MORGAN SCHOOL DISTRICT
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BAA Morgan School District Board Legal Status:

*Powers and Duties*

**Promote education—**

The Board has the legal power and duty to do all things necessary for the maintenance, prosperity and success of the schools and for the promotion of education and to exercise all powers given by statute. The Board’s legal powers and duties include the actions set forth in this policy, but are not necessarily limited to the listed powers and duties.

*Utah Code § 53A-3-402(20) (2016)*

**Govern—**

The Board of Education recognizes that under Utah law “it is the province of the Board of Education to determine what things are detrimental to the successful management, good order, and discipline of the schools and the rules required to produce” successful management, good order, and discipline in the schools.

*Beard v. Board of Education, 16 P.2d 900 (Utah 1932)*

**Adopt rules—**

Adopt such rules, regulations, and bylaws as the Board may deem proper for the operation of the Board and for the control and management of the District’s schools.

*Utah Code § 53A-3-402(14), (15) (2016)*

**Levy taxes—**

Establish tax rates each year and submit the proposed rate to the county legislative body in which the District is located according to statutory procedures:

*Utah Code § 53A-16-106 (2016)*
*Utah Code § 53A-16-107 (2014)*
*Utah Code § 53A-16-108 (1993)*
*Utah Code § 53A-16-110 (2011)*

**Annual budget—**

Prepare, adopt, and file a budget for the next succeeding fiscal year with the county legislative body in which the District is located as required by statute.

*Utah Code § 53A-16-106 (2016)*

**Bequests—**

Receive bequests and donations or other monies or funds which are made for educational purposes.

*Utah Code § 53A-3-402(12) (2016)*

**Acquisition and ownership of property—**

Acquire and hold real and personal property in the name of the District, inclusive of all rights and titles, and lease and lease with an option to purchase
property. The Board of Education has the direction and control of all school property in the district.

*Utah Code § 53A-3-401(4) (2014)*

**Eminent domain—**

Exercise the right of eminent domain to acquire property.

*Board of Education of South Sanpete School District v. Barton, 617 P.2d 347 (Utah 1980).*


**Employ personnel—**

Employ by contract a Superintendent, Business Administrator, Principal(s), teacher(s), or other executive officer(s) and set salary schedules therefor.

*Utah Code § 53A-3-411 (2005)*

*Utah Code § 53A-3-301 (2011)*

*Utah Code § 53A-3-302 (2012)*

**Close schools and change school boundaries—**

Close schools or suspend operation of schools or change school attendance area boundaries as determined to be appropriate by the Board of Education after appropriate public notice and hearing as required by statute.

*Allen v. Board of Education Weber County School District 236 P.2d 756 (Utah 1951)*

*Save Our Schools v. Board of Education of Salt Lake City, 2005 UT 55*

*Utah Code § 53A-3-402(21) (2016)*

**Sue and be sued—**

Sue and be sued in the name of the District.

*Utah Code § 53A-3-401(4) (2014)*

**Fulfill other statutory duties and exercise other statutory powers—**

The Board also has the duty to comply with such other duties as are set forth in the laws and regulations of Utah and the United States, and also may exercise the powers and authorities established by such laws and regulations.
Morgan School District

BBA Board Members:
*Eligibility and Qualifications*

**General qualifications—**

Each board member must

1) Be and remain a registered voter in the District;

2) Maintain his or her primary residence within the local school board district from which the member is elected or appointed; and

3) Take the constitutional oath of office:

   a) “I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of Utah, and that I will discharge the duties of my office with fidelity.”

   *Utah Constitution Art. IV, Sec. X*
   *Utah Code § 53A-3-101 (1995)*
   *Utah Code § 20A-14-202(2) (2016)*

**Conflict of interest—**

A member of the Board of Education may not, during the member’s term of office, also serve as an employee of the Board.

*Utah Code § 20A-14-202(3) (2016)*
BBAA Morgan School Board: Student Members

An enrolled high school student may serve on the Morgan Board of Education

The Morgan Board of Education may invite enrolled high school students to apply to serve as a student member of the Board of Education. Applicants are interviewed by a committee consisting of the Board President, Superintendent, and High School Principal. A recommendation is made to the Board.

Qualifications

1. Must be in Grade 12
2. Grade Point Average of 3.0 or higher
3. Parental Permission
4. