will be employed for a period of 12 weeks or less; or
  4. The appointee is a volunteer as defined by the district; or
  5. The appointee is the only person available, qualified, or eligible for the position; or
  6. The Superintendent determines that the employee is the only person available or is best qualified to perform supervisory functions for the appointee.
  7. When a District employee supervises a relative or a household member, the employee shall make a complete written disclosure of the employee's relationship with the relative or household member in a sworn statement provided to the Board of Education. The District employee may not evaluate the relative's job performance or recommend salary increases for the relative.
- [Utah Code § 52-3-1\(2\)\(b\), \(c\) \(2018\)](#)  
[Utah Code § 67-16-7\(2\)\(b\) \(2018\)](#)

- D. No appointee may accept or retain employment in the District if the appointee is under the direct supervision of a relative or household member, unless:
1. The relative or household member was appointed or employed before the appointee assumed the appointee's position, if the appointment of the relative or household member was not unlawful at the time of the appointment;
  2. The appointee will be compensated from funds designated for vocational training;
  3. The appointee will be employed for a period of 12 weeks or less;
  4. The appointee is a volunteer as defined by the District;
  5. The appointee is the only person available, qualified or eligible for the position;
  6. The Superintendent determines that the appointee's relative or household member is the only individual available or qualified to supervise the appointee.
- [Utah Code § 52-3-1\(3\) \(2018\)](#)

E. The rules against nepotism apply to employees paid with public funds regardless of the source of those funds, including employees paid with funds from a federal grant.

- F. Within a town, as defined by [Utah Code § 10-1-104](#), this policy on nepotism shall not apply to the employment of uncles, aunts, nephews, nieces or cousins.
- [Utah Code § 52-3-4 \(1998\)](#)

- G. This policy on nepotism shall not apply to the employment of a relative if the following criteria are established:
1. fewer than 3,000 people live within 40 miles of the primary place of employment, measured over all-weather public roads;
  2. the job opening has had reasonable public notice; and
  3. the relative is the best qualified candidate for the position.

If an appointee is to be hired under this exception, the District shall make a written record of the proceedings in which it was established that the appointee met the criteria of this exception, which record shall include a written statement by the hiring officer

certifying that the appointee satisfies the exception, all of which shall be retained in the personnel file of the appointee.

[Utah Code § 52-3-4 \(1998\)](#)

H. Under no condition shall a husband/wife or parent/son or daughter be employed in a supervisor/employee relationship (such as principal/teacher; department head/teacher in department; head custodian/custodian; etc.). If such condition occurs as a result of transfer or promotion, it shall be resolved within one year by transfer of either husband/wife, or parent/son or daughter, to another location. Exceptions may be made, with Board approval, for necessarily existent small schools only.

## **Board Policies Relevant to School Board Meetings**

### **Policy 1070 Board Meeting Procedures**

A. "Meeting" means the convening of the Board with a quorum present, whether in person or by means of electronic equipment, for the purpose of discussing, receiving public comment about, or acting upon a matter over which the Board has jurisdiction, including a workshop or executive session. However, a "meeting" does not include a chance or social gathering; or meetings where no funds are appropriated for expenditure and board members are convened solely to discuss administrative or operational matters which do not require formal action or would not come before the Board for discussion or action.

[Utah Code § 52-4-103\(6\) \(2018\)](#)

B. Rules and Order of Procedure

1. The Board of Education shall adopt Rules of Order and Procedure to govern a public meeting of the Board of Education. The Rules of Order and Procedure shall include a set of policies that govern and prescribe in a public meeting:

- a. Parliamentary order and procedure;
- b. Ethical behavior; and
- c. Civil discourse.

2. After adopting the Rules of Order and Procedure, the Board of Education shall:

- a. Conduct its public meeting in accordance with the Rules of Order and Procedure adopted by the Board of Education; and
- b. Make the Rules of Order and Procedure available to the public at each meeting of the Board of Education, and on the District's public website.

[Utah Code § 53G-4-202{1}\(c\), \(2\) \(2018\)](#)

1. Upon a two-thirds vote, the Board of Education may expel a member of the Board from an open public meeting of the Board for:

- a. Disorderly conduct at the meeting;

- b. The member's direct or indirect financial conflict of interest regarding an issue discussed at or action proposed to be taken at the meeting; or
- c. Commission of crime during the meeting; or
- d. Other reasons that have been adopted by the Board.

[Utah Code § 53G-4-202\(5\) \(2018\)](#)

C. Open to the Public

- 1. Every meeting of the Board shall be open to the public unless closed pursuant to [Utah Code §§ 52-4-204 \(2018\)](#), [52-4-205 \(2014\)](#), and [52-4-206 \(2018\)](#). With the exception of those topics identified for a closed session, the Board shall deliberate and take action openly.

[Utah Code § 52-4-201\(1\) \(2006\)](#)

D. Public Hearing

- 1. A public hearing is an open meeting at which members of the public are given a reasonable opportunity to comment on a subject of the meeting. Generally, the Board will determine whether a Board meeting will include a public hearing. However, the Board shall hold a public hearing when considering whether to close a school or change the boundaries of a school, when submitting a ballot issue regarding bond authorization or a tax increase, when considering the adoption of the District budget, before authorizing issuance of bonds, and when considering changes to the Board member compensation schedules, as required by statute.

[Utah Code § 11-14-318 \(2009\)](#)

[Utah Code § 53G-4-402\(21\) \(2018\)](#)

[Utah Code § 53G-7-303\(2\) \(1/24/2018\)](#)

[Utah Code § 53G-4-204\(2\) \(2018\)](#)

[Utah Code § 59-1-1605 \(2016\)](#)

E. Interference with Conduct of Board Meetings

- 1. Those in attendance at Board meetings are prohibited from interfering with the conduct of the meeting by demonstrations, whether audible or visual or by conduct. Those who do not abide by Board procedures for orderly presentation of comments when permitted may be asked to leave or the Board may request law enforcement to remove those disrupting the meeting.
- 2. Distribution of handbills, flyers, or other printed materials by members of the public is prohibited during Board meetings. Similarly, members of the public may not circulate petitions or similar requests for participation during a Board meeting.

F. Public recording

- 1. All or any part of the proceedings in any open board meeting may be recorded by any person in attendance provided that the recording does not interfere with the conduct of the meeting.

[Utah Code § 52-4-203\(5\) \(2018\)](#)

G. Attendance by Local Government Representatives

- 1. An interested mayor or interested county executive (or their designees) may attend and participate in the board's discussions in the open portions of the Board's meetings. An "interested mayor" is the mayor of the municipality

which is partly or entirely within the boundaries of the school district. An "interested executive" is the county executive or county manager of a county with unincorporated area within the boundary of the school district. These local government officials may not vote on any issue before the Board and their participation is subject to the Board President's authority to regulate the conduct of the meeting.

2. An interested mayor or interested county official may attend a closed meeting of the Board if invited by the Board. Where the closed meeting is held to discuss disposition or acquisition of real property, an interested mayor or interested county official may attend if invited by the Board and if the mayor or county executive does not have a conflict of interest with respect to the disposition or acquisition.

[Utah Code § 53G-7-208\(3\)\(a\) \(2018\)](#)

#### H. Quorum

1. A majority of the members of the Board shall constitute a quorum for meetings of the Board.

[Utah Code § 52-4-103\(11\)\(a\) \(2018\)](#)

[Utah Code § 53G-4-203\(5\) \(2018\)](#)

#### I. USBA Training session for the Board members

1. In the event the Board or any of its members meet with representatives of the Utah School Boards Association (USBA) for the purpose of receiving or participating in instruction regarding Board functions or activities, and not for the purpose of discussing or acting upon a subject over which the Board has jurisdiction, the Board is not required to comply with the Utah Open and Public Meetings Act, [Utah Code § 52-4-101 et seq.](#)
2. If more than two Board members are present in such meetings, the Board members shall not discuss or act upon any specific matter over which it has jurisdiction. Board members will discuss only matters relative to the instruction they receive from USBA representatives.
3. If Board members determine in an instructional meeting with representatives of USBA that there is a need to discuss or act upon a subject over which the Board has jurisdiction, then the Board and its members must comply with the Open and Public Meetings Act, [Utah Code § 52-4-101 et seq.](#), prior to discussing or acting upon such matters.

## **Policy 1072 Board Meetings: Notice Requirements**

- A. At least once each year, the Board shall give public notice of its annual meeting schedule. The notice shall specify date, time, and place of such meetings.

[Utah Code § 52-4-202\(2\) \(2016\)](#)

- B. The Board shall provide public notice of each meeting at least 24 hours in advance of each meeting; such notice shall include the agenda, date, time, and place of the meeting.

[Utah Code § 52-4-202\(1\)\(2016\)](#)

- C. Where a meeting agenda must be included in the required public notice of a Board meeting, that agenda shall be sufficiently specific to notify the public of the topics to be considered at the Board meeting. To be sufficiently specific, the agenda shall at least list each anticipated topic under an agenda item in a manner which identifies the subject of discussion and if known the nature of the Board action being considered on the subject. The Board may not consider the topic in an open meeting which was not listed under an agenda item and included with the advance public notice of the meeting, except that if an unlisted topic is raised by the public during an open meeting the Board may, at the discretion of the presiding Board member, discuss the topic but may not take any final action on the topic during the meeting. This limitation may not apply to an emergency meeting where the requirements for holding and giving the best practicable notice of such a meeting have been met.  
[Utah Code § 52-4-202\(6\)\(2016\)](#)
- D. When the Board is meeting to conduct a public hearing with respect to adopting the budget or levying a tax rate which exceeds the certified tax rate, the Board's agenda must be limited to the hearing(s) and discussion and the action on those items. (If the Board holds another meeting on the same date to address general business items, the other meeting must conclude before the meeting on the budget and/or tax rate levy.)  
[Utah Code § 59-2-919\(8\)\(b\)\(i\)\(B\), \(e\), \(2019\)](#)
- E. Public notice of each Board meeting and of the Board's annual meeting schedule shall be given by:
1. Posting written notice at the local Board of Education office;
  2. Posting notice on the Utah Public Notice Website; and,
  3. Providing notice to two newspapers of general circulation within the geographic jurisdiction of the public body or to a local media correspondent.
  4. The District shall also endeavor to post notice of Board meetings on the District's web site at least 24 hours in advance of the Meeting.
  5. Notice of each Board meeting shall also be given to each mayor or interested county executive (or their designee). An "interested mayor" is the mayor of a municipality that is partly or entirely within the boundaries of the school district. An "interested county executive" is the county executive or county manager of a county with unincorporated area within the boundaries of the school district. This notice shall be provided by mail, email, or other effective means agreed to by the person to receive notice.  
[Utah Code § 52-4-202\(3\), \(4\)\(2016\)](#)  
[Utah Code § 63F-1-701\(4\)\(d\)\(2016\)](#)  
[Utah Code § 53G-7-208\(3\)\(e\) \(2018\)](#)
- F. In case of emergency or urgent public necessity which renders it impractical to give the notice identified in the paragraphs above, the best notice practicable shall be given of the time and place of the meeting and of the topics to be considered at the meeting. No such emergency meeting of the Board shall be held unless an attempt has been made to notify all of its members and a majority of the members vote in the affirmative to hold the meeting.

