Noah Webster
ACADEMY

Policy Manual



As of October 22, 2026

Table of Contents

Introduction 4
Our Mission, Vision, and Value Statements 5
01—Board Governance 6
01-100—Election of Board Officers 6
01-100.5—Board Member Election Policy 7
01-101—Committee Policy 8
01-102—Conflict of Interest Policy 12
01-103—Complaint Policy 16
01-104—Records Management Policy 20
01-105—Sponsorship and Material Display or Distribution Policy 24
01-106—Board Member Code of Conduct 25
01-107—Governance Process Policy 26
01-108—Board to Administration Delegation Policy 27
01-109—Costs of Governance Policy 28
01-110—Executive Limitations 29
01-111—Data Management 34
01-112—Policy Development 35
01–113—Consent Agenda Board Policy 36
02—Facilities, Safety, and Risk Management 37
02-101—Facilities Usage Policy 37
02-102—Building Access Policy 46
02-103—Reporting of Suspected Child Abuse or Neglect 46
02-104—Nutrition and Wellness Policy 50
02-105—Safe Walking Policy 50
02-106—Harassment Policy 51
02-107—Safe School Policy 52
02-108—Traffic and Arrival and Departure Policy 61
02-109—Campus Safety-Identification Policy 61
02-110—Emergency Response Policy 61
02-111—National School Lunch Program Policy 64
03—Scholars 65
03-101—School Fees and Waivers 65
03-102—Scholar-Safety Check In/Out and Attendance Policy 66
03-103—Enrollment Policy 70
03-104—Bullying, Cyberbullying, Harassment, Hazing, and Retaliation Policy 72
03-105—Scholar Discipline Policy 87
03-106—Withdrawal and Transfer 94
03-107—Graduation and Core Standards and Requirements Policies 94
03-108—Foreign Exchange Scholars 95

03-109—Scholar Privacy 95
03-110—Social Networking Policy 96
03-111—Technology and Network Protection Policy 97
03-112—Head Injury Policy 102
03-113—Administration of Medication to Scholars 107
03-114—Electronic Devices on Campus 109
03-115—Extra Curricular Activities and School Clubs 110
03-116—Scholar Transportation 112
03-117—Special Education 113
See separate Special Education Policy and Procedure document which can be found on NWA's website, policies section. 113
03-118—Education of Homeless Scholars 113
03-119—Scholar Search Policy 113
03-120—Dissemination of Information About Juvenile Offenders 113
03-121—Alternative Language Services Policy and Language Access Plan (LAP) 114
03-122—Home and Hospital Instruction 117
03-123—Field Trips 119
04—School Administration and Operations 121
04-101—Religious Freedom Policy 121
04-102—Parent Involvement and Family Engagement Policy 129
04-103—Title I Compact 131
04-104—Fundraising 132
04-105—Disposal of Textbooks 137
04-106—Firearm Safety in School 137
04-107—School Personnel and Medical Recommendations Policy 137
04-108—Equitable Teacher Distribution 138
05—Human Resource 139
05-101—Hiring Policy 139
05-102—Volunteers and Visitors Policy 141
05-103—Employee Leave 143
05-104—Substitute Teachers 148
05-105—Gifts and Conflicts of Interest 148
05-106—Employee Discipline 149
05-107—Employee Travel 149
05-108—Employee Drug and Alcohol Policy 153
05-109—Employee Computer Use 154
05-110—Employee Dress Standard 154
05-111—At-will Employment Policy 155
05-112—Employee Social Networking 156
05-113—Employment of Relatives 157

05-114—Employee Criminal Background Check Policy 158
05-115—E-Verify 159
05-116—Whistleblower Policy 159
05-117—Educational Services Outside of Educator's Regular Employment 160
05-118—Employee Reporting of Arrests 160
05-119—Educator and Employee Evaluation Policy 161
05-120—Effective Educator Standards 161
05-121—Educator Employee Exit and Engagement Surveys 161
06—Instruction 162
06-101—Standardized Test Administration Policy 162
06-102—Health and Human Sexuality Education 164
06-103—Comprehensive Counseling Policy 165
06-104—Media Use in Classrooms 165
06-105—Grading Policy 166
06-106—Scholar Education Plans and Success Plans 166
06-107—Classroom Supplies, Library Collection Appropriation, and Instructional Material 167
06-108—Noah Webster Academy Sensitive Materials Policy 168
06-109—Instructional Material/Curriculum Adoption Policy 185
07—Finances 186
07-101—Internal Controls 186
07-102—General Policies 188
07-103—Asset Protection Policies 190
07-104—Banking & Financial Management Policies 193
07-105—Procurement (Purchasing) Policies 200
07-106—Payroll Policies 204
07-107—Contracted Services Policies 207
07-108—Maintenance of Effort Title I Policy Statement 208

Introduction

Value Statements

Our value statements encompass the roles that make our vision possible. Noah Webster Academy (NWA) espouses the following principles and will incorporate them throughout its curriculum development; classroom instruction; service opportunities; administrator, teacher and mentor examples; and in all relationships and activities at NWA.

Individuality

We believe that each child has value and is created with unique talents, gifts, and learning styles…and that every child can truly make a difference in the world.

Self-Government

In order to have true liberty, man must be governed internally by the Spirit within rather than by external forces. The scholars will be taught to ask themselves, "Do I need a ruler to rule over me? Or can I govern myself according to correct principles?" Government is first individual, then extends to the home, church or school and then the community.

Moral Virtue

Character is causative to conduct. As such, NWA espouses the following values that have been a part of the fabric of America since the arrival of the Pilgrims: Honor, Charity, Civility, Discipline, Diligence and Industry, Integrity, Optimism, Brotherly Love, Faith, and Steadfastness.

Conscience

James Madison said that "**Conscience is the Most Sacred of All Property**." Conscience is a tool for self-government as each child learns to be responsible and accountable for his / her own choices and actions. It has been said that, "A man's own conscience, when he is living as he should be, is the finest monitor and best judge in all the world."

Patriotism

Patriotism: Love of one's own country. NWA scholars will be introduced to, learn from and memorize portions of the original source documents such as:

1. The Declaration of Independence
2. The United States Constitution
3. The National Motto
4. The National Anthem
5. The Mayflower Compact
6. The writings, speeches, documents, and proclamations of the Founders and the Presidents of the United States.

In addition to instilling the love of America into the hearts and minds of our scholars, we feel that inspiring scholars to develop an awareness of and respect for other cultures is of utmost importance. (28 September, 2023)

Cultural Literacy

We believe that by integrating world cultures and language acquisition into the daily curriculum, our scholars will have the tools necessary to achieve in the upper grades and make an impact in the world.

Excellence

Excellence is defined as eminently good; anything of merit or virtue; purity of heart, uprightness of mind. With this in mind a standard of Excellence will be modeled and encouraged at all times by scholars, teachers, and administrators at NWA.

Our Mission, Vision, and Value Statements

Mission Statement

Noah Webster Academy (NWA) assists parents in their stewardship of developing the hearts and minds of children by creating a safe and nurturing environment of classical education that fosters patriotism, cultural literacy, moral virtue, conscience, individuality, self-government, and excellence, thereby inspiring a lifelong love of learning, leadership and service.

Vision Statement

"Education should be, in addition to diffusing a knowledge of the arts and sciences, to implant in the minds of the American youth, the principles of traditional virtue and liberty, and inspire them…with an inviolable attachment to their own country." -- Noah Webster

In Summary

…a primary goal of NWA is to restore these fundamental principles to our children's education and to ignite the interest and curiosity of each scholar, thereby creating a lifelong love of learning, leadership, and service.

01—Board Governance

01-100—Election of Board Officers

Governing Board officers include Chair, Vice-Chair, Secretary and Treasurer. All Officers shall be elected by the Board of Directors by a majority vote for a one (1) year term.

Prior to the annual planning meeting in June, members of the governance committee will contact each of the current board members. The governance committee will inquire as to current officers' interest in continuing to serve, and request nominations from all board members for positions both on the board and for board officers. The governance committee will review the performance of existing officers against stated descriptions of responsibilities, consulting board members, the director and other administrators as appropriate. The governance committee will validate all nominees for officer positions.

Prior to the June board meeting, the governance committee will facilitate a board discussion to include the following:

- remaining terms of service for board officers and other board members
- performance of the current board officers, as well as their intent/willingness to serve an additional term
- qualifications of any other individuals nominated for officer/board positions.

One week prior to the June meeting, the secretary will notify the current board of all nominees for officer positions, including incumbents. Each candidate will be listed in the agenda for the June meeting.

At the June meeting, an anonymous vote will be taken for each contested position. This may be done using google forms, paper ballots (or another confidential method). Uncontested seats will be approved by acclamation. The chair of, or another member of the governance committee will conduct balloting.

If, at any time, an individual in an officer position expresses inability to complete his/her term of service, the current Chair shall appoint, from the current board, a member willing to temporarily fill the officer vacancy until an interim election can take place (consistent with NWA Bylaws Section 4.01). *If the Board Chair is unable to complete his/her year of service, the Vice Chair will temporarily assume the Board Chair position and the duties of the Board Chair (per NWA Bylaws Section 4.03), until an interim election can take place.*
The governance committee will seek nominations, both for the vacant officer position/s and for the open board member position. As soon as feasible, the governance committee will conduct the interim election for these positions

When it is determined that an officer will not be returning, it is appropriate to identify possible successors the year prior to an officer's term ending, or as soon as is reasonable, so potential understudies may be trained.

The most important and essential skills for the Chair and Vice Chair are the following: Thorough understanding of all governing documents, time for the job, group facilitation skills, and ability to work well with the director and board committees.

01-100.5—Board Member Election Policy

The purpose of this policy is to establish guidelines and procedures for the election of members to the Governing Board, ensuring a fair, transparent, and democratic process. The Governance Committee will oversee elections.

As soon as the governing board is made aware of a pending board member vacancy, the following procedure shall be followed:

1. The Governance Committee will solicit nominations from current board members, school officials, and members of the public for individuals who would be a good fit for the Governing Board.
2. Nominations must be submitted by the specified deadline.

3. The Governance Committee will review all nominations and a letter will be sent to each nominee inviting them to apply by completing a questionnaire which will include a brief description of a board member's responsibilities.
4. Nominees will be required to complete a questionnaire consisting of 4-5 questions detailing why they would be a good fit for the Governing Board.
5. The questionnaire must be submitted by the specified deadline.
6. The Governance Committee will review all completed questionnaires to ensure they meet the eligibility and suitability criteria.
7. Nominees who have completed the questionnaire and meet eligibility criteria will be invited to attend a board meeting to be interviewed by the Governing Board.
8. After all the interviews have been conducted, the Governing Board will vote on who they believe to be the best candidate/s for the school board. After voting is completed, the Governance Committee will extend an invitation to join the board to the nominee/s that received the majority of votes. The new board member/s will be sworn in at a subsequent scheduled board meeting with the following oath (per 53G-5-406.5) "I do solemnly swear that I will support obey, and defend the constitution of the United States and the Constitution of the State of Utah, and that I will discharge the duties of my office as a charter school governing board member with fidelity." (*2026 July*)

01-101—Committee Policy

The purpose of Committees is to assist the Governing Board (Board), the School Director, and the Parent Organization (PO) in accomplishing the Mission and Charter of NWA.

The Board establishes the following standing committees to report to the Board:

- Academic Excellence
- Audit
- Building/Facilities
- Capital Fundraising
- Financial Accountability
- Governance
- Marketing
- Parent Organization/Culture

The Academic Excellence Committee is delegated the responsibility to present to the Board annually an accountability plan for gathering data about the school's academic progress, staff, scholar, and parent relationships, and the School Director's job performance. The Academic Excellence Committee is responsible to compile the data required by the school's Accountability Plan and Charter and in accordance with the State Common Core requirements and present the data plus a summary to the Board. Members of the Academic Excellence Committee will be appointed by the Board.

The Audit Committee will select the external accounting auditor(s) and submit the external auditor's report directly to the Board President. The Audit Committee will also work with the Compliance Officer on any reported concerns, complaints, or investigations as outlined in 05-117 Whistleblower Policy in this manual.

The Building/Facilities Committee is responsible for identifying any need for improvement in regards to the school structure and surrounding school property. Such needs may be identified through surveys to parents, teachers, or any other relevant sources. The committee will develop a plan of action for such needed improvements which must be presented to the Board and approved by the Board before action is taken. Any recommended course of action for improvements must include a reasonable timetable, financial resources needed, and a description of the expected results and how the changes will enhance the overall mission and vision of NWA.

The Capital Fundraising Committee is delegated the responsibility to raise large donations to the school for use in capital improvements and other large one-time expenses. The Capital Fundraising Committee will coordinate with other fundraising committees established by the School Director or Parent Organization. The Committee will recommend to the Board a plan for special honors to individuals or groups making large donations to the school. Members of the Capital Fundraising Committee will be appointed by the Board.

The Financial Accountability Committee will ensure proper accounting controls are implemented and utilized, prescribe and supervise the methods and systems of accounting to be followed, see that complete books and records of account are kept, prescribe and supervise an adequate system of internal audit, and oversee the preparation of statements of account showing the financial position of NWA and the results of its operations. The Financial Accountability Committee will present recommendations to the Board for ensuring tax and other required financial reports are filed properly and in a timely manner. The Treasurer will chair the Financial Accountability Committee and the Business Manager will be a member. Other members of the Financial Accountability Committee will be appointed by the Board.

The Governance Committee is responsible for keeping the Policy Manual and Bylaws documents relevant and up to date including changes to State and Federal regulations relating to the public education system. Any changes must be approved by the Board and all essential legal documents must be available to the Board. The committee will also be involved in recruiting and training new members of the Board.

The Marketing Committee develops strategies for communicating NWA, its vision and mission, to the public--with the purpose of helping to fill and maintain NWA's enrollment capacity. All strategies and plans must include a report of financial resources needed and a description of expected results in relation to NWA's enrollment. NWA's marketing strategies should never use public funds to sponsor individuals' fundraising needs. Any use of financial resources for marketing projects must adequately safeguard the use of NWA's public funds, and must comply with state and federal laws. The regulations listed in the "Scholar Privacy" section of this policy manual must also be kept. These strategies, plans of action, and proposed use of financial resources must be within the Board approved budget prior to executing the plan of action.

The Parent Organization (PO)/Culture Committee creates camaraderie and "culture" between teachers and parents. This committee is independent from the Board and meets separately from the Board. The PO/Culture Committee oversees special projects such as fundraisers and class-specific activities, and communicates with the parent-body in regards to upcoming events and volunteer needs. The PO President is a member of the Board and acts as liaison between NWA administration, the Board and the parent-body.

The Board directs the School Director to establish the following Committees as needed, to report to the School Director:

- Curriculum
- Public Relations
- Technology
- Safety
- School LAND Trust

The School Director will establish additional committees and the Parent Organization (PO) leadership will establish additional PO committees as they deem necessary for the performance of their specific responsibilities and authority within the NWA's Mission and Charter.

The School Director and Committees shall not cause or allow any decision, action, condition, or organizational circumstance that is illegal, imprudent, contrary to commonly accepted business practices and professional ethics, or contrary to the school's Charter and Mission.

School LAND Trust Council and Election Procedure

Purpose: As per state code 53G-7-1205, and Rule R277-477 the purpose of this policy is to establish guidelines for the composition and election of the School LAND Trust Council (SLTC) to ensure effective representation and decision-making in matters related to School LAND Trust funds and their allocation, consistent with Utah Code Section 53F-2-404. The SLTC shall annually hold a discussion with school administrators about safety concerns and efforts to address them.

Composition:

- The SLTC shall consist of 7 members, with a mandatory 2-parent majority to ensure balanced representation.
- The Board designates this council will consist of
    i. Four members who are Parents, legal guardians, or grandparents of current NWA scholars,
    ii. One member of the school staff,
    iii. One member from the governing board approved by parent vote,
    iv. the Parent Organization President Elect
    v. The School Director shall serve as an ex-officio member with no voting rights.

- The SLTC Chair must be a parent, grandparent, or guardian of NWA scholar/s and will be voted upon during the last meeting of the school year.

Term Limits:

- SLTC members shall serve a term of 2 years, with the option to seek re-election for subsequent terms.
- When a member's child graduates or leaves NWA before their term ends, an election will be held to fill the position. The elected person will serve the remainder of the term.

Election Process:

- Timeline
    i. Parents, Legal Guardians, Grandparents
        1. The election of SLTC members shall take place annually during the second week of September.
        2. Notice of the upcoming election shall be provided no later than August 15 of each year, through school communication channels, including newsletters, emails, and social media platforms.
        3. Interested candidates shall submit their applications to the School Director by August 30, including relevant information such as their name, contact details, and a brief statement outlining their qualifications and reasons for candidacy.
    ii. School Staff
        1. The election of the SLTC member shall take place annually by August 15th.
        2. Notice of the upcoming election shall be provided the first week of August.
        3. Interested candidates shall submit their applications to the School Director by August 10, including relevant information such as their name, contact details, and a brief statement outlining their qualifications and reasons for candidacy.
- Eligibility:
    i. To be eligible for candidacy, individuals must be parents, legal guardians, or grandparents of scholars enrolled in the school
    ii. a staff member of the school
- Election Procedure:
    i. Parent, Legal Guardian, or Grandparent
        1. The election shall be conducted by an electronic ballot using Google Forms. The ballot shall be emailed to each scholar's custodial contacts listed in Aspire.

2. Each eligible voter shall cast their vote for up to the number of vacant positions on the SLTC.
3. The candidates receiving the highest number of votes, up to the available positions, shall be declared elected.
4. The election shall be open for one week.
5. In case of a tie, another ballot will be sent out for the tied candidates.
6. The School Director or designee oversees the election.

ii. School Staff
1. The election shall be conducted by electronic ballot using Google Forms.The ballot shall be emailed to every Noah Webster Academy staff member.
2. Each eligible voter shall cast their vote for one staff member to represent the school on the SLTC.
3. The candidate receiving the highest number of votes shall be declared elected.
4. The election shall be open for one day.
5. In case of a tie, another ballot will be sent out for the tied candidates.
6. The School Director or designee oversees the election.

iii. Parent Organization President Elect
1. Shall be voted by the Parent Organization.

Vacancies:

- In the event of a vacancy on the SLTC during the term which brings the number of participants below the exact number of seats, the School Director shall announce a special election to fill the vacant position in accordance with the established election process.
- In the event there are not enough candidates to fill vacancies, the School Director shall appoint members to fill the open seats. (July 2024)

01-102—Conflict of Interest Policy

The purpose of the following policy and procedures is to prevent the personal interest of staff members, Board members, and volunteers from interfering with the performance of their duties to NWA or result in personal financial, professional, or political gain on the part of such persons at the expense of NWA or its members, supporters, and other stakeholders.

Definitions:
Conflict of Interest (also Conflict) means a conflict, or the appearance of a conflict, between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include staff members, officers, and Board members of NWA.

Board means the Governing Board.

Officer means an officer of the Governing Board.

Volunteer means a person, other than a Board member, who does not receive compensation for services and expertise provided to NWA and retains a significant independent decision-making authority to commit resources of the organization.

Staff Member means a person who receives all or part of her/his income from the payroll of NWA.

Supporter means corporations, foundations, individuals, 501 (c) (3) nonprofits, and other nonprofit organizations who contribute to NWA.

Policy and Practices

1. Full disclosure, by notice in writing, shall be made by the interested parties to the full Board in all conflicts of interest, including but not limited to the following:

    a. A Board member is related to another Board member or staff member by blood, marriage or domestic partnership.

    b. A staff member in a supervisory capacity is related to another staff member whom she/he supervises.

    c. A Board member or their organization stands to benefit from a NWA transaction or staff member of such organization receives payment from NWA for any subcontract, goods, or services other than as part of her/his regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and Board policy.

    d. A Board member's organization receives money and/or other considerations from NWA.

    e. A Board member or staff member is a member of the governing body of a contributor to NWA.

    f. A volunteer working on behalf of NWA who meets any of the situations or criteria listed above.

2. Following full disclosure of a possible conflict of interest or any condition listed above, the Board shall determine whether a conflict of interest exists and, if so the Board shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict and protect NWA's best interests. Both votes shall be by a majority vote without counting the vote of any interested board member, even if the disinterested board members are less than a quorum provided that at least one consenting board member is disinterested.

3. A Board member or Committee member who is formally considering employment with NWA must take a temporary leave of absence until the position is filled. Such a leave will be taken within the Board member's elected term which will not be extended because of the leave. A

Board member or Committee member who is formally considering employment with NWA must submit a written request for a temporary leave of absence to the Secretary of the Board, indicating the time period of the leave. The Secretary of the Board will inform the Chair of the Board of such a request. The Chair will bring the request to the Board for action. The request and any action taken shall be reflected in the official Board meeting minutes.

4. An interested Board member, officer, or staff member shall not participate in any discussion or debate of the Board, or of any committee or subcommittee thereof in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present Board or committee member.

5. Anyone in a position to make decisions about spending NWA's resources (i.e., transactions such as purchases contracts) – who also stands to benefit from that decision – has a duty to disclose that conflict as soon as it arises (or becomes apparent); s/he should not participate in any final decisions.

6. A copy of this policy shall be given to all Board members, staff members, volunteers or other key stakeholders upon commencement of such person's relationship with NWA or at the official adoption of stated policy. Each Board member, officer, staff member, and volunteer shall sign and date the policy at the beginning of her/his term of service or employment and each year thereafter. Failure to sign does not nullify the policy.

7. This policy and disclosure form must be filed annually by all specified parties.

8. In compliance with 2 CFR 200.112, the specified parties will disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with applicable Federal awarding agency policy. (28 September, 2023)

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Conflict of Interest Disclosure Form

This form must be filed annually by all specified parties, as identified in NWA's Conflict of Interest Policy Statement, section 1-102 *Policy and Practices* above (Ratified December 3, 2020 and revised 28 September, 2023)

Conflicts of interest to disclose may include, but are not limited to:

- a familial or working relationship with another employee
- a board member of NWA
- and/or vendor(s) including a Federal awarding agency or pass-through entity

_____ I have no conflict of interest to report

_____ I have the following conflict of interest to report (please specify):

The undersigned, by their affixed signature, note their understanding of the implications of this policy.

Signature

Printed Name

Date

01-103—Complaint Policy

Definitions:
Complaint means written submission from any individual within the NWA School community (i.e. scholar, parent, employee) who:

1. Sets forth the allegation that there has been a violation of any school policy, reasonable and accepted practices, or state or federal rule or law;
2. Specifically identifies the policy, practice, rule or statute violated.

Complainant means any individual or group of individuals aggrieved by a decision or condition falling under policy, reasonable and accepted practices, or state or federal rule or law.

Organizational Structure means the hierarchy of NWA for addressing all Complaints. The organizational structure varies depending on the area of alleged violation.

Below is the hierarchy used for Complaint procedures in this Policy:

Classroom Instruction	Special Education	Other Operations
Classroom Teacher	Special Education Teacher	Directly involved party
Academic Director	Special Education Director	Business Manager
School Director	School Director	School Director
Governing Board	Governing Board	Governing Board

Procedure

Step I:

Any individual alleging a Complaint is encouraged to resolve the problem, if possible, through a discussion with the person or persons suspected of a violation, beginning at the lowest level of organizational structure.

1. Scholars and parents should discuss classroom concerns first with classroom teachers.
2. Employees should discuss concerns first with directly involved parties.
3. When individuals hear complaints or receive formal Complaints, they should make sure that Complainants or potential Complainants have first attempted in good faith to resolve problems with persons directly involved.

Step II:

In the event the informal discussion with directly involved parties does not resolve the issue, the

Complainant shall file a formal written Complaint form with the next responsible individual in the organizational structure. Complaint Forms are available from the office manager or from the school's website.

1. The Complaint must be filed within twenty (20) working days of the date the Complainant knew, or should have known, of the circumstances that precipitated the Complaint.
2. The responsible individual shall respond in writing, within five (5) working days following receipt of the Complaint.
3. If the next responsible party is the School Director, Step II does not apply, and the Complainant moves to Step III.

Step III:

If the response (decision) at Step II does not resolve the problem, the Complainant shall forward the Complaint to the School Director to initiate Step III.

1. The School Director shall investigate the complaint with the parties concerned in the Complaint within fifteen (15) working days of the Complaint having been filed at Step II. NOTE: The School Director may choose to convene a Complaint committee of two to three additional administrators or members of the faculty as part of the investigation of a complaint and in order to recommend a decision on the issue of Complaint.
2. At the conclusion of the investigation, the School Director shall render a decision and issue a written report setting forth his/her findings and recommendations for the resolution of the Complaint within five (5) working days.
3. The Complaint shall be considered resolved if the Complainant and the Board accept the recommendations of the School Director.
4. If no written report has been issued within the time limits set forth in "3" above, or if the Complainant shall reject the recommendations of the School Director, the Complainant shall have the right to appeal to the Board for review of the Complaint at Step IV.

Step IV:

Complainants may appeal to the Board for a hearing of Due Process.

1. A written request for the Boards' review of the Complaint must be submitted to the Board Secretary within 10 days of the date of the School Director's report or the expiration of the time limits set forth in Step III.
2. The Board shall review the Complaint and the School Director's report, and may hold a hearing.
3. The Board may affirm the School Director's recommendations, amend the recommendations, or affirm the recommendations in part and amend in part.
4. The Board of Trustees written decision shall be issued within 21 working days of receipt of the Complainant's written appeal by the Board secretary.
5. If no written decision has been issued within the time limit set forth in "4" above or if the Complainant shall reject the decision of the Board, the Complainant shall be free to pursue such litigation or statutory remedy as the law may provide.

Miscellaneous Provisions

1. Complainant will be informed that the time limits set forth in this policy may be modified or extended if mutually agreed by the employee, or his/her designated representative and the School Administration. If either party wishes to change the timeline set forth in this policy, the party will request the modification(s) from the other party and both parties will be required to agree to the modification(s). The Complaint officer will issue a letter of understanding to the parties outlining the modified timeline.
2. No person shall suffer recrimination or discrimination because of participation in this Complaint procedure.
3. Employees shall be free to testify regarding any Complaint filed hereunder.
4. Confidentiality will be observed pending resolution of the Complaint.
5. A representative of his/her choice may accompany the Complainant in all stages of these proceedings.
6. The Business Manager will maintain records of all Complaints. The records will be kept in a separate and confidential file. Information regarding Complaints will be classified as private.
7. Gossip among school employees will not be tolerated. When employees have concerns, they should follow the procedure in this policy to resolve such concerns. Gossip undermines the efforts of all employees to operate a successful school and may be grounds for disciplinary action, up to and including termination of employment.

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Complaint Form

NAME_____ POSITION/TITLE _____
(If parent or scholar, put "parent" or "scholar")

DAYTIME PHONE _____

INSTRUCTIONS: The Complaint procedure has four steps. The first is informal resolution, the second and potentially third are a formal written Complaint to Administration and/or the School Director, and the fourth a review by the Board of Trustees. This form may be used by an employee, parent, or scholar to initiate a formal Complaint at Step 2.

If you are considering initiating a Complaint, you should review the complete Complaint Policy, available from the office manager.

STEP 1 INFORMAL RESOLUTION

Step 1 of the Complaint process is the informal resolution. You and any involved party are encouraged to resolve the issue at this step.

STEP 2 FORMAL COMPLAINT

From the date of the event, you have 15 working days to file a formal, written Complaint. The written Complaint is considered filed when it is submitted to a member of School Administration or the Board of Trustees, as outlined in policy. You must provide the following information:

1. The date of the event that is a violation of law or policy leading to the complaint. _____

2. A specific statement of the law, rule, policy and/or acceptable practice violated. What action or conduct constituted the violation and what happened?

   _____
   _____
   _____ Total number of pages attached _____

3. The resolution or remedy you want. _____

   _____
   _____
   _____ Total number of pages attached _____

4. Complainant signature and date filed with Administration.

   _____ _____
   Grievant Signature Date

   _____
   Administrator Signature Date received

STEP 3 FORMAL COMPLAINT

If you do not resolve your Complaint at Step 2, you may advance the Complaint to Step 3 by notifying the School Director or Board of Trustees, as outlined in policy. The notification must be in writing on this form and must be received within 10 working days of receipt of Administration's response at Step 2.

01-104—Records Management Policy

The Board is committed to see that school records are managed in an efficient and responsible manner. Therefore, the Board delegates to the Administration the responsibility for maintaining, classifying, preserving, accessing, and destroying school records in compliance with the Government Records Access and Management Act (GRAMA), Utah Code §63-2-701 and Public School Data Confidentiality and Disclosure R277-487.

1. Records Management

a. The Business Manager shall be the records officer for all general school records including, Human Resource Records, and any documents related to fiscal matters such as property, budgets, payroll, accounts, contracts, etc.

b. The School Director shall be the records officer for all records related to scholars.

i. The School Director shall:

(1) Create and maintain a list of all employees who may access a scholar's educational record, including the name and position of each school employee that has such access

(2) Provide the "Employees with Access to Educational Records List" to the Board annually or when updated

(3) Provide training on scholar privacy laws to those on the "Employees with Access to Educational Records List"

(4) Provide a certified statement, signed by each school employee, that certifies that the employee(s) completed the training and understands scholar privacy requirements

c. The Board secretary shall be the records officer for all Board documents, including policies, minutes, and recordings of Board meetings.

2. Records Classification

a. All school records shall be classified as public, private, controlled, protected, or exempt as defined in statute.

b. Public Records shall include:

i. Official minutes, actions, and decisions of the Board and School Administration, unless these records involve information that is classified as private, controlled, or protected.

ii. Official School and school policies, contracts, minutes, and accounts.

iii. Names, gender, job titles, job descriptions, business addresses, business telephone numbers, gross salaries, working hours, and dates of employment of all current and former employees.

iv. Documents showing formal criminal charges against an employee, unless, in the judgment of the School Director, the charges are groundless or the charges are not sustained.

v. Public records shall be open for public inspection during regular office hours.

c. Private Records shall include:

i. Personnel files including applications, nominations, recommendations, evaluations, and proposals for advancements or appointments.

ii. Documents related to eligibility for unemployment benefits, social services, welfare benefits, personal finances, individual medical condition, and military status.

iii. Individual scholar records.

iv. Private records shall be open only to the subject of the record and other authorized individuals or agencies. Access to scholar records shall be provided in accordance with the Family Educational Rights and Protection Act (FERPA).

d. Controlled Records shall include

i. Records containing medical, psychiatric, or physiological data on an individual which, if disclosed, could be detrimental to the individual's mental health or safety.

ii. Controlled records shall be open only to authorized persons or agencies but will not be open to the subject of the record.

e. Protected Records shall include:

i. Any information that, if disclosed, would jeopardize the life or safety of an individual or security of school property or programs.

ii. Documents that, if disclosed, would place the school at a disadvantage in contract negotiations, property transactions, or bargaining position, or could enable circumvention of an audit.

iii. Records related to potential litigation or personnel hearings.

iv. Records generated in meetings which are closed in accordance with the Utah Open and Public Meetings law.

v. Test questions.

vi. Protected records shall be open only to authorized individuals and agencies or in response to court order.

f. Exempt Records: Exempt records shall include scholar records that are protected by the Family Educational Rights and Protection Act (FERPA).

3. Access to School Records

a. All Requests must be submitted in writing by using the NWA's GRAMA Request form. Requests to view school records should be addressed to the appropriate records officer during regular business hours.

b. Individuals requesting to view records classified as private, controlled, or protected shall be required to prove their right to access the record through personal identification, written release from the subject of the record, power of attorney, court order, or other appropriate means.

c. The School Director shall determine whether access to the requested record(s) is to be granted or denied.

i. If the request is approved, the records shall be provided as soon as possible and not more than ten (10) working days from the date the request was received.

ii. If the request is denied, the records officer must specify the reason, and the requester shall be informed of the right to appeal.

4. Appeals Process

a. Appeals to the Board

i. The requester shall file a written request for a hearing with the Board Secretary at least ten days before the requested hearing date.

ii. Upon receiving the request, the Board Secretary shall schedule a mutually convenient date, time, and location for the hearing and notify all parties and post the meeting as required under open meetings law.

iii. The requester has the right to be represented by legal counsel at the hearing.

(1) If the requester is to be represented by legal counsel, the Administration must be notified at least 10 working days in advance of the hearing.

(2) If the requester has legal counsel present at the hearing, the Administration may also be represented by legal counsel.

(3) Within ten (10) working days of the hearing, the Board Secretary shall notify the requester in writing of the Board's decision.

(4) If the Board upholds the action of the School Administration, the requester has the right to take any legal action open to the requester.

5. Copying School Records

a. NWA may charge a fee for duplicating school records that is equal to the actual duplication cost plus any employee time involved.

b. NWA shall refuse to allow duplication of copyrighted materials (except in accordance with educational copyright laws and with respect to educational materials).

6. Retention of School Records

a. NWA shall adhere to the general schedule for records retention approved by the State Records Committee.

b. Records that are not covered by the general schedule shall be submitted to the State Records Committee for scheduling.

c. Only those confidential records required for retention at the school as per state guidelines shall be retained. The school will not retain other confidential records.

01-105—Sponsorship and Material Display or Distribution Policy

The Board recognizes the educational value of proper and wholesome resources in the nature of individual personalities, business and institutional publications and the many materials of local, state, and national agencies.

The property, parking lots, sidewalks, and facilities of NWA and the publications of NWA are a closed forum, to be managed in the best interests of the scholars and patrons as determined by School Administration.

The Board adopts the following policy relating to sponsorship of school facilities or activities by outside entities and for the distribution of advertising or other materials from outside parties on campus.

Sponsorship of Facilities or Activities

The Board or Administration may seek sponsorship for specific school activities or for any part of the school's facilities. All sponsors must:

1. Be approved by the School Administration
2. Not participate in any activity or produce any product that would be prohibited on school grounds by policy, rule, or statute
3. Pay a sponsorship fee (or make an in-kind donation) as negotiated with School Administration

NWA and any sponsor shall enter a written agreement specifying the fee or donation, the activity or facility (or portion thereof) sponsored, and the length or term of the sponsorship. The Board may revoke the sponsorship agreement at any time by majority vote and refunding the prorated fee or donation based on the proportion of actual sponsorship compared to the agreed term.

School Publications and Printed Materials

The Board places the responsibility for school publications and distribution of any materials with School Administration. Therefore, printed material of any nature shall not be distributed on the school premises without the consent of the School Director. Flyers, handbills, or other printed materials which are not either approved by the School Director are prohibited and may not be posted or distributed on school property or placed in mailboxes that are provided for school staff. All publications shall be free of any adverse, lewd, wanton, or lascivious writings or pictures. There shall be no publications of a nature that would ridicule, defame, belittle, or otherwise injure the character of any individual or group.

NWA will not accept or publish public political advertising on ballot initiatives, constitutional amendments, and candidates for election. The Board may publicize its position on initiatives and other matters sponsored by the Board or having a direct bearing on the education of its scholars

Printed material advertising a private service not related to NWA or education in general may be distributed at the discretion of the School Director. The School Director may require the sponsors of such material to pay a fee to the school for the privilege of distribution within the school. Fees shall be uniformly applied but may be waived for community events and activities sponsored by a local city or other community organization, or for services or activities that are closely related to NWA's mission. Flyers may not advertise any activity or product that would be prohibited on school grounds by policy, rule, or statute.

01-106—Board Member Code of Conduct

The Board commits itself and its members to ethical, professional, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

1. Members must demonstrate loyalty to the Charter and Board Policy, un-conflicted by loyalties to staff, other organizations, or any personal interest as a parent, or as a friend or associate of other parents at the school.

2. Members must avoid conflict of interest with respect to their fiduciary responsibility.

    a. There will be no self-dealing or business by a member with the school outside the scope of the Conflict of Interest Policy. Members will annually disclose their involvements with other organizations or with vendors and any associations that might be reasonably seen as representing a conflict of interest.

    b. When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall withdraw without comment not only from the vote but also from the deliberation.

    c. A Board member who applies for employment must first resign from the Board.

3. Board members may not attempt to exercise individual authority over the organization.

a. Members' interaction with the School Director or other staff must recognize the lack of authority vested in individuals except when explicitly authorized by the Board, and members must interact appropriately with staff when acting as the parent of a scholar.

b. Members' interaction with the public, the press, the authorizer, or other entities must recognize the same limitation and the inability of any Board member to speak for the Board except to repeat explicitly-stated Board decisions.

c. Except for participation in Board deliberation about whether the School Director has achieved any reasonable interpretation of Board Policy, or when expressing an appropriate opinion as the parent of a scholar, members will not express individual judgments of performance of employees or the School Director.

4. Members will respect the confidentiality appropriate to issues of a sensitive nature.

5. Members will be properly prepared and present for Board deliberation.

6. Members will support the legitimacy and authority of the final determination of the Board on any matter without regard to the member's personal position on the issue.

7. Members will undergo a criminal background check prior to being sworn in to the Board.

01-107—Governance Process Policy

The purpose of the Board, in compliance with its approved Charter, is to ensure that NWA achieves appropriate results for its scholars at an appropriate cost and avoid unacceptable actions and situations.

The Board will govern lawfully, observing the principles of Policy Governance and the school's Charter, with an emphasis on strategic leadership more than administrative details, clear distinction of Board and administrative roles, encouragement of open discussion in viewpoints, united rather than individual decisions, and proactivity rather than reactivity.

The Board shall produce within the above limitations:

1. Authoritative linkage between the Charter and the operational organization of the school.

2. Written governing policies that realistically address the broadest levels of all organizational decisions and situations.

    a. Outcomes: the organizational impacts, benefits, outcomes; recipients, beneficiaries, impacted groups; and their relative worth in cost or priority.

    b. Methods: constraints on executive authority that establish the prudence and ethics boundaries within which all executive activity and decisions must take place.

    c. Governance Process: specification of how the Board conceives, carries out, and monitors its own task.

d. Delegation: how power is delegated, and its proper use monitored; the School Director's role, authority, and accountability.

e. Assurance of successful school performance on outcomes and methods.

01-108—Board to Administration Delegation Policy

1. The Board's sole official connection to the school, its achievements, and conduct will be through the School Director.

    a. The School Director is the Board's only link to school achievement and conduct. All performance of staff, as far as the Board is concerned, is considered the performance of the School Director.

    b. The Board will never give instructions to persons who report directly or indirectly to the School Director.

    c. The Board will not evaluate, either formally or informally, any staff other than the School Director.

    d. The Board will view School Director performance as identical to school performance so that accomplishment of Board stated outcomes and consistency with Executive Limitations will be viewed as successful School Director performance.

2. The Board will instruct the School Director through written policies that define outcomes to be achieved and define situations and actions to be avoided, allowing the School Director to use any reasonable interpretation of these policies.

    a. Only officially passed motions of the Board are binding on the School Director.

    b. Decisions or instructions of individual Board members, officers, or committees are not binding on the School Director except in rare instances when the Board has specifically authorized such exercise of authority.

    c. In the case of Board members or committees requesting information or assistance without Board authorization, the School Director can refuse such requests that require, in the School Director's opinion, a material amount of staff time or funds, or are disruptive.

    d. Consistent with the school's Charter and existing Policy, the School Director is authorized to establish all further policies and practices, make all decisions, take all actions, and pursue all activities. Such decisions of the School Director shall have full force and authority as if decided by the Board.

3. The Board will monitor and evaluate the School Director's job performance only against defined outcomes and limitations.

    a. The Board will acquire monitoring information by one or more of three methods:

i. By internal report, in which the School Director discloses interpretations and compliance information to the Board

ii. By external report, in which an external, disinterested third party selected by the Board assesses compliance with Board policies

iii. By direct Board inspection, in which a designated member or members of the Board assess compliance with the appropriate policy criteria.

iv. The standard of compliance shall be any reasonable School Director interpretation of Policy. The Board will judge reasonableness by a reasonable person standard, rather than with an interpretation favored by Board Members or the Board as a whole.

v. All policies that instruct the School Director will be monitored at a frequency and by a method chosen by the Board. The Board can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule:

Policy	Method	Frequency	Timing
Financial Condition	External	Annually	October
Emergency School Director Succession	Internal	Annually	August
Asset Protection	Internal	Annually	July
Compensation and Benefits	Internal	Annually	June
Communication and Support to the Board	Direct Inspection	Monthly	
Outcome Focus of Grants or Contracts	Internal	As needed	
Outcome of scholar achievement	External	As outlined in Charter agreement	As outlined in Charter agreement

01-109—Costs of Governance Policy

Because poor governance costs more than learning to govern well, the Board will invest in its own governance capacity.

1. Board skills, methods, and supports will be enough to ensure governing with excellence.

    a. Training and retraining will be used liberally to orient new members and candidates for membership, as well as to maintain and increase existing members' skills and understanding.

b. Outside monitoring assistance will be arranged so that the Board can exercise confident control over organizational performance.

c. Outreach mechanisms will be used as needed to ensure the Board's ability to listen to NWA's community viewpoints and values.

2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

The Board will establish its Cost of Governance budget for the next fiscal year during the month of April for inclusion in the school's budget for the following fiscal year.

01-110—Executive Limitations

Global Executive Limitations Policy

The School Director shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, in violation of commonly accepted business, professional and educational ethics and practices, or not in accordance with the Charter of NWA.

Treatment of Scholars

With respect to interactions with scholars or those applying to be scholars, the School Director shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The School Director shall not:

1. Elicit information for which there is no clear necessity.
2. Use method of collecting, reviewing, transmitting, or storing client information that fail to protect against improper access to the material and are not in compliance with State record keeping archiving policies.
3. Fail to operate facilities with appropriate accessibility and privacy including but not limited to:
    a. Not enforcing building access procedures.
    b. Not keeping all exterior doors locked.
    c. Not establishing emergency lockdown and evacuation procedures.
    d. Not maintaining safe drop-off and pick-up procedures.
4. Fail to establish with scholars a clear understanding of academy expectations, including but not limited to:
    a. Dress Code Standards
    b. Academic Standards
    c. Behavioral Standards
5. Fail to inform scholars of this policy or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their rights under this policy.

Treatment of Parents

With respect to interactions with scholars or those applying to be scholars, the School Director shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The School Director shall not:

1. Elicit information for which there is no clear necessity.
2. Divulge information or opinion for which there is no clear necessity, including:
    a. Information or opinions about a scholar(s) to persons other than the scholar's parents.
    b. Causing or allowing staff members to disclose information or opinion about a scholar to persons other than the scholar's parents.
3. Fail to establish with parents a clear understanding of academy expectations, including:
    a. Dress code procedures
    b. Safe drop off and pick up procedures
    c. Volunteer hours
    d. 20 minute daily reading requirement outside of class
4. Fail to inform parents of this policy or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their rights under this policy.

Hiring of Staff

With respect to the hiring of staff, the School Director may not cause or allow conditions that are unfair, non-compliant with the NWA Charter, or not in the best interest of the scholars.

The School Director shall not:

1. Discriminate on the basis of religion, race, gender, or any other legally protected class
2. Make hiring or deployment decisions that create a conflict of interest or violate any school Policy or section of the Charter.
3. Fail to develop and follow hiring practices and procedures that ensure transparency, legal compliance, and reasonable practices
4. Fail to document the reasons for hiring decisions and compliance with Policy and administrative practice

Treatment of Staff

With respect to the treatment of paid and volunteer staff, the School Director may not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

The School Director shall not:

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions such as nepotism and grossly preferential treatment for personal reasons.
2. Retaliate against any staff member for non-disruptive expression of dissent.
3. Fail to acquaint staff with the School Director's interpretation of their protections under this policy.
4. Fail to acquaint and provide staff with copies of the NWA Charter and any other documentation relevant to their employment.
5. Fail to provide staff with performance assessments and improvement suggestions.
6. Allow staff to be unprepared to deal with emergency situations.

Financial Planning/Budgeting

The School Director shall not cause or allow financial planning and budgeting for any fiscal year or the remaining part of any fiscal year to deviate materially from the Board's Outcomes priorities, risk financial jeopardy, or fail to be derived from a multiyear budget plan.

There will be no financial plans that:

1. Are not approved by the Board in a public Board meeting.
2. Risk incurring those situations or conditions described as unacceptable in the Board policy "Financial Condition and Activities."
3. Omit credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosures of planning assumptions.
4. Provide less for Board prerogatives during the year than is set forth in the "Cost of Governance" Policy.
5. Provide less for instructional operations during the year than is adequate to meet stated Outcomes or to fulfill the school's Charter.

Financial Condition and Activities

With respect to the actual, ongoing financial conditions and activities, the School Director shall not cause or allow the development of financial jeopardy or material deviation of actual expenditures from Board priorities established in Outcomes policies.

The School Director shall not:

1. Expend more funds than have been received in the fiscal year to date unless the Board's debt guidelines are met.
2. Incur debt in an amount greater than can be repaid by certain and otherwise unencumbered revenues within sixty days.
3. Use any long-term reserves.
4. Conduct inter-fund shifting in amounts greater than can be restored to a condition of discrete fund balances by certain and otherwise unencumbered revenues within thirty days without prior board approval.
5. Conduct budget cuts without prior Board approval.
6. Fail to settle payroll and debts in a timely manner.
7. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
8. Make a single purchase or commitment of greater than $10,000.00 that is not within the Board approved budget. Splitting orders to avoid this limit is not acceptable.
9. Acquire, encumber, or dispose of real estate.
10. Fail to aggressively pursue receivables after a reasonable grace period.

Emergency School Director/School Director Succession

To protect the Board from sudden loss of School Director services, the School Director shall not permit there to be fewer than two other individuals sufficiently familiar with Board and School Director issues and processes to enable either to take over with reasonable proficiency as an interim successor.

Asset Protection

The School Director shall not cause or allow NWA assets to be unprotected, inadequately maintained, or unnecessarily risked.

The School Director shall not:

1. Fail to insure adequately against theft and casualty and against liability losses to Board members, staff, and the organizations itself.
2. Allow un-bonded personnel access to material amounts of funds.
3. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
4. Fail to ensure that the facility is clean and presentable to investors, regulators, or the general public.
5. Unnecessarily expose the organization, its Board, or its staff to claims of liability.
6. Make any purchase (a) wherein normally prudent protection has not been given against conflict of interest; (b) of more than $10,000.00 without having obtained comparative prices and quality; (c) of more than $10,000.00 without a stringent method of assuring the balance of long-term quality and cost. Orders shall not be split to avoid these criteria.
7. Fail to protect intellectual property, information, and files from loss or significance damage.
8. Receive, process, or disburse funds under controls insufficient to meet the Board-appointed auditor's standards.
9. Compromise the independence of the Board's audit or other external monitoring or advice, such as by engaging parties already chosen by the Board as consultants or advisers.
10. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less that AA rating at any time, or in non-interest-bearing accounts except when necessary to facilitate ease in operational transactions.
11. Endanger the organization's public image, its credibility, or its ability to accomplish Outcomes.
12. Change the organization's name or substantially alter its identity in the community.

Compensation and Benefits

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the School Director shall not cause or allow jeopardy to financial integrity or to public image.

The School Director shall not:

1. Change the School Director's own compensation and benefits, except as benefits are consistent with a package for all other employees.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
4. Create obligations over a longer term than revenues can be safely projected, in no event longer than one year and in all events subject to losses in revenue.
5. Establish or change benefits to cause unpredictable or inequitable situations, including those that
    a. Incur unfounded liabilities.
    b. Provide less than some basic level of benefits to all full-time employees, though differential benefits to encourage longevity are not prohibited.

c. Allow any employee to lose benefits already accrued from any previous plan.
d. Treat the School Director differently from other key employees.

Communication and Support to the Board

The School Director shall not cause or allow the Board to be uninformed or unsupported in its work.

The School Director shall not:

1. Neglect to submit monitoring data required by the Board in Board-Management Delegation Policy "Monitoring School Director Performance" in a timely, accurate, and understandable fashion, directly addressing provisions of Board policies being monitored, and including School Director interpretations consistent with Board-Management Delegation Policy "Delegation to the School Director," as well as relevant data.
2. Allow the Board to be unaware of any actual or anticipated noncompliance with any Outcomes or Executive Limitations Policy of the Board regardless of the Board's monitoring schedule.
3. Allow the Board to be without decision information required periodically by the Board or let the Board be unaware of relevant information.
4. Let the Board be unaware of any significant incidental information it requires including anticipated media coverage, threatened or pending lawsuits, and material internal and external changes.
5. Allow the Board to be unaware that, in the School Director's opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behavior that is detrimental to the work relationship between the Board and the School Director.
6. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
7. Allow the Board to be without a workable mechanism for official Board, officer, or committee communications.
8. Deal with the Board in a way that favors or privileges certain Board members over the others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.
9. Fail to submit to the Board a consent agenda containing items delegated to the School Director yet required by law, regulation, or contract to be Board-approved, along with applicable monitoring information.

Outcomes Focus of Grants or Contracts

The School Director may not enter into any grant or contract arrangements that fail to emphasize primarily the production of Outcomes and, secondarily, the avoidance of unacceptable means.

The School Director shall not:

1. Fail to prohibit particular methods and activities to preclude grant funds from being used in imprudent, unlawful, or unethical ways.
2. Fail to assess and consider an applicant's capability to produce appropriately targeted, efficient results

3. Fund specific methods except when doing so for research purposes, when the result to be achieved is knowledge about differential effectiveness of various methods.

Contract Signing Policy

The Director of NWA is authorized to sign contracts relating to the administration of the school without specific authorization of the Board under the following conditions:

1. The contract can be terminated within 30 days of a written request for termination.
2. The contract amount is part of the already approved budget.
3. The term of the contract is 1 year or less.
4. No known conflicts of interest (as defined in the Conflict of Interest Policy) exist between the contract service provider and any member of the Noah Webster Academy Board or any Noah Webster Academy employee.
5. The Purchasing Policy has been followed.
6. Contract provider has agreed to indemnify Noah Webster Academy against any and all loss, damage or liability suffered and legal fees and costs incurred by Noah Webster Academy as a result of any claim against Noah Webster Academy from the negligence of Contract provider.
7. The contract does not violate any Policy, the Charter or Bylaws of Noah Webster Academy.

01-111—Data Management

Ownership and Oversight

NWA owns and protects its data by using school-issued computers that are backed up daily. Scholar information is stored in the state Scholar Information System (SIS).

All scholar information shall be entered into SIS for use in state and federal reports, including:

- Attendance
- Retention
- Assessment
- Special Education program
- English language learning

Data Security and Compliance

1. Staff Correspondence: staff shall use a secure connection for all correspondence. Any email destined for former staff members is automatically forwarded to a designated current staff member. In the event of a sudden employee change, NWA reserves the right and has the ability to suspend email access and retrieve all email correspondence.

2. Computer Use: NWA uses a firewall to protect scholars from inappropriate content. All scholars and staff are required to sign a "Computer Use Agreement" which regulates their use of the school-owned computers.

3. Computer Security: All school computers shall be equipped with anti-virus software. The School Director shall ensure that the school's network protects against security threats, both internal and external.

Data Archiving and Retention

Each staff member and scholar shall have a unique username and password, providing access to their data. Staff members tasked with scholar data use password protected web sites operated by the State of Utah to store and access data about contact information, assessment, special education, USIIS, and immunizations.

Data stored in State systems is backed up by the State of Utah and archived according to their regulations.

All paper files are kept in locked file cabinets at the school. In the event that a scholar transfers, registration documents shall be shredded and the school file shall be mailed to the new school.

Academic Data

NWA will collect academic data from a variety of sources. These sources will include all state standardized tests. Data will be gathered electronically by the state for these tests. When the school receives the results, a team will disaggregate the results in a variety of ways to determine any gaps in achievement. The resulting information will then guide focused intervention on a class wide, individual, or scholar population level as necessary.

01-112—Policy Development

By expressing intent, policies specify the direction or delineate the scope of organizational action and/or limits on action. Therefore, adoption of new policies or amendment of existing policies is solely the responsibility of the Board. New or amended policies shall be adopted and implemented only by the vote of a majority of a quorum of the trustees present when such action has been scheduled on the agenda of a regular or special meeting. With the exception of statutory requirements or instances where specific application of a policy is essential to the long-term welfare of the school, policies should be flexible enough to allow for extenuating circumstances or circumstantial changes.

01–113—Consent Agenda Board Policy

The following policy has been adopted by NWA's Board for the purpose of establishing the use of a consent agenda by the Board.

The Board is authorized to use a consent agenda at Board meetings in accordance with this Policy.

1. Use of Consent Agenda. The Board may place items on the consent agenda. The consent agenda may be presented by the Chair at the beginning of a Board meeting. By using a consent agenda, the Board has consented to the consideration of certain items as a group under one motion. Should a consent agenda be used at a meeting, an appropriate amount of discussion time will be allowed to review any item upon request.

2. General Guidelines. Items for the consent are those which usually do not require discussion or explanation prior to action by the Board, are non- controversial and/or similar in content, or are those items which have already been discussed or explained and do not require further discussion or explanation. Such agenda items might include ministerial tasks such as, but not limited to, approval of the agenda, approval of the previous minutes, approval of reports, addressing routine correspondence and approval of Board policy recommendations and rulings.

3. Removal of Item from Consent Agenda. Items may be removed from the consent agenda by a timely request of any one Director. A request is timely if made prior to the vote on the consent agenda. The request does not require a second or a vote by the Board. An item removed from the consent agenda will then be discussed and acted on separately immediately following the consideration of the consent agenda or placed later on the agenda at the discretion of the Board.

4. Approval of Items on Consent Agenda. Inclusion of an item on the consent agenda must be approved by a majority vote of the Board.

5. Documentation of Acceptance of Consent Agenda. The consent agenda items shall be separately recorded in the minutes of the Board meeting, state that the consent agenda was approved by a majority and indicate which, if any, items were removed and addressed separately. Supporting materials should be saved with the agenda to document the information upon which the Board based its decision.

6. Deviations. The Board may deviate from the procedures set forth in this Policy if, in its sole discretion, such deviation is necessary under the circumstances. Any such deviation will be in accordance with the Charter and the Bylaws.

7. Amendment. The Board may amend this Consent Agenda Policy from time to time.

02—Facilities, Safety, and Risk Management

02-101—Facilities Usage Policy

Purpose

To serve the community and provide opportunities for citizens to participate in educational and recreational activities by making available appropriate use of school facilities in accordance with law and available resources in the school.

Definition: *Facilities* means the school building, grounds, accessory buildings (i.e. storage sheds), equipment, and property belonging to NWA.

Use of School Facilities

1. Primary Use of School Facilities. The primary use shall be for the educational program of the school. All other uses shall be secondary and shall not interfere with the school program or purpose.

2. Secondary Use of School Property and Facilities.

a. School Sponsored Programs, Activities, Meetings, and PO Use. School property and facilities may be used by the Parent Organization (PO), teachers, scholars, Administration, and other authorized persons for school-sponsored programs and activities, including but not limited to, membership meetings, committee meetings, after-school programs, clubs, fairs, sports, and all other school-related activities.

Allowing scholars, faculty, parents, a school club, team or program to access an activity, or provide concessions at an activity, does not necessarily qualify the activity as a school-sponsored program.

b. Community Use. Community Use applies to citizens, youth groups, public agencies, senior citizens organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities.

c. Charitable or Non-Profit Use. Charitable and Non-Profit Use applies to organizations such as service clubs, scouting organizations, civic groups, public service organizations, church and religious organizations, and other groups that have tax-exempt status under 501c3.

d. Commercial Use. Commercial use applies to organizations or individuals whose motive is to make a profit and may include, but not be limited to, events for which admission is charged or items and/or services are sold, and teachers or persons (including those employed by the school) who are providing private instruction in any subject for a fee.

Facilities may be used for commercial purposes in accordance with regulations as long as such use is of a general interest to the public and not primarily directed toward selling products, services or entertainment to the scholars or employees of the facility.

e. Other Uses and Limitations. School facilities may be made available to public agencies for polling places and mass care shelters during disasters or emergencies affecting public health and welfare.

School property and equipment shall not be loaned or taken from the school for non-school affairs.

School facilities will be available for secondary use only at times other than normal school hours, except for approved school-supported events and when used as polling places. School facilities will not be available for use on Sundays or holidays.

Application and approval for rental of school facilities

The application for, approval of, and use of facilities shall be in accordance with the terms, conditions, and limitations as set forth in the Policy and regulations established by the Board and administered by the Business Manager as approved by the School Director.

1. Procedures

a. An application for use of school facilities shall be submitted for all uses other than school-related purposes, and at least 10 days in advance of the requested date. Exceptions may be granted at administrative discretion.

b. The application must be signed by an adult of 21 years of age or older. The signatory is responsible for all aspects of use as outlined in the policy and regulations.
c. The Business Manager shall review an application and determine classification of use, personnel requirements, fees and any additional costs for the activity, and ensure compliance with policy.

d. The School Director may refuse the use of school facilities when the application is incomplete or non-compliant, or the use conflicts with another scheduled event, or the use is otherwise inadvisable.

e. Upon approval, a permit will be granted to the lessee. The school reserves the right to revoke a permit at any time.

f. The Business Manager shall collect any applicable rental fees in advance.

g. The School Director shall inform the Board of all uses of the school facilities in advance.

2. Restrictions

a. The use of school facilities shall not interfere or conflict with the educational program.

b. No use shall be granted in such a manner as to constitute a monopoly for the benefit of an organization or individual.

c. No privilege of using the building or grounds shall be granted for a period of time exceeding one year. The privilege is renewable and revocable at any time.

d. The lease to any one religious organization may not exceed five separate or consecutive calendar days, or portions thereof, in any fiscal year unless special approval has been granted by the Board.

e. Rental of laboratory facilities such as computer labs, media centers, music labs, science labs and art labs may be restricted.

f. Rental of the gymnasium shall be allowed when adequate protection of the gym floor and participants is assured by the lessee.

g. Any requested use that does not qualify under the provisions of this policy must be approved by the Board.

h. Use by an organization or individual with prior violations of the policy may be restricted. Whenever rules and regulations have been violated, the school may permit limited use or refuse to consider future facilities use permits for the organization or individual.

Rental Fees and Costs

The Rental Fee Schedules shall be established by the School Director and approved by the Board. This schedule is subject to periodic review and modification.

1. Determination of Fees

    a. Users shall be charged according to the Rental Fee Schedule applicable to the user's classification of use.

    b. The Business Manager shall initially determine fees and costs upon examination of the classification of the use, equipment and provisions needed, personnel needed, and usage time.

    c. All rental time shall be computed from the time of requested opening to closing of the doors. Persons lingering in the building shall be the responsibility of the lessee and closing time shall be the time when all persons associated with the rental have left the building.

    d. Fees are subject to adjustment based on the actual rental time, personnel and services used, and/or excessive mess or damage.

2. Classification for Use of School Facilities.

    a. No Cost

    Groups, events and activities that are organized under the direction of NWA are not considered lessees and are not subject to rental fees or costs. Participants may be held civilly or criminally liable for damage to the building as applicable.

    Government agencies, community groups or citizens, associations and non-profit organizations may also qualify for this classification if they are serving the public interest and/or convening for educational, general character building, and/or charitable purposes, and no other additional school funds or resources are needed to subsidize these meetings. All meetings qualifying under these provisions must also be non-exclusive, open to the public, free of charge. Meetings or activities that require facilities or services above the normal provisions or scheduled duty are subject to Actual Cost.

    b. Actual Cost

    Actual Cost means the charge for facility use will not exceed the actual cost incurred for the use and operation of the facility. Actual Cost shall apply to organizations or individuals that require facilities or services above normal provisions, charge admission fees, solicit contributions, or charge for services or products, the net proceeds of which are expended for the benefit of the community in general, or the benefit of the school, or for other charitable purposes.

    Any sponsorship or hosting of commercial entities is subject to Commercial Rates.

c. Commercial Rates

Commercial rates shall apply to those organizations or individuals that charge admission fees, or charge for services and/or products, for the purpose of making private or corporate profit and which proceeds are spent for other than charitable or welfare purposes. The minimum commercial rate shall be equal to the fair market value charged for rental of comparable school facilities and as outlined in the Rental Fee Schedules.

3. Security Deposit

At the discretion of the School Director, the lessee may be charged a refundable security deposit of up to $500.00.

a. The School Director shall determine the amount of the security deposit based on the size of the group, the location of the activity, and the type of activity involved.

b. Security deposits shall be paid by the lessee in a separate check and deposited by the Business Manager, not held until the end of the rental-period.

c. Following the rental period, the School Director or supervisory personnel shall inspect the facilities for damage or excess mess requiring extra cleanup time. Any such extra charges will be deducted from the security deposit and the remaining amount shall be refunded to the lessee in the form of a check. Should there be no extra charges assessed, the full amount shall be refunded. The School Director will determine whether the full deposit should be refunded.

4. Additional Costs

The following items are not included in the basic rental fee schedule as normal provisions and may be subject to additional fees and/or security deposit:

a. Equipment and Services
PE and sports equipment
Audio and visual equipment
Pianos and musical instruments
Kitchen appliances
Set up of equipment and chairs/tables

b. Personnel. Additional on-duty personnel may be required, depending upon the nature and size of the activity or event. The Business Manager is responsible for determining the number and type of personnel required for a particular activity in compliance with this policy. Guidelines for determining necessary personnel are as follows:

i. At least one custodian is required if one is not on duty. If custodial services are required beyond those as scheduled to be performed by the custodial staff at the facility, or an on-duty custodian is pulled away excessively from his/her regularly assigned duties, additional costs may be charged to the lessee.

ii. General supervision/security, beyond the custodian on duty, is required if the Business Manager determines the activity requires such. General supervision of the facility may be assigned to an additional custodian, teacher, administrator, or other qualified staff member.

iii. Qualified personnel may be required for use of certain property/equipment and rooms, such as stage, sound equipment, musical instruments, and other specialty items or areas.

c. Loss, Damage or Excessive Mess. Charges may be assessed for the actual replacement, repair, or clean-up cost for any loss, damage, or condition resulting from any activity above normal wear and tear.

d. Collection of Fees

i. Building fees and related costs must be paid before the date of rental.

ii. Additional costs assessed will be collected at the conclusion of the rental period, or deducted from the security deposit (if applicable).

Regulations for Use

1. Supervision. Facilities may not be left without supervision while occupied.

a. A representative of the school, usually a custodian, will be present on school property as supervisor for the entire time an authorized activity is taking place. The assigned supervisor will have responsibility for oversight of the facilities during the rental period to ensure all rules, regulations, and laws are adhered to by the facilities users. At the conclusion of the activity, the building supervisor will secure the building and report any violations.

b. In addition to the building supervision provided by the school, the lessee must provide two or more adult supervisors to remain on the premises during the entire rental period to maintain order and prevent damage or loss of school property. At his discretion, the Business Manager may require the lessee to provide additional activity supervisors. The School is not responsible for crowd control or any criminal activity that takes place during the rental period.

c. All juvenile organizations and groups seeking use of the school premises shall have adequate adult sponsorship and supervision of each use.

d. Food and drink may only be consumed or used in areas approved by the Business Manager.

2. Liability Coverage

a. All events and activities held at the school must have appropriate liability and damage coverage.

b. NWA assumes no liability for personal injury or property damage on behalf of the lessee. The lessee is required to provide a Certificate of Insurance for liability and property damage in an amount not less than $1,000,000.00 per occurrence. The certificate must provide appropriate coverage for the activity, and name NWA as an additional insured.

3. Regulations for Equipment Use

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

b. A lessee requesting the use of equipment certifies that it will be operated by a qualified person. The lessee assumes responsibility for such equipment and agrees to repair or replace any equipment which might be damaged, lost or stolen while under its jurisdiction.

c. The use of other than school equipment may be restricted.

4. Other Regulations for Use

a. All permits are for specific facilities and hours. It shall be the responsibility of the applicant to see that unauthorized portions of the facilities are not used and that the premises are vacated as scheduled.

b. All functions shall close by 10:30 p.m. unless special permission is secured in advance from the School Director.

c. No storage is available, and belongings owned by individuals or organizations must be removed after each use.

d. The lessee is subject to adherence to the standards of behavior of the school and Utah State Law. The possession or use of alcohol, tobacco or narcotics shall not be permitted within the school facility or grounds. Profane language, quarreling, fighting and gambling are also prohibited activities. Violation of these rules is sufficient cause for denying further use of school facilities to the organization or individual and may result in the forfeiting of all deposits (if applicable).

e. Drapes, hangings, curtains, drops and all decorative materials used within or upon the school buildings shall be made of non-flammable material, or shall be treated and maintained by means of a solution or process approved by the State Fire Marshall. No open fires or flames (candles) shall be permitted.

f. Shoes with cleats or plates are not permitted in the school building.

g. The facilities must be left clean and in the same condition as the user found them. The school reserves the right to assess clean-up charges.

h. Persons or organizations using school facilities may not remove or displace furniture or fixtures, including lights, thermostats, etc. except under the direct supervision of the school's building supervisor.

Application Packet/Instructions/Permit etc.

SECTION ONE--DESCRIPTION OF PREMISES

Noah Webster Academy ("NWA") grants _____ ("User") permission to use the premises located at

_____.

SECTION TWO--TERM

The term of this use agreement is during the hours and days of _____, from _____ to _____ on _____.

SECTION THREE--USE OF PREMISES

The demised premises are to be used for the purpose(s) of

_____

_____

_____

_____.

User shall restrict its use to such purposes and shall not use or permit the use of the demised premises for any other purpose without the prior, express, and written consent of school, or school's authorized agent. User shall have access only to the following rooms/areas of the premises:

_____.

SECTION FOUR--RESTRICTIONS ON USE

A. User shall not use the demised premises in any manner that will increase risks covered by insurance on the demised premises and result in an increase in the rate of insurance or a cancellation of any insurance policy, even if such use may be in furtherance of user's business purposes.

B. User shall not keep, use, or sell anything prohibited by any policy of fire insurance covering the demised premises, and shall comply with all requirements of the insurers applicable to the demised premises necessary to keep in force the fire and liability insurance.

C. User shall not enter classrooms, offices, or other rooms in the school and shall keep all occupants within the multi-purpose room and the nearest restrooms and hallways.

SECTION FIVE--WASTE, NUISANCE, OR UNLAWFUL ACTIVITY

User shall not allow any waste or nuisance on the demised premises or use or allow the demised premises to be used for any unlawful purpose.

SECTION SIX--REPAIRS AND MAINTENANCE

User shall be responsible at its expense for the repair of any damage to the demised premises during its use. Work will be completed in a reasonable time and to the satisfaction of the school.

SECTION SEVEN--SECURITY OF PREMISES

A. User is responsible to secure the demised premises after its use, including locking all doors and access points, and enabling the security system.

B. User will be liable for any damage or theft resulting from failure to properly secure premises.

SECTION EIGHT--NONLIABILITY OF SCHOOL FOR DAMAGES

School shall not be liable for liability or damage claims for injury to persons or property from any cause relating to the occupancy of the demised premises by user, including those arising out of damages or losses occurring on sidewalks and other areas adjacent to the demised premises during the term of this use agreement or any extension of such term. User shall indemnify school from any and all liability, loss, or other damage claims or obligations resulting from any injuries or losses of this nature. User shall carry liability insurance with limits not less than $1,000,000 per incident and shall name School as an additional insured and shall provide evidence to School's Business Manager of such liability insurance prior to the use of premises.

SECTION NINE--ENTIRE AGREEMENT

This use agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this use agreement shall not be binding upon either party except to the extent incorporated in this use agreement.

The titles to the paragraphs of this use agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this use agreement.

In witness, each party to this use agreement has caused it to be executed at _____ on the date indicated below.

_____

_____

[Signatures and date(s) of signing]

02-102—Building Access Policy

SECTION ONE--PURPOSE

NWA provides to teachers, volunteers, and staff ("Users") access to school property and assets. NWA provides keys and other means of access to the school building and classrooms so Users and volunteers can complete tasks related to their positions and protect NWA's assets checked out to them. To ensure that all Users are responsible, the following guidelines have been established for accessing school property.

SECTION TWO--PROHIBITED ACCESS

Users may not access the building during prohibited times, loan keys or access tools to any other person, nor use access to the building for illegal or prohibited activities. Access to the school should be for school-related purposes only. Personal use of the facilities or assets without prior written consent of the School Director is prohibited.

SECTION THREE--LIABILITY

Users must protect NWA's property while they use it. Users are responsible for the actions of any person without regular access to the school to whom the User allows access. If accessing the building outside regular school hours, Users are responsible to ensure building security. Users are responsible for all doors and other access points if they are the last to leave. Users may be held liable for damage, theft, or vandalism that occurs because they did not properly secure the building according to this policy.

SECTION FOUR--VIOLATIONS

Any employee who abuses the privilege of his or her access to assets or property will be subject to corrective action, including possible termination of employment, legal action, and criminal liability.

SECTION FIVE--USER AGREEMENT ON BUILDING ACCESS

I have read, understand, and agree to comply with the foregoing policies, rules, and conditions governing the use of keys and other means of building and room access. I am aware that violations of this policy may subject me to disciplinary action, including termination from employment, if applicable, legal action and criminal liability. I further understand that my use of school property may reflect on the image of NWA to our customers, competitors and suppliers and that I have responsibility to maintain a positive representation of the school. Furthermore, I understand that this policy can be amended at any time, and that keys and other means of access must be surrendered to NWA upon termination of employment or at the school's request.

Employee Signature	Date
Employee Name	Means of access provided

02-103—Reporting of Suspected Child Abuse or Neglect

The Board recognizes that the Utah law (including R277-322 & R277-401) requires the reporting of child abuse and neglect by any person who has reason to believe that a child has been abused

or neglected. To implement this law, the Board authorizes School Administration to develop procedures for NWA employees to carry out the intent of the law.

Administration Procedures

1. The Administration shall cause any school employee who knows or reasonably suspects a child's health or welfare has been or appears to have been harmed as a result of abuse and/or neglect shall report and cause reports to be made in accordance with the procedures of this policy. In doing so and in accordance with R277-401-3, NWA will maintain appropriate confidentiality and preserve the anonymity of those NWA employees reporting or investigating child abuse or neglect.

2. As required in Utah Code Section 53G-9-207, the Administration shall provide to all professional employees annual training on the subject of identifying and reporting children suspected of abuse or neglect.

3. The Administration shall distribute annually to all school employees copies of this policy and the Child Abuse-Neglect Report Form.

Guidelines

1. If a school employee knows or reasonably suspects a child 17 years old or younger is being abused or neglected, the employee shall immediately make an oral report to the School Director or his or her immediate supervisor. Both the employee and the Administrator must make immediate contact to report the suspected abuse or neglect by telephone to local police, or the county sheriff, or the office of the Division of Family Services.

2. To support the suspicion of abuse and neglect, professional school employees may (but are not required to) gather information by interviewing the child.

3. If, after conducting the interview, it is determined that the child is in need of immediate medical attention, all involved staff shall follow the procedure for medical treatment for scholars. However, contact with a parent or guardian for purposes of determining the cause of the injury shall be avoided.

4. If the information gathered from interviewing the child supports suspected child abuse or neglect, the following actions shall be taken.

    a. The School Director or his/her designee shall immediately report the case by telephone to the local city police, or county sheriff, or office of the Division of Family Services.

    b. Within 24 hours after making the oral report, the school employee initiating the report shall complete and give to the School Director a completed Child Abuse-Neglect Report Form.

5. Upon receiving the Child Abuse-Neglect Report Form, the School Director shall:

a. Mail one copy within 24 hours to the agency receiving the oral report (local city police, or county sheriff, or office of the Division of Family Services).

b. Place one copy of all reported cases of suspected child abuse or neglect in a separate file to be maintained by the School Director or his/her designee. Note: The Child Abuse-Neglect Report Form shall not be placed in the child's personal file.

6. It is not the responsibility of the school employee to: (1) prove that the child has been abused or neglected, or (2) determine whether the child is in need of protection.

7. School employees shall not make contact with the child's family or other persons (relatives, friends, neighbors, etc.) for the purpose of determining the cause of the injury and/or apparent neglect.

8. School employees are immune from any civil and/or criminal liability when reporting in good faith suspected child abuse or neglect. (UCA §78-3a-20.10)

9. Any school employee who willfully fails to report a case of suspected child abuse or neglect may face legal and/or disciplinary action up to and including termination of employment. (UCA §78-2a-19)

Child Abuse Neglect Form

205 E 400 S Orem, UT 84058
Phone: 801-426-6624
Fax: 801-426-6645

Child Abuse-Neglect Form

Reports must be made to the School Director/Designee and DCFS or Law Enforcement within 24 hours of first knowledge or suspicion of child abuse or neglect. See NWA Policy 02-103

Child's Legal Name	Birthday
Phone	Gender
Child's Address	
Father/Legal Guardian	
Mother/Legal Guardian	
Circumstances leading to the suspicion that the child is a victim of abuse or neglect:	
Additional information (siblings, contact person(s), alleged perpetrator, age of alleged perpetrator, where abuse occurred, witnesses, etc.):	

Report Submitted To	Report Type	Date/Time of Report	Case Number
Principal/Designee	Oral Verbal		
DCFS 1-855-323-3237	Oral Verbal		
Law Enforcement Agency (if contacted) Provided to:	Oral Verbal		

Signature:_____ Name:_____ Title:_____
Initiator of Report

Signature:_____ Name:_____ Title:_____
Director or Designee

02-104—Nutrition and Wellness Policy

Purpose and Philosophy

To optimize scholar performance potential, NWA promotes a healthy school by supporting wellness, good nutrition, and regular physical activity as part of the total learning environment. NWA supports a healthy environment where children learn and participate in positive dietary and lifestyle practices. NWA seeks to contribute to the basic health status of children by facilitating learning through the support and promotion of good nutrition and physical activity.

Opportunities for Physical Education and Physical Activity

A quality physical education program is an essential component for scholar health and learning. A sequential developmentally appropriate curriculum shall be utilized to help scholars develop the knowledge, motor skills, self-management skills, attitudes and confidence needed to adopt and maintain physical activity throughout their lives, consistent with the State Core Physical Education Curriculum. Physical activity includes regular instructional physical education, participation in an outdoor program, as well as extracurricular activities.

Opportunities for Nutrition Education

A quality nutrition education program is an essential component for all scholars in order to influence scholars' eating behaviors toward lifelong health. Nutrition education topics shall be integrated within the School's lunch program, science program, physical education program and other subjects at each grade level. The nutrition education program shall focus on scholars' eating behaviors, lifestyle, and nutritional science, based on theories and methods proven effective by published research and consistent with the State Core Health Education Curriculum.

Nutrition Guidelines for Foods Available in Schools

Food served through the school lunch program shall meet or exceed the federal regulations and guidance for reimbursable school meals. Other food items on school grounds and at school-sponsored activities during the instructional day will include healthy snack options and comply with R277-719. School nutrition program professional standards will comply with 7CFR 210.30.

Monitoring and Policy

The School Director will ensure compliance with this policy in the school and will report on the school's compliance to the Board. The Board will, as necessary, revise this policy and develop work plans to facilitate its implementation.

Vending Machine Policy

NWA will not have a vending machine accessible to scholars.

02-105—Safe Walking Policy

To improve scholar safety and to protect the school from unnecessary liability, the Board adopts the following policy and standards for safe walking to and from school.

1. NWA cannot assume liability for scholars unless they are on school grounds. Parents shall plan and review their children's walking/biking route with them and shall be responsible for their safety prior to their arrival on campus.

2. NWA will provide carpool supervision by the school entrance every school day during designated arrival and departure hours as published by Administration each year. Scholars may not arrive at school earlier than 7:45 a.m., or wait for carpools later than 3:30 p.m.

3. If a scholar's walking route to school has stretches with no sidewalk, and/or intersections with no crossing guard, parents must teach and ensure children use caution, stay well off the street, and cross only after looking both ways. Bikers should wear helmets and stay to the far right side of the street.

4. Scholars are encouraged to find walking partners to walk to and from school together, avoid talking to strangers, and never approach unfamiliar cars. Scholars should scream and run away if they feel in danger, and tell a crossing guard, another mother with kids, or a teacher at school what happened.

5. Once on school grounds, scholars shall walk bikes, and stay on sidewalks. Parking of bicycles shall be only in designated areas.

6. The School Administration shall publish safe walking routes to and from schools to assist parents in planning and increasing the safety of their scholars if they walk or bike to or from school.

02-106—Harassment Policy

NWA will maintain a work environment that nourishes respect for the dignity of each individual and affirms its commitment to provide a work and educational environment free from all forms of intimidation and harassment. The School Administration shall develop procedures and forms to carry out this policy and create a harassment-free environment for all staff and scholars.

It is the express policy of the School that harassment of employees or applicants, by agents of the School, is unacceptable and will not be tolerated. Unwelcome or unwanted advances, requests for favors or other visual, verbal or physical conduct will be deemed harassment when:

1. Submission to such conduct is explicitly or implicitly a condition of employment;

2. Submission to or rejection of such conduct is used as the basis of employment decisions; and

3. Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination. The School further recognizes that allegations of this type of discrimination may have serious effects on innocent women and men. Therefore, the School has devised a procedure to process a harassment complaint. The

complaint procedure as set forth in section 3-104 may be utilized. Second, if the employee desires confidentiality, the following procedure may be requested:

1. Any employee who believes he or she has been the subject of harassment should report the alleged act(s) promptly (within two working days)to the School Director or designee, giving details as related to the complaint. (see official complaint policy 01-103)

2. Management or designee, upon receipt of the complaint, shall take immediate and appropriate steps to investigate the complaint. Confidentiality is mandatory to the maximum extent possible.

3. Following the investigation of the complaint, the School Director or designee shall weigh the facts and determine the validity of the charge. If the complaint is determined to be valid, the offender(s) shall face immediate and appropriate disciplinary action based upon the severity of the charge. This may include written warning and/or suspension, and/or discharge. If the offender is a supervisor, he/she may be demoted. If the complaint is found invalid, the complaining party may request Step 2 of the normal complaint procedure.

Persistently Dangerous School

In accordance with ESEA Section 8532, if the school is deemed as an "Unsafe School Choice Option" under which scholars who attend a "persistently dangerous" public school, or who are victims of violent crime at school, are to be offered the opportunity to transfer to a "safe" public school (Section 8532).

02-107—Safe School Policy

NWA is committed to fostering an environment for scholars, staff, community, neighbors and visitors that is safe, conducive to the learning process, and free from unnecessary disruption. A safe school environment includes the school and grounds during school hours, and during school sponsored activities and events. The following policy and guidelines have been created for this purpose in accordance with Utah State Law (UCA 53G-8-202-211).

Definitions:
School-sponsored activity or event means an activity, meeting, or location sanctioned or supported by the school, including transportation of scholars in school-owned/leased vehicles.

Exclusion means the removal of a scholar from a school program, but not necessarily from all education services, and may include:

1. *Suspension* means a mandatory interruption of attendance or participation in a specific school or program for a period of 10 days or less.

2. *Expulsion* is termination of attendance or participation in a school or program for a period in excess of 10 school days by the Board (53-11-905(3)).

3. *Change in Placement* means an alternative placement of a scholar for disciplinary or for other legitimate purposes.

Imminent danger is the appearance of threatened and impending injury which would lead a reasonable and prudent person to attempt an instant defense; something which is threatening to happen at once, something close at hand, something which is close, although not yet touching, or on the point of happening. [Black's Law Dictionary]

Habitually disruptive behavior is frequent or repeated flagrant willful disobedience, defiance of proper authority, or repeated disruptive behavior, including the use of foul, profane, vulgar or abusive language.

Gang means a group of people who form an allegiance and engage in a range of antisocial behaviors that may include violent or other unlawful activity. These groups may have a name, turf, colors, symbols, or distinct dress, or any combination of the preceding characteristics.

Remedial discipline plan is a written plan developed by the school in consultation with the scholar to be disciplined and the parent/legal guardian which may include any combination of the following or any other action discussed by the parties:

1. Exclusion of the scholar from school for a predetermined time or until certain conditions are met;

2. Specific behavior standards for the scholar which, when met by the scholar, allow for designated rights or privileges;

3. In school suspension;

4. Community service;

5. Restitution for damage or harm.

Proactive intervention strategy means a preventive strategy intended to stop or deter problem behaviors before they occur. A proactive or preventive strategy anticipates problem behaviors and uses a predetermined set of consequences (positive or negative) to intervene.

Parent means parent or legal guardian.

Proactive Strategies for Improving Scholar Behavior and Limiting the Exclusion of Scholars from School

NWA shall provide parents and scholars with a written mission statement for the school that should be included in a school procedures handbook and provided to parents.

School administrators, teachers and staff shall use proactive intervention strategies that anticipate problem behaviors before they occur.

Provisions Governing the Conduct of School Age Individuals

Scholars shall:

1. Be given notice of applicable rules of conduct
2. Comply with applicable rules of conduct as well as all federal, state and local laws and ordinances; and
3. Be civil and respectful to other people and obey persons in authority at the school.

Scholars may be suspended or expelled for the following reasons. Scholars may NOT:

1. Possess, use, sell or attempt to possess, use or sell any firearm, weapon, knife, explosive, firework, chemical weapon, flammable material, martial arts weapon or other instrument including those which eject anything, or other material dangerous to persons or property, or any replica or facsimile of any of the above, regardless of intent and whether functional or nonfunctional;

   As required by federal law, a scholar who is found to have brought a firearm (as defined under Section 921 of title 18, U.S. Code) or a real, look alike, or pretend firearm, explosive or flammable material under state law (53G-8-205) to school or to a school-sponsored activity or to be in possession of such firearm while at school or when involved in any school supervised activity shall be expelled from school for a period of not less than one year;

   The School Director or designee, may modify the one-year expulsion requirement if the review committee determines on a case-by-case basis that a lesser penalty would be more appropriate;

2. Cause, attempt, threaten or conspire to cause damage to personal or real property, or cause, attempt, threaten or conspire to cause harm to a person or persons, individually or in groups. (As per Utah code 53G-8-203, these stipulations are equally applicable for scholars who have been arrested for, charged with, or adjudicated in the courts for committing a serious offense through any of the following):
   a. Arson (UCA 76-6-102)
   b. Burglary
   c. Larceny or stealing (UCA 76-6-403)
   d. Criminal mischief (UCA 76-6-106)
   e. Battery
   f. Assault (UCA 76-5-102)
   g. Harassment (UCA 76-5-106)
   h. Vandalism (UCA 76-6-105)
   i. Hazing (UCA 76-6-106)
   j. Sexual Crime

k. Participation in any activity which violates an applicable school rule or federal, state or local law or ordinance, or disrupts normal school proceedings or through threats of participation in any plan or conspiracy relating to the foregoing, regardless of whether the offense took place on or off of school property.

l. Participation in conduct which threatens harm or does harm to the school, school property, person associated with the school or property associated with such persons.

3. Commit an offense against an educator when the educator is acting in the course of employment or be subject to an enhanced degree of offense as cited in Utah Code Annotated 76-3-203.2. Crimes against educators are considered to have created an imminent danger under this policy.

4. Be admitted to NWA based on being expelled from any school during the preceding 12 months (UCA 53G-8-205).

Procedures for Incidents Involving Weapons, Drugs, Alcohol, or Imminent Danger to People or Property

The School Director or designee shall determine if the scholar's behavior created imminent danger to people or property or if the scholar's behavior, despite intent, was in violation of this policy.

If the scholar's behavior created imminent danger or violated this policy, following personal notification to the scholar and scholar's parent/legal guardian, the scholar shall be suspended according to the procedure outlined below:

1. Immediate scholar suspension:

    a. The scholar is suspended until the parent/legal guardian is able to conference with school administrators.

    b. The scholar shall be prohibited from trespassing on school property.

2. The school may only release the suspended scholar to the scholar's parent/legal guardian or other adult designated by the parent or legal authority.

3. In unlawful or dangerous situations, the scholar may be released to law enforcement personnel;

4. A school administrator shall make earnest *efforts to* contact a parent/legal guardian to schedule a conference with the scholar, the scholar's parent/legal guardian within 24 hours of the exclusion;

    a. During the conference, the administrator shall:

        i. Review the alleged conduct by the scholar and present the evidence;

        ii. Give the scholar an opportunity to respond and present relevant information or explanations.

iii. Determine whether or not the allegations are true by a preponderance of the evidence, and make a recommendation for action, which may include:

(1) If true, the following options are available:

(a) Discontinue or continue the exclusion (suspension or expulsion) for a specific length of time.

(b) Develop a remedial discipline plan for the scholar required under Section 53G-8-203 (3) which outlines the requirements for reinstatement in the class, school, or Administration's evaluation of alternatives to excluding the scholar from school.

(c) Outline expectations for parents/legal guardians and the school in the scholar's discipline plan and potential reinstatement: i.e. supervision, a behavior contract, continued participation in extracurricular school activities, on-going educational services for the scholar, take-home or independent study assignments, mandatory school contact or evaluation.

(d) Advise the scholar and the parent about the scholar's rights and obligations and the procedures for appeal of an adverse decision.

5. At the conclusion of any exclusionary period, a conference will be held with the scholar and the scholar's parent/legal guardian at which time a behavior contract will be developed by parents/legal guardians, scholar, school personnel, and other appropriate individuals.

6. The administrator shall document the disciplinary action taken.

Procedures for Incidents Not Involving Weapons, Drugs, Alcohol, or Imminent Danger to People or Property

An administrator shall provide the scholar an initial opportunity to explain his behavior prior to suspension. If the immediate suspension is justified, the school should proceed.

The school administrator shall investigate and document the charges and schedule a conference with the scholar and parent/legal guardian as soon as possible. The parent/legal guardian will be notified about the impending conference. During the conference, the administrator shall:

1. Explain the allegations or violations to the scholar.

2. Discuss the evidence and provide the scholar with a reasonable opportunity to respond and present any relevant information.

3. Take appropriate action consistent with findings made by the administrator after review of the evidence and the scholar's response, and with applicable school policies and state and federal law, including laws or regulations specific to scholars with disabilities;

4. Advise the scholar and the parent/legal guardian about the scholar's rights and obligations, and the procedures for appeal of an adverse decision.

5. Discuss alternatives to suspension with the scholar and parent/legal guardian and/or alternatives to the behavior that is neither violent, unlawful, or falls under weapons, imminent danger or drug and alcohol violations;

    a. In school suspension or alternative programs;

    b. Parent/legal guardian supervision of scholar at school;

    c. And/or amended schedule.

If the parent or legal guardian does not comply with the alternative to suspension requirements, the scholar shall be suspended in accordance with the conduct and discipline policies of the school.

In the event of suspension or expulsion, the scholar shall be prohibited from trespassing on school property and attending any school event or activity.

Board of Trustees-Level Hearings

A school administrator may refer any matter to the Board for hearing if the administrator deems it advisable.

1. If the scholar or parent/legal guardian does not concur with the school disposition of scholar misconduct involving weapons, drugs, alcohol, or imminent danger or for scholar exclusion for a second or subsequent offense not involving weapons, drugs, alcohol, or imminent danger:

    a. The parent/legal guardian may appeal the decision by submitting a written request to the School Director within 10 days after receiving notice of the decision.

    b. The School Director or review committee shall schedule the appeal hearing within 20 days of receiving the parent's/legal guardian's request for hearing and shall provide the parent/legal guardian with notice of the procedures to be followed in the hearing.

    c. The School Director or review committee shall conduct the appeal hearing at the appointed time and place. The school and the scholar may each be represented by an advocate of its choice.

    d. At the appeal hearing, each party may make statements, question witnesses, and present relevant facts and evidence. The review committee procedures may allow for additional witnesses or affidavits to be presented.

    e. The appeal hearing's conclusions that affect a scholar's school attendance shall be decided within two school days following the hearing.

    f. All other issues shall be disposed of in writing within 30 days of the conclusion of the appeal hearing.

    g. These time periods may be waived upon agreement by both parties to the hearing.

    h. The recommendation of the review committee will be submitted to the Board of Education if the recommendation to expel the scholar is upheld.

i. Expulsion of a scholar may be conducted by the School Director.

j. School review committee appeal of exclusion is the final administrative remedy. If scholars or parents/legal guardians are dissatisfied with the administrative determination, they may appeal to a court of law.

Responsibility of Parent For Suspended or Expelled Scholar

If a scholar is suspended or expelled from NWA for more than ten (10) school days, the parent or legal guardian is responsible for undertaking an alternative education plan which will ensure that the scholar's education continues during the period of suspension or expulsion.

1. The parent or legal guardian shall work with designated school officials to determine how that responsibility might best be met through private education, an alternative program offered by or through the school, or other alternatives which will reasonably meet the educational needs of the scholar.

2. Costs for educational services which are not provided by NWA are the responsibility of the parent.

3. NWA will maintain a record of all suspended or expelled scholars and a notation of the recorded suspension or expulsion shall be attached to the individual scholar's transcript (UCA 53G-8-208).

Scholars with Disabilities

Scholars with disabilities are those individuals who qualify for special education and related services under Public Law 105-17, the Individuals with Disabilities Education Act (IDEA), and/or under Section 504 of the Rehabilitation Act Amendments of 1973 and/or under the Americans with Disabilities Act of 1990.

All scholars with disabilities enrolled at NWA are accountable for the same standards of behavior as non-disabled scholars unless their Individualized Educational Program (IEP) teams have determined that their disabilities prevent adherence to these standards and have agreed upon altered standards on their IEPs. Because scholars with disabilities represent a protected class of individuals, the following general provisions and/or protections apply:

1. Suspension of scholars with disabilities for fewer than ten (10) days - School Administration may order the removal of a scholar with a disability for up to 10 consecutive days for any violation of school rules for which scholars without disabilities would be removed. During this type of removal, the provision of educational services is not required.

2. Suspension of scholars with disabilities for more than ten (10) days - Scholars may be suspended for more than 10 cumulative days per school year for separate instances for which nondisabled scholars would be suspended. However, such suspension must not constitute a pattern of removal and/or a change of placement. Factors such as the length of each removal, total amount of time the scholar is removed and proximity of removals to each other may lead to a conclusion of placement change. Regardless, beginning with the 11th cumulative day of removal, general and special education services must be provided to the scholar while on suspension.

Weapons and Controlled Substance Violations by Scholars with Disabilities

1. If a scholar with a disability carries a weapon to school or a school function, or knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school or at a school function, School Administration may order the removal of the scholar from school. When such a removal is contemplated, it constitutes an imminent change of placement and parents/legal guardians must be notified and provided with a copy of their procedural safeguards under IDEA.

    a. The scholar's IEP team must meet as quickly as possible following the violation to conduct a manifestation determination. This procedure uses evidence from the scholar's psycho educational evaluation(s), school conduct and classroom performance to help identify whether or not the scholar's misbehavior was a function of his/her disability

        i. Violation Related to Scholar's Disability: The scholar's IEP team must meet to determine an interim alternative educational setting (IAES) to which the scholar may be removed for up to 45 school days. The team must also conduct a functional behavioral assessment (FUBA) and develop a behavior intervention plan (BIP) if these have not already been accomplished. If a FUBA and BIP have already been completed, the IEP team will review these and make revisions as appropriate. The purpose of the BIP is to reduce or eliminate the likelihood that the behavior causing the removal from school will recur in the interim alternative educational setting and in the scholar's school upon his/her return. In an LAES, the scholar must receive services which allow him/her to progress in the general curriculum and to advance appropriately toward meeting the goals specified on his/her IEP.

        ii. Violation Not Related to Scholar's Disability: If the manifestation determination procedure indicates that the weapons or drug violation was not related to the scholar's disability, the scholar may be removed from school on the same basis as would a scholar without a disability. However, during this removal the school must provide services necessary to enable the scholar to progress in the general curriculum and appropriately advance toward meeting the goals set forth in his/her IEP.

        iii. Dangerousness: A due process hearing officer may order the removal of a scholar to an interim alternative educational setting (IAES) for up to 45 days if in an expedited due process hearing, s/he determines that the school has demonstrated by substantial evidence that maintaining the current placement of the scholar is substantially likely to result in injury to the scholar or others, considers the appropriateness of the scholar's current placement, considers that the school has made reasonable efforts to minimize the risk of harm in the scholar's current placement, determines that the IAES proposed by the school in concert with the scholar's special education teacher meets requirements of addressing the scholar's behavior and offering services so that the scholar can progress in his/her general and special education programs.

NWA may continue to seek school removal of a scholar deemed dangerous by petitioning a court of local jurisdiction. The federal Office for Special Education Programs (OSEP) affirmed in DOE Q & A Document, Question 3, 64 Fed. Reg. 12415 (March 12, 1999) that at any time, school officials may seek to obtain a court order to remove a scholar with a disability from school or to change a scholar's current educational placement if they believe that maintaining the scholar in the current educational placement is substantially likely to result in injury to the scholar or others.

School officials can report crimes committed by scholars with disabilities to appropriate law enforcement authorities to the same extent they do for crimes committed by nondisabled scholars.

In School Suspension - An in school suspension would not be considered a part of the days of suspension previously addressed as long as the scholar is afforded the opportunity to continue to appropriately progress in the general curriculum, continue to receive the services specified on his or her IEP and continue to participate with nondisabled scholars to the extent they would have in their current placement.

Behavioral Interventions - Any behavioral intervention to be used with a scholar with disabilities must meet the requirements set forth by the Utah State Board of Education Special Education Rules.

Threats of Suicide

Concerning any threats of suicide, the school shall follow state guidelines under 53G-9-604:

1. Notify a parent if the parent's scholar threatens to commit suicide, and when needed, provide information to support families.

2. Notify the parents of each scholar involved in an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation of the incident involving each parent's scholar, and

3. Produce and maintain (consistent with Records Retention Policy) a record that verifies that the parent was notified of the incident or threat.

Appropriate Use of Physical Restraint in the Enforcement of This Policy

The use of physical restraint of scholars within the context of this policy is only appropriate when consistent with state and federal law, UCA Sections 53G-8-301 and 76-2-401(3), school policy on corporal punishment.

Gang Related Activity

1. School administrators and other school personnel designated by the Administration shall have authority to identify scholar behavior as gang-related and may be allowed under school policy to treat such designated behavior as imminently dangerous to scholars and staff and follow the procedures outlined in this policy for disciplining scholars involved in gang-related activities.

2. Indices of gang-related behavior or association may include, but are not limited to:

    a. Advocating or promoting a gang or any gang-related activities;

b. Marking school property, books, or schoolwork with gang names, slogans, or signs;

c. Conducting gang initiations;

d. Threatening another person with bodily injury or inflicting bodily injury on another in connection with a gang or gang-related activity;

e. Aiding or abetting an activity described under UCA Subsections (2)(f)(i) through (iv) by a person's presence or support;

f. Displaying or wearing common gang apparel, common dress, or identifying signs or symbols on one's clothing, person, or personal property that is disruptive to the school environment; and

g. Communicating in any method, including verbal, non-verbal, and electronic means, designed to convey gang membership or affiliation; or

h. Any combination of the preceding indices or activities.

3. School faculty and personnel shall be trained to recognize early warning signs for youth in trouble and to report suspected gang activity to School Administration and law enforcement.

4. In disciplining scholars under gang-related provisions, School Administrators shall act consistently with and be sensitive to Constitutional protections of freedom of expression and freedom of association.

5. Scholars and parents/legal guardians should be given notice that courts have determined that the parameters of freedom of expression and freedom of association in a public-school setting are different than in society generally.

6. Administration shall notify parents of the scholar when a scholar has involvement in any gang-related behavior or association.

7. Gang members are barred from participation or presence at any school-sponsored extracurricular activity.

Substantial Threat Reporting

Noah Webster Academy is tasked with ensuring the school is a safe and orderly place of learning for scholars and employees. As such, this policy will address the issue of substantial threats made against the school, scholars, and employees, and will outline reporting requirements for such threats.

A “substantial threat” is a threat made with serious intent to cause harm. Whenever any adult employee or volunteer of NWA either has reason to believe a substantial threat against the school, a school employee, or scholar, or is aware of circumstances that would reasonably result in a substantial threat against the school, a school employee, or scholar, the employee or volunteer shall immediately report the suspected substantial threat to one of the following:

- the state security chief;
- NWA director;
- the nearest peace officer or law enforcement agency.

When NWA receives a report of a substantial threat affecting any listed above, the director shall immediately inform the appropriate local law enforcement agency and the state security chief. NWA shall cooperate with the law enforcement agency's investigation of the report of a substantial threat as per the following: Utah Code § 53-22-106(1), (2), (3) (2024), Utah Code § 76-5-404.1(a)(iv)(S) (2024)

02-108—Traffic and Arrival and Departure Policy

School Administration shall develop traffic plans for scholar arrival and departure to ensure safe and efficient pickup and drop-off of scholars at school, shall ensure that the plans are distributed in handbooks or online to scholars and parents, and shall enforce compliance by parents and scholars as appropriate.

02-109—Campus Safety-Identification Policy *Revised 08/2026*

To better ensure the safety of our scholars, staff, and campus community, all visitors must present a valid government-issued ID upon checking in at the front office. Additionally, all staff and visitors are required to wear identification tags at all times while on the Noah Webster Academy campus.

02-110—Emergency Response Policy *Revised 08/2026*

Noah Webster Academy shall comply with all state standards regarding the development, practice, and execution of a comprehensive Emergency Response Plan. The plan shall incorporate prevention, intervention, and response measures to prepare staff and scholars to act promptly and appropriately during school emergencies.

To ensure the safety of all scholars and staff, Noah Webster Academy complies with all applicable School Safety and Security requirements. In accordance with state legislation, Noah Webster Academy shall provide wearable panic alert devices to all teachers and designated school safety personnel to ensure immediate emergency communication and response capability.

UCA 53G-4-402(18); Utah Admin. Code R277-400; Utah Admin. Code R698-13)

Emergency Preparedness and Response Plan

For the welfare of scholars, NWA will develop an emergency preparedness and response plan complying with R277-400 and UCA 53-3-402. This plan will be developed by the Governance Committee, Administration, and local emergency agencies. It will be reviewed and updated as needed but at least every three years.

Each year prior to April 30th, NWA will designate a week as Emergency Preparedness and Response Week.

02-111—National School Lunch Program Policy

NWA has entered into an agreement to participate in the National School Lunch Program, and accepts responsibility for providing free and reduced price meals to eligible children in the schools under its jurisdiction.

The Child Nutrition Program will provide free or reduced-price meals to all qualifying scholars as determined by the state and the appropriate officials in accordance with family income standards, regulations, and procedures that have been prescribed by the United States Department of Agriculture.

School Administration shall ensure that all applicable regulations of the National School Lunch Program are followed. Administrative procedures shall ensure that:

Applications

1. Applications for free and reduced meal benefits can be submitted online or in person.
2. Parents may submit an application anytime during the school year.
3. Parents may also re-submit an application if there are changes in the household. An example would be a change of income due to job loss or additional household members such as the birth of a baby.

Payments

4. If scholars qualify for free or reduced priced school meals, their meals are reimbursed in whole or in part with federal funds. Otherwise, the meal reimbursement is minimal, and parents are expected to pay for their scholar's meals.
5. Schools receive partial reimbursement for meals served to scholars who do not qualify for free meals. Parents must make payments to scholar's account to make up the difference between the federal reimbursement and the cost of the meal.
6. Payments can be made either in person or online by using cash, check, debit, or credit cards.
7. Payments should clearly indicate the account(s) to which the funds should be credited with scholars' name(s) and amount.

Delinquency

8. If an account is delinquent and partial payment is sent the school will apply payments to the purchase of the current day's meal first, and the payment of past due accounts second.
9. The school will identify scholar accounts that do not have adequate balances daily and parents will be notified daily by phone, text or email, to allow parents to indicate how they wish to make payments.
10. The school shall maintain documentation of attempts to contact parents and collect delinquent funds.
11. Contact about delinquent accounts for grades are made from adult to adult and will not involve a child.

03—Scholars and Families

03-101—School Fees and Waivers

Board Policy

Pursuant to action taken by the State Legislature and subsequent rulings on that action by the State Board of Education, NWA has created (1) an official fee policy, and (2) a fee waiver guideline. (R277-407)

The Board delegates to the Administration of NWA the responsibility of administering this policy.

Administration Policy

The following Definitions and Standards shall serve as guidelines for the Administration as they assess and collect fees at NWA.

Definitions:

Fee means any charge, deposit, rental, or other mandatory payment, however designated, whether in the form of money or goods.

Provisions in Lieu of Fee Waiver: An alternative to fee payment and waiver of fee payment.

Scholar Supplies: Items which are the personal property of a scholar which, although used in the instructional process, are also commonly purchased and used by persons not enrolled in the class or activity in question and have a high probability of regular use in other than NWA-sponsored activities. The term includes pencils, papers, notebooks, crayons, scissors, NWA spirit wear, undergarments for athletics, and similar personal or consumable items over which a scholar retains ownership.

Optional Project: A project chosen and retained by a scholar in a vocational class or other class where projects are part of the curriculum, in lieu of a meaningful and productive project otherwise available to the scholar that would require only NWA supplied materials.

Textbook: Book, workbook, and materials similar in function that are required for participation in any instructional course.

Waiver: Release from the requirement of payment of a fee and from any provision in lieu of fee payment. Scholars who have been granted waivers or provisions in lieu of fee waivers shall not be treated differently from other scholars or identified to persons who do not need such information.

Standards for Classes and Activities During the Regular Academic Day:

1. Consistent with R277-407-3, no fee may be charged for any materials, textbooks, or any class or activity in kindergarten through sixth grade, including assemblies and field trips.

2. Donations may be requested but not required for any class or activity in kindergarten through sixth grade.

3. As stated in R277-407, a teacher may provide to a scholar's parent or guardian, a suggested list of scholar supplies for use during the regular school day so that a parent or guardian may furnish, on a voluntary basis, scholar supplies for scholar use, provided that, in accordance with Section 53G-7-503, the following notice is provided with the list: "NOTICE: THE ITEMS ON THIS LIST WILL BE USED DURING THE REGULAR SCHOOL DAY. THEY MAY BE BROUGHT FROM HOME ON A VOLUNTARY BASIS, OTHERWISE, THEY WILL BE FURNISHED BY THE SCHOOL."

4. R277-407 also states: NWA "may require a scholar at any grade level to provide materials or pay for an additional discretionary project if the scholar chooses a project in lieu of, or in addition to a required classroom project.

    a. NWA "shall avoid allowing high cost additional projects, particularly if authorization of an additional discretionary project results in pressure on a scholar by teachers or peers to also complete a similar high cost project.
    b. NWA "may not require a scholar to select an additional project as a condition to enrolling, completing, or receiving the highest possible grade for a course."

03-102—Scholar-Safety Check In/Out and Attendance Policy

To better ensure the safety of our scholars at NWA, each scholar may only be checked out by authorized parents, guardians, or contact designees. Contact designees are those persons identified in enrollment paperwork as emergency or other contacts and entered in the electronic database and filed in hard-copy scholar files. It is the obligation of the parent/guardian to update contact information with the Administrative Office for both electronic and hard-copy scholar files.

NWA's Charter states the goal that 100% of scholars will have 90% attendance. The school will address excessive absences, tardiness, and early checkout.

Attendance and Truancy Policy

In compliance with Utah State Law and Utah State Board of Education (USBE) Administrative Rule(R277-607), NWA establishes the following policies and procedures regarding attendance and truancy. These policies and procedures reinforce the mission and vision of NWA in achieving academic and personal excellence for all scholars. Policies which require consistent and punctual attendance are in the best interest of all scholars in helping them achieve their academic and personal goals.

Definitions:
Absence is a scholar's non-attendance at school for one or more consecutive school days, or part of one school day as defined by Administrative Rule (see below). Scholars who are present less than four hours of a full school day are considered absent.

Extended Absence is an absence from school of four or more consecutive days, but not to exceed ten school days.

Excused Absence is an absence from school for one or more of the following reasons:

1. Illness
2. Medical appointments
3. Death of family member or family friend
4. Approved school activity
5. Absence consistent with scholar's IEP or Section 504 accommodation plan
6. Family- related absence, not to exceed three consecutive school days
7. Pre-approved extended absence
8. Unforeseen extenuating circumstances as determined by the School's Administration, or designee

Truancy is missing any part of the school day, or an entire school day, without a valid excuse. For scholars who have 10 or more tardies, the scholar is marked truant unless the absence is excused by a medical professional or the school leader.

Attendance

Utah state law requires school attendance for every child between the ages of six and seventeen years old. Attendance in class is a vital and integral part of the educational process. Scholars are required to be in attendance every day that school is in session during each academic year. Parents and legal guardians of scholars are obligated by state law to ensure their children's regular attendance. Scholars who miss a class for any reason must make arrangements for completing missed school work within one week of their return to school. However, exceptions can be made based on circumstances. Missed schoolwork that is turned in within one week shall not be penalized for lateness.

Attendance will be taken once a day during the homeroom. Regular attendance is important for academic achievement. Parents are discouraged from planning vacations, trips, family events, doctor appointments etc. that occur during school time.

Attendance Appeals Process

Scholars and parents may appeal to the Administration for a closer examination on a case by case basis. Appeals should provide details as to why absences should not count against a scholar's attendance. Appeals are reserved for unusual and/or uncontrollable attendance problems (i.e., medically verifiable illness, etc.). The waiving of absences is entirely up to the discretion of the Administration. Appeals should be submitted as soon as possible to the front office. Appeal forms are available in the front office.

Absence Revised 08/2026

For any scholar absence, the parent must notify the school of the absence as soon as reasonably possible, preferably before the absence occurs, via the link on the school website, or a phone call or email to the school office. This notification should include the reason for the absence and its

expected duration. If notification is not received, the office will contact the scholar's parents to verify the absence.

In accordance with state legislation, the School Administration or designee shall determine whether an absence is excused based on established state standards:

- **Valid Excused Absences:** An absence shall be designated as a valid excused absence for any reason provided by a parent or legal guardian to justify the student's absence.
- **Medical Documentation:** Noah Webster Academy will not require documentation from a medical professional for any absence due to mental or physical illness.

(UCA 53G-6-201, 53G-4-402(18); Utah Admin. Code R277-400; Utah Admin. Code R698-13)

Truancy

For each scholar truancy NWA will attempt to make parent contact via the procedures outlined in the Administrative Rules (see below), as well as implement the applicable consequences. Additionally, one or more of the following interventions may be used to assist in resolving the attendance problem:

1. Referral to School Administration, or appropriate designee
2. Meetings with scholar and parents
3. Adjustments to the scholar's schedule
4. Attendance monitoring
5. Attendance contracts
6. Truancy citation (for scholars 12 and over)
7. School suspension
8. Parent attending school with scholar
9. Referral to Juvenile Court (for scholars 12 and over)

Remote Learning

In the event of a school building closure due to extraordinary circumstances or emergency situations remote learning will occur for scholars. Scholar attendance will be defined as actively participating in assigned classwork. Participation for attendance can include any of the following:

1. Submitting assignments,
2. Participating in online or face-to-face discussion,

3. Joining live class meetings,

4. Communicating with the teacher by email, feedback, face-to-face, or phone.

In the case that NWA requires a Learner Validated Program which refers to specific online or blended learning programs as defined in R277-419, NWA will follow pupil accounting, reporting, and other requirements necessary by State rule R277-419.

Due Process

This policy allows for due process and actions taken under this policy may be appealed, first to the School Director, and then to the Board.
R277-607; 53G-6-201

Administrative Rules

The following Administrative Rules shall apply:

1. Attendance:

a. Scholars must be present at school within the first two days of school or the confirmed seat may be reassigned and offered to the next child on the prioritized waitlist. Parents must request exceptions through the registrar if there is a family need for the scholar to miss the first few days of school. Admin approval is needed for all exceptions.

b. Scholars must be present for at least 50% of the school day in order to be considered in attendance. Scholars who are present less than four hours of a full school day are considered absent.

c. Scholars who have 10 consecutive unexcused absences will be unenrolled from NWA and their seat will be given to the next person on the waitlist for their grade.

d. Any planned extended absence exceeding 10 days requires a meeting, at least 2 weeks prior to the anticipated absence, with the school director. Parents should acknowledge that extended absences, even excused ones, impact academic progress. Director approval must be given for all extended absences. Depending on the length of the absence, the scholar may be unenrolled from the school. It will be at Director discretion whether the seat is held for the scholar, or forfeited.

2. Truancy:

a. Each time a scholar is absent from school without a parent/guardian excuse, the school will make the following parent contact:

i. 1st truancy contact: Email and Phone

ii. 2nd truancy contact: Letter

b. If a parent/guardian fails to respond to the school or give a valid excuse within one week of the second and final truancy contact, the scholar will be marked as truant.

c. NWA will implement the following consequences for all truancies:

i. Truancy Consequences

(1) Parents of scholars who have five consecutive unexcused absences within the current school year will receive a Notice of Compulsory Education requiring them to meet with the school Director. If the parent/guardian fails to meet with the school Director within 2 weeks, or if the scholar accrues 5 more truancies (10 total) within the current school year, the scholar's case may be referred to the Division of Child and Family Services (DCFS).

3. Attendance Accountability

Regular and ongoing reviews of attendance data, and evaluations of the effectiveness of attendance interventions will be conducted by the NWA Governing Board. Annual staff trainings will be conducted to ensure awareness of this policy by all NWA employees. Parents and scholars will be made aware of attendance requirements and will be provided with resources relevant to attendance reporting and accountability.

03-103—Enrollment Policy

Statement of Disclosure

NWA is a public charter school open to all Utah scholars without discrimination and on the same basis as other public schools. NWA will consider the application of any scholar who submits a timely application. NWA does not discriminate on the basis of race, religion, gender, ability, ethnicity, socio-economic status, proficiency in English, or national origin. Admissions, enrollment, and transfer procedures comply with Utah Code 53G-6-502(5) which governs such processes in the State of Utah. NWA charges no tuition and only those fees allowed by law. NWA may give enrollment preference to scholars who reside within the political subdivision containing NWA, and whose school of residency is at capacity.

Enrollment

Open enrollment for each new school year begins in the month of January of each current school year according to the posted calendar. Parents must confirm their desire for continued enrollment by the last weekday of January unless otherwise specified. NWA enrolls current scholars, siblings of current scholars, and siblings of past scholars first for any new school year, and then conducts a lottery or lotteries when the number of scholars making application to the school exceeds the enrollment capacity in any grade, class, or program within the school.

Preferences

While the lottery selects scholars at random, preference is given to the following individuals in any lottery consistent with applicable state and federal law (Utah Code 53G-6-502(4)(c):

1. Children of faculty and staff
2. Children of founding members

3. Siblings of currently enrolled scholars and siblings of past scholars

    a. Sibling preference is granted beginning with the highest available grade and moving down. If preference is granted to a sibling, that scholar is placed in the next available slot on the appropriate grade list following "children of founding parents" and "children of teacher" status scholars. Sibling preference is in place only while the first-placed scholar remains enrolled. If the first-placed scholar, who qualified siblings for preferential enrollment, is withdrawn before October 1, any siblings will lose sibling preference and move back into their place in the lottery.

Lottery

If a lottery is necessary, it will begin on the date posted on the school Calendar. Notifications regarding placement will be sent via email according to posted dates. If subsequent lottery drawings are required, dates will be posted and announced to the public in a timely manner.

The lottery will first choose the highest grade applicants and proceed down the grades through the lowest, giving preference to the first drawn names and then to the siblings of those first drawn. The lottery will also determine the priority list position for all other applicants at specified grade levels. Applications for admission received after a scheduled lottery will be considered in the following lottery.

The priority list established by the lottery will remain throughout the school year, but applicants must indicate their intent to keep their application active by sending or emailing the school a letter of intent each January. Applicants who have been accepted through the lottery must send written confirmation and submit all state and school required enrollment forms in accordance with posted instructions and deadlines in order to maintain their placement status.

Dual Enrollment

NWA offers dual enrollment to scholars who desire to be simultaneously enrolled at NWA as well as in a home school or a regularly established private school under the following conditions:

1. The scholar will have a minimum attendance at NWA of three quarters (3/4) of the weekly instructional time, including instruction in Math and Language;

2. The parent provides a written request with a rationale for released time away from NWA, and receives authorization from the School Director; and

3. If the scholar is a special education scholar, the IEP team will meet to determine an appropriate IEP.

If the scholar will attend NWA less than three quarters (3/4) of the weekly instructional time, the parent shall withdraw their scholar from NWA and either enroll in a private school or return to their local school and district to complete the procedures for formal homeschool status per Utah Code 53G-6-204 (2)(a).

Class Placement

Scholars are placed into classes that take into consideration special needs, learning style, balanced groups, and variety of classmates. Parent requests are taken and considered, but may

not be granted if they conflict with the overall goal of creating the best learning and working environment for all scholars.

Toilet Training Requirement

In accordance with Utah State Law R277-631, all children must be toilet trained prior to enrollment at Noah Webster Academy. Toilet training is defined as the ability to independently use the restroom, which includes knowing how to:

- Use the toilet
- Wipe properly
- Flush
- Zip and button clothing
- Wash and dry hands

Exemptions to this requirement may be granted for children who are not yet toilet trained due to a condition outlined in an Individualized Education Program (IEP) or Section 504 accommodation plan. Parents or guardians must notify the school and submit the appropriate documentation to request an exemption.

If it is determined that a child is enrolled without being toilet trained, school administration and the child's teacher will meet with the parents or guardians to develop a plan. This plan may include the following:

- Reintegration of the child into the classroom once toilet trained
- Support from the school social worker
- Provision for a parent or designated adult to assist with toilet training during school hours, if necessary

Parents or guardians are encouraged to reach out to the school if assistance or further clarification is needed regarding this policy.

03-104—Bullying, Cyberbullying, Harassment, Hazing, and Retaliation Policy

Purpose

Bullying, cyber-bullying, hazing, retaliation, and abusive conduct of scholars, volunteers and employees are prohibited, are against federal, state and local policy, and are not tolerated by NWA. NWA is committed to providing all scholars with a safe and civil school environment in which all members of the school community are treated with dignity and respect. To that end, NWA has in place policies, procedures, and practices designed to reduce and eliminate bullying, cyber-bullying, hazing, retaliation, and abusive conduct—including civil rights violations or actions based on a scholar's or employee's actual or perceived race, color, national origin, sex, disability, religion, religious clothing, gender identity, sexual orientation, or other physical or mental attributes—as well as processes and procedures to deal with such incidents. Bullying, cyber-bullying, hazing, retaliation, and abusive conduct of scholars and/or employees by scholars and/or by employees will not be tolerated at NWA.

School Administration have the authority to discipline scholars for off-campus speech and behavior that causes or threatens a substantial disruption on campus or during school activities, including violent altercations, or a significant interference with a scholar's educational performance and involvement in school activities. If after an investigation, a scholar is found to be in violation of this policy, the scholar shall be disciplined by appropriate measures up to, and including, suspension and expulsion, pursuant to Utah Code Section 53G-8-205 and, loss of participation in extracurricular activities, and/or probation. If after an investigation, a school employee is found to have violated this policy, the employee shall be disciplined by appropriate measures up to, and including, termination.

Definitions:
Abusive conduct means verbal, nonverbal, or physical conduct of a scholar, volunteer, or school employee, directed toward a scholar, volunteer, or school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine:

1. Is intended to cause intimidation, humiliation, or unwarranted distress;
2. Results in substantial physical or psychological harm as a result of intimidation, humiliation, or unwarranted distress; or
3. Exploits a scholar, volunteer, or school employee's known physical or psychological disability
    a. A single act does not constitute abusive conduct, unless it is an especially severe and egregious act that meets the standard under Subsection (A)(1), (2), or (3).

Bullying means a scholar, volunteer or school employee intentionally committing a written, verbal, or physical act against a scholar, volunteer or school employee that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:

1. Causing physical or emotional harm to the scholar, volunteer or school employee;
2. Causing damage to the scholar, volunteer or school employee's property;
3. Placing the scholar, volunteer or school employee in reasonable fear of:
    a. Harm to the scholar, volunteer or school employee's physical or emotional well-being;
    b. And/or damage to the scholar, volunteer, or school employee's property;
4. Creating a hostile, threatening, humiliating, or abusive educational environment due to:
    a. The pervasiveness, persistence, or severity of the actions; or
    b. A power differential between the bully and the victim;
5. Substantially interfering with a scholar, volunteer, or school employee having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

6. The conduct described above constitutes bullying, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.

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

Civil rights violation means bullying, cyber-bullying, or hazing that is targeted at a scholar, volunteer or school employee upon the scholar's, volunteer's or employee's identification as part of any group protected from discrimination under the following federal laws:

1. Title VI of the Civil Rights Act of 1964, including discrimination on the basis of race, color, or national origin;

2. Title IX of the Education Amendments of 1972, including discrimination on the basis of sex; or

3. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, including discrimination on the basis of disability;

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

Disruptive scholar behavior means the same as that term is defined in Utah Code Subsection 53G-8-210(1)(a). Disruptive scholar behavior includes:

1. The grounds for suspension or expulsion described in Utah Code Section 53G-8-205

2. And the following conduct described in Utah Code Subsection 53G-8-209 (2)(b):

    a. Use of foul, abusive, or profane language while engaged in school related activities;

    b. Illicit use, possession, or distribution of controlled substances or drug paraphernalia, and the use, possession, or distribution of an electronic cigarette as defined in Utah Code Section 76-10-101, tobacco, or alcoholic beverages contrary to law; and

    c. Hazing, demeaning, or assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under Utah law.

Hazing means a school employee or scholar intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or scholar that:

1. Endangers the mental or physical health or safety of a scholar, volunteer or school employee;

a. Involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;

b. Involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a scholar, volunteer or school employee; or

c. Involves any activity that would subject a scholar, volunteer or school employee to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a scholar, volunteer or school employee to extreme embarrassment, shame, or humiliation; and

2. Is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for in a school or school sponsored team, organization, program, club, or event; or

3. Is directed toward a scholar, volunteer or school employee whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school sponsored team, organization, program, club, or event in which the individual who commits the act also participates.

4. The conduct described in this Subsection F constitutes hazing, regardless of whether the person against whom the conduct is committed, directed, consented to, or acquiesced in the conduct.

Parent means a scholar's parent or guardian.

Restorative justice practice means a discipline practice designed to enhance school safety, reduce school suspensions, and limit referrals to court, and is designed to help minors take responsibility for and repair the harm of behavior that occurs in school.

Retaliation means an act of communication intended:

1. As retribution against a person for reporting bullying, cyber-bullying, or hazing; or

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

School means a public elementary or secondary school, including a charter school

School Board means the charter school governing board.

School employee means an individual working in the individual's official capacity as:

1. A school teacher;

2. A school staff member;

3. An administrator; or

4. An individual who is employed, directly or indirectly, by school or school Board;

Trauma-Informed Care means a strengths-based service delivery approach grounded in an understanding of and responsiveness to the impact of trauma, emphasizing physical, psychological, and emotional safety for both offenders and victims, and creating opportunities for victims to rebuild a sense of control and empowerment.

Volunteer means a person working under the direct supervision of a licensed educator.

Actions Required to Create or Update Bullying Policies

1. In addition to the requirements of Utah Code Subsection 53G-9-605 (3), NWA is required to:

    a. Develop, update, and implement policies as required by Utah Code Section 53G-9-605 and this rule;

    b. Develop policy with the input from scholars, parents, teachers, school administrators, school staff, or law enforcement agencies;

    c. Post a copy of NWA's policy on the school's website;

    d. Develop an action plan to address a reported incident of bullying, cyber-bullying, hazing, retaliation, or abusive conduct;

    e. Provide a requirement for a signed statement that meets the requirements of Utah Code Subsection 53G-9-605 (3)([g]h) annually; and

    f. Assess scholars about the prevalence of bullying, cyber-bullying, hazing, and retaliation at NWA:

        i. Specifically, locations where scholars are unsafe and additional adult supervision may be required, such as playgrounds, hallways, bathrooms, and lunch areas, will be provided on a bi-annual basis.

Training

1. All scholars, school employees, and volunteers at NWA will receive annual training from a qualified professional regarding bullying, cyber-bullying, hazing and retaliation. This training (consistent with rules and policies of R277-316 and professional standards in R277-217) will address:

    a. Overt aggression that may include physical fighting such as punching, shoving, kicking, and verbal threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior;

    b. Relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault an adult or a child, and social isolation;

    c. Bullying, cyber-bullying, and hazing of a sexual nature or with sexual overtones;

d. Cyber-bullying, including use of email, web pages, text messaging, instant messaging, three-way calling or messaging or any other electronic means for aggression inside or outside of school;

e. Bullying, cyber-bullying, hazing and retaliation based upon the scholars' or employees' identification as part of any group protected from discrimination under the following federal laws:

   i. Title VI of the Civil Rights Act of 1964, including discrimination on the basis of race, color, or national origin;

   ii. Title IX of the Education Amendments of 1972, including discrimination on the basis of sex; or

   iii. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, including discrimination on the basis of disability;

f. Training on civil rights violations will include compliance when civil rights violations are reported;

g. Bullying, cyber-bulling, hazing, retaliation and abusive conduct including training and education specific to bullying based upon scholar's, volunteer's or employees' actual or perceived, characteristics, including race, color, national origin, sex, disability, religion, religious clothing, gender identity, sexual orientation, or other physical or mental attributes and conformance or failure to conform to stereotypes; and

h. Awareness and intervention skills such as social skills training.

i. Educators are instructed to refer to scholars by their legal name and genetic sex.

2. A licensed educator shall supervise volunteers and is responsible for ensuring the volunteer is trained in the above areas. Volunteers shall report to their supervisor if the volunteer witnesses or is notified of a bullying, cyber-bullying, hazing, retaliation or abusive conduct incident among scholars or if the volunteer has reason to suspect such an incident. Volunteers shall not engage in bullying activities themselves and must follow policy requirements or may be asked to leave NWA if in violation of this policy.

3. NWA will implement a youth suicide prevention program for scholars as described in Utah Code Section 53E-9-702.

   a. All licensed educators must complete 2 hours of professional development in youth suicide prevention training once every license renewal cycle.

4. In addition to training for all school employees, scholars, employees, and volunteer coaches involved in any extracurricular activity shall:

   a. Participate in initial bullying and hazing prevention training prior to participation in

the extracurricular activity;

b. Participate in initial bullying, cyber-bullying, and hazing prevention training to be completed by every employee at least every three years;

c. Receive information annually of the prohibited activities list provided previously in this Policy and the potential consequences for violation of this Policy.

Prohibitions

1. A school scholar, volunteer or employee shall not engage in bullying, cyber bullying, hazing, retaliation, abusive conduct or making a false report of a school scholar, volunteer or employee:

    a. On school property;

    b. At a school related or sponsored event;

    c. On a school bus; or

    d. While the school employee, volunteer or scholar is traveling to or from a location or event described above in Subsection A (1) – (4)

2. A school employee, volunteer or scholar shall not engage in hazing or cyber-bullying a school employee, volunteer or scholar at any time or in any location.

3. A school employee, volunteer or scholar shall not engage in retaliation against:

    a. A school employee;

    b. A volunteer

    c. A scholar; or

    d. An investigator for, or witness of, an alleged incident of bullying, cyber-bullying, hazing, or retaliation.

4. A school employee, volunteer or scholar shall not make a false allegation of bullying, cyber-bullying, hazing, or retaliation against a school employee, volunteer or scholar.

5. Any bullying, cyber-bullying, or hazing found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws and is subject to compliance regulations from the Office for Civil Rights.

Investigations

1. NWA will promptly and reasonably investigate allegations of bullying, cyber-bullying, and/or hazing. The NWA Administration will be responsible for handling all complaints by scholars and employees alleging bullying, cyber-bullying, hazing, retaliation, abusive conduct or making a false report as outlined:

    a. The Behavior Incident Form will be completed by a staff member for any allegations.

b. Upon receipt of the Behavior Incident Form, Administration will begin the investigation for all allegations of bullying, cyber-bullying, and/or hazing.

c. The school will take reasonable measures to ensure no further incidents of harassment, intimidation, or bullying occur between the complainant and the alleged aggressor.

d. It is NWA's policy, in compliance with state and federal law, that scholars, volunteers and school employees have a limited expectation of privacy on the school's Internet system, and routine monitoring or maintenance may lead to discovery that a user has violated district policy or law. Also, individual targeted searches will be conducted if there is reasonable suspicion that a user has violated policy or law. Personal electronic devices of any scholar suspected of violation of the above policy will be confiscated for investigation and may be turned over to law enforcement.

2. NWA shall adopt an action plan in accordance with State Board of Education Administrative Rule Subsection R277-613-4(1)(c), including a plan to:

    a. Investigate allegations of incidents of bullying, cyber-bullying, hazing, and retaliation in accordance with this section; and

    b. Provide an individual who investigates allegations of incidents of bullying, cyber-bullying, hazing, and retaliation with adequate training on conducting an investigation.

3. NWA is required to investigate allegations of incidents described in Subsection (A)(1) by interviewing at least the alleged victim and the individual who is alleged to have engaged in prohibited conduct.

    a. NWA may also interview the following as part of an investigation:

        i. Perpetrator(s), victim(s) and parents of the aforementioned

        ii. Any witnesses;

        iii. School staff; and

        iv. Other individuals who may provide additional information.

    b. An individual who investigates an allegation of an incident shall inform an individual being interviewed that:

        i. To the extent allowed by law, the individual is required to keep all details of the interview confidential; and

        ii. Further reports of bullying may become part of the investigation.

4. The confidentiality requirement in Subsection (B)(2) does not apply to:

    a. Conversations with law enforcement professionals;

b. Requests for information pursuant to a warrant or subpoena;

c. A state or federal reporting requirement; or

d. Other reporting required by this rule.

5. In conducting an investigation under this section, NWA may:

   a. Review disciplinary reports of involved scholars; and
   b. Review physical evidence, consistent with search and seizure law in schools, which may include:

      i. Video or audio;

      ii. Notes;

      iii. Email;

      iv. Text messages;

      v. Social media; or

      vi. Graffiti.

6. NWA is required to adopt a policy, consistent with state law and state board rule, outlining under what circumstances the NWA employees, volunteers or scholars will report incidents of bullying, cyber-bullying, and retaliation to law enforcement.

Actions Required If Prohibited Acts Are Reported

1. Each reported complaint will include:

   a. The name of complaining party;

   b. The name of offender (if known);

   c. The date and location of incident(s); and

   d. A statement describing the incident(s), including names of witnesses (if known).

2. Each reported violation of the prohibitions noted previously will be promptly investigated by a school administrator or an individual designated by a school administrator. A report of bullying, cyber-bullying, hazing, retaliation and abusive conduct may be made anonymously; however, NWA will not take formal disciplinary action based solely on an anonymous report.

   a. Parents will be informed of the outcome of the school's investigation

   b. Safety considerations will be discussed and a plan may be created for the scholar who is the victim of the incident as per 53G-9-605(3)(i).

   c. The procedure below will be followed for both victims and perpetrators.

3. The sharing of recordings of an act of bullying, cyber-bullying, hazing, abusive conduct, or retaliation, in order to impact or encourage future incidents of such behavior is prohibited as per 53G-9-605(3)(e). Any scholar who shares any recording of these acts shall be addressed as follows:

4. Verified violations of the prohibitions noted previously shall result in consequences or penalties. Consequences or penalties may include but are not limited to:

    a. Use a discipline plan consistent with State Board of Education Administrative Rule R277-609;

    b. Use restorative justice practices consistent with State Board of Education Administrative Rule R277-613;

    c. Notify the involved scholars' parents, the volunteer, or the school employee of the restorative justice practice and obtain consent from the involved scholar(s)'s parent(s) before including victim in the process;

    d. Support involved scholars through trauma-informed practices;

    e. Use scholar suspension or removal from a school-sponsored activity including school sponsored transportation;

    f. Use scholar suspension or expulsion from school or lesser disciplinary action;

    g. Use employee suspension or termination for cause or lesser disciplinary action consistent with Utah Code Section 53G-11-512;

    h. Use employee reassignment;

    i. Take other actions against scholar or employee as appropriate; and

    j. Use a grievance process required under Subsection 53E-9-605(3)(f) consistent with the LEA's established grievance process.

5. The school will notify a parent if the parent's scholar threatens suicide, or if the scholar is involved in an incident of bullying, cyber-bullying, hazing, or retaliation.

    a. NWA will produce and maintain a record that verifies that the parent was notified of the incident or threat.

    b. NWA will not disclose the record described in 4a. to anyone unauthorized to receive it and will not use the record for purposes not allowed under the law.

6. Regarding compliance with the Office for Civil Rights when Civil Rights Violations Occur:

    a. The school is responsible for identifying bullying, cyber-bullying, and hazing incidents about which it knows or reasonably should have known when it involves a protected class. The school must take immediate and appropriate action to investigate or otherwise determine what occurred.

b. These duties are the school's responsibility to investigate regardless of whether a person makes a complaint, requests the school to take action, or identifies the bullying, cyber-bullying or hazing as a form of discrimination.

c. If it is determined that the bullying, cyber-bullying, or hazing occurred as a result of the scholar-victim's membership in a protected class, the school shall take prompt and effective steps reasonably calculated to:

i. End the bullying, cyber-bullying, or hazing,

ii. Eliminate any hostile environment,

iii. Assess prevalence in school culture, physical facilities, and systemic practices to prevent its recurrence.

7. Actions must also include, as appropriate:

a. Procedures for protecting the victim and other involved individuals from being subjected to:

i. Further bullying, cyber-bullying, or hazing, and

ii. Retaliation for reporting the bullying, cyber-bullying or hazing;

b. Prompt reporting to law enforcement of all acts of bullying, cyber-bullying, hazing, or retaliation that constitute suspected criminal activity;

c. Procedures for a fair and timely opportunity for the accused to explain the accusations and defend his/her actions prior to scholar or employee discipline; and

d. Procedures for providing due process rights under Utah Code Section 53G-11-501 (licensed staff) and local employee discipline policies prior to employee discipline or Utah Code Section 53G-8-202 and local policies (scholars) prior to long term (more than 10 day) scholar discipline.

Annual Reporting of Allegations of Bullying, Cyber-bullying, Hazing, and Retaliation

1. NWA is required by Utah Code Subsection 53E-3-401 (3) and State Board of Education Administrative Rule R277-613 to report the following annually, on or before June 30, to the School Director in accordance with the School Director's submission requirements:

a. A copy of NWA's policy required in Section R277-613-4;

b. Implementation of the signed statement requirement described in Utah Code Subsection 53G-9-605 (3)(g);

c. Verification of NWA's training of school employees relating to bullying, cyber-bullying, hazing, and retaliation, and abusive conduct described in Utah Code Section 53G-9-607;

d. Incidents of bullying, cyber-bullying, hazing, and retaliation;

e. The number of incidents described in Subsection (4) required to be reported separately under federal law, including the reporting requirements in:

i. Title VI of the Civil Rights Act of 1964;

ii. Title IX of the Education Amendments of 1972; or

iii. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990; and

iv. The number of incidents described in Subsection (4) that include a scholar who was bullied, cyber-bullied, hazed, or retaliated against the scholar's actual or perceived characteristics, including disability, race, national origin, religion, sex, gender identity, or sexual orientation.

Grievance Process for Incident of Abusive Conduct

1. For purposes of this policy, "abusive conduct" means verbal, nonverbal, or physical conduct of a scholar, school employee, parent, or volunteer, directed toward a scholar, school employee, parent, or volunteer, that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress.

a. A scholar, school employee, parent or volunteer who has experienced an incident of abusive conduct and is not satisfied with initial efforts to resolve the issue, may submit a written grievance with the School Director within thirty (30) calendar days of the incident.

b. The written grievance described in Subsection (1) shall include:

i. The date of the incident;

ii. Circumstances of the incident; and

iii. The signature of the school employee submitting the grievance to the School Director.

c. Within ten (10) business days of receiving the written grievance, the School Director shall meet with the school employee to discuss the grievance and possible resolutions.

d. Within ten (10) business days after the meeting described in Subsection (3), the School Director shall respond to the individual in writing explaining the School Director's position and offer options for substantive resolution of the complaint.

e. If the response by the School Director described in Subsection (4) does not satisfactorily resolve the issue, the individual may appeal the School Director's response in writing within ten (10) business days after receipt of the response to the school Board Chair.

f. Within ten (10) business days after receipt of the grievance appeal described in Subsection (5), the Board Chair shall meet with the individual to discuss the grievance and possible resolutions.

g. Within fifteen (15) calendar days after the meeting, the Board Chair shall respond in writing with a final resolution of the grievance.

h. The Board Chair's written response shall be the final administrative action in the matter.

Additional Notes

1. This policy does not prohibit expressive activity protected by the First Amendment of the United States Constitution. However, if off-campus speech that may constitute a bullying, cyber-bullying, or hazing incident creates a substantial disruption to the school environment, under Tinker v. Des Moines, 393 U.S. 503 (1969), NWA may take disciplinary action against the scholar who initiated the speech. Factors NWA consider in determining whether a substantial disruption has occurred are:

    a. Whether there is a verbal or physical confrontation over the incident at school;

    b. Whether there is likely to be a verbal or physical confrontation based on evidence of a prior relationship between the victim and the scholar who initiated the speech;

    c. Whether any part of the speech that gave rise to the incident was repeated at school;

    d. Whether scholars are discussing the incident during class or if it otherwise is disrupting schoolwork;

    e. Whether there is a widespread whispering campaign or rumor sparked by the off-campus incident that disrupts the school environment and scholars' abilities to focus on school;

    f. Whether administrators who dealt with the incident were pulled from their ordinary tasks to address the incident and how much time it took out of an administrator's day to do so;

    g. Whether speech similar to the off-campus speech in this incident has occurred in the past and has resulted in violence or near violence at school; whether there is a negative effect on classroom activities as a result of the off-campus incident; or

    h. Whether the speech was violent or whether there is a history of violence from the scholar, employee, parent or volunteer who initiated the speech (Note: true threats are not protected by the First Amendment if it advocates "imminent" violence or unlawful conduct. Thus, a message that threatens physical harm, even if it isn't meant to be serious, may not be protected by the First Amendment and the person who utters such a message may be disciplined by NWA)

Behavior Incident Form



Noah Webster ACADEMY

205 E 400 S Orem, UT 84058
Phone: 801-426-6624
Fax: 801-426-6645

Behavior Incident Form

This form must be completed for any office referrals of allegations of bullying, cyberbullying and hazing. See NWA Policy 03-104

Scholar Name		Date
Grade	Teacher	Reported By

Location	Others Involved	Behavior	
____ Classroom	____ Peer(s)	____ Serious Physical Contact	____ Self-Injury Behaviors
____ Hallway	____ Teacher(s)	____ Biting	____ Weapons
____ Playground	____ Teaching Assistant	____ Credible Threat of Injury	____ Profanity
____ Field	____ Paraeducators	____ Harassment	____ Spitting on Others
____ Lunchroom	____ Substitute	____ Illegal Substance	
____ Gym	____ Administrator	____ Sexual Behavior/Talk	
____ Restroom	____ Other:	____ Stealing (major)	
____ Outside Carpool		____ Throwing Furniture	
____ Other:		____ Vandalizing	

Victim	
Witnesses	
Time Incident Began	Time Incident Ended
Description of Incident	
Additional information	

Signature:_____ Name:_____ Title:__

Person completing form

Office Investigation	
Individuals Notified **(include full name)** ____ Parent/Guardian ____ Classroom Teacher ____ Special Education Director ____ Social Worker ____ Teaching Assistant ____ Director ____ Assistant Director ____ Lunch Manager ____ Police ____ Other ____ Other	Action(s) Taken ____ Documented in Aspire ____ No Action ____ Parent Informed: name ____ Parent Meeting: date time ____ In School Suspension: # of days return date ____ Out of School Suspension: # of days return date ____ Loss of Recess ____ Loss of Activity ____ Loss of Privilege ____ Apology (Written or Verbal) ____ Repair Damages ____ Other

Signature:_____ Name:_____ Title:_____

Director or Designee

03-105—Scholar Discipline Policy

The Board recognizes that scholar discipline is essential to further the educational process and provide an environment conducive to learning. The Board authorizes the Administration to take appropriate action to preserve order among the scholars and staff and to protect school property. Acts of violence, use or possession of a weapon or facsimile, criminal behavior, and gang activity in or about school property, or activities shall be dealt with in accordance with NWA Policy and the Law. (See UCA 53G-8-202)

The Administration shall take appropriate disciplinary action when scholars engage in activities which disrupt the educational environment, threaten or harm persons or property, or disrupt school activities. This policy shall be administered according to the following guidelines.

1. Scholar Code of Conduct

    a. The School Director shall develop a scholar code of conduct in cooperation with faculty, parents, and scholars. The school code of conduct shall be consistent with this policy and other school policies.

    b. A copy of the school policies and scholar code of conduct, as amended each year, shall be distributed to scholars and/or parents prior to or during the first week of school each year. Scholars enrolling after the beginning of the school year shall be provided a copy of the school policies and scholar code of conduct at the time of registration. Teachers will be given a copy of the scholar code of conduct prior to the beginning of the school year.

2. Dangerous or Disruptive Conduct: The following conduct is defined as "dangerous or disruptive conduct" and is prohibited on school property and at or traveling to school-sponsored activities.

    a. Possessing (regardless of intent), using, selling or attempting to possess, use or sell any firearm, weapon, knife, explosive device, noxious or flammable material, firework, chemical weapon, martial arts weapon or other instrument including those which eject a projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use.

b. Causing, or attempting, threatening or conspiring to cause damage to personal or real property, or causing or attempting, threatening or conspiring to cause harm to a person through:

i. Possession or distribution of drugs or alcoholic beverages.

ii. Sexual harassment or fabrication of sexual harassment charges with malicious intent to defame character.

iii. Arson—the willful and malicious destruction of any part of a building or its contents or occupants by use of fire or explosive.

iv. Burglary—breaking, entering or remaining in a structure without authorization during the hours when the premises are closed to scholars.

v. Theft/Larceny/Stealing—the intentional unlawful taking and/or carrying away of property belonging to or in the lawful possession or custody of another.

vi. Criminal Mischief—willful or malicious injury or damage in excess to public property or to real or personal property belonging to another.

vii. Battery—the unlawful and intentional touching or striking of another person against his or her will.

viii. Assault—placing another person in fear or apprehension of a harmful or offensive touching, whether or not touching is actually intended.

ix. Vandalism—willfully defacing, cutting, marring, injuring, damaging, or losing school or staff property. Official grade transcripts and diplomas may be withheld until the scholar or the scholar's parent(s)/guardian has paid for the damage or made appropriate restitution.

x. Gang-related Activity—dangerous or disruptive activity, which may include but is not necessarily limited to the following:

(1) Wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which evidence membership in a gang;

(2) Using a name which is associated with or attributable to a gang; or

(3) Designating turf or an area for gang activities, occupation, or ownership.

xi. Bullying—aggressive behavior that is intentional and that involves an imbalance of power or strength. A scholar is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more scholars.

(1) Physical bullying: hitting and/or punching

(2) Verbal bullying: teasing or name calling

(3) Non-verbal or emotional bullying: intimidation through gestures, social exclusion and relational aggression

(4) Cyber-bullying: sending insulting, threatening or harassing messages by phone or computer, or electronic messaging

xii. Involvement in any activity which violates federal, state or local law or regulation, disrupting normal school proceedings, or causing, or attempting, threatening or conspiring to cause other scholars to violate federal, state or local law or regulation or to disrupt school proceedings, or attempting, threatening or conspiring to do any of these. These activities include, but are not limited to: extortion, forgery, lewdness, and distributing obscene or pornographic materials.

c. Scholars with prior knowledge of dangerous or disruptive behavior have the duty to report such behavior to School Administration. Scholars that fail to report such behavior are subject to appropriate disciplinary sanctions.

3. Due Process Procedures and Disciplinary Action

Due process is an administrative procedure followed when continued attendance of a scholar is in question. Fairness and reasonableness in disciplinary actions are to be maintained in all proceedings.

a. The following disciplinary actions shall be taken in response to any serious violation which threatens or does harm to school property, to persons associated with the school, or their property, that involves the possession, control, use, or threatened use of a real or look-alike weapon, explosive, noxious or flammable material, with intent to intimidate another person or to disrupt normal school activities, regardless of where it occurs (see UCA 53G-8-205 (1) (3)):

i. Immediately suspend the scholar from school.

ii. As soon as possible following the incident, the School Director or other administrator shall investigate and schedule a conference with the scholar and parent(s)/guardian.

iii. The parent(s)/guardian shall be notified of the scholar's right to a due process hearing which shall be conducted according to the procedures outlined in this policy.

iv. The School Director shall prepare a report for the Board, which will review each instance of such action.

b. The following actions will be taken for other violations of this policy:

i. Immediately remove the scholar from the scene of the violation.

ii. As soon as possible following the incident, a school administrator shall investigate and document the charges and schedule a conference with the scholar involved. At this conference, the scholar may be suspended pending the informal parent conference.

iii. If the issue cannot be immediately resolved, a school administrator shall invite the parent(s)/guardian to an informal conference where information can be presented on behalf of the scholar.

(1) This informal conference shall take place at the first reasonable opportunity. In most instances this conference should take place within three school days of the incident.

(2) At the informal conference the charges shall be explained and supporting evidence reviewed.

iv. Following the informal conference, a school administrator shall take appropriate disciplinary action which may include, but is not limited to, one or more of the following:

(1) <u>INTERVENTIONS</u> Referral to:

- Anger management/self-discipline classes;
- Court/ law enforcement agency;
- School guidance specialist; or
- Division of Family Services, Child Protective Services or other agency.

(2) <u>SANCTIONS</u>

- Behavior contract;
- Community or school service;
- In-school suspension;
- Restitution for damage/harm;
- Parent/guardian attending class with scholar (requires teacher permission).

(3) <u>REMOVAL</u>

- Short-term suspension less than or equal to 10 days
    - 1-2 days suspension: makeup homework shall be made available to scholars upon return to school. Scholars will

be given one week to complete the assignments and turn them in to the teacher.

- Three to less than or equal to 10 days suspension: parents can make arrangements for makeup work during the suspension period.

- Scholars serving a suspension from school are prohibited from being on school property and participating in school-sponsored activities.

c. In accordance with state law, the School Director may suspend a scholar for up to 10 school days.

   i. The parent(s)/guardian shall be notified of the right to appeal the decision to the Board.

   ii. Prior to suspension or expulsion for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not of such a violent or extreme nature that immediate removal is required, good faith efforts shall be made to implement a remedial discipline plan that would allow the scholar to remain in school (i.e., in-school suspension, parent or guardian attending classes, other alternatives)

d. A security or police officer may be invited to a due process hearing or any other phase of the scholar disciplinary action whenever a school administrator deems it necessary for safety.

e. The policy for scholar disciplinary action and due process shall apply to scholars with disabilities only to the extent permissible under the law.

   i. Scholars with disabilities are subject to expulsion imposed for violations involving firearms, explosives, and flammable materials (real, look-alike or pretended).

   ii. Scholars with disabilities who are studying under an Individual Education Plan (IEP) may not be expelled or have their school placement changed without a hearing of the IEP committee except for violations involving weapons, drugs or serious bodily injury (consistent with the Individuals with Disabilities Education Act of 2004).

4. Right of Appeal

a. A record of all expelled scholars shall be kept, and a notation of the expulsion attached to the individual scholar's grade transcript.

b. In accordance with state law, if a scholar is suspended or expelled from NWA for more than 10 school days, the parent(s)/guardian is responsible for undertaking an

alternative education plan which will ensure that the scholar's education continues during the period of suspension or expulsion.
Costs for educational services that are not provided by the school are the responsibility of the scholar's parent(s)/guardian.

5. Appeals to the Board

a. The final determination may be appealed to the Board.

b. A written appeal must be submitted to the Board Chair within 10 days of the day of suspension or expulsion.

c. The Board shall review the determination, the evidence presented, and documents submitted by the scholar's family.

d. The Board may affirm the determination, amend the determination, or affirm the determination in part and amend in part.

e. The Board's written decision shall be issued within 21 working days of receipt of the scholar's written appeal.

6. Prohibited Discipline. NWA shall not use any of the following forms of discipline:

a. Corporal punishment - meaning the intentional infliction of physical pain upon the body of a minor child as a disciplinary measure.

b. Physical punishment of any kind

c. Verbally abusive comments

d. Any punishment that is demeaning

Corporal Punishment Policy

Purpose

Utah Code annotated 1953, section 53A-11-802, specifically prohibits corporal punishment by any school employee. The Utah State Board of education rule (R22-608), also prohibits corporal punishment and requires Utah schools to establish policies, appropriate sanctions and appeal procedures for employees disciplined under this rule and the corresponding state statute. Noah Webster Academy adheres to Utah State law and the Utah State Board of education rule concerning the prohibition of corporal punishment and establishes policy, guidelines, and procedures for implementation in the school.

Definition

Corporal punishment is defined as "the intentional infliction of physical pain upon the body of a minor child as a disciplinary measure." Scholar is synonymous with "child" as defined in 53A-11-801. (Utah code annotated 53A-11-801).

Policy

It is the intention of Noah Webster Academy to provide a safe, secure environment for learning. School employees may not inflict or cause the infliction of corporal punishment upon a scholar who is receiving services from the school. NWA Employees will use the least restrictive interventions first and will adhere to established guidelines for Emergency Safety Interventions (ESI).
NWA Administrators, Teachers, TA's and Special Education personnel will receive ongoing comprehensive ESI Training as outlined in R277-608-4 (2).

This policy does not prohibit the use of reasonable and necessary physical restraint or force in self-defense or otherwise appropriate to the circumstances to:

a. Obtain possession of a weapon, other dangerous object, or controlled substance in the possession of or under the control of a scholar.
a. Protect the scholar or another person from physical injury.
b. Remove from a situation a scholar who is violent and/or disruptive.
c. Protect property from being damaged.
(Utah code annotated 53A-11-802)

Procedure for handling complaints
The director or designee shall investigate all reports of corporal punishment committed by school employees assigned to his/her school. Both complainants and respondents may put in writing the details of the incident reported. An investigation may include the following:

a. Information from scholars.
a. Information from employee's supervisor(s).
b. Information from parent(s).
c. Information from employee(s).

If a violation is confirmed, the School Director shall take prompt action to ensure against a repetition of the violation. Action may include:

a. In-Service training
b. Verbal warning against any repetition
c. A written warning against any repetition with a copy placed in the personnel file of the employee
d. If, in the judgment of the Director, the violation is of a flagrant or persistent nature, the incident shall be reported to the Board of Directors. Under the guidance of the Board of Directors and consistent with "01-108 Board to Administration Delegation Policy", the School Director shall take prompt and appropriate action that may include probationary status, suspension with or without pay pending an investigation into the incident, and/or termination for cause.

Appeal procedure
If either party in a corporal punishment violation incident is dissatisfied with the action taken, a written request for reconsideration may be filed according to NWA's Complaint Policy 01-103 within 20 days of the action taken.

03-106—Withdrawal and Transfer

Scholars will remain enrolled at NWA unless officially withdrawn from the school. To withdraw, families must:

1. Inform school registrar and complete a Withdraw Form

2. Return all school materials

3. Pick up all personal belongings

Scholars will automatically be withdrawn after ten consecutive days of unexcused absences. The school will make every attempt to notify the parent or legal guardian via phone call, email, and registered letter before the tenth consecutive day. Scholars may re enroll if space is available.

03-107—Graduation and Core Standards and Requirements Policies

Graduation Requirements Policy

Administration shall develop and implement procedures for graduation requirements and the granting of a diploma that are consistent with the school's Charter and State Law and R277-705.

Core Standards and General Core Requirements Policy

Purpose

In accordance with R277-700, Noah Webster Academy institutes the following policy to specify the minimum Core Standards and General Core requirements and to establish responsibility for mastery of Core Standard requirements.

Policy

R277-700-4 establishes the Elementary Education Requirements in Utah.

1. The Core Standards and General Core for elementary school scholars in grades K-6 are described in this section.

2. The following are the Elementary School Education Core Subject Requirements:
    a. English Language Arts;
    b. Mathematics;
    c. Science;
    d. Social Studies;
    e. Arts:
        i Visual Arts;
        ii Music;
        iii Dance; or
        iv Theatre;
    f. Health Education;
    g. Physical Education;
    h. Educational Technology, including keyboarding;
    i. Library Media skills, integrated into the core subject areas; and
    j. Civics and character education, integrated into the core subject areas.

3. NWA shall provide access to the General Core to all scholars within the school.

4. NWA is responsible for providing the opportunity for each scholar to master the Core Standards.

5. NWA shall implement formative assessment practices on a regular basis to ensure continual scholar progress.

6. NWA shall assess scholars for proficiency in keyboarding by grade 5 and report school level results as required by the State Board.

7. NWA shall use State Board-approved summative adaptive Utah State assessments to assess scholar mastery of the following:
    a. language arts;
    b. mathematics;
    c. science; and
    d. effectiveness of written expression in grade 5.

8. NWA shall provide intervention to scholars who do not achieve mastery of the subjects described in this section.

9. NWA will provide remedial assistance to scholars who are found to be deficient in basic skills through a statewide assessment in accordance with Subsection 53E-5-206 (1).

10. If a parent objects to a portion of a course or to a course in its entirety under Section 53G-10-205, the parent shall be responsible for the scholar's mastery of Core Standards to the satisfaction of NWA prior to the scholar's promotion to the next course or grade level.

03-108—Foreign Exchange Scholars

In accordance with state law, the NWA Board shall require each approved foreign exchange student agency to provide it with a sworn affidavit of compliance prior to the beginning of each school year.

NWA does not currently have a foreign exchange program, but in the case that this policy changes, R277-612 shall govern. See also State document International Students in Schools: https://www.schools.utah.gov/file/137240a4-4e8b-49db-9c4e-3977bc8701a5

03-109—Scholar Privacy

NWA shall comply with confidentiality of scholar records as required under federal law, state law (53E-9-202 to 204) and under R277-487.

Any employee, volunteer, third party contractor, or other agent of the school shall protect the privacy of a scholar, the scholar's parents, and the scholar's family and support parental involvement in the education of their children through compliance with the protections provided for family and scholar privacy under this part and the Family Educational Rights and Privacy Act

and related provisions under 20 U.S.C. Secs. 1232g and 1232h, in the administration and operation of all public school programs, regardless of the source of funding.

Administration shall develop procedures to ensure that all provisions of scholar records privacy and security are maintained. Administration is prohibited from administering to a scholar any psychological or psychiatric examination, test, or treatment, or any survey, analysis, or evaluation without the prior written consent (consistent with 53E-9-202 (4)) of the scholar's parent or legal guardian, in which the purpose or evident intended effect is to cause the scholar to reveal information, whether the information is personally identifiable or not, concerning the scholar's or any family member's:

1. Political affiliations or, except as provided under Section 53G-10-402(1) or rules of the State Board of Education, political philosophies;
2. Mental or psychological problems;
3. Sexual behavior, orientation, or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of individuals with whom the scholar or family member has close family relationships;
6. Religious affiliations or beliefs;
7. Legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers; and
8. Income, except as required by law.

This policy does not limit the ability of a scholar to spontaneously express sentiments or opinions otherwise protected against disclosure under this section.

03-110—Social Networking Policy

NWA keeps confidential information confidential. School information should not be shared outside of the school. Employees must not post pictures of events or of the interior of the school facilities without authorization. Do not share any information about employees, scholars, or volunteers and do not identify the same by name. Parents and scholars must not be “social media” friends with NWA employees.

The posting of derogatory, defamatory, controversial, or inflammatory content about NWA employees, parents, and/or scholars for any reason is not tolerated.

NWA employees may not engage in illegal or unlawful activities – at work or any time. They will not publish pictures or other information about participation in illegal activities. Similarly, employees may not publish anything that infers or implies participation in illegal activities.

NWA protects privacy rights of employees and NWA families.

Standards of Conduct still apply. Any conduct that would be grounds for dismissal if performed at work will be grounds for dismissal if performed online from other locations. Just as NWA does not tolerate use of race-, religion-, or gender-based slurs in the workplace, an employee's use of such slurs in cyberspace will be grounds for immediate termination. Similarly, just as in the workplace, harassment will not be tolerated. Harassing behavior that is conducted online will not be tolerated. Threats of violence towards others, like hate-based language and harassment, are grounds for termination.

03-111—Technology and Network Protection Policy *Revised 08/26*

NWA's Governing Board recognizes that scholars need to be proficient users of technology to succeed in a digital world. In alignment with state educational standards, NWA utilizes electronic resources to support core learning while actively minimizing non-essential screen time.

Technology is integrated intentionally to enhance innovative teaching, foster problem-solving, and enable meaningful collaboration—mirroring real-world applications without relying on passive or unnecessary device use. Per 53G-7-228 & USBE R277-495 the School Director or a designee of the directors choice will maintain electronic educational systems that support purpose-driven instruction, provide staff development on responsible technology integration, and implement procedures that enforce state standards for screen-time management.

Electronic Resources: Procedure

These procedures are written to support the electronic resources of the school and to promote positive and effective digital citizenship among scholars and staff. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual's life and career. Expectations for scholar and staff behavior online are no different than face-to-face interactions.

Network

NWA's network includes wired and wireless computers and peripheral equipment, files and storage, e-mail and Internet content (blogs, web sites, web mail, groups, wikis, etc.). The school reserves the right to prioritize the use of, and access to, the network.

All use of the network must support education and research and be consistent with the mission of NWA.

Acceptable network use by NWA scholars and staff includes:

1. Creation of files, projects, videos, web pages and podcasts using network resources in support of educational research;

2. Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and web pages that support educational research;

3. With parental permission, the online publication of original educational material, curriculum related materials and scholar work. Sources outside the classroom or school must be cited appropriately;

4. Staff use of the network for incidental personal use in accordance with all NWA policies and guidelines;

5. Connection of staff personal laptops or mobile devices to the school network after checking with as authorized by designated staff to confirm that the device is equipped with up-to-date virus software, compatible network card and is configured properly. Connection of any personal electronic device is subject to all guidelines in this document.

Unacceptable network use by scholars and staff includes but is not limited to:

1. Personal gain, commercial solicitation and compensation of any kind;

2. Liability or cost incurred by NWA;

3. Downloading, installation and use of games, audio files video files or other applications (including shareware or freeware) without permission or approval from Administration;

4. Support or opposition for ballot measures, candidates and any other political activity;

5. Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software, and monitoring tools;

6. Unauthorized access to other school computers, networks and information systems;

7. Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;

8. Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacture);

9. Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material; and attaching unauthorized equipment to NWA's network. Any such equipment will be confiscated and destroyed.

NWA will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by its own negligence or any other errors or omissions. The school will not be responsible for unauthorized financial obligations resulting from the use of, or access to, NWA computer network or the Internet.

Internet Safety: Personal Information and Inappropriate Content

Scholars and staff should not reveal personal information, including a home address and phone number, on web sites, blogs, podcasts, videos, wikis, e-mail or as content on any other electronic medium.

Scholars and staff should not reveal personal information about another individual on any electronic medium.

No scholar pictures or names can be published on any class or NWA website unless the appropriate permission has been verified.

If scholars encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.

Filtering and Monitoring

Filtering appliances are used to block or filter access to visual depictions that are obscene and all child pornography in accordance with the Children's Internet Protection Act (CIPA). Filtering software is not 100% effective. While filters make it more difficult for objectionable material to be received or accessed; filters are not a solution in themselves.

Every user must take responsibility for his or her use of the network and Internet and avoid objectionable sites.

1. Any attempts to defeat or bypass the school's Internet filter or conceal Internet activity are prohibited. Examples include, but are not limited to: proxies, https, special ports, modifications to browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content.

2. E-mail inconsistent with the educational and research mission of NWA will be considered SPAM and blocked from entering school e-mail boxes.

3. NWA will provide appropriate adult supervision of Internet use. The first line of defense in controlling access by minors to inappropriate material on the Internet is deliberate and consistent monitoring of scholar access to computers.

    a. Staff members who supervise scholars, control electronic equipment or have occasion to observe scholar use of said equipment online, must make a reasonable effort to monitor the use of this equipment to assure that scholar use conforms to the mission and goals of NWA; and

    b. Staff must make a reasonable effort to become familiar with the Internet and to monitor, instruct and assist effectively.

Internet Safety Instruction

All scholars will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. Age appropriate materials will be made available for use across grade levels.

Training on online safety issues and materials implementation will be made available for Administration, staff and parents.

Copyright

Downloading, copying, duplicating and distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes are permitted when such duplication and distribution fall within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC) and content is cited appropriately. All scholar

work is copyrighted. Permission to publish any scholar work requires permission from the parent or guardian.

Network Security and Privacy

System logins and accounts are to be used only by the authorized owner of the account, for authorized school purposes. Scholars and staff are responsible for all activity on their account and must not share their account password.

Administration shall ensure that school faculty, staff, and scholars are trained in proper network security procedures, including the protection of passwords and the prohibition of the use of another user's network account.

Scholar Data is Confidential

NWA staff must maintain the confidentiality of scholar data in accordance with the Family Education Rights and Privacy Act (FERPA) and R277-487.

No Expectation of Privacy

NWA provides the network system, e-mail and Internet access as a tool for education and research in support of NWA mission. The school reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of:

1. The network
2. User files and disk space utilization;
3. User applications and bandwidth utilization;
4. User document files, folders and electronic communications;
5. E-mail;
6. Internet access; and
7. Any and all information transmitted or received in connection with network and e-mail use.
8. No scholar or staff user should have any expectation of privacy when using the school's network. NWA reserves the right to disclose any electronic message to law enforcement officials or third parties as appropriate. All documents are subject to the public records disclosure laws of the State of Utah.

Archive and Backup

Regular backup shall be made of all NWA data (including e-mail correspondence) for purposes of public disclosure and disaster recovery.

Disciplinary Action

All users of school electronic resources are required to comply with NWA policy and procedures [and agree to abide by the provisions set forth in NWA user agreement]. Violation of any of the conditions of use explained in this or any other policy related to Electronic Resources may be cause for disciplinary action, up to and including suspension or expulsion from school and

suspension or revocation of network and computer access privileges, and up to and including termination of employment for employees.

Artificial Intelligence (AI)

Purpose: This policy guides the responsible and ethical use of Artificial Intelligence (AI) at Noah Webster Academy, aligning with the Utah P-12 Education AI Framework. Our aim is to leverage AI for enhanced learning and efficiency while ensuring student safety, privacy, and academic integrity.

I. Core Principles:

1. Scholar Focus: AI tools support and personalize learning, fostering critical thinking, not replacing human instruction.
2. Compliance: All AI use must follow federal and state laws, including scholar privacy (FERPA) and data security. Sensitive scholar data will not be shared with unauthorized AI systems.
3. AI Literacy: We will educate staff, scholars, and parents on AI's capabilities, limitations, and ethical considerations. Professional development will empower educators to integrate AI effectively.
4. Balance: We will explore AI opportunities while actively mitigating risks like bias, inaccuracy, privacy breaches, and misuse.
5. Academic Integrity: AI use must uphold academic honesty. Clear guidelines for appropriate use, plagiarism prevention, and citation of AI-generated content will be established.
6. Human Oversight: AI enhances, not replaces, human decision-making and agency in learning and operations. Human review is always required for critical decisions.
7. Monitoring & Evaluation: AI tools will be regularly audited and evaluated for effectiveness, fairness, and compliance.
8. Equity: We strive for equitable access to AI resources for all scholars and staff.

II. Responsible Use:

1. Educators: Determine AI use in classrooms, instruct scholars in ethical use and citation of AI content, verify AI-generated content, and use AI to differentiate learning, plan lessons, and assist with assessments (with human oversight). AI will not be solely responsible for grading.
2. Scholars: Use AI ethically, understand when and how to cite AI content, and develop AI literacy.
3. Administration/Operations: Use AI to streamline tasks (e.g., scheduling, reports) in compliance with data privacy and cybersecurity standards.

III. AI Program Approval and Data Governance:

Any use of AI programs, applications, or platforms within NWA must receive explicit approval from the school administration. Approved AI programs will be documented and added to the school's metadata dictionary, including details on data inputs, outputs, security measures, and intended use. This ensures transparency, proper data governance, and alignment with this policy and privacy regulations.

IV. Prohibited Use:

1. Unauthorized Data Sharing: Inputting personally identifiable or sensitive school data into public AI systems that do not guarantee privacy.
2. Academic Dishonesty: Submitting AI-generated content as original work without proper attribution or teacher permission.
3. Sole Decision-Making: Using AI as the only basis for high-stakes decisions regarding scholar assessment, IEPs, evaluations, or disciplinary actions.
4. Harmful Content: Creating or distributing discriminatory, biased, hateful, or inappropriate content using AI.
5. Cyberbullying/Harassment: Using AI to generate or facilitate content that harasses, intimidates, or bullies, including deepfakes or manipulated media.
6. Security Evasion: Using AI to bypass school network security or content filters.

V. Implementation & Review:

An AI Committee will oversee this policy's implementation, ensure compliance, and conduct regular reviews (at least annually) to adapt to evolving AI technologies and best practices. This policy will be clearly communicated to all stakeholders.

03-112—Head Injury Policy

In compliance with Utah State Board of Education Rule R277-614 NWA has established this *Head Injury and Concussion Policy* to provide education about concussion for coaches, school personnel, parents, and scholars. This policy outlines procedures for staff to follow in managing concussions, and outlines school policy as it pertains to return to play issues following a concussion.

School seeks to provide a safe return to activity for all scholars following any injury, but particularly after a concussion. In order to effectively and consistently manage these injuries, Administration shall develop procedures to ensure that concussed scholars 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.

Administration, Physical Education Specialists and/or Committees 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.

All appropriate staff shall attend a yearly in-service meeting in which procedures for managing sporting event-related concussions are discussed.

Non-Policy Tools and Procedures

1. Recognition of Concussion

Definition:

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

a. Common signs and symptoms of sports-related concussion:

i. *Signs* (observed by others):

(1) Scholar appears dazed or stunned
(2) Confusion
(3) Forgets plays
(4) Unsure about game, score, opponent
(5) Moves clumsily (altered coordination)
(6) Balance problems
(7) Personality change
(8) Responds slowly to questions
(9) Forgets events prior to hit
(10) Forgets events after the hit
(11) Loss of consciousness (any duration)

ii. *Symptoms* (reported by scholar):

(1) Headache
(2) Fatigue
(3) Nausea or vomiting
(4) Double vision, blurry vision
(5) Sensitive to light or noise
(6) Feels sluggish
(7) Feels "foggy"
(8) Problems concentrating
(9) Problems remembering

These signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion. Any scholar who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion, or balance problems) shall be immediately removed from the contest, game, or practice and shall not return to play until cleared by an appropriate health care professional.

2. Management and Referral Guidelines for All Staff

a. The following situations indicate a medical emergency:

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

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

iii. A scholar 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 or symptoms of associated injuries, spine or skull fracture, or bleeding

(5) Mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation

(6) Seizure activity

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

3. Guidelines and Procedures for Coaches and Teachers Supervising Contests and Games

a. *Recognize concussion*

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

ii. Educators and agents of school shall have appropriate training about recognizing and responding to traumatic head injuries, consistent with the employees' responsibilities for supervising scholars and athletes.

b. *Remove from activity*

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

c. *Refer the athlete/scholar for medical evaluation*

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

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

(2) A medical evaluation is required before returning to play.

ii. In the event that a scholar's parent(s) cannot be reached, and the scholar is able to be sent home (rather than directly to medical treatment):

(1) The school agent should ensure that the scholar will be with a responsible individual, who is capable of monitoring the scholar and understanding the home care instructions, before allowing the scholar to go home.

(2) The school agent should continue efforts to reach a parent.

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

(4) The school agent shall provide for supervision of other scholars for whom he or she is responsible when accompanying the injured scholar.

4. Return to Play (RTP) Procedures After Concussion

a. Return to activity and play is a medical decision. The scholar must meet all of the following criteria in order to progress to activity:

i. Asymptomatic at rest and with exertion (including mental exertion in school) AND

ii. Have written clearance from the scholar's primary care provider or concussion specialist (scholar must be cleared for progression to activity by a physician other than an Emergency Room physician, if diagnosed with a concussion).

b. Once the above criteria are met, the scholar will be progressed back to full activity following the step-wise process detailed below. (This progression must be closely supervised by a school 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 athlete's physician).

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 scholar, and sport/activity in which the scholar participates. An athlete/scholar 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 progress more slowly.

d. Stepwise progression as described below:

   i. 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.

   ii. Return to school full-time.

   iii. Light exercise. This step cannot begin until the scholar is no longer having concussion symptoms and is cleared by a physician for further activity. At this point the athlete may begin walking or riding an exercise bike. No weightlifting.

   iv. Running in the gym or on the field. No helmet or other equipment.

   v. Non-contact training drills in full equipment. Weight training can begin.

   vi. Full contact practice or training.

   vii. Play in game. Must be cleared by physician before returning to play.

e. The scholar should spend 1 to 2 days at each step before advancing to the next. If post-concussion symptoms occur at any step, scholar must stop the activity and the treating physician must be contacted. Depending upon the specific type and severity of the symptoms, the scholar 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 scholar injured during recess compared to a scholar injured at a game or formal practice.

5. Potential Problem Areas

While current Utah law designates that a scholar may be returned to play by "an appropriate health care provider", school may limit the credentials from which it will accept clearance in its sole discretion. Generally, scholars will be required to provide a note from his/her health care provider before being allowed to return to play. This is a very important decision and will be made after careful consideration by the athletic director, School Director, superintendent, teacher (elementary), and parent(s). The school's liability carrier may also be consulted. School Administration will not allow scholars clearly having concussion symptoms to return to play even if given clearance by a health care provider.

03-113—Administration of Medication to Scholars

The Board recognizes that some scholars need to receive medication during the school day and delegates to the Administration responsibility for developing appropriate guidelines for administering medication to scholars in accordance with UCA 53G-9-502.

The Administration authorizes the following guidelines for administering medication to scholars.

Guidelines

1. School personnel may administer prescription medication or nonprescription medication to a scholar during the regular school day only when the medication has been prescribed by the scholar's physician, dentist, nurse practitioner, or physician assistant and the school office receives:

    a. A current, written request that medication be administered during regular school hours signed by the scholar's parent or legal guardian, and

    b. A current, written statement signed by the prescriber of the medication that includes the following:

        i. A statement that administration of medication by school employees during periods when the scholar is under the control of the school is medically necessary, and

        ii. A statement that describes the method, amount, time schedule for administration, and duration of the treatment.

2. The parent request and prescriber's statement must be resubmitted at the beginning of each school year the medication is continued, and as medication is prescribed or changed. The school may administer medication based on the previous year's parent request and prescriber's statement for up to ten (10) school days when necessary to allow the scholar's parent or guardian time to obtain the prescriber's signed statement for the current year.

3. Administering over-the-counter medications requires a prescribing practitioner statement as well as consent of the parent or guardian. Protocol for administering over-the-counter medications is the same as for administering prescription medications.

4. Oral, topical, and inhalant medication, opiate antagonists, or injectable epinephrine may be administered by assigned school personnel in compliance with applicable law.

5. All medication that is to be given at school must be furnished by the parent or guardian and delivered to the school by a responsible adult, except as otherwise allowed by law.

6. All prescription medication must be in the original container labeled by the pharmacy with the name of the scholar, the name of the prescriber, the name of the medication, and the dosage. The name of the medication and dosage indicated on the label must be identical to the name of the medication and dosage specified in the statement signed by the prescriber.

7. Nonprescription medication must be submitted in the original container and be labeled with the scholar's name. The name of the medication and dosage indicated on the label must be identical to the name of the medication and dosage specified in the statement signed by the prescriber.

8. All medication provided to the school must be kept under lock and key.

9. School personnel who are assigned to administer scholar medication shall receive appropriate training.

10. A record including the type of medication, amount, and the time and day it was administered must be kept for each scholar receiving medication at school. The person administering the medication must initial the record each time medication is given.

11. Authorization for administration of medication by school personnel may be withdrawn by the School Director after consultation with the school nurse at any time following actual notice to the scholar's parent or guardian.

12. School personnel who administer medication to scholars in substantial compliance with the prescriber's written statement are not liable, civilly or criminally, for any adverse reaction suffered by the scholar as a result of taking the medication or the school's discontinuing the administration of the medication under these guidelines.

13. Scholars are not to carry or self-administer medication on school premises unless it is expressly ordered by the prescriber and authorized by the parent.

14. Unused medication must be picked up by a responsible adult within two weeks following the last dose administered. Medication remaining at the school after this time should be destroyed.

15. Distribution of any drug or medication from one scholar to another will be considered Dangerous and Disruptive Conduct and shall be dealt with according to the provisions of applicable policy.

16. Sunscreen and Lip Balm are not considered medication.

03-114—Electronic Devices on Campus *Revised 08/26*

The purpose of this policy is to govern use of privately owned and NWA owned electronic devices on campus in accordance with R277-495.

Definitions:
Electronic Device means a cell phone, tablet/i-pad, smart watch, AI glasses, portable computer or other emerging technology that holds digital information.

1) Prohibitions:

   a) Scholars may not use electronic devices during classroom hours. Exceptions are allowed when a device must be used for school-wide emergencies, when accessing the SafeUT Crisis Line, for IEP's or Section 504 Accommodation Plans, or for medical necessities.

   b) A parent may request an accommodation for their scholar to briefly use a device during non-instructional time in a designated area identified by NWA. This accommodation is

at the sole discretion of, and approval by the current NWA Director. Requests must be made in writing.

c) Scholars are not to use electronic devices during non-classroom/club/field trip hours, also subject to the exceptions as allowed above.

d) Electronic devices may not be used in ways that bully, humiliate, harass, or intimidate school-related individuals, including scholars, employees, and invitees, consistent with R277-609 and R277-613, or violate local, state, or federal laws; and

e) NWA employees and invitees may not use electronic devices to access inappropriate matter on the Internet while using NWA equipment, services or connectivity whether on school property or while using school-owned or issued devices;

f) Electronic devices may not be used during standardized assessments unless specifically allowed by statute, regulation, scholar IEP, or assessment directions;

g) NWA will comply with section 53G-7-1002. Scholar access to online content that contains obscene material is prohibited. Upon request, NWA will provide parents or guardians a report for their child, generated from the school's monitoring system. This policy will be reviewed once every three years; a footnote will be included in this policy manual including the most recent review date. If complaints arise, parents may reach out to the school director for further information and/or to utilize established complaint procedure. *Reviewed 8/18/26*

Administration shall adopt procedures that:

i) Protect the safety and security of scholars when using electronic mail, chat rooms, and other forms of direct electronic communications (including instant messaging);

ii) Prohibit unauthorized access, including hacking and other unlawful activities by NWA electronic device users; and

iii) Prohibit unauthorized disclosure, use and dissemination of personal scholar information under the Family Educational Rights and Privacy Act, 34 CFR, Part 99.

2) Administration shall include the following information in a handbook for parents and scholars:

a) Provisions that inform scholars that there may be administrative and criminal penalties for misuse of electronic devices and that local law enforcement officers may be notified if school employees believe that a scholar has misused an electronic device in violation of the law;

b) Provisions that inform scholars that violation of NWA acceptable use policies may result in confiscation of NWA-owned devices which may result in missed assignments, inability to participate in required assessments and possible loss of credit or academic grade consequences;

c) Provisions that inform scholars that they are personally responsible for devices assigned or provided to them by NWA, both for loss or damage of devices and use of devices consistent with NWA directives;

d) Provisions that inform scholars and parents that use of electronic devices in violation of NWA or teacher instructional policies may result in the confiscation of personal devices for a designated period; and

e) Provisions that inform scholars that use of privately-owned electronic devices to bully or harass other scholars or employees and result in disruption at school or school-sponsored activities may justify administrative penalties, including expulsion from school and notification to law enforcement.

3) Administration shall include the following in a handbook for employees:

a) Notice that use of electronic devices to access inappropriate or pornographic images on school premises is illegal, may have both criminal and employment consequences, and where appropriate, shall be reported to law enforcement;

b) Notice that employees are responsible for NWA-issued devices at all times and misuse of devices may have employment consequences, regardless of the user; and

c) Notice that employees may use privately-owned electronic devices on school premises or at school sponsored activities when the employee has supervisory duties only as directed by the employing NWA.

03-115—Extra Curricular Activities and School Clubs

Administration shall ensure that scholars have a range of extracurricular activities and clubs in which to participate if they choose, consistent with the school's Charter and state law.

Out-of-School Time Policy

Pursuant to R277-715 Noah Webster Academy will adhere to the following Requirements and Standards for High Quality Out-of-School Time Programs.

Definitions:
Assessment tool means the Utah After school program Quality Assessment and Improvement Tool developed by a statewide multi-agency stakeholder group, and administered by the Utah afterschool network.

Out-of-school time means time that a scholar at a participating program is engaged in a learning environment that is not during regular school hours, including before school, after school, and during the summer.

Participating program means a program that receives funds from the board or from the department of workforce services to support the program's out-of-school time programming.

Program quality assessment tool or *PQA tool* means the evidence-based program quality assessment tool used to assess program quality during an observation in classrooms with school age and teen children, including children 5 years old and older.

Reliable Observer means the department of workforce services or other approved individual who is trained to utilize an evidence-based classroom observation tool to fidelity.

Requirements

Administrators of Noah Webster Academy after-school programs shall:

a. Utilize the assessment tool
    i. Use the assessment tool to determine the extent to which the program is meeting the standards described in this Section; or
    ii. Allow a reliable observer to use the quality assessment tool to determine the extent to which the program is meeting the standards described in this Section;

b. Ensure that the program is working toward achieving the standards described in this Section; and

c. For a participating program that receives after school program funds from the Board, collect and submit to the board scholar attendance data.

Standards

Safety Standard

The safety standard includes the following components in order to provide a safe, healthy, and nurturing environment for all participants, including that:

a. Staff are qualified to work with program participants;

b. Policies and procedures are established and implemented to ensure the health and safety of all program participants;

c. Program participants are carefully supervised to maintain safety;

d. A transportation policy (see section 03-116) is established and communicated to staff and families of participants; and

e. A consistent and responsive behavior management plan (see section 02-107) is established and implemented.

Relationship Standard

The relationships standard includes the following components in order to develop and maintain positive relationships among staff, participants, families, schools, and communities, including that:

a. Staff and participants know, respect, and support each other;

b. The program communicates and collaborates with the school and the community; and

c. The program fosters family involvement to support program goals.

Skills Standard

a. The skills standard includes the following components in order to encourage participants to learn new skills, including that:

b. Participants are actively engaged in learning activities that promote critical thinking, creative thinking, and that build on the individual's interests and strengths;

c. The program aligns academic support and interventions to the school-day curricula to address scholar learning needs; and

d. The program offers a variety of life skill activities and needs-based support to promote leadership skills, personal growth, and responsible behaviors toward self and others.

Administration Standard

The administration standard includes the following components in order to ensure that the program is effectively administered, including that the program:

a. Has established a plan for increasing capacity, and ensuring program quality, including sound fiscal management;

b. Establishes and consistently implements clearly-defined policies and procedures;

c. Recruits, hires, and trains qualified staff members who value and nurture all participants; and

d. Provides professional development and training opportunities to enhance staff job performance.

03-116—Scholar Transportation

The Administration shall develop procedures that ensure that when scholars are transported by employees, volunteers, or transportation firms under a contract with the school, such transportation is done in compliance with applicable laws (including R277-316-3-4 Background check and Reporting policies), protects the school from unnecessary liability, and ensures appropriate levels of scholar safety.

Any party that transports scholars on behalf of the school shall have adequate insurance. Volunteers and employees of the school that transport scholars on behalf of the school shall complete a defensive driving course prior to transporting scholars and shall complete said course at least every two years.

All buses owned by the school, and any transportation system operated by the school, shall comply with R277-601, and Administration shall develop procedures for such operations consistent with that rule.

03-117—Special Education

See separate Special Education Policy and Procedure document which can be found on NWA's website, policies section.

03-118—Education of Homeless Scholars

Administration shall develop and implement procedures to ensure that homeless scholars who apply to attend NWA (consistent with the school's enrollment and lottery policies) may immediately enroll with full participation even if they are unable to produce records which may include medical records, birth certificates, school records, or proof of residency normally required for enrollment, consistent with R277-616.

03-119—Scholar Search Policy

In order to ensure scholar safety and protect individual scholar rights, and in consideration of R277-615, Administration shall develop and implement procedures related to the search of scholar property. Procedures shall provide:

1. That a search may only occur upon reasonable suspicion that scholar safety is at risk or that a scholar is in possession of an item or items prohibited by school safety or discipline policy, such as controlled substances, electronic cigarettes, or weapons;

2. That scholars are protected from unreasonable intrusion;

3. That faculty and staff are appropriately trained in the fair and consistent implementation of scholar search procedures.

03-120—Dissemination of Information About Juvenile Offenders

1. The dissemination of any information about scholars' juvenile offenses or charges shall be consistent with FERPA and GRAMA, including applicable time periods and protection of confidential information.
2. Only the School Director and teachers who have instructional or activity oversight of the scholar shall have authority to receive confidential information about scholars' juvenile offenses or charges.

3. A dispute regarding the dissemination of information shall be decided in favor of a scholar's rights to privacy, except in the event of apparent imminent danger to persons or property.

03-121—Alternative Language Services Policy and Language Access Plan (LAP)

Purpose

This policy addresses NWA's communication and assistance to scholars learning English, their parents or guardians, and their families. An Alternative Language Services Policy and a Language

Access Plan is mandated by HB302, and under R277-716 is required for all schools who accept any kind of Title III funding under NCLB.

Definitions:
Primary language means the first language spoken by a scholar and a scholar's parent or guardian.

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

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

Language Access Coordinator

The School Director (and/or any designated school staff working under the School Director in a given year) shall act as Language Access Coordinator (Coordinator). The Coordinator will:

1. Designate and is responsible for implementing and updating the LAP annually which includes relevant training.
2. Notify school personnel of the LAP, the rights of parents and scholars to language assistance services, and the proper procedures to access language assistance services as outlined in the LAP.
3. Notify each parent and scholar who require language assistance services of their right to free language assistance, including the complaint procedure found in the NWA Policy Manual.

Language Access Plan (LAP)

The School Director and any designated school staff shall prepare a Language Access Plan ("LAP" or "Plan") regarding access to agency services, programs, and activities for persons who have limited English proficiency and understand other languages other than English. This Plan must be presented to and formally approved by the NWA Board.
The LAP shall:

1. Address parental involvement for scholars learning English; and be designed to build consistent and meaningful communication in a language that a parent or guardian can understand among teachers, administrators, and parents.

2. Provide parents with the opportunity to be actively involved in their NWA scholar's education and to be informed of the importance of the involvement of parents in directly affecting the success of their scholar's educational efforts; and groups and organizations that may provide instruction and training to parents to help improve their scholar's academic success and support their academic efforts.

3. Include a process for the State required Determination of Primary Language policy which states that:

a. The LAP shall determine within 30 (thirty) days of a scholar's enrollment (or, re-enrollment) the Primary Language spoken by the scholar and the parent or guardian of each scholar enrolled in the school, and if such language is not English, whether the scholar and parent require language assistance to communicate effectively with the school.

b. The school shall maintain an appropriate and current record of the Primary Language of each parent.

4. Shall be consistent with the Interpretation and Translation State requirements listed in this Policy.
5. Be reviewed for efficacy *annually* consulting with community members: refugee resettlement agencies, immigration services organizations, ethnic based community organizations for the purpose of evaluating the effectiveness of the LAP. A summary of this review will be presented *annually* to the NWA Board.

Obligation to Provide Language Assistance Services

Consistent with R277-716, NWA will provide Translation and Interpretation services to scholars and parents who require language assistance in order to communicate effectively with their school.

NWA shall provide Interpretation services during regular business hours, to parents and scholars who require such services in order to communicate with NWA regarding critical information about their scholar's education. Depending upon availability, such Interpretation services may be provided either at the location where the parent or scholar is seeking to communicate or virtually.

Interpretation shall be provided for, but not limited to, the following activities:

1. Classroom activities;
2. Impromptu and scheduled office visits or phone calls;
3. Enrollment or registration processes;
4. The Individual Education Program (IEP) process;
5. Scholar educational and occupational planning processes;
6. Fee waiver processes;
7. Parent engagement activities;
8. Scholar disciplinary meetings;
9. School community councils;
10. School board meetings;
11. Other school or NWA activities; and
12. Other interactions between the parents of a scholar learning English and educational staff.

Qualifications of Interpreters and/or Translators

Interpreters and translators may be certified and, where possible, have education- specific experience for the following:

1. Classroom activities;
2. Impromptu and scheduled office visits or phone calls;
3. Enrollment or registration processes;

4. The IEP process;
5. Scholar educational and occupational planning processes;
6. Fee waiver processes;
7. Parent engagement activities;
8. Scholar disciplinary meetings;
9. School community councils;
10. School board meetings;
11. Other school or NWA activities; and
12. Other interactions between the parents of a scholar learning English and educational staff.

Translation Requirements

Translation shall be provided for, but not limited to:

1. Registration or enrollment materials, including home language surveys and English learning program entrance and exit notifications;
2. Assignments and accompanying materials;
3. Report cards or other progress reports;
4. Discipline policies and procedures;
5. Grievance procedures and notices of rights and nondiscrimination;
6. Parent or family handbooks;
7. Requests for parent permission; immunizations; and,
8. Any other guidance, including guidance on when oral interpretation is preferable to written translation, to improve instruction and assistance by teachers, counselors, and administrators to a scholar learning English and the scholar's parents and family.

Scholar Specific Critical Documents

NWA shall provide parents with a translation of any document that contains individual, scholar-specific information regarding, but not limited to, a scholar's:

1. Health;
2. Safety;
3. Legal or disciplinary matters; and
4. Entitlement to public education or placement in any special education, English language learner or non-standard academic program.

03-122—Home and Hospital Instruction

Board Directive

The Board recognizes the importance of providing instruction to scholars who are confined to home or hospital. The Board also recognizes the need to maintain contact between the school and the home during the time when these scholars are unable to attend school. The Board, therefore, delegates to the Administration responsibility for developing policy for a Home and Hospital Instruction Program for scholars who are unable to attend school due to injury, illness or other extenuating circumstances.

Administrative Policy

The Administration shall establish a program to provide instruction to convalescing scholars to ensure that academic work/credit is sufficient to maintain graduation timelines to the extent

possible, to maintain the skills necessary for returning to the classroom, and to assure ongoing home/school contact during the term of the illness, injury, or extenuating circumstances. The school provides opportunities for short-term services as well as long-term services for those scholars who may need extended out-of-school services. The Home and Hospital Program will be administered according to the following provisions:

Qualifications for Services

1. The scholar is confined at home or in a hospital due to physical or emotional illness, injury, handicap, complications of pregnancy, or extenuating circumstances.

2. The scholar has missed or expects to miss ten (10) or more consecutive days of school.

3. The scholar's condition will allow 50 percent or less attendance during the school day.

4. Home and Hospital Instruction is recommended by the scholar's physician, medical professional, licensed clinical social worker, licensed psychotherapist, or legally directed services, and is requested by the parent(s)/guardian(s).

Providing Services

1. The parent will need to notify the administrator of the need for Home and Hospital services. The school administrator will initiate the required procedures to begin the Home and Hospital services, including completion of a specific form created by Administration.

2. The scholar's physician, medical professional, licensed social worker, or licensed psychotherapist shall be asked to estimate the length of time that Home and Hospital Instruction services will be needed. Minimum duration of services is two weeks and maximum service is nine weeks without additional follow-up with a referring medical provider.

3. Home and Hospital Instruction services may be denied or discontinued if it appears that the services are worsening the scholar's condition, increasing or prolonging school phobia or anxiety, or otherwise having a harmful impact upon the scholar.

4. In most cases, the duration of services shall be determined by the administrator after consultation with the medical professional requesting Home and Hospital services per the medical release form.

5. If it appears that the program is being abused by the parent or scholar, the administrator will initiate a formal review to determine if services should continue.

Assignment of Teachers

1. Short-term services: Scholars shall be taught by teachers whenever possible. When an appropriate teacher is not available, the administrator may arrange for other faculty or staff to provide instruction under the direction of a licensed teacher.

2. The administrator shall make short-term Home and Hospital teaching assignments on the basis of teacher interest, availability, and curriculum qualifications.

3. Teachers shall be reimbursed for providing Home and Hospital Instruction at their current hourly base rate.

4. One half hour of preparation time is allowed for each two hours of actual instruction.

5. Teachers shall receive a mileage reimbursement as outlined in policy. Mileage is based upon the distance from the school to the scholar's home or other designated public location (e.g., library, police or fire station) and to the instructor's home. If visiting multiple scholars on the same trip, mileage shall also be paid for the distance between scholars' homes/locations when necessary. Time required for travel is not part of the two-hour instruction time.

6. Teachers shall submit documentation of time spent and mileage driven, each month prior to being reimbursed for services.

Instruction

1. Home Instruction

    a. Instruction shall be provided at the scholar's home or other designated public location (e.g., library, police or fire station) after regular school hours for short-term services and during the school day or after regular school hours for long-term services. Generally, one two-hour instruction session shall be provided per week. With administrator approval, two one-hour sessions may be provided if it is deemed in the best interest of the scholar.

    b. A parent or other responsible adult must be present in the home during the instruction session. If the parent or guardian fails to provide proper chaperonage, the instruction session shall be canceled.

    c. Textbooks and other curriculum materials or coursework shall be furnished by the school.

2. Hospital Instruction

    a. The school shall provide teachers, textbooks, and instructional materials for scholars confined to approved, non-accredited facilities.

    b. Scholars enrolled in the school and later assigned to hospitals with accredited educational programs shall be serviced in one of two ways:

        i. Withdrawn from the school and transferred to the accredited institution which will provide teachers, textbooks and instructional materials.

        ii. Continually enrolled in NWA but serviced at the facility by an accredited institution under a contract with NWA based upon a daily prorated amount of the WPU. Teachers, textbooks, and instructional materials shall be provided by the institution under contract.

Grades and Credit for School Attendance

1. Scholars who are receiving Home and Hospital Instruction shall be counted as attending school.

2. Teachers must prepare assignment sheets for scholars in their classes who are receiving Home and Hospital Instruction. Teachers are accountable to provide Utah State Core curriculum educational services. Substitute assignments will be provided if the regular class activities cannot be completed at home. Upon consultation with the School Administration, the teacher can give the scholar an "incomplete" for the course when it cannot be appropriately taught through Home and Hospital Instruction. Because of limited instructional time, the Home and Hospital Instruction Program is designed to help scholars maintain credit.

3. Scholars who receive Home and Hospital Instruction for five weeks or more during any one quarter shall receive attendance credit and grades for work completed from the Home and Hospital instructors. Grades shall be awarded by the Home and Hospital teacher in collaboration with the classroom content teacher.

03-123—Field Trips *Revised 10/2026*

Board Directive

Field trips are an integral part of the instructional program and may be provided to enrich or expand learning opportunities for scholars. Subject to funding constraints, field trips shall be used to place a variety of civic, cultural, community, and business resources within the reach of the classroom. The Board authorizes the Administration to implement a policy for field trips.

Administrative Policy & Authorization

around curriculum goals, field trip experiences shall be provided according to the following administrative provisions:

- **Authorization:**
    - Field trips shall be authorized by the school administrator, who is responsible for assuring that adequate funding is available through an appropriate funding source.
    - Other faculty or staff may be assigned to coordinate field trip activities after proper authorization.
- **Request Submission:** The teacher(s) requesting the field trip shall provide the following information:
    - A description of the field trip including the purpose of the trip, place of destination, class or sponsoring organization, and number of scholars involved.
    - An outline of the field trip curriculum including instruction prior to the event, during transit, at the point of destination, and evaluation or follow-up activities after the event.
- **Safety & Permission:**
    - All field trips must adhere to established policies and regulations governing scholar safety, including use of an authorized means of transportation which meets all State requirements for transporting scholars, parent permission for scholar

participation, and an adequate number of qualified adult chaperones who have passed a School background check, if needed.
    - For scholar activities that include applying practical skills in the production of goods or services for sale or use by others, state policy R277-915 will be followed for scholar safety and supervision.
    - Each scholar desiring to participate in any field trip must submit a "Field Trip Permission Form" signed by the scholar's parent or guardian which acknowledges the method of travel. A scholar may not participate in the activity unless a completed form is on file.

Eligible Chaperones & Staff Attendance

Field trip chaperones shall be limited to individuals who have an established relationship with a participating scholar. An individual serving as a field trip chaperone must be one of the following:

1. The parent/legal guardian of a participating scholar;
2. The grandparent of a participating scholar; or
3. An individual specifically designated by the parent or legal guardian of a participating scholar to serve as that scholar's chaperone.

For purposes of this policy, an individual designated by a parent or legal guardian must be identified and approved in accordance with NWA's established field trip chaperone procedures.

Discretionary & Staff Exemptions:

- **Additional Chaperones:** At the discretion of the School Director, additional chaperones may attend as needed.
- **Interns and Student Teachers:** Interns and student teachers are permitted to attend field trips as educational staff and are exempt from the standard chaperone restrictions.

School Approval and Requirements

All field trip chaperones are subject to approval by NWA and must satisfy all requirements established by NWA for adult chaperones and field trip participants. Such requirements may include, but are not limited to, completion of required forms, verification of identity, background screening, training, and compliance with all applicable School policies, procedures, and rules of conduct.

The designation of an individual by a parent or legal guardian does not, by itself, constitute approval to serve as a chaperone. The School retains the authority to approve or deny any individual's participation as a field trip chaperone in accordance with applicable law and School policy.

Transportation

When school-provided transportation, including a school bus, charter bus, or other designated transportation, is utilized for a field trip, approved chaperones shall not ride on the school-provided transportation with the participating scholars.

Chaperones are responsible for providing their own transportation to and from the field trip destination. A chaperone may satisfy this requirement by:

1. Providing his or her own transportation; or
2. Carpooling with another chaperone.

Chaperones shall arrive at the designated field trip location at the time and location specified by the School and shall remain available to fulfill their assigned chaperone responsibilities for the duration of the field trip.

Compliance With School Requirements

All chaperones are required to comply with the directions of NWA personnel and all applicable NWA policies and procedures while participating in a field trip. Chaperones shall exercise appropriate care and supervision and shall not engage in conduct that compromises the safety, security, or orderly operation of the field trip.

Failure to comply with this policy or any applicable NWA requirement may result in the individual being prohibited from serving as a chaperone and may affect eligibility to participate in future School-sponsored activities.

Financial Restrictions

Chaperones are strictly prohibited from purchasing items, food, souvenirs, gifts, or paying for extra activities for their assigned scholar group or their own child during the field trip. All financial arrangements for field trip activities, snacks, or souvenirs must strictly follow NWA guidelines and be handled uniformly for all participating scholars.

Exceptions

Any exception to the requirements of this policy must be authorized in advance by the School administration. Exceptions shall be considered only when consistent with the safety and welfare of participating scholars and with applicable law.

03-124—Volunteers and Visitors Policy

Visitors are welcome at NWA. Visits need to be coordinated and approved by the school and may not interfere with the effectiveness of the academic experience of all scholars.

NWA recognizes that volunteers are a vital part of the success of the school. Volunteers are welcome and encouraged in all aspects of school operation to ensure that parents and the larger school community are connected to NWA. This also reduces the cost of labor at the school.

Volunteers shall sign an agreement that authorizes them to work at the school. That agreement shall include:

1. A description of potential work
2. Authorization for the school to perform a criminal background check (required for all volunteers that have significant unsupervised access to scholars)
3. A statement of confidentiality requirements

School Administration shall ensure that these agreements are kept on file for each volunteer, and shall ensure that a list of authorized volunteers is kept at the school at all times. Administration shall ensure that all volunteers who perform work on behalf of the school are properly authorized.

Volunteer Scope of Work, Confidentiality, and Property Acknowledgement

NWA recognizes that volunteers are a vital part of the success of our charter school. This Scope of Work and Confidentiality Acknowledgement outlines the work expectations and responsibilities for school volunteers, and explains the legal requirement of scholar confidentiality and the use of school property. Scholar records, employee records, NWA proprietary information and work products, as well as certain other information and property are protected by law and school policy.

The below named "Volunteer" is authorized to perform work on behalf of the school, including work with the Parent Organization. That work may include:

- Assisting teachers in classrooms
- Basic filing and routine office work
- Supervision of scholars at lunch and/or recess
- Assembling and moving equipment, furniture, and supplies
- Assistance at school events
- Contacting school employees, families, and vendors about school events, policies, and other information
- Receiving cash donations or payments for fundraising sale items
- Assisting in the school library under the direction of the library staff
- Marketing activities
- Technology, internet, or network activities
- Data management or access
- Other tasks as requested by teachers or School Administration.

The below named "Volunteer" acknowledges that he or she understands that he or she may have access to or become aware of confidential information that is protected by law. Volunteer agrees that he or she will not disclose: any trade secrets, enrollment lists, drawings, designs, information regarding product development, marketing plans, sales plans, manufacturing plans, operating policies or manuals, business plans, financial records, or other financial, commercial, business, or any other information relating to NWA or NWA's parties, including scholars, parents, employees, and contractors, collectively referred to as Confidential Information, to any third party. Volunteer may have the use and control of NWA property, including supplies, equipment, records, use of the school facility, intellectual property, passwords, data, and any other NWA property, tangible or intangible. Volunteer agrees to surrender any and all school property upon NWA's written or verbal request. Volunteer also consents to a criminal background check to be performed by the school, and will provide the following information to facilitate the process. NWA will keep confidential all personal information obtained for this purpose.

_____ _____ _____

Last Name *First Name* *Middle Name*

_____ _____

Social Security # *Date of Birth*

Signature: _____ Date_____

04—School Administration and Operations

04-101—Religious Freedom Policy

1. Purpose and Philosophy

a. "Honesty, temperance, morality, courtesy, obedience to law, respect for and an understanding of the constitutions of the United States and the State of Utah, the essentials and benefits of the free enterprise system, respect for parents and home, and the dignity and necessity of honest labor and other skills, habits, and qualities of character which will promote an upright and desirable citizenry and better prepare scholars for a richer, happier life shall be taught in connection with regular school work." U.C.A. 53A-13-101(4) et. Seq.

b. NWA promotes mutual understanding and respect for the interests and rights of all individuals regarding their beliefs, values, and customs. Specifically, it is the school's purpose to have a policy that:

i. Fosters knowledge and understanding about, and sensitivity toward, religious differences and the role of religion in a diverse, contemporary society;

ii. Allows scholar and employee religious expression and freedom of speech within the parameters of existing state and federal law;

iii. Supports a climate of academic freedom in which religious ideas and organizations can be discussed in an objective way, for their educational value, with emphasis on the impact of religions on history, literature, art, music, morality, and other key social institutions;

iv. Requires official neutrality on the part of teachers, administrators, other school employees, and volunteers regarding religious activity when acting in their official capacities;

v. Promotes constructive dialogue between schools and community regarding religion; and

vi. Encourages educators and all members of the school community to engage in persistent efforts to eliminate prejudice, build trust, work toward consensus, and resolve disputes over religious issues in schools promptly, equitably, sensitively, and with civility at the local level.

2. Policy

a. It is school policy to comply with existing state and federal law regarding religion and religious expression in public schools. Specifically, it is School policy to: 1) allow scholars and employees to engage in expression of personal religious views or beliefs within the parameters of current law, and 2) maintain official neutrality regarding sectarian religious issues; the School will neither advance nor inhibit religion.

b. It is also School policy to take all reasonable steps to resolve disputes over religious issues in schools promptly, equitably, and with civility.

3. Scholar Expression of Personal Religious Beliefs or Views

a. **Non-discrimination:** NWA will not forbid scholars acting on their own from expressing their personal religious views or beliefs solely because they are of a religious nature and will may not discriminate against private religious expression by scholars, but will instead give scholars the same right to engage in religious activity and discussion as they have to engage in other comparable activity.

b. **Freedom to act:** While the freedom to believe is absolute, the freedom to act on a belief is not. In order to claim a violation of the Free Exercise protections of the First Amendment and of this policy, a person must show that his or her actions 1) are motivated by a sincere religious belief, and 2) have been substantially burdened by school officials or the School.

c. **Least restrictive means:** If an individual can show that his or her actions are motivated by a sincere religious belief and have been substantially burdened by school officials or the School, school officials can still regulate the conduct if they have a compelling interest and pursue such interest in the manner least restrictive of the individual's religion.

d. **Scholar religious expression during discretionary time:** Free exercise of religious practices or freedom of speech by scholars during discretionary time shall not be denied unless the conduct or speech unreasonably interferes with the ability of school officials to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

    i. Scholar conduct or speech of a personal religious nature that may not be prohibited unless it violates the standards above, includes, but is not limited to:

        (1) Reading the Bible or other scriptures;

        (2) Saying grace;

        (3) Praying with friends in cafeterias, hallways, around flagpoles, or at athletic contests and other extracurricular activities;

        (4) Discussing religious views with other scholars, or attempting to persuade peers about religious topics, as long as the persuasive speech does not constitute harassment

e. **Organized prayer groups and religious clubs:** Scholars may organize prayer groups, religious clubs, and other gatherings before and after school to the same extent that scholars are permitted to organize other non curricular scholar activity groups and clubs. Such groups and clubs must be given the same access to school facilities for

assembling as is given to other non curricular groups, without discrimination because of the religious content of their expressions.

f. **Scholar religious expression during instructional time:** Scholars participating in school sponsored learning activities shall not be prohibited from expressing personal religious beliefs or be penalized for so doing, unless the expression unreasonably interferes with the ability of school officials to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

    i. Scholar religious conduct or expression that may not be prohibited in homework, classroom discussions, presentations, assignments, or school sponsored activities, unless it violates the standards above, includes but is not limited to:

        (1) Submitting homework, artwork, or other assignments with religious content;

        (2) Giving class presentations with religious content that are relevant to the curriculum and matter being discussed;

        (3) Making religious remarks or asking questions about religion in the ordinary course of classroom discussion;

        (4) Asking questions of scholars or school employees regarding their religious beliefs or views.

    ii. Teachers and other school officials should evaluate homework and classroom work with religious content consistent with ordinary academic standards of substance and relevance, as well as other legitimate pedagogical concerns.

    iii. When responding to a scholar's question about an employee's personal religious beliefs or views, the employee must maintain official neutrality and be careful not to advocate or encourage acceptance of his/her religious belief or perspective (see section 8b of this policy).

4. Religious Clothing and Apparel

a. Because dress is a form of individual expression, any prohibition or regulation of religious clothing or apparel must be consistent with the school dress and uniform standard (including standards for "free dress days") done in the least restrictive manner possible to accomplish NWA's objectives of maintaining a safe and orderly school environment.

b. School officials should also be sensitive and appropriately accommodate scholars who request not to wear certain gym clothes that they regard, on religious grounds, as immodest.

5. Moment of Silence in Classrooms

a. In accordance with Utah law, teachers may provide for the observance of a period of silence in the classroom each school day. However, teachers and other school officials must maintain official neutrality by neither encouraging nor discouraging prayer nor other religious exercise during the moment of silence.

b. Under School policy teachers and other school officials may not organize, endorse, or encourage prayer exercises in the classroom. Teachers and other school officials must supervise during this time.

6. Extracurricular Activities

a. **Moment of silence:** Scholars may elect to hold a moment of silence as part of graduation or other extracurricular ceremonies or activities. A moment of silence may only be initiated and conducted by scholars, and shall not be used as a forum for vocal prayer or other religious exercise, but rather as an opportunity for those in attendance to participate in a quiet moment according to the dictates of their own conscience. During a moment of silence and all other religious activities associated with graduation, school officials shall maintain official neutrality.

b. **Prayers by non-scholars prohibited at athletic contests and other extracurricular events:** Consistent with the general policy on school-sanctioned prayers, it is School policy to prohibit prayers initiated or led by coaches, parents, clergy, or other non-scholars prior to, during, or after athletic contests and other extracurricular events, Scholars may pray together at such events consistent with the guidance outlined in Section 5.1 of this policy. Coaches, administrators, and other school officials may be present during scholar prayers to supervise but should in no way participate in or encourage prayer exercises. School officials should take steps to prevent any activity from being coercive or harassing.

7. Distribution of Religious Materials on School Grounds

a. Non-school sponsored organizations and non-scholars may only distribute literature or other materials in schools or on school grounds in accordance with reasonable time, place, and manner restrictions imposed by the schools

b. Scholars may distribute literature unrelated to school curriculum or activities only at reasonable times, places, and manners designated by the school.

c. Religious tracts, books, or literature may not be singled out for special regulation or prohibition based on content, but is subject to reasonable time, place and manner restrictions imposed by the schools on other non-school related literature.

8. Employee Expression of Personal Religious Beliefs

a. **Official neutrality:** All employees of NWA must maintain strict neutrality when acting in their official capacities. An employee's rights relating to voluntary religious practices and freedom of speech do not include proselytizing of any scholar regarding atheistic,

agnostic, sectarian, religious, or denominational doctrine while the employee is acting in the employee's official capacity, nor may an employee attempt to use his or her position to influence a scholar regarding the scholar's religious beliefs or lack thereof.

b. **Response to questions:** If a scholar asks an employee about that employee's personal religious beliefs, the employee may choose not to respond out of professional respect for the scholar's freedom of conscience or personal beliefs. However, while acting in an official capacity, an employee may respond in an appropriate and restrained manner to a spontaneous question from a scholar regarding the employee's personal religious beliefs or perspectives. Because of the special position of trust held by school employees, employees may not advocate or encourage acceptance of specific religious beliefs or perspectives; but may, by exercising due caution, explain or define personal religious beliefs or perspectives.

c. **Reasonable accommodation:** It is School policy to reasonably accommodate an employee's or prospective employee's religious dress, observance or practice whenever such accommodation can be made without undue hardship on the conduct of the School's business.

9. Volunteers

a. The School prohibits discrimination on the basis of religion against any group or individual desiring to volunteer in the School

b. Volunteers must maintain strict neutrality regarding religion while performing volunteer work for the school.

c. Volunteers are prohibited from engaging in proselyting activities or recruiting activities of any type on school grounds or in conjunction with any school activity and must strictly follow the directions given them by school officials.

d. Religious apparel is permissible if it is required by a person's religion, is part of the person's ordinary work dress and would not be disruptive of the school environment and does not contain a proselytizing message.

e. Volunteers, including those from religious organizations, serving in the schools, and interacting directly with scholars on a regular basis, shall wear a School approved volunteer name tag containing the individual's first and last name, and shall sign a form acknowledging that they understand and will abide by the provisions of this policy.

f. School officials are responsible to monitor the behavior and interactions of volunteers while they are serving in schools or participating in school activities. Volunteers who fail to comply with the provisions of this policy shall be asked to leave the school or activity. Ultimate responsibility for enforcement of this policy rests with the School Director.

10. Religion in the Curriculum

a. **Teaching about religion:** Religious instruction is the responsibility of parents and religious institutions but teaching **about** religion and beliefs of conscience is a legitimate and appropriate part of a complete academic education on the elementary and secondary levels.

b. **Instructional practices:** To ensure that the educational approach to religion is one of academic instruction, not of indoctrination, and that it does not unduly favor religion over non-religion, teachers and school officials shall adhere to the following guidelines:

    i. Study or presentations about religion or other beliefs of conscience must achieve academic educational objectives and be presented in a balanced manner within the contest of the approved curriculum.

    ii. The school's approach to religion must be academic, not devotional.

    iii. Scholars may be exposed to any and all religious views and beliefs of conscience, but they should not be coerced to accept any particular view or belief.

    iv. The objective study of comparative religions is permissible, but no religious tent, belief, or denomination may be given inappropriate emphasis; the school may educate about all religions but may not promote or denigrate any religion or belief of conscience.

    v. Scholars should be taught to understand a variety of beliefs, and to respect the rights of all people, including the rights of individuals or groups with whom the scholars may disagree. Teaching about religion and beliefs of conscience should emphasize the role of religion and beliefs of conscience in history and culture, and the importance of religious liberty as a cornerstone of a democratic society.

c. **Privacy:** In accordance with federal and state Family Educational Rights and Privacy laws, school officials shall not solicit private information or explanations from scholars about their personal religious affiliations, beliefs, or practices, without first obtaining proper parental consent.

<u>11. Religious Music</u>

a. **Religious music in schools:** Seasonally appropriate and sacred religious music may be performed in schools, if presented in a balanced, prudent, and objective manner.

    i. Music should be selected on its musical quality and educational value rather than its religious content.

    ii. Music performances must achieve secular educational objectives and be presented in a balanced manner within the context of the approved curriculum.

    iii. Teachers should use good judgment and be especially sensitive to the feelings of scholars who might wish not to participate for religious reasons and should

explore all reasonable alternatives in resolving a scholar's objection before offering or granting a waiver of participation.

b. **Performances at religious services:** No school employee or scholar may be required to attend or participate in any religious service, whether in an individual capacity or as a member of a performing group, regardless of where or when the service is held. No penalty may be assessed for failure to attend or perform in such an activity.

    i. Scholars may voluntarily attend and perform during a religious service as individuals or as members of a group, provided all arrangements are made by scholars or non-school adults.

c. **Performances in church-owned facilities:** Unless granted an appropriate waiver, scholars who are members of performing groups such as school choirs may be required to rehearse or otherwise perform in a church-owned or operated facility if the following conditions are met:

    i. The performance is not part of a religious service;

    ii. The activity of which the performance is a part is neither intended to further a religious objective nor under the direction of a church official; and

    iii. The activity is open to the general public.

d. **Visits to church-owned facilities:** Unless granted an appropriate waiver, scholars may be required to visit church-owned facilities when religious services are not being conducted if the visit is intended solely for the purpose of pursuing permissible educational objective such as those relating to art, music, architecture or history.

12. Religious Holidays

a. **No celebration:** Religious and civic holiday such as Easter, Passover, Rosh Hashanah, Yom Kippur, Thanksgiving, Hanukkah, Christmas, Kwanzaa, and Ramadan, offer opportunities to teach about a variety of religious traditions and beliefs of conscience during the school year.

b. **Other holidays:** Activities and discussions related to cultural holidays such as Valentine's Day, St. Patrick's Day, and Halloween should be academic in nature. Because these holidays may be viewed by some parents as having religious connotations, requests for excusal in school activities associated with these holidays should be routinely granted.

c. **Parties:** Class parties associated with seasonal holidays are appropriate insofar as they are consistent with the approved curriculum. However, consistent with the School's goal of maximizing instructional time, such parties must not unduly interfere with regular academic activities.

d. **Teaching about holidays:** The significance of holidays, whether religious or secular, may be explained or discussed in an objective manner as part of regular classroom

instruction or as questions from scholars arise to promote a better understanding among all scholars.

13. Religious Symbols

a. **During holidays:** The display of religious symbols that are part of religious holidays is permitted as a teaching aid or resource, provided such symbols are displayed as an example of the cultural heritage of the holiday, and are temporary in nature. Such holidays include, but are not limited to: Christmas, Kwanzaa, Hanukkah, Ramadan, Easter, Passover, Valentine's Day, St. Patrick's Day, Thanksgiving, and Halloween.

b. **Diversity of symbols:** If any religious symbol is to be part of a display, the school will allow for other religious, cultural or ethnic symbols.

14. Waivers of Participation

a. **Rights of individuals:** While NWA acknowledges its obligation to be sensitive and fair toward the personal rights and beliefs of all individuals, merely exposing scholars to ideas that may offend their religion does not amount to a substantial burden on their religious exercise. Furthermore, it is unconstitutional to allow one person's or one group's religion to determine the curriculum for all others. Consequently, it is School policy to accommodate the legitimate objections of individuals by granting waivers of participation when requested or when no other reasonable alternative is possible.

b. A parent or legal guardian of a scholar may request a waiver of participation in any portion of the curriculum or school activity which the requesting party believes to be an infringement upon a right of conscience or the exercise of religious freedom in any of the following ways:

    i. It would require participation in a practice that would be offensive to or substantially burdensome on a religion;

    ii. It would require participation in a practice forbidden by a religious belief or practice, or right of conscience; or

    iii. It would bar participation in a practice required by a religious belief or practice, or right of conscience.

c. A claimed infringement must rise to a level of belief that the school requirement violates a superior duty which is more than personal preference.

d. A parent, guardian, or secondary scholar requesting a waiver of participation may also suggest an alternative to the school requirement or activity that requires reasonably equivalent performance by the scholar.

e. In responding to a request for a waiver, the school may:

    i. Waive participation by the scholar in the objectionable curriculum or activity, with no penalty;

ii. Provide a reasonable alternative as suggested by the parent or secondary scholar, or other reasonable alternative developed in consultation with the requesting party, that will achieve the objectives of the portion of the curriculum or activity for which waiver is sought; or

iii. Deny the request.

f. A request for waiver shall not be denied unless school officials determine that requiring the participation of the scholar is the least restrictive means necessary to achieve a compelling school interest.

g. In responding to a request for waiver, the school shall not require a scholar to accept a substandard or educationally deficient alternative.

h. If any portion of any curriculum or activity is repeatedly alleged to interfere with the rights of conscience or exercise of religious freedom of scholars, parents or legal guardians, such curriculum or activity shall be evaluated by the school and School Curriculum Department to determine whether the educational objectives could be achieved by less intrusive means.

04-102—Parent Involvement and Family Engagement Policy

NWA regards parental involvement vital to the academic success of scholars. Parents are the initial teachers of their children and serve as partners with the school in helping their children achieve academic success.

NWA will involve parents in the development of its academic plans.

1. The school will invite two parents to participate in the development of the school plan for at-risk scholars. Information, including academic data, State and Federal allocations, personnel, and instructional strategies, will be given to parent representatives two weeks prior to the meeting for review.

2. Parents will review information, attend scheduled meetings and give input into the development of the plan.

3. The Board will give final approval of the plan.

NWA will involve parents in the process of school review and improvement.

4. Share overall achievement data with parents.

5. Invite input from parents regarding school academic goals.

6. Discuss scientifically-based research instructional practices.

7. Give direction in securing research-based curriculum materials that align with goals.

NWA will provide coordination and technical assistance to promote quality parental involvement activities.

8. Twice during the year, school leadership will include parental involvement discussions to maximize coordination and effective use of resources.

9. Provide annual training to school administrators and teachers on effective parent involvement strategies.

10. Schedule an annual parent involvement seminar to build effective parental involvement strategies.

NWA will coordinate parental involvement strategies with other programs.

11. Representatives from other programs will be encouraged to cosponsor the annual parent involvement seminar with Title I.

12. Faculty and staff who have responsibility for overseeing parental involvement activities will meet at least twice a year to discuss plans and coordinate efforts.

NWA will conduct an annual parental involvement evaluation.

13. In the spring, local School Lands Trust Committee will be asked to provide feedback on the quality of involvement opportunities and provide input on how the school might improve support for parental involvement.

14. Parents will be encouraged to complete a survey that will elicit feedback on current activities and request input for future efforts.

15. At the beginning of the new school year, the school will provide a summary of the parental survey with its plans to address identified needs and recommendations.

NWA will involve parents in a variety of school activities.

16. The School Director will report annually on parental involvement in at-risk and other programs.

17. In the annual training for administrators and teachers, the school will share identified successful parental involvement activities with volunteer committees.

18. The School Director will annually report to the Board how Title I funds were used to support effective parent involvement strategies.

04-103—Title I Compact

Parent/Guardian Responsibilities

I want my child to achieve therefore I will:

- Make certain my child attends school regularly and on time.
- See that my child is well-rested and has breakfast each day.
- Set aside a specific time and place for homework, assisting as necessary.
- Attend at least two conferences and communicate regularly with my child's teacher to ensure his/her academic success.
- Support the school and staff in maintaining proper discipline.
- Read with my child and let him /her see me read regularly.
- Encourage positive attitudes toward school.
- Volunteer in my child's classroom as appropriate.
- Review information and work sent home and respond as necessary.

Scholar Responsibilities

It is important that I learn, therefore I will:

- Attend school regularly and on time.
- Complete assignments and homework.
- Bring homework and supplies to school each day.
- Work to the best of my ability.
- Work cooperatively with classmates, teachers and staff.
- Respect myself, other people, and my school.
- Follow all school rules.
- Accept responsibility for my own actions.

Teacher Responsibilities

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

- Hold expectations high for all scholars, believing that all scholars can learn.
- Provide high-quality instruction in a supportive and non-threatening environment.
- Provide meaningful homework.
- Communicate regularly with my scholars and their families through conferences, notes, phone calls, etc.
- Provide opportunities for parents to assist in the classroom in meaningful ways and to observe classroom activities.

School Director Responsibilities

I support this compact therefore I will:

- Provide an equitable learning environment for all children.
- Encourage the staff to provide parents with information about the total school program.
- Encourage our staff to provide avenues for positive and meaningful parent involvement.
- Schedule annual parent-teacher conferences for parents of children to attend.
- Provide reasonable parent access to staff members.
- Provide a variety of opportunities for parents to volunteer in their child's classroom.
- If needed and reasonable, provide parents opportunities to observe classroom activities.

04-104—Fundraising

1. Purpose

The purpose of this policy is to establish NWA policy and procedures governing the initiation, authorization, and review of all fundraising activities of NWA. This policy is intended to create practices that adequately safeguard public funds, provide for accountability, and ensure compliance with state and federal laws.

NWA encourages community and business partnerships that enhance and supplement the public education system. NWA also desires to protect scholars, parents, teachers, and school

administrators from over-commercialization and fundraising efforts that are coercive and disruptive to the education processes, threatening to the health and welfare of scholars, or lacking in educational merit.

2. Scope

This policy applies to all NWA administrators, licensed educators, staff members, scholars, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for school-sponsored events.

It is expected that in all dealings, NWA and its employees will act ethically and consistent with the NWA's ethics training, the Utah Educators Standards, the Public Officers' and Employees' Ethics Act, and State procurement law.

3. General Policy Statements for NWA Fundraising Activities

a. "Public funds" are money, funds, and accounts, regardless of the source from which the funds are derived, that are owned, held, or administered by the state or any of its political subdivisions, including Local Education Agencies (LEA) or other public bodies (Utah Code 51–7-3[26]).

b. Fundraising is permitted within NWA to allow NWA to raise additional funds to supplement school-sponsored academic and co-curricular programs.

c. "School-sponsored" means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by NWA or authorized curricular school clubs, activities, sports, classes or programs that also satisfy one or more of the following criteria. The activity:

    i. Is managed or supervised by an NWA employee. Uses NWA facilities, equipment, or other school resources.

    ii. Is supported or subsidized, more than inconsequently, by public funds, including the public school's activity funds or minimum school program dollars.

    iii. Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code 53A–11–1205 through 1208.

d. NWA is committed to principles of gender equity and compliance with Title IX guidance. NWA commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles. NWA reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. Fundraising opportunities should be equitable for all scholars, comply with Title IX, and be in harmony with Article X of the Utah Constitution.

e. All fees for school-sponsored activities must be properly noticed and approved by the local board of education and are subject to fee waiver provisions in R277–407.

f. The School Director, consistent with NWA policy, has the responsibility to waive fees, if appropriate. Individual teachers, coaches, advisors, etc. do not have the authority to waive Board-approved fees.

g. Annually, NWA will review all planned camps, clinics, activities, and fundraisers and determine those designated as NWA-sponsored.

h. All monies raised through fundraisers by NWA for school-sponsored activities are considered public funds. NWA is ultimately responsible for the expenditure and allocation of all monies collected and expended through NWA school organized fundraising. Monies raised through fundraisers by the Parent Organization are allocated and expensed by the Parent Organization.

i. The collection of money associated with fundraisers for school-sponsored activities will comply with NWA cash receipting policies.

j. The expenditure of any public funds associated with fundraisers for school-sponsored activities will comply with NWA cash disbursement policies.

k. Properly approved school-sponsored activities may:

    i. Use the school's name, facilities, and equipment.

    ii. Utilize NWA employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser.

    iii. Be insured under the NWA's risk management insurance policy (pending approval by the insurance provider) or general liability insurance policy.

    iv. Provide additional compensation or stipends for NWA employees with the approval of the School Director or immediate supervisor and under NWA payroll policies.

l. School-sponsored activities must comply with all fee approval and fee waiver provisions established in Utah Code and Utah State Board of Education rules. NWA may be responsible for providing scholar transportation for these activities.

m. Authorization and supervision of fundraising for school-sponsored activities:

    i. Fundraising at NWA shall be approved in writing, prior to the activity, by the School Director and supervised by NWA employee(s) designated by the School Director. The approver shall ensure that the activity is appropriately classified as an NWA-sponsored activity.

    ii. Donations from individuals or organizations will follow the NWA gift and donation policy.

    iii. The sale of banners, advertising, signs, or other promotional material that will be displayed on school property must be approved by the School Director before the items are initiated or printed, and must meet community standards.

Partisan or political advertising and advertising for products that are prohibited by law for sale or use by minors, such as alcohol, tobacco, or other substances that are known to endanger the health and well-being of scholars, are prohibited.

iv. All fundraising projects for construction, maintenance, facilities renovation or improvement and other capital equipment purchases must be approved in writing by the School Director and the NWA Board. (See capital fundraising section below.)

4. General Fundraising Standards for NWA Sponsored Activities

a. NWA reserves the right to prohibit, restrict or limit any fundraising activities associated with NWA or individual schools.

b. Faculty and scholar participation in fundraisers is typically voluntary. However, employees may be directed to supervise specific activities as an employment assignment. Scholars, including fee-waiver-eligible scholars, may be required to participate fully in school, team, or group-wide fundraisers in order to benefit from fundraisers.

c. Participation in fundraising shall not be a consideration by a teacher in determining a scholar's grade. Scholars shall not be required to participate in fundraising activities as a condition of belonging to a team, club or group, nor shall a scholar's fundraising effort affect his/her participation time or standing on any team, club or group, except as to fee waiver requirements.

d. Competitive enticements for participation in fundraisers are discouraged. If prizes or rewards are offered by a selected fundraising vendor, they should only be awarded to groups, classes or scholars, and must be disclosed and approved prior to the fundraiser. Rewards, prizes, commissions, or other direct or indirect compensation shall not be received by any teacher, activity, club or group director, or any other NWA employee or volunteer.

e. Schools may not impose a sales quota (or the like) as part of fundraising efforts, and scholars or parents shall not be required to pay for any unsold items or pay for goals not met.

f. Door-to-door sales are prohibited for all scholars in elementary and middle schools. Suitable procedures must be used by the schools, administrators, and supervising faculty to safeguard scholars and funds collected. Procedures must be clearly communicated to parents.

g. Approval may be denied for fundraising activities that would expose NWA to risk of financial loss or liability if the activity is not successful.

h. Fundraising activities shall be age appropriate and shall maintain the highest standards of ethical responsibility and integrity.

i. Fundraising revenues should be accounted for at an individual contribution level or participation level. Participation logs should be retained and turned into the accounting office to be included with the deposit detail.

j. Employees who approve, manage, or oversee fundraising activities are required to disclose if they have a financial or controlling interest or access to bank accounts in a fundraising organization or company.

k. Records of all fundraising efforts shall be open to the parents, scholars and donors, including accurate reporting on participation levels and financial outcomes. This policy does not require the release of scholars' personally identifiable information protected by the Family Educational Rights and Privacy Act (FERPA).

l. Unless partnering with an established, licensed business in the fund raising geographic area, fundraising activities shall not directly compete with established, licensed businesses in the fund raising geographic area.

5. Definitions

NWA employee positions and administrative functions referenced herein are identified in a separate document entitled **NWA Personnel Duties and Administrative Functions** that provides identities of current employees or entities that perform the duties and functions.

6. Employee Relationships and Disclosure

a. Participation in Private or Non-School-Sponsored Events

i. NWA employees:

(1) May participate in a private but public education-related activity, such as LDS seminary graduation and firesides, extracurricular travel, etc.

(2) Must ensure that personal participation in activities is separate and distinguishable from the employee's public employment, official job title, or job duties.

(3) May not contact scholars of NWA using education records or information obtained through public employment unless the records or information are available to the general public.

(4) May not use school time to discuss, promote, or prepare for a private or non-school-sponsored activity.

(5) May offer public education-related services, programs or activities to scholars, provided they are not advertised or promoted during school time or using any type or amount of school resources.

(6) May use school or scholar publications available to the general public to advertise and promote the private or non-school-sponsored activity.

(7) May not require private or non-school-sponsored activities for credit or participation in school programs.

(8) Must satisfy all requirements of Utah Code 53A-1-402.5, regarding ethical conduct standards, and R277-107, regarding educational services outside of the educator's regular employment.

b. NWA employees may purchase advertising space to promote private or non-school sponsored events in the same manner as the public. The NWA employee's employment and experience can be used to demonstrate qualifications. The advertisement must specifically state that the activity is not school-sponsored. (See R277-107-5 through 6.)

c. NWA employees may engage in outside employment with a private entity or other separate organizations that do not interfere with NWA duties or job functions. Employees must notify their NWA supervisor in writing when engaging in outside employment that is similar to the employee's official job duties or functions.

d. Parental notification is required if NWA scholars are recruited to participate in these activities.

e. NWA employees may not set up bank accounts for activities or fundraisers associated with NWA responsibilities or job functions.

f. NWA employees may not direct fees or fundraiser proceeds from school-sponsored activities to outside entities.

g. NWA employees may not direct operating expenditures to outside funding sources or groups to avoid NWA procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).

NWA employees must comply with NWA procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

04-105—Disposal of Textbooks

In compliance with R277-433, prior to the disposal of textbooks, NWA shall:

1. Notify other LEAs of available textbooks and timelines for disposal of textbooks.

2. Provide procedures for negotiating the exchange of the textbooks.

04-106—Firearm Safety in School

Consistent with R277-611, NWA's Administration may allow volunteers to instruct scholars or community members in firearm safety, with prior notice to the Board and parents and scholars. If such instruction is allowed, Administration shall implement procedures consistent with R277-611 to ensure that materials and instructors are approved in advance consistent with rule.

04-107—School Personnel and Medical Recommendations Policy

Purpose

The purpose of this policy is to help school personnel understand legal restrictions in providing information and observations about scholars in an appropriate manner. (53G-9-203)

Definitions:
"Health care professional'' means a physician, physician assistant, nurse, dentist or mental health therapist. "School personnel" means a school director or charter school employee, including licensed, part-time, contract, or unlicensed employees.

Policy

School personnel may:

1. Provide information and observations regarding a child including observations and concerns regarding progress, health and wellness, social interactions, behavior or topics consistent with subsection 53E-9-203(6) ;
2. Communicate information and observations between school personnel regarding a scholar as needed;
3. Refer scholars to appropriate personnel as it is consistent with our policy, which may include referrals and communication with the school counselor or other mental health professionals certified and working within the school system;
4. Consult or use appropriate health care professionals in the event of an emergency while the scholar is at school. Consistent with the scholar's emergency information provided during enrollment;
5. Exercise authority relating to the placement within the school or readmission of a child who may be or has been suspended or expelled;
6. Complete a behavioral health evaluation form if requested by a scholar's parent to provide information to a licensed physician or physician assistant.

School personnel may NOT:
1. Recommend to a parent or guardian that a child take or continue to take a psychotropic medication;
2. Require a scholar take or continue to take a psychotropic medication as a condition for attending school;
3. Recommend a parent seek or use a type of psychiatric or psychological treatment for a child;
4. Conduct a psychiatric or a behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child, except where the Individuals with Disability Act (IDEA) and its amendments apply;
5. Make a child abuse or neglect report to authorities solely or primarily on the basis that a parent refuses to consent to:
    a. A psychiatric, psychological, or behavioral treatment for a child, including the administration of a psychotropic medication to a child
    b. A psychiatric or behavioral health evaluation of a child

An exception can be made only if failure to take action would result in serious, imminent risk to the child's safety or the safety of others.

School counselor or other mental health professionals acting in accordance with Title 58, Chapter 60, Mental Health Professional Practice Act, or licensed through the State Board of Education, working within the school system may:

1. Recommend, but not require, a psychiatric or behavioral health evaluation of a child
2. Recommend, but not require, psychiatric, psychological, or behavioral treatment of a child
3. Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a child in accordance with 53A-13-302; and
4. Provide to a parent or guardian, upon the specific request of the parent or guardian, a list of three or more healthcare providers, including licensed physicians, psychologists, or other health care specialists.

Noah Webster Academy will provide training of appropriate personnel on this policy as well as provide notice that intentional violation of this policy is cause for disciplinary actions.

This policy is not intended to discourage general and normal discourse that is not expressly prohibited by this policy between school personnel and a scholar's parent or legal guardian.

Child abuse, emergency situations, and IDEA are also covered in additional policies.

04-108—Equitable Teacher Distribution

Noah Webster Academy provides equitable teacher distribution for all scholars, in accordance with Section 1112(b)(2) of the Every Student Succeeds Act (ESSA) and the state's plan for implementing ESSA. The school will monitor and report on the rates of low-income scholars and minority scholars being taught by ineffective, inexperienced, or out-of-field teachers, compared to other scholars at the school. The school will also implement strategies to recruit, retain, and support effective, experienced, and state-qualified teachers.The school will allocate resources and provide professional learning opportunities to ensure all teachers have the skills and knowledge to meet the diverse needs of all scholars.

05—Human Resource

05-101—Hiring Policy

Job openings at NWA will be in three different categories:

- School Administration
- Licensed teachers
- Support staff

School Administration

1. Openings are posted in as wide a range as is practical. And should be posted for two weeks.
2. A screening committee including Board members, staff, and parents should be assembled by invitation of the Board.
3. All applications are reviewed and qualified candidates are scheduled for interviews. Qualifications and required credentials include:
    a. The School Director must have a minimum of Bachelor's degree with preference for Master's degree. Candidates should have a strong background in business administration with academic experience.
    b. The Assistant School Director must have a minimum of Bachelor's degree with preference for Master's degree. Candidates should hold a current Utah Educator's License and have a strong background in curriculum development and implementation.
4. Interviews are conducted by the screening committee.
5. A minimum of two candidates are invited for a follow-up interview with the Board.
6. Hiring by the Board- Salary is negotiable

Licensed teachers

1. Openings are posted in as wide a range as is practical and should be posted for two weeks.
2. The Administration should screen candidates with a preference given to charter-specific experience and the requirement of eligibility for a Utah teaching license. (Candidates must have a valid Professional or Associate license through the Utah State Board of Education. NWA Specific Licenses may be approved by the governing board for those working toward licensure. NWA specific licenses must be approved before September 1.)
3. Interviews are conducted by a team including Administration, teachers (lead teacher and one other from the team) and support staff.
4. A minimum of two candidates are invited to return for a follow-up interview with the Administration, lead teacher, and others invited.
5. Hiring decision by the Administration.
6. Salary is based on an established schedule.
7. The school will ensure all teachers meet state-qualifications for their respective assignments and comply with the USBE rules and guidance for teacher licensing and assignment by adhering to the following procedures.
    a. Verify the teacher's license and endorsement(s) using the USBE CACTUS system.

b. Match the teacher's license and endorsement(s) with the assignment code and description using the USBE Educator Licensing Assignment Matrix.

c. If the teacher's license and endorsement(s) do not match the assignment code and description, determine if the teacher is eligible for an exception, waiver, or authorization using the USBE Educator Licensing Exceptions, Waivers, and Authorizations Matrix.

d. If the teacher is eligible for an exception, waiver, or authorization, follow the USBE procedures and requirements for applying for and obtaining the appropriate document.

e. If the teacher is not eligible for an exception, waiver, or authorization, or does not obtain the appropriate document, notify the teacher and the LEA administrator of the non-compliance and the possible consequences and require the creation of a plan for obtaining a license and any necessary endorsement(s).

f. Document and maintain records of the teacher's license, endorsement(s), assignment, and any exception, waiver, or authorization in the HR department files and the USBE CACTUS system.

g. Review and update the teacher's license, endorsement(s), assignment, and any exception, waiver, or authorization annually or as needed.

At-will Employment Policy

Unlike typical school districts, **NWA does not have "employment contracts" for employees**. All employees are "At-Will Employees". Full-time salaried administration, staff and teachers sign annual employment agreements. Agreements describe expectations and include the expected days and hours of work per year based on specific job role. Hourly staff members also sign annual employment agreements describing expectations, days and hours worked.

Because of the undesirable effects of the disruption in the relationship between teacher and scholar, NWA expects all teachers who accept an offer to teach for the school year to do so with the good faith intention of teaching for the full school year, and NWA expects under agreeable circumstances to retain teachers for the full school year. Although NWA aims to foster a spirit of cooperation and teamwork, it also intends to reserve the legal right to terminate employment "at-will", as the term is defined under Utah law. All employment at NWA is "at-will" which means both employees and NWA have the right to terminate employment at any time, with or without notice, and without the need for justification.

If an employee fails to meet NWA standards of conduct and performance, normally effort will be made to clarify expectations through oral counseling, memorandum, probation, or other methods regarded by NWA to be appropriate. In some circumstances, however, NWA may determine such

efforts will not be made. No experience with NWA, including but not limited to oral statements, longevity of employment, performance reviews, promotions, salary increases, or application of disciplinary measures, may be regarded as implicitly changing this "at-will" policy.

The "at will" nature of employment herein cannot be modified by any other policy, writing, practice or oral statement or representations, including without limitation anything that may be contained in an employee manual or handbook such as procedures for progressive discipline that may from time to time be followed by NWA at its sole discretion. Employee understands and agrees if he or she is given notice of inadequate performance and is given an opportunity to improve and cure the inadequacy such policy or practice does not modify the "at will" nature of the employment hereunder, or NWA's right to terminate employment at any time and for any reason.

In addition, NWA may modify or alter any position through actions other than termination, such as demotion, transfer, or reclassification, and can exercise its managerial discretion in imposing discipline short of termination when, in its sole discretion, it deems appropriate.

No one other than the Board of Trustees has the authority to alter this "at-will" arrangement, to enter into an agreement for employment other than "at-will" for a specified period of time, or to make any agreement contrary to this "at-will" policy. Any such agreement must be stated expressly, in writing and must be under the direction of and approved by the Board. Only after the Board vote can this change be made.

Support staff- all hourly positions

1. Openings are posted internally and within the community for at least two weeks.
2. The Administration should screen candidates with a preference given to charter-specific experience and a willingness to pursue training and licensure.
3. Interviews are conducted by the Administration and supervising teacher with the lead teacher invited. A minimum of three candidates should be interviewed.
4. One or two candidates should be invited for a follow-up interview.
5. Hiring decision is made by the Administration.
6. Salary is based on education and experience.

General

1. For support staff and licensed teachers the Administration may consider and make in-school transfers before opening the position.
2. All hiring must be within the school's approved budget, except in cases where a law or rule requires the new position (i.e. mandated special education services).
3. All applicants must comply with the Background Check Policy prior to beginning employment.

05-103—Employee Leave *Revised 08/2026*

NWA recognizes employees occasionally require time off for illness, childcare, and other matters of personal concern. The intent of this policy is to establish a system to administer such needs. Only full-time employees are eligible for Paid Time Off (PTO). PTO may be used for any personal time off.

Use of Paid Time-Off Benefits

Employees are to substitute paid time off (PTO) benefits for the unpaid time off allowed by this policy. Using paid time off benefits instead of unpaid time off does not add to the total length of the leave. Employees' pay will be reduced for all unpaid leave taken. For exempt employees, reducing pay for partial days off will not affect their exempt status under the Fair Labor Standards Act.

1. Scheduling

a. PTO may only be taken in half day or full day increments.

b. Employees must submit a PTO request to take time off during their normal work schedule. Reminder – **A submitted PTO request is not a guarantee of time off**. Each request must be approved prior to taking time off.

c. Ideally PTO requests are submitted to your supervisor at least two (2) weeks in advance.

d. Approval is at the School's sole discretion and must be granted prior to the actual time off.

e. Preference in the selection of PTO dates is determined on a first requested, first approved basis. It is understood that in certain situations such as personal illness, scheduling is not possible. However, in such cases, employees are expected to follow the call-in procedures established in the Attendance Policy, as well as submitting an employee PTO request within two days of returning to work. Such absences are automatically deducted from PTO balances.

f. Employees may not take more PTO than the amount credited (i.e. no negative balances are allowed). If you exceed your PTO balance and you need a day off, you will generally have a payroll deduction of ***your daily rate***. Excessive time off for any reason will be factored into employee performance and continued employment.

g. If a school holiday falls during an employee's PTO period, the employee will not use PTO leave for that holiday. It is important to correctly note this on the PTO request form.

h. The School believes occasional time off is in the best interest of the School, its scholars, and the accomplishment of its mission; however, the school also believes that employees have sufficient time for appropriate rest and relaxation during observed holidays and regular school breaks.

Accruing, 'Rolling Over', 'Cashing In', and PTO Maximum

16.a.i.1.1.1.1 Full-Time Faculty Employees – Includes Teachers, Faculty Coach

a. Each August 1st teachers are credited with seven (7) days PTO leave.

b. Teachers may 'roll over' a maximum of two (2) PTO days per school year at the end of each school year.

c. Teachers may 'cash in' a maximum of four (4) PTO days per school year, paid at the current NWA teacher rate at the end of each school year. (rate is $150.00 per day)

d. The maximum number of PTO days available at any given time is 9 PTO days.

16.a.i.1.1.1.2 Part-Time Employees – Includes Specialty Teachers, Part Time Teachers, and Other Hourly Staff Working Between 30-40 Hours a Week

a. Each August 1st part-time teachers are credited with 7 of their work length days (7) of PTO.

b. These teachers may 'roll over' a maximum of two of their work length (2) PTO work days per school year at the end of the school year.

c. These teachers may 'cash in' a maximum of four (4) PTO of their work length days per school year. (rate is $150.00 per day)

d. The maximum number of PTO days available at any given time is 9 PTO of their work length days.

16.a.i.1.1.1.3 Full-Time Salary Administrative Employees

a. Each July 1st, administrative employees are credited with nine (9) days of PTO.

b. Administrative employees may 'roll over' a maximum of four (4) PTO days per school year at the end of June.

c. Administrative employees may 'cash in' a maximum of four (4) PTO days per school year, paid at the rate of $150.00 per day at the end of the school year.

d. The maximum number of PTO days available at any given time is 13 PTO days

16.a.i.1.1.1.4 Full-time Hourly and Salaried Staff Employees – Special Ed. Coordinator, Front Desk, Custodian (If Employee), Kitchen Manager, Curriculum/Assessment Manager

a. Each August 1st, administrative employees are credited with nine (9) days of PTO.

b. Full-time hourly employees may 'roll over' a maximum of three (3) PTO days per school year at the end of the school year.

c. Full-time hourly employees may 'cash in' a maximum of three (3) PTO days per school year, paid at the rate of $80.00 per day at the end of the school year.

d. The maximum number of PTO days available at any given time is 12 PTO days.

Unpaid Personal Time Off

There may be occasions where it is not possible for the employee to accommodate a personal need with PTO. NWA recognizes this and the School may grant unpaid personal time off for personal reasons if proper advance notice is given, although the School may refuse the request depending on the needs of the School. This time off can range from a few hours to five (5) working days. If more than five (5) unpaid working days are needed, a formal personal leave of absence should be requested.

Employees should request time off as far in advance as possible (generally at least two weeks in advance unless it is an emergency). Approval is at the discretion of the School Director. Factors such as attendance record (including previously granted time off), performance record, and length of service may be taken into consideration.

Holidays

School holidays include federal or state holidays, fall, winter or spring breaks and other days designated as school holidays on School's annual calendar. Part-time or hourly employees do not receive compensation on holidays of any kind. Administrative employees may be required to work holidays as determined by their supervisor or the School Director and as outlined in Compensation Agreements. Operations, maintenance and custodial employees are required to work most school holidays and break periods.

Family and Medical Leave Act

Eligible employees may take up to 12 weeks of unpaid leave within a 12-month period per the terms of the Family and Medical Leave Act of 1993 (FMLA). FMLA leave is a specified and approved leave granted by the School upon the formal written request of eligible employees. Ineligible employees granted other forms of leave for any reason are not granted approval for nor is their leave governed by or under the provisions of FMLA. Legally married couples (spouse and spouse) employed by the School may take a combined 12 weeks of FMLA leave. Eligible employees may request FMLA leave after 12 months and 1250 hours of employment service. Eligible employees must request FMLA leave with 30 days advance written notice except in times of unexpected leave. Employees may be required to submit a Statement from a Health Care Provider verifying the need for FMLA leave. Employees are required to use any and all available (accrued) PTO or other leave time before beginning leave under FMLA. Employees may have additional rights including rights for eligible relatives of certain military service personnel and should refer to the Family and Medical Leave Act of 1993 and Utah Code 53G-11-208 for additional information. Employees shall give 2 weeks advance notice before they plan to return to work. {Update LC 6.22.23}

Subject to the Plan Documents, terms and conditions of the various medical benefit plans, benefits will continue for the full period of FMLA leave. Employees who do not return to regular employment with the School after an approved FMLA leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

Full-time NWA employees may use up to three work weeks of paid parental leave, three work weeks of paid postpartum recovery leave, up to 3 weeks of paid adoption leave, and up to four weeks of paid foster leave, if eligible per standards outlined in Utah HB 329. NWA may not charge these leave opportunities against paid leave hours. Please see the Employee Handbook for specific requirements to exercising leave. *Revised 08/2026*

Personal Leave of Absence

Requests for personal leave without pay are considered individually and granted at the discretion of School Administration. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for personal leave of absence. A request for personal leave of absence may be granted only if the employee is not eligible for any other type of leave. Employees who are granted personal leave are still responsible to pay the employee portion of any benefit programs in which they participate. Arrangements should be made with Administration to coordinate the payment of premiums and other costs during leave periods when regular payroll withholding is not possible.

Teacher salaries (and salaries of other employees whose salary is spread over a longer period than their work schedule) who take unpaid leave (including FMLA leave) will be prorated proportionate to the number of days worked out of the scheduled days according to work schedules, and the final, prorated payment will be made on the regular pay day for the pay period that includes the date of the beginning of unpaid leave. When returning from leave, a new salary will be calculated proportionate to the number of work days remaining in the school year out of the total work days scheduled for the school year. The new salary shall be paid in equal installments over the regular paydays remaining in the school year.

All leaves (paid and unpaid) are granted for a specific period of time. An employee who foresees being unable or unwilling to return to work at the end of the leave period should apply for any other leave for which the employee is eligible, including an extension of the current leave. School reserves the right to terminate the employment of an employee who does not return to work at the end of an approved leave period.

Subject to the Plan Documents, terms and conditions of the various plans and upon School approval, medical benefit plans may continue for the full period of approved leave. Employees who do not return to employment with the School after an approved leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

Bereavement Leave
A full-time employee of the School may request a leave of absence with pay for a maximum of three (3) consecutive working days upon the death of a member of his or her immediate family. Members of the immediate family are defined as: father, mother, spouse, child, sister, brother, grandmother, grandfather, father-in-law, or mother-in-law. Proof of death may be required.

Jury Duty
Employees summoned for jury duty will be allowed the necessary time off from work to perform this civic responsibility. Employees must give School 15 days advance notice. School will pay such employees the difference between their regular salary and any jury duty fees received for up to five days of jury duty per school year. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's jury duty service and compensation. Employees or their supervisor may ask the court to excuse an employee from jury duty if an absence would cause serious operational difficulty for the school.

Witness Duty
Employees who receive a subpoena to testify in court may be granted time off to serve as a witness for that purpose. Employees must give School 15 days advance notice. School will pay such employees regular wages if the case involves the School, and the employee is not plaintiff to the suit. Employees are not compensated if the case does not involve the school and will use PTO hours (if available) for this absence. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's witness duty service.

Association Leave
Employees shall not have paid leave for work on behalf of any employee association as defined in UCA 53G-11-206.

Voting Leave
If an employee cannot vote because scheduled work hours conflict with the hours of the polls, the employee is allowed up to two hours paid leave (at the regular rate) to vote in a state or federal election.

Military Duty
Leaves for military service and reinstatement after performing military service will be provided in accordance with the requirements of law (as applicable to the School at the time the leave was granted only) as defined in the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who are absent from work in order to attend an annual encampment in a recognized reserve branch of the armed forces of the United States will receive an unpaid leave of absence of up to a maximum of two weeks per year. Employees must provide 30 days advance notice unless an emergency or classified situation dictates otherwise, upon which evidence must be provided to the School.

Subject to the law and the Plan Documents, terms and conditions of the various plans, medical benefit plans may continue for the full period of military leave. Employees who do not return to employment with the School after an approved military leave may be required to reimburse the

School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

Emergency Closings and Severe Weather

In the event that the school closes due to severe weather conditions or another reason, employees will not be required to report to work. Full time salaried employees will be paid for that day and it will not be counted as a vacation day. Hourly and/or part-time employees will not be compensated on days when the school is closed due to severe weather or other conditions. Every effort will be made to contact employees in the event of closure due to weather directly and through local media.

05-104—Substitute Teachers

NWA shall comply with R277-508 governing the employment of substitute teachers. Administration shall develop procedures to ensure:

1. A substitute teacher may not serve in a teaching position for more than eight consecutive weeks in one academic year in either the same class or with the same group of scholars. Individuals serving in the same teaching position for longer than eight weeks shall hold an appropriate license or be replaced by a person with an appropriate license.
2. Complies with Hiring Priorities of R277-508(4)
3. Ensure that substitute teacher's license has not been revoked and has completed a criminal background check
4. Teachers shall regularly have lesson plans available for substitute teachers in case of unforeseen absence
5. Education support professionals may serve as substitutes within the school as needed
6. Substitute teachers employed by NWA are prohibited from using school owned computers for personal use, unless administrative approval has been granted in writing.

If Administration determines it is more efficient or appropriate to engage substitute teacher services through a third party contractor, procedures under R277-508(5)(A-C) shall be followed as if the substitute were NWA employees.

05-105—Gifts and Conflicts of Interest

The School and its employees have a duty to avoid real, perceived or potential conflicts of interest. A conflict of interest is defined as an event or transaction where an employee is in a position to influence a decision or have business dealings on behalf of the School that might result in personal gain for the employee and/or one of his/her relatives. Examples of conflict of interest include, but are not limited to, accepting gifts of any value associated with procurement or other business dealings, requesting or granting favors, conducting undisclosed or undeclared business for personal gain. A conflict of interest for personal gain can result from situations where you or a relative receives a bribe, gift, special consideration or kick-back as a result of a transaction involving the School.

School employees may not transact undisclosed business when a conflict of interest is present. Failure of an employee to declare a conflict of interest in writing to the School Director, business office and/or the Board prior to business dealings where a conflict of interest is present may be subject to disciplinary action, up to and including termination of employment and may be subject to criminal prosecution. All School employees shall follow applicable laws or administrative rules associated with conflicts of interest.

Gifts from scholars or parents: Teachers or other staff may not solicit, but may accept minor gifts from scholars or parents that are given without expectation of or in return for special treatment or privileges for the parent or scholar.

05-106—Employee Discipline

Per state code R277-217, NWA will attempt to deal constructively with employee performance problems and employee errors. The School Director or designee will determine the disciplinary process in light of the facts and circumstances of each case. Depending upon the facts and circumstances, the discipline applied may include, among other things, oral or written warnings, probation, suspension without pay, or immediate termination of employment. Each situation will be considered in light of a variety of factors including, but not limited to, the seriousness of the situation, the employee's past conduct and length of service, and the nature of the employee's previous performance or incidents involving the employee. The school shall not use a guaranteed formal process for employee discipline and management and employees shall have no expectation of any particular disciplinary action or series of actions. Utah Professional Practices Advisory Commission (UPPAC) will be notified by a school administrator if and when any educator is subject to a judicial proceeding or official school investigation

05-107—Employee Travel

Purpose and Philosophy

The purpose of this policy is to establish procedures for authorization of travel by NWA employees, officials, or agents who may be required to travel in fulfilling their official duties or in attending seminars, conferences or other professional or educational activities benefitting NWA.

Definitions:
Airfare is defined as the costs incurred by an employee, official or agent to obtain common air carrier transportation services in order to participate in approved conferences or conduct school business.
Car rental is defined as use of a non-personal, non-school owned vehicle, for which a rental charge is imposed for use of the vehicle.

Ground transfer is defined as the costs related to transporting a traveler to and from airports or transportation terminals, whether by private or public carrier and the costs of parking private vehicles at transportation terminals.

Hotel accommodation is defined as the costs of providing overnight lodging incident to an approved travel event.

Mileage reimbursement is defined as the reimbursement for costs incurred by a school traveler to transport themselves and/or others in a personal vehicle, other than a rental car or school vehicle, to an approved conference or convention or to execute school business.

Per diem is defined as a daily allowance paid to an employee, official or agent to cover expenses while working away from home.

Registration is defined as a fee paid or reimbursed by the school which registers an employee, official or agent to attend a conference or event sponsored by another private or public entity.

Travel is defined as using ground, sea or air transportation to attend a conference or convention or to execute school business which is related to a traveler's work assignment yet is outside the customary work routine and away from the regular work assignment prescribed by the traveler's regular work assignment. Travel to such events may or may not require overnight lodging.

General Policy Information

It is the general intent of the Board to fund or reimburse employees, officials, or agents for actual travel expenses which are approved through the NWA travel request process.

Travel expenses related to pre-allocated budget allowances will be reimbursed up to the amount of the budget allotment. Reimbursements enumerated in this policy are intended to pay for job-related employee, official or agent expenses only.

This policy applies to all employees, officials or agents' travel to conferences, conventions and approved travel undertaken for execution of school business.

Travelers are responsible for making their own travel arrangements and, in cases where air transportation is used, must secure a price quote from the State Travel Office and one other source for air travel. These quotes are to be forwarded to the Business Manager and School Director along with a brochure detailing any conference registration fee amount, dates, location and other information incident to the conference.

This travel policy does not permit employees', officials', or agents' family members, friends or other travel companions to take trips which are funded or processed in any way by school funds. All travel expenses of family members, friends, or other travel companions must be paid directly from the personal financial resources of the employee, official or agent without being intermingled with school financial transactions.

Payment of Travel Expenses

Travel expenses are to be paid as follows:

1. NWA Credit Card: It is preferable that employees make their travel reservations and pay their travel expenses with their authorized credit card. Employees authorized to hold a credit card may use their cards to make travel arrangements and pay travel expenses on behalf of other employees when those employees do not hold a credit card and the travel is approved by the School Director.

If the traveler does not have a school credit card and their supervisor will not travel with them or does not hold a credit card: At the time the travel request is submitted, the request should indicate that registration, airfare and hotel payments are to be paid by check to the traveler. Checks for registration and airfare will be issued as soon as the travel request is approved.

2. Reimbursement: Travelers may purchase pre-approved travel (including airfare, car rental, ground transfers, conference registration, etc.) using personal funds and submit for reimbursement using the regularly established reimbursement procedures for all other purchases. Reimbursement will not be made for travel that was not approved by the School Director through the travel request process.

Meals when Traveling

Travelers may receive reimbursement for meals they purchase during approved travel according to the following schedule for travel that is more than 20 miles from the school's primary facility:

- If traveling between 6 and 10 AM, an allowance of $8 for breakfast
- If traveling between 11 AM and 2 PM, an allowance of $12 for lunch
- If traveling between 4 PM and 8 PM, an allowance of $25 for dinner

Travelers will be reimbursed for actual expenses, including tax and gratuity, for meals when traveling during the entire time frame noted above up to the dollar limits listed. Travelers should exercise good judgment and keep meal expenses as low as reasonably possible. Meal reimbursement will not be given for meals that are included in the registration or participation cost of any conference, meeting, or event associated with approved travel.

Meals Unrelated to Travel

1. Beverages/Food Items

    a. Supplies of coffee, water, soda, juice and similar items may be purchased and provided to School guests.

2. Appreciation Events

    a. Administration may hold events during the year to show appreciation for employee and/or volunteer efforts. The cost of the event should be reasonable and may include guests or family members at Administration's discretion.

3. Retirement/Separation Functions

    a. School may hold a reception for employees retiring or separating from the School (one per employee). Reasonable expenditures are permitted.

4. Holiday Functions

    a. Holiday functions are permitted and may include guests or family members at the Administration's discretion. The cost of such functions must be reasonable and may not be charged against any contract or grant fund or reimbursed overhead.

5. Board Meetings and Annual Retreat

a. Refreshments, meals, and beverages for Board and staff meetings, retreats, and workshops are permissible. Meals may be provided to employees, Board members, and the public when appropriate for the time and duration of the event.

Airfare

When securing airfare rates, travel coordinators should always contact the Utah State Travel Office to obtain a price quote. State travel rates usually include travel insurance and allow the traveler to change itineraries without penalties. Obtaining this price quote also provides the traveler a basis for judging the suitability of other rate quotes.

Air transportation is limited to air coach or tourist class. When special and reduced fares are available, they should be secured unless doing so will leave NWA at risk because of the loss of insurance coverage or unduly open the school to the potential of financial damage.

Ground Transfer Allowance

When air transportation is approved, a ground transfer allowance is provided for taxi or van service, and parking of personal vehicles at transportation terminals. Credit cards are not to be used to pay ground transfer expenses. Travelers should pay expenses as they occur and submit for reimbursement using the regular reimbursement request process.

Hotel Accommodations

Hotel accommodations are approved for the number of days a conference is in session, less one. One additional night of hotel accommodations is approved when an additional travel day is required prior to a conference. A second additional night of hotel accommodations is approved when an additional travel day is required after the conference concludes. Other additional days of hotel accommodations will be allowed only when approved in advance of the conference start by the funding budget director and the business administrator.

Travelers shall secure hotel accommodations at a daily rate which is reasonable for the area, and should consider other factors affecting overall travel cost, including distance from the hotel to the conference or event location, the availability of meals, shuttle or transfer service, etc.

A traveler may elect to stay with friends or relatives or use personal abodes, campers or trailers instead of staying in a hotel. When using these kinds of overnight accommodations, the traveler will request and receive approval for alternative lodging and associated expenses prior to approval of the travel request.

Hotel accommodations will be funded only once per conference. Hotel designation payments will not be paid when hotel accommodations are included as a portion of the conference fees.

If a traveler receives a prepayment check for hotel expenses and they or another school employee, official or agent pays the charges with a school credit card, the prepayment check amount must be refunded to NWA.

Hotel expenses will not be paid by the school for conferences which are less than 100 miles from NWA's primary facility.

Mileage Reimbursement

1. Travel of Less Than 100 Miles

When travelers are approved through the Travel Request Process to drive personal vehicles to a conference or other event that is less than 100 miles from the school's primary facility, reimbursement is allowed for all round trip miles for each day the traveler is approved to attend the conference.

2. Travel of More Than 100 Miles

When travelers are approved through the Travel Request Process to drive personal vehicles to a conference which is more than 100 miles from the school's primary facility, the total mileage reimbursement will be an amount which will not exceed the cost of airfare, had it been available and used. When airfare is less than mileage reimbursement, travelers are encouraged to arrange air transportation.

Mileage is calculated from the school's primary facility or traveler's starting location, whichever is shorter, to the destination and back, using Google Maps or Mapquest as verification. Reimbursement will be made following the IRS mileage rate.

Rental Cars

Rental cars are not allowed without prior approval from the School Director. All requests for rental cars must be included in the travel request.

When rental cars are approved, only actual documented expenses will be funded or reimbursed by the school.

Excessive Charges

NWA will not fund any travel expenses which are unrelated to the approved travel purpose. School travelers will be required to reimburse NWA for travel charges which are unrelated to the travel purpose or which are determined to be excessive.

05-108—Employee Drug and Alcohol Policy

NWA shall maintain a drug-free workplace to establish, promote and maintain a safe and nurturing learning environment for scholars, staff, the Board and volunteers. It is a violation of this policy for any employee, Board member, critical contracted service provider, or volunteer to engage in the unlawful manufacture, dispensation, distribution, possession or use of a controlled substance on personal time, at the School, or on School events or activities, including being under the influence or impaired at the School, while engaging in School business on or off campus, or in any manner that violates state or federal drug statutes.

Unauthorized use or possession of alcohol at the School, including being under the influence or impaired by alcohol at the School, or while engaged in School events or business, either on or off campus is prohibited.

Employees using or possessing alcohol or illegal drugs on school property or while at work or who report to work under the influence of alcohol or illegal drugs will be subject to disciplinary action, up to and including immediate termination of employment.

All employees, Board members, volunteers, critical contracted service providers and final candidates for highly sensitive positions are subject to drug and alcohol testing for illegal drugs or for establishing impairment and/or the use of alcohol while at work or at or on School events, meetings or activities. All persons may be subject to one or more of the following tests at any time:

1. Reasonable Suspicion drug and/or alcohol testing.
2. Post-Accident or Critical Incident drug and/or alcohol testing.
3. Pre-Employment drug and/or alcohol testing applies to final candidates for highly sensitive positions, including all scholar transportation positions.
4. Random drug and/or alcohol testing applies to employees in highly sensitive positions, including all scholar transportation positions.
5. Return-to-Duty drug and/or alcohol testing for persons who have completed a treatment, counseling or education program.
6. Follow-Up drug and/or alcohol testing is conducted on an unannounced basis and applies to any person who has previously failed a test for drugs and/or alcohol.

A drug and/or alcohol test may be administered (by a contracted Medical Review Officer (MRO) service provider) to employees, Board members, volunteers, critical contracted service providers and final candidates for highly sensitive positions, including all scholar transportation positions once the applicant has received a conditional offer of employment.

A drug and/or alcohol test may be administered to a person when a supervisor or the School Director concludes that it is more likely than not that the person has engaged in conduct that violates this policy, establishing Reasonable Suspicion of drug and/or alcohol use. This may be based on direct observation and/or the presence of physical symptoms, a pattern of abnormal or erratic behavior, a tip from a reliable and credible source or sources regarding a person's violation of this policy or that a person may have tampered with a previous drug and/or alcohol test.

The School may place employees tested under this policy on paid or unpaid administrative leave pending the results and review of the drug and/or alcohol test. Board members and volunteers may be temporarily relieved from service during testing periods.

05-109—Employee Electronic Use

NWA desires to keep the school a safe place for everyone and will govern the possession and use of electronic devices while on public school premises and/or participating in a school event, consistent with R277-495 of the Utah Administrative Code.

Per state code 76-5C-208, any individual who creates, views or accesses indecent or pornographic material on school property will be subject to immediate termination and legal action including reporting to proper authorities.
The above is not applicable to administrators who may be required to investigate a violation.

05-110—Employee Dress Standard

All employees present themselves in a decent and respectful manner consistent with the culture of NWA, and to maintain necessary safety standards and regulations. If NWA determines an employee's attire does not meet the appearance standards, the employee will be required to leave the site and return in attire conforming to the standards. All time away will be considered unpaid.

The dress code for NWA's personnel is meant to be a reflection of our professionalism and respect for the scholars and parents of scholars we serve. A few guidelines have been established to insure this philosophy is met:

1. Appropriate attire for women includes professional blouses, business shoes, and dresses or skirts of an appropriate business style (no hemlines above the knee).
2. Blue denim is not allowed. Colored denim may be worn.
3. Tattoos can be a distraction and will be handled on an individual basis.
4. Clothing is inappropriate when it is sleeveless, strapless, back-less, revealing or is too form fitting. Leggings can be worn with dresses that are to the knee. Modest necklines are required.
5. Field trip attire should be professional for all adults, colored denim is permitted, and only professional dress may be worn as you are representing NWA.
6. No casual flip-flops are allowed; nice dress sandals for women are permitted.
7. Hairstyles must be conservative in nature and conform to similar standards set for scholars.
8. If you are unclear about this policy, please seek clarification from your supervisor or Administration.
9. Kitchen and PE staff will be permitted to wear denim and athletic shoes based on job role.

05-112—Employee Social Networking

In general, the School respects an employee's decision to use social networking, for example Facebook, Linked-In, X, TikTok, Instagram, Snapchat, Web-based email accounts such as Gmail, Hotmail and Yahoo! mail and the like (Social Networking or Social Media) on personal time. Personal use of social media should be reserved for break times and meal periods.

Participating in social media provides public access by all members of the school family, including co-workers, School Administration, staff and families within the School community. Moreover, by utilizing social media via the School's electronic assets of technology, computers or internet access, employees are providing the School with access to their social media and therefore agree that an employee's actions to access social media from the School's electronic assets of technology, computers or internet access constitutes the employee's understanding that the employee has no expectation in privacy in the social media and consents that the School may access the employee's social media at the School's discretion and the School may review materials

that may be resident on the social media, including passwords, text messages, tweets, email communications, other documents and pictures that are sent to employees or reviewed by employees on the social media.

Employees must exercise care to ensure that they are not viewed as representatives of the School and that they do not imply that they are speaking on behalf of the School. To the extent employees are posting comments to social media outside the scope of their employment responsibilities, including an on-line forum, such as a blog, employees may not include any client or School trade secret or confidential information and may not make any statements that would give the impression that the views they have expressed are the opinions of the School. Employees should refrain from posting derogatory information about the School or the School Community on any such sites and proceed with any grievances or complaints through the regular channels.

NWA recognizes that participation in some forums or social networks might be important to the performance of an employee's job. For instance, an employee might find a helpful idea for academic lessons by consulting members of a news group devoted to education. Employees may not post to any on-line forums using any official School e-mail address or providing any School telephone number or extension. Employees may not utilize any of the School's logos, drawings, trademarks, copyrights or other images or photographs of the School or typically associated with the School in conjunction with such activities. Employee participation in such forums is a personal choice of the individual and all commentaries are authored by the individual and are not official statements of the School. Commentary made by employees on such forums must always reflect positively on the School.

Employees who maintain a presence on social media sites or services can be disciplined by the School, up to and including termination of employment if their social networking activities interfere with their ability to fulfill their role as an educator having care or custody over children, including being a role model to youth. While the School does not seek to prohibit an individual from expressing their beliefs or opinions, or to interfere with an employee's personal life, a career choice as a role model with care or custody over children warrants a level of personal propriety and decency that if compromised publicly, may result in disciplinary action up to and including termination of employment with the School. Individuals who create, view or access indecent or pornographic material on school property will be terminated immediately.

Employees of the School who participate in social networking personally may not "Friend" (or "Friend" equivalent) scholars or former scholars who are minors. Employees, including teachers may not allow scholars to access their personal social network or social media profile, information or site. With the express written permission by the School Director, purposeful, professional (exclusively educational), Educational Social Networking (ESN) sites or profiles may be established by ***Teachers*** for the use of scholars and school Administrators. Other School employees are not authorized to create ESN social media sites or profiles. Teachers shall only allow scholars to access ESN sites if the site is completely professional and only contains appropriate information for instructional purposes. Teachers shall "Friend" (or Friend equivalent) the School Director and/or Board members and any other person in the School community desiring access and may not "Unfriend" (or Unfriend equivalent) the above named while they are employed at NWA and the ESN site remains active. Teachers shall not disclose anyone's personal information, discuss or post photos of scholars, colleagues, Administration or

the Board on social networking sites without the direct written permission of parents or legal guardians AND the School Director.

05-113—Employment of Relatives

NWA does not have a general prohibition against hiring relatives of employees, nor does it have a general prohibition against employing unmarried couples. However, restrictions may apply to help prevent potential conflicts of interest.

While applications for employment from close family relatives of employees are considered when personnel vacancies occur, close family members such as parents, children, spouses, or in-laws may not be hired into positions where they directly or indirectly supervise or are supervised by another close family member. Any exceptions must have the approval of the Board. Further, the School reserves the right to not place relatives of employees in positions where there may be a conflict of interest (e.g. where employees work with, or have access to sensitive information regarding other close family relatives; or where they could transfer confidential information or compromise financial controls).

The same restrictions may apply to situations involving unmarried couples. When employees become related or enter into a personal relationship that presents a potential conflict of interest, they must disclose this relationship to NWA so that the interest of the School, its scholars and the parents of its scholars may be protected. As noted in the previous paragraph, this is to not place relatives or close friends of employees in positions where there may be a conflict of interest.

05-114—Employee Criminal Background Check Policy

The school shall:

1. Require the following individuals to submit to a nationwide criminal background check and ongoing monitoring as a condition for employment or appointment.
    a. A non-licensed employee,
    b. A contract employee,
    c. A volunteer who will be given significant unsupervised access to a scholar in connection with the volunteer's assignment, and
    d. A Board member
2. Collect the following from an individual required to submit a background check under subsection 1a
    a. Personal identifying information
    b. Subject to this policy, a fee, and
    c. Consent for:
        i. An initial fingerprint background check by the FBI and the bureau upon the submission of the application, and

ii. Retention of personal identifying information for ongoing monitoring through registration with the systems described in Section 53G-11-404.

3. Submit the individual's personal identifying information to the bureau for:

    a. An initial fingerprint-based background check by the FBI and the bureau, and

    b. Ongoing monitoring though registration with the systems described in 53G-11-404 if the results of the initial background check do not contain disqualifying criminal history information as determined by NWA in accordance with Section 53G-11-405, and

Identify the appropriate privacy risk mitigation strategy that will be used to ensure that the school only receives notification for individuals with whom the school maintains an authorizing relationship.

05-115—E-Verify

NWA shall verify that all employees are eligible for work in the United States through the E-Verify System.

05-116—Whistleblower Policy

General

NWA's Code of Conduct ("Code") requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the school, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations

Reporting Responsibility

It is the responsibility of all directors, officers, and employees to comply with the Code and to report violations or suspected violations in accordance with the Whistleblower Policy.

No Retaliation

No director, officer, or employee who in good faith reports a violation of the Code shall suffer harassment, retaliation, or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within NWA prior to seeking resolution outside NWA.

Reporting Violations

The Code addresses NWA's open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in Administration whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code of Conduct to NWA's Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not

satisfied or uncomfortable with following the school's open door policy, individuals should contact NWA's Compliance Officer directly.

Compliance Officer

NWA's Compliance Officer is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code and, at his/her discretion, shall advise the School Director and/or the audit committee. The Compliance Officer has direct access to the audit committee of the Board and is required to report to the audit committee at least annually on compliance activity. NWA's Compliance Officer is the chair of the audit committee.

Accounting and Auditing Matters

The audit committee of the Board shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the audit committee of any such complaint and work with the committee until the matter is resolved.

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Handling of Reported Violations

The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

05-117—Educational Services Outside of Educator's Regular Employment

NWA's Administration shall develop procedures for the sponsorship or specific non-sponsorship of extracurricular activities or opportunities for scholars consistent with the provisions of R277-107. Administration shall ensure that employees who participate in privately-provided activities at the school shall do so within the bounds of rule and law.