[Utah Code § 52-4-202\(5\)\(2016\)](#)

- G. In addition to complying with the aforementioned public notice requirements, in regards to the budget hearing, the Board shall do the following:
1. Publish the required newspaper advertisement and/or electronic newspaper advertisement (see [Utah Code § 45-1-101 \(2011\)](#) and the required Utah Public Notice Website advertisement at least ten days before the day on which the hearing is held
    - a. The public hearing notice will include information on how the public may access the proposed budget.
  2. File a copy of the proposed budget with the Board's business administrator for public inspection; and
  3. Post a copy of the proposed budget on the District's internet website.
  4. In addition, if the proposed budget includes a tax rate in excess of the certified tax rate, or if the Board meeting is required to consider whether to adopt a tax rate in excess of the certified tax rate, the Board shall provide the notices and schedule the meeting as required by [Utah Code § 59-2-919](#).  
[Utah Code § 53G-7-303\(2\) \(2018\)](#)  
[Utah Code § 53F-8-201\(3\) \(2018\)](#)  
[Utah Code § 59-2-919 \(2016\)](#)
- H. In addition to complying with the aforementioned public notice requirements, if the Board is meeting under the [Transparency of Ballot Propositions Act](#) to hear arguments for or against a ballot proposition to authorize issuance of bonds or to increase taxes, the Board must post notice of the time, date, and place of the meeting (along with the arguments for and against the proposition):
1. On the Statewide Electronic Voter Information Website for 30 consecutive days before the election on the proposition;
  2. On the [District's website](#) in a prominent place for 30 consecutive days before the election on the proposition;
  3. If the District publishes a newsletter or other periodical, in the next scheduled edition before the election on the proposition.  
[Utah Code § 59-1-1604\(5\)\(2016\)](#)  
[Utah Code § 59-1-1605\(2016\)](#)
  4. The meeting must begin at or after 6:00 p.m.  
[Utah Code § 59-1-1605\(3\)\(b\)\(2016\)](#)
- I. In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider authorizing issuance of bonds under the Local Government Bonding Act, it shall publish notice of the intent to issue bonds in the newspaper and on the Utah Public Notice Website at least 14 days in advance of the public hearing on the bond issuance as required by [Utah Code Ann. § 11-14-318](#). The notice shall give notice that the hearing will be held to receive input from the public respecting the issuance of the bonds and the potential economic impact that the proposed improvement, facility, or property that the bonds will fund will have on the private sector.  
[Utah Code § 11-14-318 \(2009\)](#)

- J. In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider a request to increase a budget appropriation, it shall publish the required newspaper notice and notice under [Utah Code § 45-1-101](#) of such meeting at least one week prior to the hearing.  
[Utah Code § 53G-7-305\(6\)\(b\) \(2018\)](#)
- K. In addition to complying with the aforementioned public notice requirements, if the Board meeting is either to hold a public hearing regarding closing one or more schools or changing the attendance area boundaries for one or more schools, or to take such action, the additional notice requirements set out in Policy 1210 much also be met.  
[Utah Code § 53G-4-402\(21\) \(2018\)](#)
- L. Beginning July 1, 2007, in addition to meeting the aforementioned public notice requirements, if the Board is meeting to consider adopting a new Board member compensation schedule or schedules, or to consider amending an existing compensation schedule or schedules, the notice of the meeting with public hearing shall be given at least seven days prior to the meeting by:
1. Publishing the notice at least once in a newspaper published in the county where the District is situated and which is also generally circulated within the District, and publishing notice on the Utah Public Notice Website;
  2. Posting the notice:
    - a. At each school in the District
    - b. In at least three other public places within the District; and
    - c. On the Internet in a manner that is easily accessible to citizens who use the internet.
- [Utah Code § 53G-4-204\(3\) \(2018\)](#)

## **Policy 1074 Board Meetings: Closed Meetings**

- A. A closed meeting may be held upon a two-thirds affirmative vote of the Board members present at a meeting for which public notice was given pursuant to [Utah Code § 52-4-202](#), providing a quorum is present. No resolution, rule, regulation, contract or appointment shall be approved at a closed meeting, nor may the Board interview an applicant to fill an elected position at such a meeting. The recording and minutes of an open meeting at which the vote is taken to hold a closed meeting shall contain the reason or reasons for holding a closed meeting and the votes, by name, of the members present, either for or against the proposition to hold such a meeting.  
[Utah Code § 52-4-204 \(2018\)](#)
- B. Closed meetings may only be held for the following purposes:
1. Discussion of the character, professional competence, or physical or mental health of an individual;
    - a. However, the Board may not interview a person applying to fill an elected position, midterm vacancy or temporary absence in a closed meeting

- regardless of whether the interview may include a discussion of the character, professional competence, or physical or mental health of the applicant.
2. Strategy sessions with respect to collective bargaining or pending or imminent litigation; or
  3. Strategy sessions with respect to the purchase, exchange, or lease of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms; or
  4. Strategy sessions with respect to the sale of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms, but only if the Board previously gave public notice that the property would be offered for sale, and the terms of the sale are publicly disclosed before the Board approves the sale; or
  5. Discussion regarding deployment of security personnel, devices, or systems;
  6. Investigative proceedings regarding allegations of criminal misconduct; or
  7. The Board is fulfilling one of the following procurement functions:
    - a. Deliberations as an evaluation committee regarding a solicitation or as protest officer regarding a protest; or
    - b. Consideration of information designated as a trade secret if the consideration is necessary to properly conduct a procurement; or
    - c. Discussion of information provided to the Board during a procurement if (at the time the Board meets) the information may not be disclosed to the public or procurement participants and the Board needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process.

- C. If the meeting is closed for any reason stated in paragraph 1 or 5 of this Section, then the person presiding must sign a sworn statement affirming that the sole purpose of closing the meeting was to discuss those specific topics, and neither a recording nor minutes shall be kept of that portion of the closed meeting.

[Utah Code § 20A-1-511\(3\)\(c\) \(2017\)](#)

[Utah Code § 52-4-205 \(2014\)](#)

[Utah Code § 52-4-206\(6\) \(2018\)](#)

## **Policy 1080 Board Committees**

- A. School Board members are elected to represent the public in management of the public schools. Decisions are the right and responsibility of the Board of Education.. All committees formed and charged by the Board are advisory in nature; the Board maintains the right and responsibility to do with committee recommendations as deemed appropriate by the Board on majority vote.
- B. Special committees of Board members may be created by the Board for special assignments. When so created, each committee shall be appointed by the president and shall terminate upon completion of the assignment or by majority vote of the Board prior to completion of the assignment.

- C. The Board of Education may utilize citizen committees, as appropriate, to assist in: planning; developing education policies and programs; seeking solutions to specific problems confronting the schools; and providing interchange of ideas and points of view between school officials and members of the community.
1. Each committee shall be established by majority vote of the Board and shall be given an assignment or charge including specification of the scope of the assignment, length of time to complete the assignment, date by which the committee is to report its findings to the Board, and other specifics as deemed appropriate by the Board.
  2. Committees shall terminate upon completion of the assignments or charges given, the lapse of time specified by the Board, or by majority vote of the Board.
  3. Members of committees shall be recommended by the Superintendent and appointed by a majority vote of the membership of the Board meeting in official session.
- D. Reports, findings, and conclusions of each committee operating under a charge from the Board shall be submitted in writing to the Board at least seven (7) days prior to any consideration of the same in a meeting of the Board where the committee's work will be an issue for discussion or action.
1. All reports, findings, and conclusions developed by committees shall be the property of the Board and any dissemination of the same shall be at the sole discretion of the Board within the parameters of the [Government Records Access Management Act](#). (See [Policy 6000 Public Records Access and Management](#))
  2. Committees are expressly prohibited from releasing their reports, findings, or conclusions to any individual or group other than the Board or the Superintendent.

## **Policy 1090 Rules of Order**

- A. The Board shall be guided by [Robert's Rules of Order, Revised](#), except where policy specifies otherwise.
- B. The Board President may discuss and have a vote on all matters before the Board.