05-118—Employee Reporting of Arrests

Administration shall develop procedures, and shall include communication of such procedures in an Employee Handbook, requiring employees to report to Administration notice that any employee has been arrested, cited, or charged within two days of the event of any arrest, citation, or charge for whatever reason (other than minor traffic citations). The procedures shall comply with R277-516-5.

After receiving such notification, Administration shall take appropriate action according to R277-516, school policy, and school employment and discipline procedures.

05-119—Educator and Employee Evaluation Policy

Administration shall develop procedures and shall include communication of such procedures in an Employee Handbook, regarding educator and other employee evaluations. The procedures shall ensure that:

1. Educators and all employees are evaluated at least annually
2. Evaluations are based on measurable data focused on outcomes
3. Outcomes and data are known to employees prior to beginning work and each evaluation period
4. Outcomes are consistent with the goals in the school's Charter and that the Board may adopt from time to time
5. Educator evaluations shall support teachers in the development of Effective Teaching Standards and support administrators in the development of Educational Leadership Standards, consistent with R277-530.
6. Following R277-487-6 and state privacy laws, NWA shall protect individual educator evaluation data.

05-120—Effective Educator Standards

NWA educators, administrators, and counselors will follow state policy Rule 277-530 and subsection 53e-3-50 (1)(a) which states that NWA will follow the 'rules and minimum standards for the qualification and certification of educators and for required school administrative and supervisory services.' The State Effective Educator Standards are listed in NWA's Employee Handbook. {Update LC 6.22.23}

05-121—Educator Employee Exit and Engagement Surveys

Purpose

The purpose of this rule is to comply with R277-325 which requires all Local Educational Agencies (LEAs) to administer a public education exit and engagement survey.

Definitions

Educator means, for purposes of this rule: a general education classroom teacher; a special education teacher; or a school based specialist.

Survey means the Model Public Education Exit and Engagement Surveys incorporated by reference in Section R277-325-3.

Policy and Procedures
A copy of the state Model Public Education Exit and Engagement Surveys can be found under "R277-325" at: https://schools.utah.gov/administrativerules/documentsincorporated

Survey Administration
Noah Webster Academy shall:

1. Request that NWA educators complete the model public education engagement survey, at a minimum, every other year through an approved online provider.

2. Administer the model public education engagement survey in the opposite years from those in which it administers the school climate survey described in Rule R277-623, except as provided in Subsection 3, below.

3. Request that an educator leaving NWA complete the model public education exit survey at the time of their separation from employment through an NWA approved online provider.

4. Restrict access to survey results to appropriate personnel; and prevent identification of educators who complete the survey.

5. Allow each educator to remain anonymous and will not request the educator's CACTUS ID number.

6. Only include additional questions to the survey (i.e. non-identifying demographic data) which are in compliance with R277-325 and state law. {Update LC 6.22.23}

05-122 SHiNE Program Policy

Noah Webster Academy's Governing Board has created the following policy to align with Utah Code 53F-2-504 regarding Salary Supplement for Highly Needed Educators. To satisfy the state's "2 to 5" rule for addressing localized shortages, our Board has designated the following three teaching areas as highly challenging to fill or retain. Applications will be submitted to, and approved by NWA administration. Educators assigned to these roles are eligible for the SHiNE salary supplement:

1. Special Education: Teachers assigned to an approved special education instructional caseload.
2. Specialty Teachers: Teachers assigned to art, music, physical education, or library.
3. Early Career Teachers: Teachers currently within their first three years of professional classroom teaching.

Qualifying teachers must complete and turn in an application to the administration before August 31. Funds will be prorated for Full-time equivalent (FTE) and for time worked during the school year. The salary supplement is contingent on state allocated amounts and on the number of eligible applicants.

In addition to working in one of the three areas above, the educator must satisfy the following state-mandated criteria to be verified in the state-approved teacher registry:

1. Hold an active Utah Educator License with the appropriate license area and necessary endorsements matching the assignment.
2. Must be an employee in good standing or have received satisfactory ratings on their three most recent professional evaluations (cannot have received any "unsatisfactory" ratings).

If a teacher is denied the supplement, they have 10 calendar days from the date of denial to file a written appeal with school administration.

1. A teacher may appeal if they believe their unlisted instructional workload is "substantially equivalent" in nature, complexity, or shortage severity to one of our three approved categories.
2. The teacher must provide official transcripts, course descriptions, or past teaching records if requested.
3. The NWA school governing board will evaluate the application and issue a final determination.

The SHiNE supplement is legally treated as part of the teacher's base pay. Administration shall annually determine the salary supplement amount based on the available state funding, legislative appropriations, and the number of eligible educators. The Business Office shall oversee the distribution of funds, maintain required documentation, and ensure compliance with all reporting requirements. This policy will be reviewed annually. Any changes made will be presented to the governing board for a vote of approval prior to August 1.

06—Instruction

06-101—Standardized Test Administration Policy

1. Purpose and Philosophy
   To ensure scholar progress is accurately measured through standardized achievement tests, the Board recognizes the school's responsibility to implement standardized testing procedures in accordance with state and federal laws (R277-404). Information from such scholar standardized testing may be used by the school and teachers as an additional tool to plan, measure, and evaluate the effectiveness of the educational program.

2. Guidelines and Procedures

It shall be the responsibility of the School Director to establish specific guidelines and procedures which personnel shall follow when administering standardized scholar tests, in accordance with state and federal laws.

a. It is the responsibility of all educators to take all reasonable steps to ensure that standardized tests reflect the ability, knowledge, aptitude, or basic skills of each individual scholar taking standardized tests.

b. All teachers and administrators shall be provided in-service training concerning these guidelines and procedures; including teacher responsibility for test security and proper professional practices each school year.

c. The school shall administer mandated tests in compliance with established school and USBE calendars.

3. Security

It shall be the responsibility of the School Director to oversee the security of all testing materials while at the school.

a. All test booklets, administration manuals, and answer sheets shall be secured before and after the test administration.

b. No copies of test booklets or answer sheets shall be made.

c. All test materials shall be secure in a central location before and after the testing window. Access to the secured materials shall be restricted to authorized personnel.

d. The confidentiality of tests, testing materials, and answer sheets shall be maintained by all school personnel.

4. Standardized Testing Protocol

School personnel shall conduct test preparation, test administration, and the return of all secure test materials in strict accordance with this policy, administrative procedure, Utah Board of Education rules, and state application of federal requirements for funding.

a. All standardized tests shall be conducted without any reference materials being made available to scholars unless the publisher of the test specifies otherwise.

b. School personnel shall not:

i. Provide scholars directly or indirectly with specific questions, answers, or the subject matter of any specific item in any standardized test prior to administration;

ii. Copy, print, or make any facsimile of testing material prior to test administration without express permission of the specific test publisher, including the Utah State Board of Education (USBE);

iii. Alter, change or amend any scholar answer sheet or other standardized test materials at any time in such a way as to alter the scholar's intended response;

iv. Use any prior form of any standardized test in test preparation without express permission of the test publisher, including USBE;

v. Violate any specific test administration procedure or guidelines specified in the test administration manual;

vi. Knowingly and intentionally do anything that would inappropriately affect the security, validity, or reliability of standardized test scores of any individual scholar, class, or school.

vii. Provide a nonacademic reward to a scholar for taking a state-mandated assessment

5. Assessment Results

a. Results of an individual scholar's standardized tests shall be shared with the scholar and parent/guardian.
b. A teacher may use a scholar's score on the standards assessment to improve the scholar's academic grade for, or demonstrate the scholar's competency within a relevant course.

6. Scholars with Disabilities

All scholars with disabilities shall participate in standardized testing as outlined in USBE Testing Policy "Requirement for Participation of Utah Scholar with Special Needs in the Utah Performance Assessment System for Scholars (U-PASS)."

06-102—Health and Human Sexuality Education

1. NWA shall require all newly hired or newly assigned educators with responsibility for any aspect of human sexuality instruction to attend state-sponsored professional development outlining the human sexuality curriculum and the criteria for human sexuality instruction in any courses offered at the school.

2. The school shall provide training consistent with R277-474-5A at least once during every three years of employment for Utah educators.

3. The Administration shall convene a curriculum materials review committee(s) as follows:

a. The committee shall be organized consistent with R277-474-1B.

b. The committee shall review and approve all guest speakers and guest presenters and their respective materials relating to human sexuality instruction in any course and maturation education prior to their presentations.

c. The committee shall not authorize the use of any human sexuality instructional program or maturation education program not previously approved by the Board, approved consistent with R277-474-6, or approved under UCA 53G-10-402 (1)(c)(ii).

d. Administration shall report educators who willfully violate the provisions of this rule to the Commission for investigation and possible discipline.

e. The school shall use the common parental notification form or a form that satisfies all criteria of the law and Board rules and comply with timelines approved by the Board.

f. Administration shall develop a logging and tracking system of parental and community complaints and comments resulting from scholar participation in human sexuality instruction, to include the disposition of the complaints, and provide that information to the USBE upon request.

4. If a scholar is exempted from course material required by the Board-approved Core Curriculum, the parent shall take responsibility, in cooperation with the teacher and the

school, for the scholar learning the required course material consistent with Sections 53G-10-402.2(1), (2) and (3).

5. Any materials that are used in Human Sexuality instruction shall comply with the criteria of Section 53G-10-402 and:
    a. Shall be medically accurate as defined in R277-474-1G.
    b. Shall be available for reasonable review opportunities to parents/guardians of scholars prior to consideration for adoption.
    c. Per R277-474 the Board must approve the curriculum and the presenter every year. The Governing Board will vote on this every June for the following school year.
6. The school shall comply with the reporting requirement of Section 53G-10-402 (1)(c)(iii)(D). The report shall include:
    a. A copy of the human sexuality instructional materials and maturation education materials not approved by the Instructional Materials Commission that the Board seeks to adopt;
    b. Documentation of the materials' adoption in a public Board meeting;
    c. Documentation that the materials or program meets the medically accurate criteria of R277-474- 1G;
    d. Documentation of the recommendation of the materials by the committee; and
7. The Board's adoption process for human sexuality instructional materials and maturation education materials shall be available for review annually.

06-103—Comprehensive Counseling Policy

NWA shall comply with provisions of R277-462. Administration shall develop procedures to ensure that the school offers a Comprehensive Counseling and Guidance Program that:

1. Meets the criteria for comprehensive counseling in R277-462(3)
2. Meets the criteria for College and Career readiness in R277-462(4)
3. Meets scholar to counselor ratios in R277-462(5)
4. Appropriately uses funds consistent with R277-462(6)
5. Makes all reports necessary and required under R277-462(7).

06-104—Media Use in Classrooms

The Board recognizes that videos and multimedia presentations can be an important part of classroom instruction, adding variety and helping scholars see ideas and concepts in several ways. The Board also recognizes that the best way for scholars to learn is to have information presented in several ways guided by excellent teachers and supplemented with

scholar-completed exercises that apply concepts taught. The Board therefore adopts the following policy relating to the use of videos in class.

Videos and other multimedia should be used sparingly and must be approved by Administration prior to being shown to scholars. Administration will ensure that videos are appropriate for the age of the audience, short, relevant to the subject and a specific lesson taught, and connected to a scholar-completed exercise. Permission slips must be signed by parents for any video that is not intended as exclusively educational.

06-105—Grading Policy

NWA is presently on a standardized grading scale as follows. NWA reserves the right to modify this grading scale upon the recommendation of the School Director and approval of the Board.

Grades K-3 receive a grade of O = Outstanding (O=95-100%, O-=90-94%), G = Good (G+=87-89%, G=83-86%, G-=80-82%), MS = Minimum Standard (MS+=77-79%, MS=74-76%,MS-=70-73%), BMS = Below Minimum Standard (65-69%), and N = Needs Improvement (64% or below). Grades 4-6 receive a grade scale of A=95-100%, A-=90-94%, B+=87-89%. B=83-86%, B-=80-82%, C+=77-79%. C=74-76%, C-=70-73%, D+=67-69%, D=64-66%, D-=60-63%, F or I = Incomplete or not passing.

06-106—Scholar Education Plans and Success Plans

Scholar Education Plans

Administration shall develop, in consultation with school personnel, parents, and school community, procedures to ensure effective implementation of scholar education plans/scholar education occupation plans (SEPs/SEOPs) consistent with Section 53E-2-304 (2)(b).

Teacher and Scholar Success Plan

Pursuant to UCA 53G-7-1304 and R277-927, and insofar as Noah Webster Academy continues to receive applicable state funding for such, the Noah Webster Academy Board of Directors adopts the following guidelines for the development of a Teacher and Scholar Success Plan ("Plan"). The school's Director will develop a Plan in accordance with this framework and submit the Plan to the Board for approval. Following board approval, The Plan will be posted publicly. The Plan will be developed by integrating school-specific goals and criteria for improving the school's performance within the state accountability system.

The goal of the school's Plan shall be to improve school performance and scholar academic achievement. The Plan may contain any of the following strategies:

1. School personnel stipends for taking on additional responsibility outside of a typical work assignment;
2. Professional learning;
3. Additional school employees, including counselors, social workers, mental health workers, tutors, media specialists, information technology specialists, or other specialists;
4. Technology;
5. Before- or after-school programs;
6. Summer school programs;

7. Community support programs or partnerships;
8. Early childhood education;
9. Class size reduction strategies;
10. Augmentation of existing programs; or
11. Any other strategy reasonably designed to improve school performance or scholar academic achievement.

Funding received pursuant to the school Plan may not be used:

1. To supplant funding for existing education programs.
2. For administrative costs;
3. For capital expenditures. {Update LC 6.22.23}

06-107—Classroom Supplies, Library Collection Appropriation, and Instructional Material

Classroom Supplies

NWA shall comply with R277-459 regarding the use and distribution of legislative appropriations for the purchase of classroom supplies and shall develop procedures consistent with law and rule.

Library Collection Appropriation

NWA's Library will operate under the requirements of the NWA Sensitive Materials Policy (06-108) and use the criteria in that policy for material selection, library collection maintenance, and challenges to library items.

Instructional Material

Purpose

The purpose of this policy is to guide NWA in the selection and purchase of instructional materials.

Definitions

Core means the core standards adopted by the Board in R277-700.

Curriculum alignment means the assurance that the material taught in a course or grade level matches the standards, and assessments set by the state for specific courses or grade levels.

Primary instructional material means a comprehensive basal or Core textbook or integrated instructional program for which a publisher seeks a recommendation for Core subjects designated in Sections R277-700-4 through R277-700-6

Instructional materials means systematically arranged content in text, digital, Braille and large print, or audio format which may be used within the state curriculum framework for courses of study by scholars in public schools. Instructional materials include:

a. Textbooks;
b. Workbooks;
c. Computer software;
d. Online or internet courses;
e. CDs or DVDs; and
f. Multiple forms of communication media.

Instructional materials may be used by scholars or teachers or both as principal sources of study to cover any portion of a course.

Instructional materials (i) are designed for scholar use; (ii) may be accompanied by or contain teaching guides and study helps; (iii) shall include all textbooks, workbooks, scholar materials, supplements, and online and digital materials necessary for a scholar to fully participate in coursework; and (iv) shall be high quality, research-based materials for supporting scholar learning.

Purchase of Instructional Materials

Per R277-469-3, NWA may use state funds for any primary supplemental or supportive instructional materials that support Core requirements. NWA may use free instructional materials that are used as primary instructional materials or Core material, only if consistent with the law.

NWA may select and approve instructional materials consistent with:

a. The standards of R277-469;
b. Established state procedures and timelines;
c. NWA's Charter, Bylaws, and Policies;
d. Subsection 53G-10-402; and
e. Subsection 53E-4-403(4). {Update LC 6.22.23}

06-108—Noah Webster Academy Sensitive Materials Policy

I. Sensitive Materials Policy - Authorization, Purpose, Training, and Definitions

Authorization

This policy is authorized in part by and consistent with 53g-10-103, Sensitive Materials in Schools. This policy is also consistent with r277-217-2(16)(17)(18)(19) educators standards and LEA reporting stating an educator may not:

- Knowingly possess, while at school or any school-related activity, any pornographic or indecent material in any form;
- Use school equipment to intentionally view, create, distribute, or store pornographic or indecent material in any form;
- Knowingly use, view, create, distribute, or store pornographic or indecent material involving children;
- Expose scholars to material the educator knows or should have known to be inappropriate given the age and maturity of the scholars.

Purpose

The purpose of this policy is to specify the process of identifying materials to be disqualified from use in school settings based on §53G-10-103 Sensitive Materials in Schools and R277-217 Educator Standards and LEA Reporting. Adoption of this policy, per the Office of the Attorney General, "will help protect Noah Webster Academy from potential lawsuits brought by parents or groups alleging the school failed to comply with state laws."

Training

NWA Administrators shall ensure that educators comply with this policy and the appended documents, which shall serve as the focus of the training, vetting, and reviewing of sensitive materials:

- *Sensitive Materials Rubric Diagram*
- *Definitions and References Table*
- *Sensitive Materials Complaint Form*

Definitions

"Sensitive Material" means an instructional material that is pornographic or indecent material as that term is defined in Criminal Code Section §76-10-1235 (UT Code §53G-10-103).

"Educator" as used in this model policy means the same as defined in §53F-2-405.

"School setting" means for a public school: in a classroom; in a school library; or on school property. It includes the following activities that an organization or individual or organization outside of a public school conducts, if a public school or an LEA sponsors or requires the activity: an assembly; a guest lecture; a live presentation; or an event.

"Instructional material" means a material, regardless of format, used: as or in place of textbooks to deliver curriculum within the state curriculum framework for courses of study by scholars; or to support a scholar's learning in the school setting. It includes reading materials, handouts, videos, digital materials, websites, online applications, and live presentations.

See Definitions and References for definitions specific to the vetting and reviewing of Sensitive Materials.

II. Communication

1. Noah Webster Academy (NWA):

    a. Shall adopt this policy and use the included appendices.

    b. Shall communicate clearly on material policies and procedures with patrons.

    c. Shall inform teachers, staff, and parents through the NWA website as well as through email and printed mail prior to the beginning of each school year of the following:

i. Materials shall be vetted and reviewed for compliance with §53G-10-103 and R277-217-2(16)(17)(18)(19);

ii. Materials shall be vetted prior to use and as needed per a sensitive materials complaint; and

iii. Links to:

(1) This policy;
(2) The reference to and text of R277-217-2(16)(17)(18)(19) Educator Standards and LEA Reporting;
(3) *Sensitive Material Rubric Diagram*
(4) *Definitions and References Table*
(5) *Sensitive Materials Complaint Form*.

iv. Instructions on how to:

(1) Submit a sensitive materials complaint
(2) Volunteer to serve on a sensitive materials complaint hearing committee.

d. Shall require an educator, school or NWA employee, or NWA board member to take prompt and appropriate action to protect a scholar from any known condition detrimental to the scholar's physical health, mental health, safety, or learning, in accordance with R277-217-3(4), if made aware of material that may be considered sensitive material as defined in §53G-10-103 and R277-217-2(16)(17)(18)(19). "Prompt and appropriate action" for the purposes of this policy means the educator, school or NWA employee or NWA board member is required to file a sensitive materials complaint with NWA.

e. Shall require, in the event of a scholar bringing potentially sensitive material to the attention of an educator, school or NWA employee, or NWA board member, that that individual promptly notify the scholar's parent of the incident.

III. Vetting

1. **Existing** materials

a. NWA shall immediately commence a review of all existing materials, both in NWA's school library as well as individual classrooms, including when this policy goes into effect. Existing materials review to be completed no later than August 1, 2023. NWA shall submit the process and timeframe for this review to the State Board no later than September 30, 2022.

b. An employee of the school shall vet all existing materials, regardless of format, using this policy and *Sensitive Materials Rubric Diagram and Definitions and References Table.*

c. Existing materials deemed sensitive and designated for removal:

i. A record of all existing sensitive materials which have been vetted and designated for removal based on *Sensitive Materials Rubric Diagram and Definitions and References Table* shall be promptly recorded by NWA Board Secretary.

ii. Hard copy sensitive materials shall be physically removed and blocked from being reintroduced into the school setting, and shall be returned to the vendor, publisher, or donor if possible.

iii. Non-returnable hard copy sensitive materials shall be shredded.

iv. NWA shall promptly remove sensitive materials, in any form, including digital content, to be permanently removed, not to be reintroduced into the school setting.

v. If a scholar brings a book to school that has been officially removed from schools statewide, the book will be taken away and only returned to a parent or guardian.

2. **Incoming** materials

a. An employee of the school shall vet all incoming materials, regardless of format, using this policy and *Sensitive Materials Rubric Table and Definitions and References Table.*

b. Incoming materials deemed sensitive and designated for removal:

i. A record of all incoming sensitive materials which have been vetted and designated for removal shall be promptly recorded by NWA Board Secretary.

ii. Hard copy sensitive materials shall be physically removed and blocked from being reintroduced into the school setting, and shall be returned to the vendor, publisher, or donor if possible.

iii. Non-returnable hard copy sensitive materials shall be shredded.

iv. NWA shall promptly remove sensitive materials, in any form, including digital content and live presentation, to be permanently removed, not to be reintroduced into the school setting.

v. NWA will vet beforehand any live presentation for compliance with this policy and *Sensitive Materials Rubric Diagram and Definitions and References Table.*

IV. Complaints

1. NWA shall, regarding scholars:

a. Require that an educator, school or NWA employee, or NWA board member take prompt and appropriate action to protect a scholar from any known condition detrimental to the scholar's physical health, mental health, safety, or learning, in accordance with R277-217-3(4), if made aware of material that may be considered sensitive material as defined in §53G-10-103 and R277-217-2(16)(17)(18)(19).“Prompt and appropriate action” for the purposes of this policy means the educator is required to file a sensitive materials complaint with NWA.

b. If a scholar brings potentially sensitive material to the attention of an educator, or NWA employee, or NWA board member, that individual shall notify the scholar’s parents of the incident.

c. Permit scholars to bring the presence of sensitive material in schools to the attention of parents, educators, administrators, and other school employees who shall submit a complaint.

d. Not permit scholars to participate in sensitive materials vetting or the complaint process, be a member of the hearing committee, or attend a hearing.

e. During a complaint process, scholars are restricted from viewing or obtaining materials.

2. NWA shall, upon the receipt of a sensitive materials complaint submission (hereafter referred to as a “complaint”):

a. Respond to a notification of complaint by:

i. Honoring the confidentiality of the complaint submitter.

ii. Withholding access to all available copies of the materials which are the subject of a complaint in all classrooms within NWA until resolution of the complaint process, at which point the material is either retained or removed from NWA.

iii. Prioritizing the review of any materials which are the subject of a complaint and ensuring the complaint process includes an initial determination, hearing and a final decision.

iv. The Director will designate two or more NWA employees responsible for making the initial objective sensitive material determination as described in Subsection 53G-10-103(4)(If an employee is required to meet outside of agreement hours, NWA shall compensate the employee for time on the committee).

v. Forming a hearing committee which will include parents or grandparents of currently enrolled scholars. Said hearing committee will not exceed seven

members, no more than two of which may be employed by NWA and may include those involved in making the initial objective sensitive material determination who:

(1) Have scholar/s attending NWA;

(2) Have no educational organizational affiliation beyond the school level.

(3) Have had no involvement or responsibility for procurement of the materials in question.

(4) Were not involved in the submission of the challenge of the materials in question.

vi. Notifying the submitter of a complaint by phone and email of the time, date, and location of a complaint hearing a minimum of 10 days in advance; and

vii. Notifying all NWA parents by email of the time, date, and location of a complaint hearing a minimum of 7 days in advance.

b. Conduct a hearing open to the public in which:
   i. A recording of the hearing is made. "Recording" means an audio and video record of the hearing for the purpose of reviewing the proceedings of the hearing in the event of an appeal.

   ii. Any submitted public comment pertaining to the hearing shall be retained by NWA board Secretary as part of the permanent hearing record. Public comment must be submitted 48 hours in advance to be added to the hearing record.

   iii. Patrons and educators shall be given adequate time at the beginning of the hearing to provide examples of how the materials violate the intent and provisions of §53G-10-103 and R277-217-2(16)(17)(18)(19) (see *Sensitive Materials Rubric Diagram and Definitions and References Table).*

   iv. The public may remain until the conclusion of the hearing to listen to and observe the hearing committee's deliberations and decision.

   v. The hearing committee's decision shall comply with §53G-10-103 and R277-217- 180 2(16)(17)(18)(19) (see *Sensitive Materials Rubric Diagram and Definitions and References Table).*
   vi. NWA shall report all challenges, final determinations and rationale to the state superintendent within 30 school days; or if an appeal is in process, at the conclusion of the appeal.

c. Refer the complainant to file either a USBE appeal or complaint.

i. Appeal: If an individual believes NWA did not follow NWA's own Sensitive Materials Policy, an individual may appeal to the USBE per State Board Rule R277-123 (6).

ii. Complaint: If complainant believes NWA violated a statute or Board rule, complainant may file a USBE complaint per State Board rule 277-123 (1)(2)(3)(4)(5).

3. Sensitive materials designated for removal at the conclusion of a NWA complaint and hearing process:

   a. NWA Board Secretary shall promptly record the sensitive material's updated status.

   b. Hard copy sensitive materials shall be physically removed and blocked from being reintroduced into the school setting throughout NWA, and shall be returned to the vendor, publisher, or donor if possible.

   c. Non-returnable hard copy sensitive materials shall be shredded.

   d. NWA shall promptly ensure that sensitive materials, in any form, including digital content or live presentation, have been removed from NWA, not to be reintroduced into the school setting.

V. Appeals

Following a hearing, a complainant, upon being informed by NWA of a decision to retain materials, may file an appeal or complaint of the hearing decision through the USBE (see **IV Complaints** 2.c.(i,ii)).

VI. Compliance

1. Vendors, providers, partnerships, volunteers, groups, individuals, etc., shall comply with the terms of this policy in any contracts, arrangements, programs, apps, or services with NWA.

2. NWA shall discontinue any contract, arrangement, program, app, or service with a vendor, provider, partnership, volunteer, group, individual, etc. who has been found by the Board to repeatedly facilitate or make available materials deemed sensitive within the NWA school setting.

VII. Complainant Protection

1. A complainant or scholar involved in a complaint shall not be retaliated against, threatened, intimidated, or otherwise treated adversely for any involvement in a complaint.

2. An individual's prerogative to submit complaints shall not be limited in number as long as the complainant submits specific examples of what could reasonably be deemed sensitive materials based on §53G-10-103, *and Sensitive Materials Rubric Diagram, and Definitions and References Table.*

3. An individual's sensitive materials complaint may additionally address specific concerns that correlate with a potential violation of R277-217-2(16)(17)(18)(19) or the complaint process.

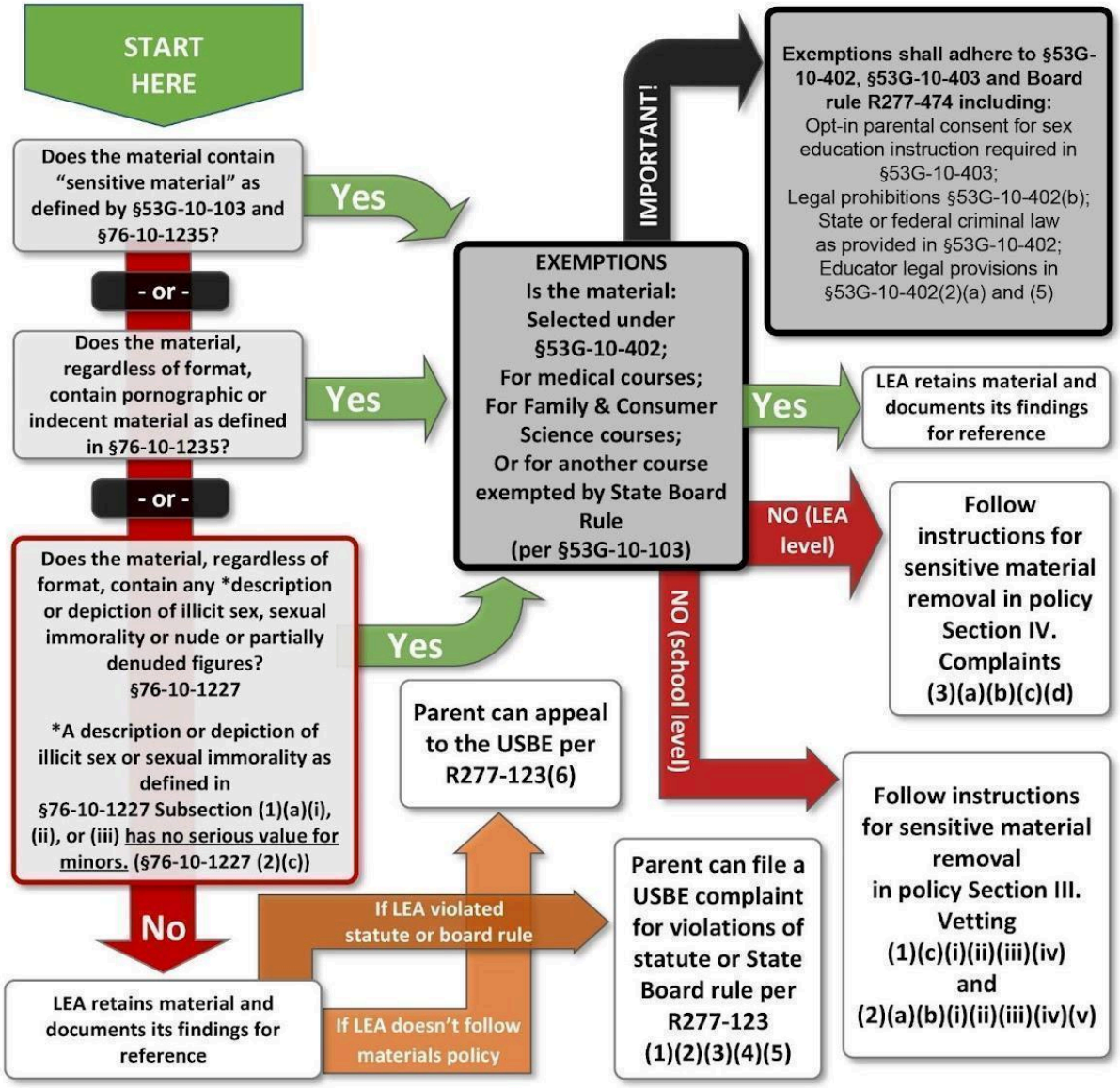
APPENDIX A: SENSITIVE MATERIALS RUBRIC

UT CODES 53G-10-103 AND 76-10-1235 PROHIBIT ALL SENSITIVE MATERIAL IN THE SCHOOL SETTING

All materials in the school setting shall be vetted and reviewed using the Sensitive Materials Rubric to ensure compliance with §53G-10-103 and R277-217-2(16)(17)(18)(19).

The following processes, as applicable, shall be used if Sensitive Material is suspected by any administrator, educator, support/volunteer staff, or if a patron submits a Sensitive Materials complaint.

Determination Process



Definitions and References Table

76-10-1201(10)	Nudity	Showing of male genitals with less than an opaque covering
		Showing of genitals with less than an opaque covering
		Showing of pubic area with less than an opaque covering
		Showing of buttocks with less than an opaque covering
		Showing of female breast(s) with less than an opaque covering
		Showing of the female breast below the top of the areola
		the depiction of covered male genitals in a discernibly turgid state
76-10-1201(13)	Sadomasochistic abuse	condition of being fettered, bound, or otherwise physically restrained on the part of a person clothed
		flagellation or torture by or upon a person who is nude or clad in undergarments, a mask, or in a revealing or bizarre costume
76-10-1201(14)	Sexual Conduct	sexual intercourse whether alone or between members of the same or opposite sex between humans and animals in an act of apparent or actual sexual stimulation or gratification
		touching a person's clothes or unclothed genitals whether alone or between members of the same or opposite sex between humans and animals in an act of apparent or actual sexual stimulation or gratification
		touching a person's pubic area whether alone or between members of the same or opposite sex between humans and animals in an act of apparent or actual sexual stimulation or gratification
		touching a person's buttocks whether alone or between members of the same or opposite sex between humans and animals in an act of apparent or actual sexual stimulation or gratification

		touching a female breast whether alone or between members of the same or opposite sex between humans and animals in an act of apparent or actual sexual stimulation or gratification
76-10-1201(15)	Sexual Excitement	no condition of human male or female genitals when in a state of sexual stimulation or arousal
		no sensual experience of humans engaging in or witnessing sexual conduct or nudity
76-10-1203 (1)	Pornographic	appeals to prurient interest in sex
		description or depiction of nudity
		description or depiction of offensive sexual conduct
		description or depiction of sexual excitement
		description or depiction of sadomasochistic abuse
		description or depiction of excretion
76-10-1203. 1 (c) & US §1466A 2 (b)		Does not have serious literary, artistic, political, or scientific value *
*As defined in 76-10-1227 (2)(c), a description or depiction of illicit sex or sexual immorality as defined in Subsection (1)(a)(i) human genitals in a state of sexual stimulation or arousal; (ii) acts of human masturbation, sexual intercourse, or sodomy; or (iii) fondling or other erotic touching of human genitals or pubic region, has no serious value for minors.		
76-10-1227. 1	Indecent public display	Description or depiction of illicit sex or sexual immorality
		Nude or partially denuded figure
76-10-1227. 1 (a)	Illicit sex or sexual immorality	human genitals in a state of sexual stimulation or arousal*
		acts of human masturbation, sexual intercourse, or sodomy*
		fondling or other erotic touching of human genitals or pubic region*
		fondling or other erotic touching of the human buttock or female breast

*A description or depiction of illicit sex or sexual immorality has no serious value for minors. 76-10-1227.2(c)		
76-10-1227. 1 (b)	Nude or partially denuded figure	a less than completely covering human genitals, pubic regions, buttock, female breast below a point immediately above the top of the areola
		human male genitals in a discernibly turgid state, even if completely and opaquely covered
76-10-1227. 2 (b)	Serious value	having serious literary, artistic, political, or scientific value for minors, taking into consideration the ages of all minors who could be exposed to the material (Subject to 76-10-1227.2(c)**
** A decisionmaker may consider…whether such material has serious value for minors under 1227(b). *Serious* value does not mean *any* value…taking into consideration the ages of all minors who could be exposed to material. (AGO Official Memo—Laws Surrounding School Libraries, p.7).		
53G-10-103(1)(g)(i)	Sensitive Material	means an instructional material that is pornographic or indecent material as that term is defined in Section 76-10-1235
R277-217-2 (16)(17)(18)(19)	Educator Standards and LEA Reporting	An educator may not knowingly possess, while at school or any school-related activity, any pornographic or indecent material in any form;
		An educator may not use school equipment to intentionally view, create, distribute, or store pornographic or indecent material in any form;
		An educator may not knowingly use, view, create, distribute, or store pornographic or indecent material involving children; or
		An educator may not expose scholars to material the educator knows or should have known to be inappropriate given the age and maturity of the scholars.

R277-217-3(4)	Educator Standards and LEA Reporting	[An educator shall] take prompt and appropriate action to protect a scholar from any known condition detrimental to the scholar's physical health, mental health, safety, or learning.
AGO Official Memo Laws Surrounding School Libraries	Book Removal From School Libraries	Immediately remove books from school libraries that are categorically defined as pornography under state statute. AND Further mitigate risk regarding removal decision by engaging in analysis as to any overall value the materials may have that might forestall removal…in good faith.
Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853 (1982)	Removal of "pervasively vulgar" books	"All members of the [Pico] Court, otherwise sharply divided, acknowledged that the school board has the authority to remove books that are vulgar." *Bethel Sch. Dist. No. 403 v. Fraser,* 478 U.S. 675, 684 (1986).

Utah Code 76-10-1201. **Definitions.** [referenced excerpts]
https://le.utah.gov/xcode/Title76/Chapter10/76-10-S1201.html

(10) "Nudity" means:
(a) the showing of the human male or female genitals, pubic area, or buttocks, with less than an opaque covering;
(b) the showing of a female breast with less than an opaque covering, or any portion of the female breast below the top of the areola; or
(c) the depiction of covered male genitals in a discernibly turgid state.

(11) "Performance" means any physical human bodily activity, whether engaged in alone or with other persons, including singing, speaking, dancing, acting, simulating, or pantomiming.

(13) "Sadomasochistic abuse" means:
(a) flagellation or torture by or upon a person who is nude or clad in undergarments, a mask, or in a revealing or bizarre costume; or
(b) the condition of being fettered, bound, or otherwise physically restrained on the part of a person clothed as described in Subsection (13)(a).

(14) "Sexual conduct" means acts of masturbation, sexual intercourse, or any touching of a person's clothed or unclothed genitals, pubic area, buttocks, or, if the person is a female,

breast, whether alone or between members of the same or opposite sex or between humans and animals in an act of apparent or actual sexual stimulation or gratification.

(15) "Sexual excitement" means a condition of human male or female genitals when in a state of sexual stimulation or arousal, or the sensual experiences of humans engaging in or witnessing sexual conduct or nudity.

Utah Code 76-10-1203. Pornographic Material or performance.
https://le.utah.gov/xcode/Title76/Chapter10/76-10-S1203.html?v=C76-10-S1203_1800010118000101

(1) Any material or performance is pornographic if:
(a) The average person, applying contemporary community standards, finds that, taken as a whole, it appeals to prurient interest in sex;
(b) It is patently offensive in the description or depiction of nudity, sexual conduct, sexual excitement, sadomasochistic abuse, or excretion; and
(c) Taken as a whole it does not have serious literary, artistic, political or scientific value. *As defined in 76-10-1227 (2)(c), a description or depiction of illicit sex or sexual immorality as defined in Subsection (1)(a)(i) human genitals in a state of sexual stimulation or arousal; (ii) acts of human masturbation, sexual intercourse, or sodomy; or (iii) fondling or other erotic touching of human genitals or pubic region, has no serious value for minors.

Complimentary U.S. Code: § 1466A (2)(A) - depicts an image that is, or appears to be, of a minor engaging in graphic bestiality, sadistic or masochistic abuse, or sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex (2)(B) - lacks serious literary, artistic, political, or scientific value (*Reference UT 76-10-1227 (2)(c))

Utah Code 76-10-1227. Indecent public displays -- Definitions.
(1) For purposes of this section and Section 76-10-1228:
(a) "Description or depiction of illicit sex or sexual immorality" means:
(i) human genitals in a state of sexual stimulation or arousal;
(ii) acts of human masturbation, sexual intercourse, or sodomy;
(iii) fondling or other erotic touching of human genitals or pubic region; or
(iv) fondling or other erotic touching of the human buttock or female breast.
(b) "Nude or partially denuded figure" means:
(i) less than completely and opaquely covering human:
(A) genitals;
(B) pubic regions;
(C) buttock; and
(D) female breast below a point immediately above the top of the areola; and
(ii) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(2)(a) Subject to Subsection (2)(c), this section and Section 76-10-1228 do not apply to any material which, when taken as a whole, has serious value for minors.

(b) As used in Subsection (2)(a), "serious value" means having serious literary, artistic, political, or scientific value for minors, taking into consideration the ages of all minors who could be exposed to the material.

(c) A description or depiction of illicit sex or sexual immorality as defined in Subsection (1)(a)(i), (ii), or (iii) has no serious value for minors.

UT Code 53G-10-103. Sensitive instructional materials

(1) (f) (i) "School setting" means, for a public school:

(A) in a classroom;

(B) in a school library; or

(C) on school property.

(g) (i) "Sensitive material" means an instructional material that is pornographic or indecent material as that term is defined in Section 76-10-1235.

(ii) "Sensitive material" does not include an instructional material:

(A) that an LEA selects under Section 53G-10-402 (Health Curriculum Requirements - Instruction in health)

(2) (a) Sensitive materials are prohibited in the school setting.

(b) A public school may not:

(i) adopt, use, distribute, provide a scholar access to, or maintain in the school setting, sensitive materials; or

(ii) permit a speaker or presenter in the school setting to display or distribute sensitive materials.

R277-217-2(16)(17)(18)(19). Educator Standards and LEA Reporting

An educator may not:

- Knowingly possess, while at school or any school-related activity, any pornographic or indecent material in any form;
- Use school equipment to intentionally view, create, distribute, or store pornographic or indecent material in any form;
- Knowingly use, view, create, distribute, or store pornographic or indecent material involving children;
- Expose scholars to material the educator knows or should have known to be inappropriate given the age and maturity of the scholars.

R277-217-3. Required Conduct for an Educator

(3) take prompt and appropriate action to prevent harassment or discriminatory conduct toward a scholar or school employee that the educator knew or should have known may result in a hostile, intimidating, abusive, offensive, or oppressive environment;

(4) take prompt and appropriate action to protect a scholar from any known condition detrimental to the scholar's physical health, mental health, safety, or learning;

AGO Official Memo—Laws Surrounding School Libraries, (p.8), re: Constitutionality of Removal Decisions

"In Pico, Justice Brennan emphasized that the **constitutionality of removal decisions "depends upon the motivation behind" the library book removals**. Id. "[U]nconstitutional motivation would not be demonstrated if it were shown that petitioners had decided to remove the books at issue because those books were pervasively vulgar," nor if "the removal decision was based solely upon the 'educational suitability' of the books in question." Id. Following this reasoning, **decision makers motivated to remove a book under an HB 374 challenge in order to protect youth from the public health crisis of pornography likely satisfy Pico's constitutional motivation analysis.** (**Bold** emphasis added.)

AGO Official Memo—Laws Surrounding School Libraries, (p.9), Conclusion

HB 374 prohibits pornographic or indecent material as defined as harmful to minors in Section 76-10-120I, described as pornographic in Section 76-10-1203, or described in Section 76-10-1227. School library books that meet any of these statutory definitions are prohibited from school libraries. Analysis under these statutory definitions, or strict application of the categorical exclusions in 1227(I)(a)(i), (ii), and (iii), is the way to directly comply with HB.To mitigate the risk of legal challenge relating to decisions under Section 1227, LEAs may also analyze the materials as a whole and determine whether the materials have any serious literary, artistic, political, or scientific value. While these are important considerations, nothing should prevent the Board and LEAs from proactively complying with state law in removing pornographic books from library shelves. Any decision to retain books in libraries that meet the definition of pornography is contrary to state statute and significantly increases the likelihood of a lawsuit against the LEA for non-compliance. The AGO will continue to consult with the Board and LEAs regarding analysis and compliance with other facets of HB 374.

Sensitive Materials Complaint Form

Please submit this required information to: nwaboard@mynwa.us

Title:

Author:

Request initiated by:

Telephone:

Address:

City:

Zip:

Email:

1) Do you attend NWA? Yes No

2) Are you an employee of NWA? Yes No

3) Do you have children or grandchildren at NWA? Yes No

4) Was this material recommended, assigned, or made available in the school setting and/or by an educator? Please explain.

5) What concerns you about this material? Please provide examples, page numbers, links, images, or any other corroborating information to help in locating or identifying content of concern.

6) Based on the *Definitions and References Table*, which are based on UT Code §53G-10-103 and State Board Rule R277-217- 2(16)(17)(18)(19), which provisions or definitions of the law does the material violate?

Signature:

Date:

06-109—Instructional Material/Curriculum Adoption Policy

Purpose

In accordance with Senate Bill 55 and 53G-5-403, NWA has adopted the following policy for curriculum and instructional material adoption.

Definitions

"Learning Material" means any learning material or resource used to deliver or support scholar learning, including textbooks, reading materials, videos, digital materials, websites, and other online applications.

"Instructional Material" means learning material the governing board adopts and approves for use within NWA.

"Supplemental Material" means learning material an educator selects for classroom use; and the governing board has not considered and adopted, approved, or prohibited for classroom use within NWA.

Adoption of Instructional Materials/Curriculum

1. NWA's Governing Board shall:
   a. Make instructional material used by the school readily accessible and available for parents/guardians to view.
   b. Annually notify parents how to access the instructional material information.
   c. Include on the school's website information on accessing instructional materials.
2. When selecting and approving instructional materials, NWA's Governing Board shall:
   A. Provide an open process to review and recommend instructional materials.
      a. This process will be completed by the Curriculum Committee which involves NWA parents and educators, and is led by a member of administration.
   B. Post recommended learning materials online for public review.
   C. Hold two public meetings for teachers and parents/guardians to share views and opinions on the material.
   D. At a meeting to which all parents and/or guardians have been invited, conduct a vote on the proposed curriculum. The curriculum must be approved by a 3/4th's vote of all parents and/or guardians present. (NWA Charter 6. Organizational Structure and Governing Body, Amendments)

   E. Adopt and approve materials in an open and regular board meeting.

When using supplemental materials, NWA's Governing Board shall:

A. Allow educators the flexibility to select materials that supplement board approved instructional materials, while aligning with state standards and NWA's Sensitive Materials Policy (NWA Policy Manual 06-108)
B. Ensure administration monitors supplementary materials used in the class by holding regular training on both state standards and the NWA Sensitive Materials Policy and their full application to the choice of supplemental materials.

NWA's Governing Board shall ensure all online and digital material contracts state that a provider must notify NWA of any material changes to the content.

06-110 Positive Behaviors and Substance Abuse Prevention

1. Purpose

This policy ensures our school meets Utah State Board of Education (USBE) Rule R277-910. Our goal is to build a safe, positive school environment that prevents substance abuse by teaching leadership, coping skills, and healthy relationships.

2. Core Programs

We use two primary programs to build positive behaviors and prevent substance abuse:

School-Wide (K-6): Leader in Me (LIM) teaches scholars accountability, leadership, and emotional resilience using The 7 Habits.
Helps scholars build strong relationships and handle peer pressure.

State-Approved Substance Program
As required by the state, this program is taught to all fourth grade scholars.
Taught by trained staff following state guidelines to specifically target underage drinking and drug prevention.

3. Key Roles & Responsibilities

Positive Behaviors Specialist: The school's administration leads this plan, tracks behavior data, and manages the state stipend.

Annual Feedback: The plan will be reviewed and updated every year using feedback from parents (via the School Land Trust and Leader in Me's Measurable Results Assessment (MRA)), scholars (via LIM MRA), and school mental health professionals.

Board Approval: The final plan must be approved by our local governing board each school year in June before being submitted to the state.

07—Finances

07-101—Internal Controls

Internal Controls are an integral part of NWA's "control environment" to ensure the school's assets are safeguarded and to minimize risk. Internal controls consist of well-crafted policies, procedures, guides (guidelines) and forms indicating *how we're supposed to do it*. They also include implementation and practices (modeling) by leadership and school staff

how we actually do it. *How we're supposed to do it* and *how we actually do it* should be the same in almost all circumstances. Internal controls are developed for the purpose of:

1. Protecting against waste of resources through inefficiencies;
2. Protecting resources against embezzlement, bribes, theft or other types of fraud;
3. Protecting against poor management, carelessness and unintentional errors;
4. Securing compliance with both law and rules of the state, policies of the school and the audit requirements of the State of Utah pertaining to "public funds";
5. Protecting against loss or destruction of records;
6. Ensuring data reliability and accuracy;
7. Evaluating the level of performance of the school's operations.

Under the direction of the Board, schools are required to establish and maintain adequate accounting records and implement internal control policies & procedures. Internal control consists of six components: control environment, risk assessment, control activities, information and communication, segregation of duties, and monitoring. The objectives of internal control relate to financial reporting, operations, and compliance.

The Board and all levels of Administration and instructional staff are responsible for preventing and detecting instances of fraud and related misconduct and for establishing and maintaining proper internal controls that provide security and accountability. The Board and Administration are also responsible for recognizing risks and exposures inherent to these areas of responsibility and for being aware of indications of fraud or related misconduct. Any employee with reasonable basis for believing fraudulent or related misconduct has occurred should report such incidents to the designated authorities within the school or to the State Board of Education.

Internal controls provide schools with the foundation to properly safeguard assets, implement policies, provide compliance with state and federal laws and regulations and produce timely and accurate financial information. Board members and directors should review the NWA Internal Controls Guide to further understand the need for internal controls and their role in their implementation and oversight.

The policies outlined herein will be reviewed at least annually. Employees involved in the processes and procedures associated with these policies will be trained at least annually in their duties.

Governing Board Authority

The Governing Board (Board) is responsible for the operation of school in accordance with state and federal laws. The Board is also responsible for operating the school in accordance with the representations made in its Charter. Specifically, the Board shall have the sole authority to approve and will incorporate into its own minutes such matters as:

1. Change of the school's name, with the authorizer and other entities;
2. Adoption and amendment of the annual budget;
3. Selection or termination of key employees;
4. Key employees' salary and benefits changes;
5. Incur debt, mortgages or other encumbrances and their covenants and restrictions, within the terms of the Charter;
6. Investment policies, depository and investment banks;
7. Purchase or sale of real property;
8. Review and acceptance of interim monthly financial statements;
9. Selection of the school's auditor (CPA firm);
10. Service on the school's audit committee;
11. Review of any transaction or account of the school at its discretion.

Administrative Authority

The School Director and under their direction, business office staff, are authorized by the Board to execute all legal transactions for the school (with exceptions for certain capital purchases and indebtedness, etc. noted herein) and to make all purchases and disbursements necessary according to policy for the operation of the school. The School Director and business office staff independently report all financial transactions directly to the Board periodically in a public Board meeting. Both the School Director and the employee(s) within the business office may report to the Board independently if requested, or if they deem appropriate on certain matters, or in any case where mismanagement or fraud is suspected.

Compliance with Laws

The school will follow all applicable laws and regulations that govern charter schools within the State of Utah. The school shall comply with Title IX and shall not discriminate on the basis of sex in education programs. Applicable federal laws and regulations will be adopted as federal program funds and grant funding is received.

The school will provide access to school records if requested by a person or entity under the Government Records Access Management Act (GRAMA). Additionally, records will be available to the Utah State Board of Education (USBE), State Charter School Board or other governmental entity as needed.

07-102—General Policies

Political Contributions

No funds or assets of the school may be contributed to any political party or organization or to any individual who either holds public office or is a candidate for public office. Following are examples of prohibited activities:

1. Contributions by an employee that are reimbursed through expense accounts or in other ways;

2. Purchase of tickets for political fundraising events;

3. Contributions in-kind, such as lending employees to political parties or using the school's assets in political campaigns.

Record Keeping

To provide an accurate record of all financial transactions (a good audit trail), the school's books, records, and accounts are maintained in conformity with generally accepted accounting principles as required by state law applicable to charter schools. This includes recordkeeping in both the modified and full-accrual basis of accounting. Audited financial statements certified by an independent auditor will be prepared annually using the accrual basis of accounting. Further, the school specifically requires that:

1. No funds or accounts may be established or maintained for purposes that are not fully and accurately described within the books and records of the school;

2. Receipts and disbursements must be fully and accurately described in the books and records;

3. No false or fictitious vendors, invoices, or entries may be made on the books or records nor any false or misleading reports issued.

Record Retention and Disposal

Records are maintained for the minimum period according to state law and the guidelines of the Utah State Archives. The following records supporting federal contracts, as required by U.S. Office of Management and Budget, are retained for the indicated minimum periods or consistent with state law:

1. For three years after submission of the final report of expenditures: general ledger, trial balance, accounts payable and accounts receivable ledger, payroll register, and petty cash book, check register and checks, invoices. Except for:

    a. If any litigation, claim, or audit is started before the expiration of the 3-year period, the records shall be retained until all litigation, claims or audit findings involving the records have been resolved and final action taken.

    b. Records for real property and equipment acquired with Federal funds shall be retained for 3 years after final disposition.

2. Permanently: Audit reports, annual corporate reports, Charter, Board minutes, tax and legal correspondence, labor contracts, insurance claims and policies, and retirement and pension records.

The disposal date determined under this policy is the end of the fiscal year, or the date of final payment of government grants. All records not supporting government grants or otherwise covered by rules of the Internal Revenue Service are retained according to state law.

Public Funds Restrictions

The purpose of this rule is to provide standards and procedures for prohibiting LEAs and third party providers from offering incentives for scholar enrollment. (R277-417)

Definitions:

Disbursement means the payment of money or provision of other item(s) of value greater than $10, per school year, offered as payment or compensation to a scholar or to a parent or guardian for: a scholar's enrollment in NWA; or a scholar's participation in an NWA's program. Disbursement does *not* include a reimbursement paid by NWA to a scholar, parent or guardian, for an expenditure incurred by the scholar, parent or guardian on behalf of NWA if: the expenditure is for an item that will be the property of NWA; and the expenditure was pre authorized by NWA, as evidenced by preauthorization documentation.

Educational Good or Service means the same as that term is defined in Section 53E-3-401.

Incentive means one of the following given to a scholar or to the scholar's parent or guardian by NWA or by a third party provider as a condition of the scholar's enrollment in NWA or specific program for any length of time, during any school year: money greater than $10; or an item of value greater than $10.

Program means a program within a school that is designed to accomplish a predetermined curricular objective or set of objectives.

Section 504 accommodation plan required by Section 504 of the Rehabilitation Act of 1973, means a plan designed to accommodate an individual who has been determined, as a result of an evaluation, to have a physical or mental impairment that substantially limits one or more major life activities.

Third party provider means a third party who provides an educational good or service on behalf of NWA.

Public Funds Restrictions:

NWA or a third party provider will not use public funds, as defined under Subsection 51-7-3(26), to provide scholar enrollment in NWA or participation in any NWA program(s); nor as a referral bonus for scholar enrollment.

NWA or third party provider will not use public funds to provide a disbursement to a scholar or scholar's parent or guardian for:

a) Curriculum exclusively selected by a parent;
b) Instruction not provided by NWA;
c) Private lessons or classes not provided by NWA or an NWA employee;
d) Technology devices exclusively selected by a parent; or
e) Other educational expenses exclusively selected by a parent.

NWA may use public funds to provide:

a) Uniforms, technology devices, curriculum, or materials and supplies to a scholar if the uniforms, technology devices, curriculum, or materials and supplies are available to all scholars enrolled in NWA.
b) Internet access for instructional purposes to a scholar, if the internet access is provided in accordance with the fee waiver policy requirements of Section R277-407-8; or failure to provide the internet access will cause economic hardship on the scholar or parent.

If NWA or a third party provider purchases equipment or provides equipment to a scholar, NWA shall ensure that equipment purchased or leased by NWA or a third party provider remains the property of NWA and is subject to NWA's asset policies.

07-103—Asset Protection Policies

NWA will follow generally accepted asset management practice by properly accounting for all school assets. These asset management areas will include, but not be limited to, payroll, banking, reimbursements, receivables (cash, check, in-kind), items received at the school (consumables as well as non-consumables [items that will be inventoried and tracked]).

Signature Authority

To properly segregate duties, the Board Chair (President), the Treasurer, the School Director or others as expressly authorized are the only individuals with signatory authority and are responsible for authorizing all cash transactions. Each disbursement shall require two signatures to be authorized.

Security of Financial Data

The school's accounting software will be maintained to ensure that adequate internal controls and security measures are established to minimize unauthorized access to school data (i.e., proper password protection). The system's accounting data shall be backed up periodically to ensure the recoverability of financial information in case of failure. The

backup file(s) must be stored separately in a fire safe area and properly secured. All other financial data, petty cash box(es), check stock, etc. will be secured from unauthorized access.

Security of School Documents

Originals of the following corporate documents are maintained and their presence shall be verified on a periodic basis:

1. Charter and all related amendments;
2. Articles of Incorporation and By-laws;
3. Minutes of the Board of Trustees and subcommittees;
4. Corporate and payroll tax registrations;
5. Banking & financial agreements;
6. Leases;
7. Insurance policies;
8. Grant and contract agreements;
9. Fixed asset inventory list.

Use of School Assets

School employees should not use any of the school's assets for personal use without prior approval of the School Administration and with proper justification.

Facilities Use by Outside Persons or Entities

In accordance with state law, the Board authorizes, on condition, the use of school facilities for other than school purposes. It is understood that the school shall by law assume no expense as a result of the leasing of school properties, facilities, including grounds, furnishings and equipment. It is further understood that restraint must be exercised in leasing facilities for purposes other than school functions, to the extent that such leasing shall not interfere with the school curriculum, program, and standards. The Board may refuse the use of school facilities by outside entities if it determines the use inadvisable.

The Board authorizes the Administration to establish rules, guidelines, procedures, and fees for the rental and use of school facilities for other than school purposes. The Board will review and approve the procedures as needed. The School Director and Business Manager shall administer the rules and guidelines and see that all entities follow established procedures.

Audit

The Board contracts annually with a qualified independent certified public accounting firm to conduct a fiscal audit of the school's financial records and statements. The audit is

performed in accordance with auditing standards generally accepted in the United States of America, Government Auditing Standards issued by the Comptroller General of the United States, 2003 Revision (GAS) and, if applicable, the U.S Office of Management and Budget's relevant circulars. The selected firm must be familiar with these standards and related state regulations to properly conduct the fiscal audit.

Audit Committee

The Board shall establish an audit committee per Administrative Rule R277-113, state code 53G-7-401, and 53G-7-402 comprised exclusively of Board members, which shall:

1. Seek to understand its role and duties as outlined in the GFOA Audit Committees guide;

2. Review, audit and initial original bank statements and account reconciliations from the accounting system for each period reconciled;

3. Review audit reports provided to the Committee directly by outside firms;

4. Review the school's risk assessment processes and procedures to ensure adequate internal controls are maintained;

5. Ensure timely resolution of matters reported by internal audits or by outside firms;

6. Be responsible for the appointment, compensation, retention, and oversight of the work of any independent accountants engaged for the purpose of preparing or issuing an independent audit report or performing other independent audit, review, or attest services;

7. Periodically review this policy, no less than once every five years, to assess its continued adequacy;

8. Possess knowledge of and experience in finance, auditing, or accounting if possible;

9. Review the annual audit, and any other work performed by a contracted auditor, prior to its submission to any outside party or authority, and report to the Board that it has discussed the financial statements with management, with the independent auditors in private, and privately among committee members, and believes that they are fairly presented, to the extent such a determination can be made solely on the basis of such conversations. (28 September, 2023)

Insurance and Bonding

The school maintains minimum levels of coverage, as deemed appropriate by the Board, for the following policies:

1. General liability (earthquake coverage not included without express inclusion)

2. Business & personal property

3. Automobile insurance (as necessary)

4. Workers' compensation
5. Unemployment (tax)
6. Directors and Officers
7. Errors & Omissions/Professional Liability
8. Employment Practices Liability Insurance
9. Treasurers' (fidelity) Bond
10. ERISA bond (as applicable for retirement plan)
11. Other insurance as requested

A Treasurer's Bond (fidelity bond or Public Official Bond) is required on the person who has investment control over the school's public funds, typically the Business Manager, per UCA 51-7-15. This insurance coverage is not included in the school's other insurance policies and must be purchased separately. The school requires proof of adequate insurance coverage from all prospective sub-contractors, as deemed applicable by the Board.

07-104—Banking & Financial Management Policies

General

Accounting policies and financial reporting adopted by the school should be consistent with a special purpose governmental entity that engages in business-type activities. The Board has oversight of the management of the school inclusive of establishing the governance structure and the financial management policies as set forth in the school's Charter.

Budgeting

School Administration prepares an annual operating budget of revenues and expenses (forecast or budget) for approval. The Board approves a final budget for the operation of the school for the prior twelve months. These budgets are approved no later than June 30th of each school year. Budgets are reviewed and modified, as necessary. These forward-looking budgets and projections are reviewed and approved by the Board at an open and public meeting in accordance with Utah State Code 52-4.

1. The fiscal year (budget year) of the school is July 1st through June 30th. The appropriate accounting period is used for all adjusting entries and accruals;
2. Financial statements displaying budget vs. actual results are prepared by the business office and reviewed by the School Director and Treasurer and are presented to the Board at each Board meeting (with limited exceptions);
3. Administration shall follow the Board approved budget with exceptions approved by the Board.

Bank Accounts
The Board may authorize bank accounts for general or specific purposes. School assets shall be kept at any bank or financial institution that is approved by the Utah Money Management Council. All bank accounts shall be reconciled as often as statements are available, typically monthly.

Unassigned Funds

In accordance with Governmental Accounting Standards Board (GASB) Statement 54, NWA will classify its previously used term "reserve fund" as an unassigned fund.

Use of Unassigned Fund:

1. The unassigned fund may be used for school needs as allowed by state law or unforeseen expenditures as determined by the NWA Governing Board.
2. Any disbursement from the unassigned fund requires approval through a majority vote of the NWA Governing Board.

Investments
The school will comply with Rule R628-2, "Investment of Funds of Public Education Foundations Established under Section 53A-4-205 or Funds Acquired by Gift, Devise or Bequest," commonly called, the Money Management Act.

Petty Cash
Petty cash funds may be established for incidental, non-recurring cash advances, local expense reimbursement, and small-dollar vendor purchases, provided proper documentation is furnished with each request. No fund shall exceed $500 or individual payment shall be greater than $100. Petty cash funds are recorded on the balance sheet as a cash account. The petty cash account is balanced periodically by the business office.

Cash Handling and Cash Receipts
Wherever possible, duties such as collecting funds, maintaining documentation, preparing deposits and reconciling records should be segregated among different individuals. When segregation of duties is not possible due to the small size and limited staffing of the school, compensating controls such as management supervision and review of cash receipting records by independent parties should be implemented. School staff shall follow established procedures (internal controls) for the handling of cash receipts as outlined in the *Cash Handling & Receipts Procedures*. The school will comply with all applicable state and federal laws. All checks received must be made payable to the school and restrictively endorsed immediately.

All funds shall be kept in a central, secure location until they are deposited in a school-approved fiduciary institution. Funds should be deposited daily or within three days after receipt, in compliance with Utah Code 51-4-2(2)(a). Unauthorized school employees should never hold funds in any unapproved location for any reason. Periodic and unscheduled audits or reviews should be performed for all cash activity. All payments of school fees shall correspond with the approved fee schedule, as required by State Board Administrative Rule 277-407.

Fundraising

Fundraising is generally permitted within the school to allow the school to raise additional funds to supplement school-sponsored academic and co-curricular programs. Fundraising at the school level is only authorized and administered by the School Director. The Board shall annually review the fundraising activities of the school and of all activities that support or subsidize the school. The Board shall ensure that revenues raised during fundraising activities or through activities that support the school (local funds) are raised within established cash handling policies. All expenditures shall be made in accordance with established school policies and procedures. The Board shall ensure that all activities of fundraising and parent organizations are adequately reviewed and considered with the school's insurer to evaluate and manage risks associated with such activities. Fundraising guidelines are:

1. All monies raised through fundraisers for school-sponsored activities are considered public funds. This includes all donations to the school, regardless of whether or not such donations are part of any fundraising activity or event;

2. Checks or warrants must be made payable to the school;

3. Cash Handling and Cash Receipt procedures of the school apply to all school-sponsored fundraising activities;

4. Relationships with non-school employees in relation to fundraising activities are managed by the School Director;

5. Conflict of Interest forms must be completed when persons employed by or affiliated with the school are also involved in fundraising organizations or hold funds that that will benefit the school;

6. Fundraising activities may be subject to fee waiver laws and the School Director oversees the administration of fee waivers;

7. "School-sponsored" means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by the school, the Board, Administration, or Board committees, including the authorized Parent Organization or authorized curricular school clubs, activities, sports, classes or programs that also satisfy one or more of the following criteria. The activity:

    a. Is managed or supervised by School Administration, staff, or authorized volunteers;

    b. Uses the school's facilities, equipment, or other school resources;

    c. Is supported or subsidized, more than inconsequently, by public funds, including the public school's activity funds or minimum school program dollars.

Properly approved school-sponsored activities

1. May use the school's name, facilities, and equipment;

2. May utilize school employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser;

3. May be eligible to be insured under the school's liability insurance policy (subject to insurer);

4. May provide additional compensation or stipends for school employees with the approval of the School Director and under school payroll policies and consistent with the school's budget;

5. Must comply with all fee approval and fee waiver provisions established in Utah law, administrative rules and school policies.

Fundraising activities, or activities of outside organizations of any kind that are not school sponsored activities must be conducted at arm's length so that revenues and expenditures are not commingled with the public funds of the school.

Donation & Gifts

Donations may be accepted, upon approval by the School Director, providing the item(s) to be donated (cash, goods, services) are legal to possess by a public school, safe, unencumbered, usable by the school and are generally not restricted in their use, or are not restricted for use by an individual employee. Donations for the purpose of compensating specific employees or positions may not be accepted (donors can donate for other purposes instead). Donations received by the school become public funds and may not be returned or expended except within the law as applicable to the appropriate use of public funds. All policies and procedures of the school are applicable to donations, including Cash Receipt and Disbursement policies and procedures, and all other internal controls.

Gifts to the school must be general in nature and may not be restricted such that they cannot be used for various purposes, except when those purposes are to a specific program, such as the PE program, science department or art program. Donations or gifts intended to benefit a specific scholar, teacher or classroom may not be accepted and could be considered a bribe.

The value of a gift or donation to the school may not be assessed or assigned by the school. The value and tax deductibility of a donation or gift made by an individual or company is to be determined by the donor and their accountant, not the school. No dollar value may be assigned to a donation verbally or in writing. If a product or service is given in return for a donation or gift that is clearly defined, such as a $250 advertising slot in the yearbook, that value can be disclosed by providing the school's advertising rates to the donor for them to assign a value.

Financial Statement Reporting

The business office is required to maintain supporting records in sufficient detail to prepare the school's financial statements, including:

Monthly

a. Internally generated Income Statement, including budget vs. actual comparison and adequate notes & explanations

b. Balance Sheet

c. Cash Flow Statement

d. Transaction Register

Annually

a. Financial statements for audit, with supporting statements as needed

b. Annual budget

Capitalization of Property

All tangible personal property, land, capital improvements or buildings with a useful life of more than one year and a unit acquisition cost that exceeds the Board-authorized capitalization threshold are recorded and capitalized on the property schedule. The Board shall establish the capitalization threshold. The asset capitalized cost includes actual tax, shipping/handling, and other expenses incurred to bring the asset ready for its intended use. Additionally, these policies apply to capital assets:

1. All capitalized assets will be depreciated using the straight-line method of depreciation in accordance with such asset's useful life and governmental & financial accounting standards;

2. The depreciation expense will be recorded in the statement of revenues, expenses, and changes in net assets;

3. The school maintains records of all government-furnished property and equipment, with an identification and segregation of property and equipment acquired through government contracts;

4. Upon receipt, all property that qualifies as necessary to include on the property schedule or has reasonable possibility of theft, or is required by law, must be properly labeled with asset ID tags;

5. Assets purchased or received that cost less than the depreciation threshold will be expensed in the period purchased;

6. No item on the property schedule shall be removed from the premises without prior approval from the Board. Procedures for asset disposal must comply with state or federal law or regulation where appropriate. All Assets shall be disposed consistent with applicable regulations of any restricted funds with which they were purchased, according to state or US Dept. of Education General Administrative Regulations;

7. Gains and losses from the sale or other disposition of property are recorded as revenue in the year in which they occur, and are reflected as such on applicable financial statements;

8. A physical inventory of property included on the school's property schedule is performed on an annual or every two-year basis and is reconciled to the property schedule and general ledger of the school.

Liabilities

Encumbrances, debt, or other obligations are recognized and measured in conformity with generally accepted accounting principles in both the modified and full accrual basis of accounting. Liabilities also include certain other deferred amounts that are not obligated but are recognized and measured in conformity with generally accepted accounting principles. The Board and Administration, in consultation with accounting firms, will determine liabilities as needed for financial statements.

Accounts Payable

Only valid accounts payable transactions based on documented vendor invoices, receiving reports, or other approved documentation are recorded as accounts payable. Vendors and suppliers are paid as their payment terms require, taking advantage of any discounts offered. If cash flow problems exist, payments are made on a greatest dependency/greatest need basis, considering critical disbursements, including payroll and tax obligations, etc.

Program Accounting and Accounting Requirements

NWA shall record transactions when they occur in the accounting system utilizing the following codes as established by the Utah State Board of Education approved chart of accounts:

- Fund;
- Function;
- Location;
- Program; and
- Object or revenue code as applicable;

NWA shall follow state accounting standards and minimum requirements consistent with R277-113(6).

Any goods or services booked to a restricted program shall be approved by a program-level or school-level administrator. Only goods or services allowable within a program shall be approved and allocated to a restricted program.

All expenses allocated to a restricted program shall be allocable, reasonable, and allowable.

Supplement not supplant

With all federal funds, before expenses are proposed in a budget or allocated as an expense, Administration ensures that the spending meets the federal requirements of supplementing, not supplanting state funding. When budgeting or allocating personnel, services, or other expenses for any restricted program, Administration ensures or verifies:

1. That the school meets Maintenance of Effort requirements in prior years for applicable programs (see FiCAM p. 39 paragraph 1)

2. That federal dollars are allocated to expenses that would not be provided if no federal funds were available.

Cash Disbursement and Expenditures

All non-payroll and non-credit card cash disbursements shall be made consistent with state and NWA purchasing policies. Prior to disbursement, the school shall ensure that administrative procedures, including proper internal controls, have been followed.

Use of School Credit & Debit Cards

Debit cards are only authorized with Board approval. Charter School credit cards and purchase cards shall only be issued with the formal approval of the Board and with proper justification. The cost/benefit to the school should be fully reviewed to ensure that no other method is appropriate. If credit cards are issued, they should be assigned to specific school employees and should be used only for school-related expenditures.

All charges must be supported by transaction-level invoices (point-of-sale receipts) or travel reports to be eligible for payment by the school. Monthly credit card statements are reconciled by cardholders to point-of-sale receipts and travel reports. They are reviewed and approved monthly by appropriate supervisors.

Accrued Liabilities

Salaries, wages earned, and payroll taxes, together with professional fees, rent, and insurance costs incurred, but unpaid, are reflected as a liability when entitlement to payment occurs. The portion of any teacher, or other employee whose salaries are paid over a period different than during which work was performed are accrued at the end of the fiscal year for which services were rendered.

Debt

Short-term debt consists of financing expected to be paid within one year of the date of the annual audited financial statements. Long-term debt consists of financing that is not expected to be repaid within one year. All short-term and long-term debt must be approved by the Board. Loan agreements approved by the Board shall be in writing and specify all applicable terms, including the purpose of the loan, the interest rate, and the repayment schedule. School Administration may not enter into loan agreements without Board approval.

Net Assets

Net assets are recorded in accordance with generally accepted accounting principles applicable to special purpose governmental units.

Net assets include the following:

- Unrestricted
- Restricted
- Investment in Capital Assets, net of related debt

Consistency in Cost Accounting

Practices used by the school in estimating costs in grant/contract proposals are consistent with its accounting practices used in accumulating and reporting costs. Accounting practices used by the school in accumulating and reporting actual costs are consistent with its practices used in estimating costs in its grant and contract proposals.

07-105—Procurement (Purchasing) Policies

Procurement of Goods and Services

The school shall follow outlined procurement (purchasing) procedures of the school and provisions of the state procurement code (UCA 63G-6a and R33) and procure only those items and services that are required to perform the mission and/or fill a bona fide need. Procurements are made using best value contracting which includes assessing the best value considering quality, performance, timing, and price. Additionally:

1. Administration shall not intentionally divide a procurement purchase into one or more smaller purchases to divide an invoice or purchase order into two or more invoices or purchase orders, or to make smaller purchases over a period of time in order to circumvent any aspect of this policy or of state law;

2. Exclusive contracts (requiring the purchase of needed goods or services from a single, specified seller) are not authorized except as outlined in the state procurement code (UCA 63G-6a);

3. Multi-year contracts shall comply with UCA 63G-6a-1204;

4. Construction and improvements shall comply with the law and administrative rules of the State of Utah and its departments or agencies and differing rules, forms or reports, not in accordance with state law and administrative rules, may not be produced by school staff or outside service providers without Board authorization;

5. Written records will be kept for all purchases, including competitive bids when applicable by law. Competitive bids will be filed in the winning bidder's vendor file;

6. All lease agreements will be evidenced by a lease or sublease agreement approved by the Board and signed by the Board Chair (or designee). The agreement will identify all the terms and conditions of the lease;

7. Administration or any agent of the school may not accept hospitality gifts, gratuities, kickbacks, or any other unlawful consideration under 63G-6a-2304.5;

8. Satisfactory receipt of goods and services will be confirmed, as invoices are approved by buyers, before payment is made to a vendor. procurement

9. Items requested for the classroom from teachers or staff purchased with school funds will be approved and purchased by administration. Personal reimbursements may occasionally occur with administrative approval.

10. Noah Webster Academy will account for spending and adhere to federal reporting requirements outlined in the Federal Education Department General Administrative Regulations (EDGAR) and the Uniform Grants Guidance (UGG) in 2 CFR 200. To remain compliant, the school will meet general procurement standards stated in 2 CFR 200.318.

Management of Equipment Purchased with Federal Funds

In compliance with 2 CFR 200.313, Noah Webster Academy follows federal guidelines for the management and disposition of equipment purchased with federal funds. The school will use the equipment for the project for which it was acquired as long as needed, and ensure proper maintenance and records. When no longer needed, equipment with a current per-unit value of $5,000 or more may be retained or sold with compensation to the federal government. Equipment under this threshold may be disposed of without further obligation. The school will safeguard assets and conduct an inventory at least once every two years to ensure compliance.

Thresholds

1. The "individual procurement threshold" for the LEA is $2,500. This is the maximum amount that the LEA can expend to obtain a single item/service from one vendor at one time without requiring competitive purchasing.

2. The "single procurement aggregate threshold" for the LEA is $5,000. This is the maximum amount that the LEA can expend to obtain any combination of individual procurement items/services costing less than $1,001 from one vendor at one time up to $5,000, without requiring competitive purchasing.

3. The "annual cumulative threshold" for the LEA is $50,000. This is the maximum total annual amount that the LEA can expend to obtain individual procurement item(s) costing less than $1,001 purchased from the same vendor during the fiscal year (July 1 – June 30) not to exceed $50,000. If a purchase exceeds $50,000, it is not considered a small purchase and shall be processed through a bidding process or a request for proposal (RFP) process.

Purchases Requiring Quotes

1. For procurement item(s) costing between $1,001 and $5,000, obtain a minimum of two competitive quotes that include minimum specifications and shall purchase the procurement item from the responsible vendor offering the lowest quote that meets the specifications.

2. For procurement item(s) costing between $5,001 and $50,000, obtain a minimum of two competitive quotes that include minimum specifications and shall purchase the procurement item from the responsible vendor offering the lowest quote that meets the specification.

3. For procurement item(s) costing over $50,000, conduct an invitation for bids or other procurement process outlined in the Utah Procurement Code.

Professional services

"Professional service" means labor, effort, or work that requires an elevated degree of specialized knowledge and discretion, including labor, effort, or work in the field of: accounting; administrative law judge service; architecture; construction design and management; engineering; financial services; information technology; the law; medicine; psychiatry; or underwriting.

All third-party vendors contracting with NWA must be compliant with Utah's Student Data Protection Act (SDPA), U.C.A §53E-9-300. Vendors determined not to be compliant may not be allowed to enter future contracts with NWA without third-party verification that they are compliant with Federal and State Law and Board rule.

1. Professional services costing less than $50,000 can be awarded through direct negotiation with the service provider.

2. Professional services costing between $50,000 and $100,000 need a minimum of two competitive quotes.

3. Professional services costing over $100,000 shall be acquired using a competitive bidding or RFP process, or by selecting a provider from an approved potential vendor list created using an invitation for bids or an RFP.

Small Construction Projects

1. Costing less than $25,001 may be procured by direct award without seeking competitive bids or quotes after documenting that all applicable building code approvals, licensing requirements, permitting and other construction related requirements are met.

2. Costing between $25,001 and $100,000 may be procured by obtaining a minimum of two (2) competitive bids or quotes that include minimum specifications and be awarded to the contractor with the lowest bid or quote that meets the specification after documenting that the requirements are met from (1).

3. Costing more than $100,000 require an IFB or RFP procurement process. Large construction projects over $2.5 million must follow the requirements contained in Utah Code 53A-20.

Prohibition Against Artificial Division of Procurements and Invoices

1. The Utah Procurement Code states that it is unlawful for a person to intentionally or knowingly divide a procurement into one or more smaller procurements with the intent to make a purchase:

    a. Qualify as a small purchase if, before dividing the procurement, it would not have qualified as a small purchase; or
    b. Meet a threshold established by rule if, before dividing the procurement, it would not have met the threshold.

2. A prohibited division of a purchase includes any of the following with the intent or knowledge:

a. Making two or more separate purchases;

b. Dividing an invoice or purchase order into two or more invoices or purchase orders; or

c. Making smaller purchases over a period of time

Emergency Purchases

An "emergency purchase" is the purchase of goods or services that are so badly needed that the school will suffer financial or operational damage if they are not secured immediately. A decision to purchase may be declared in an emergency at the school's discretion and "best value" procurement guidelines must be followed. In addition, the purchase must be authorized by the School Director, Business Manager, and the Board Chair or Treasurer when available. Sound business practices shall be used and documented in all cases.

Sales Tax

NWA is exempt from sales tax as both a governmental entity and as a charitable organization.

1. The school Board and Administration shall maintain the school's IRS (501c3) and public school tax exempt status by complying with government regulations at all times;

2. The School Administration shall follow vendor policies regarding sales tax exemption;

3. As authorized, school employees or volunteers may use the school's non-profit tax exemption registration number (and Tax Commission form) only for legitimate school purchases. Authorization may be revoked when necessary;

4. Employees or volunteers may not be reimbursed for sales tax. If sales tax is paid by school employees or volunteers at the point of sale, the school may seek reimbursement of sales tax consistent with applicable rules at its discretion.

07-106—Payroll Policies

Payroll Related Expenditures

The Board, with authority delegated to the School Director, shall ensure that payroll-related expenditures are earned, accurate, and approved (authorized) before payment is made. Additionally, the following applies to payroll-related expenditures:

1. Employees are paid on a 12-month schedule, as wages are earned, and in accordance with pay periods and pay dates as authorized by the Board;

2. The school shall communicate pay rate information clearly and effectively to individual employees whenever a pay change occurs;

3. Pay advances are not authorized. All payments to employees are to be made only after wages are earned;

4. Employee's time is properly approved when submitted by an employee to a supervisor, authorized for payment, and reported to the business office for processing;

5. All employee payroll amounts are calculated based upon approved rates included in the individual's personnel file. Any changes to pay rates or benefits must be properly authorized in writing by appropriate individuals or the Board where applicable;

6. Employees whose compensation is paid in any portion from one or more restricted sources of revenue shall document their time and effort consistent with 2 C.F.R. § 200.430 and applicable state law and rule.

7. The School Director or immediate supervisor (Supervisor) will accurately record and track all employees' accrued paid time off (PTO). PTO includes a variety of paid time off, including but not limited to Sick, Personal, Vacation time, etc.;

8. The Supervisor shall consider available PTO balance(s) and the needs of the school prior to approving PTO;

9. The business office will add or deduct PTO for all employees as authorized by policy or the Supervisor when processing each payroll and will provide balance information to the Supervisor periodically;

10. Overtime wages, while not formally against policy, are not authorized under normal circumstances and are only to be used in rare instances of emergency;

11. Pay rates or employee benefit package changes may not be authorized exclusively by persons for whom the pay rate or benefits will affect;

12. All payroll taxes and benefits are properly calculated and any deposits made in a timely manner. All payroll tax reports are prepared in a timely manner and reviewed for accuracy prior to filing;

13. Employees paid with restricted program funds are required to complete a time and effort report to record work performed by program after the work has been performed with a supervisor's or employee's certification according to the administrative rules of applicable programs.

    a. Title I, II, III, IV, or IDEA restricted funds

        i. Time and Effort for hourly employees is completed, approved, and electronically time stamped at the end of each pay period as employee, supervisor, and administration sign off on hours worked.

        ii. Time and Effort timesheets for salary employees are generated and signed each pay period by the employee and administration.

14. All licensed and certified employees in CACTUS will receive Educator Salary Adjustment (ESA) funds from the Utah Legislature as part of their salary.

Employee Retirement Program
The school shall participate in a retirement program as determined by the Board of Trustees and administered by the Trustee and the business office.

Employee Travel within the State
Employees who travel within the state typically travel using their own personal motor vehicle or a school-rented vehicle. Employees may be reimbursed at the current (at time of travel) federal standard mileage rate (per mile), as authorized by the Board, for use of their own vehicle for business related travel. In addition, parking fees and tolls paid are reimbursable if properly supported. Employees who rent vehicles for school use (and reimbursement) must purchase adequate insurance to cover the vehicle in case of theft or damage. Employees must refill the rental vehicle with fuel prior to return. The school shall not reimburse for moving violations or parking tickets.

Employee Travel Out of State
Employees who travel out of state travel with itineraries booked through School Administration, except as otherwise approved. Under certain circumstances, employees may be required to use a personal credit card for hotel and/or vehicle rental. Employees may not use public funds to pay for (or submit for reimbursement) personal expenses while traveling for the school.

Meals
Employees who travel (within or without the state) may receive reimbursement for meals they purchase and document during approved travel. Travelers will be reimbursed for actual expenses, including tax and gratuity, for the reasonable cost of meals.

Employee Reimbursement
Employees who use personal funds to purchase supplies or otherwise incur expenses on the school's behalf, may receive reimbursement for the amount of documented expenses consistent with policies for all other school expenditures and cash disbursements.

Paid Time Off During School Closure & Extraordinary Circumstances Policy
The Board may formally enact this policy and these procedures during school closures, extraordinary circumstances, and emergency situations. The Board shall make a formal declaration through a Board resolution to enact the provisions of this policy and these procedures.

The Board may authorize compensation to employees during school closure and other *temporary* extraordinary circumstances--even though employees may not be able to perform work in exchange for compensation.

1. Retroactive Implementation: The Board may enact this policy and these procedures retroactively at the Board's discretion.

2. Criteria for Paid Time Off: All of the following criteria must be met before paid time off during school closure or extraordinary circumstances can occur:

a. All reasonable alternatives have been explored and exhausted for gainful employment and work in relation to the employee's current position(s).

b. The School and the employee intend to continue employment to the end of the school year, after the school closure, or after the extraordinary conditions.

c. The employee has completed all possible training and professional development opportunities that can be conducted online or through self-directed opportunities.

d. There are no other reasonable work opportunities available--including work opportunities in other programs.

3. Records, Signed Statements, and Forms: Records shall include a statement of eligibility that is signed by *all* of the following:

    a. The employee

    b. The employee's supervisor

    c. The School Director

Paid time off for each day shall be recorded separate from actual work time. Time to be paid must be approved by 1) the employee, 2) the employee's supervisor, and 3) the School Director.

Compensation Expenditures Charted to Federal & State Grants & Programs

Compensation related expenditures for employees who qualify for paid time off in relation to this policy and these procedures shall be charged to the employee's regular position and program. This includes compensation related expenditures for Federal and State grants and programs.

Only normal time associated with each program shall be charged to each program. This time shall be validated by a compensation agreement and/or actual work time trends that occurred *before* the school closure or extraordinary circumstances.

Compensation shall be calculated based upon the normal average hours per day/week the employee worked ***before*** the school closure or extraordinary circumstances occurred. Compensation shall also be calculated based upon the employee's regular wage rate or salary.

1. Maximum Compensation: Compensation may not exceed the maximum amounts allowed in the agreed upon employment compensation agreement.

    a. **Example:** If a paraprofessional agreed to a compensation agreement of 711 hours for the entire school year, compensation may not exceed 711 hours for the entire school year.

b. **Example:** If a paraprofessional agreed to a compensation agreement of 3.95 hours per day, compensation may not exceed 3.95 hours per day.

2. Compensation & Program Expenditures - Examples
   a. If a paraeducator paid for by 100% of IDEA funds was on a 3-1/2 hour per day schedule and works one hour in the interest of that program and scholars within that program during this situation, the paraeducator may be paid the full 3-1/2 hours from IDEA. The paraeducator *may not be paid* for additional time beyond the one-hour s/he worked using this funding source *if s/he worked in another open program*. **Time worked in another program must be charged to the other program.**
   b. If a paraeducator that is paid from state special education funds and s/he was working a 3-1/2 work schedule and works only one hour, the paraeducator may be paid the full amount of their schedule as long as their one hour of work was in the interest of the program and individual scholars within the program. **Time worked in another program must be charged to the other program.**

Equal Opportunity Statement

NWA is an Equal Opportunity Employer. The school ensures equal employment opportunities regardless of race, creed, gender, color, national origin, religion, age, sexual orientation, disability or on any other basis required by law.

Link References:

USBE Guidance - Email

Fact Sheet - Department of Education

07-107—Contracted Services Policies

Outside Service Providers

The utilization of outside service providers (i.e. independent contractors) and contracted personnel are sufficiently evidenced by:

1. Service Agreements outlining the terms of the agreement (e.g., responsibilities work requirements, rate of compensation, and nature and amount of other expenses, if any) with the individuals or organizations providing services and details of actual services performed;

2. Required IRS W-9 form, proof of authorization or licensure and liability insurance certification (among other things) are required before service is rendered or payment is made;

3. Invoices or billings submitted by consultants, including sufficient detail as to the time expended and nature of the actual services performed;

4. The use of a management contract for educational administrative services will clearly identify the contractor's performance requirements, including scholars' academic achievement (if applicable), contractor's compensation and define the school's rights to educational curricula and intellectual property developed.

The use of independent contractors is closely monitored so as not to vary from the rules of the Fair Labor Standards Act and Utah law. The contractor will:

1. Be free from the school's control and direction in scheduling and performing the service, both under a contract and in fact;
2. Provide a service that is outside the school's usual course of business or provide a service on a temporary basis;
3. Not receive any fringe benefits as such, although their fee may include provision for fringe benefits;
4. Use his or her own letterhead, supplies and materials when billing for services.

07-108—Maintenance of Effort Title I Policy Statement

Noah Webster Academy complies with the maintenance of effort (MOE) requirement for Title I, Part A of the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA). The MOE requirement is intended to prevent the supplanting of state and local funds with federal funds.

The MOE requirement for Title I, Part A is that Noah Webster Academy must spend at least 90 percent of the state and local funds per pupil or in the aggregate that it spent in the preceding fiscal year. If the school fails to meet this requirement, the Utah State Board of Education (USBE) will reduce the amount of Title I, Part A funds allocated to the LEA in the succeeding fiscal year by the percentage by which the LEA failed to maintain its effort.

Procedures

Noah Webster Academy will:

a. use the same source of state and local expenditure data that it reports to the USBE to calculate its MOE for Title I, Part A.
b. use the same scholar membership data that it reports to the USBE for the to calculate its per pupil expenditures for state and local funds.
c. compare its state and local expenditures per pupil and in the aggregate for the current fiscal year with those for the preceding fiscal year to determine if it meets the 90 percent MOE requirement for Title I, Part A.
d. provide documentation of its MOE calculation to the USBE when scheduled for a Title I monitoring visit.
e. maintain records of its state and local expenditures and scholar membership data for each fiscal year and make them available to the USBE upon request.

If the school fails to meet the 90 percent MOE requirement for Title I, Part A, the school will work with the USBE to identify the reasons for the failure and develop a plan to restore its effort in the succeeding fiscal year.

If the school experiences a significant decline in state and local revenues or a significant increase in scholar enrollment, the school may request a waiver of the MOE requirement from the USBE. The USBE will review the request and grant or deny the waiver in accordance with the ESEA and its regulations.

The policies contained in this document are subject to change at any time. The Board reserves the right to amend or change them at their sole discretion.

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