## **Policy 1100 Minutes**

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- A. The Clerk shall keep, or cause to be kept, written minutes and a recording of all open school board meetings with the exception of site visits or traveling tours of the board where no vote or action is taken. Only written minutes are required during site visits or travelling tours.
- B. The written minutes of open meetings must include:
1. The date, time, and place of the meeting;
  2. The names of all members present and absent;

3. The substance of all matters proposed, discussed, or decided, which may include a summary of comments by board members;
  4. A record, by individual members, of all votes taken;
  5. The name of each person who is not a Board member who was recognized by the presiding Board member and upon recognition presented testimony or comments to the Board and a brief summary of the public testimony or comments; and
  6. Any other information that is a record of the meeting proceedings that any member requests be entered in the minutes.
  7. The requirement that the written minutes include the substance of Board discussion and of public comments may be satisfied by maintaining a publicly available online version of the minutes, which includes a link to that portion of the meeting recording, which relates to the discussion or comments.
- C. The recording of the meeting must be a complete and unedited recording of all open portions of the meeting from the commencement of the meeting through the adjournment. Those in attendance may also record the meeting as long as their recording does not interfere with the meeting.
- D. The written minutes and the recording of an open board meeting are public records and must be available upon request within three business days after the end of the meeting (recording) or within a reasonable time but no more than thirty days (written). Written minutes made available to the public should be marked in a way signifying that they have yet to be approved until the Board takes formal action to approve them.
- E. Copies of the minutes of a meeting shall be sent to the members of the Board before the meeting at which they are to be approved. Corrections in the minutes may be made at the meeting at which they are to be approved. Permanent minutes shall be signed by the president upon approval of the Board.
- F. With the exception of a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices, or systems, a recording must be kept of a closed meeting. Written minutes may also be kept.
- G. A recording of a closed session must include:
1. The date, time, and place of the meeting;
  2. The names of all Board members present and absent;
  3. The names of all others present except where such disclosure would infringe on the confidence necessary to fulfill the original purpose of closing the meeting.
- H. The recording of a closed session must be a complete and unedited recording of all portions of the closed meeting.

Reference:

[Utah Code § 52-4-203\(2018\)](#) and [Utah Code § 52-4-206\(2018\)](#)

## **Policy 1110 Public Participation in Board Meeting**

- A. Individuals, from time-to-time may wish to seek an official audience with the Board. Such matters may be placed on the printed Board Agenda by contacting the Superintendent, Superintendent's staff assistant, or Board President. All such requests should be received one week in advance of a regular Board meeting and will be confirmed in writing through the District Office. The request should be in writing and state the nature of the matter to be considered, the name of the individual who will act as spokesperson, and the name of the organization represented.
- B. All "regular meetings" of the Board will include an agenda item – "Public Comments."

During this agenda item, patrons will be able to address the Board, even if they have not followed the formal protocol outlined in "A" above. The following guidelines will be adhered to for the "Public Comments" agenda item:

1. Patrons must state their name prior to making comments.
  2. At the discretion of the Board President, individual comments may be limited to three (3) minutes per individual.
  3. Multiple individuals with the same issue should appoint a spokesperson and make one presentation rather than several. At the discretion of the Board President, group presentations may be limited to a maximum of six (6) minutes.
  4. Handouts may be used and distributed to Board Members. If handouts are distributed, all members of the Board and District staff present should receive copies of all handouts.
  5. The Board will not take final action on items presented during "Public Comments" unless the item is already on the Meeting agenda.
  6. Comments on personnel issues will not be allowed during "Public Comments." The Board will not discuss issues that affect an employee's right of privacy such as specific appointments, employment, performance or questions, complaints, or charges against particular employees. Concerns in these areas are to be referred to the Superintendent.
  7. When possible, response to the questions or comments will be provided during the meeting. If additional study is needed to respond adequately to the questions or comments, the residents will receive a written response as soon as possible. The written response will be read publicly at the next regular meeting of the Board.
  8. At the discretion of the Board President, a patron's opportunity to address the Board on the same issue may be limited to no more than once in a three-month period.
- C. At the discretion of the Board President, public comment may be taken during other portions of the meeting where the comment is directed toward a specific agenda item.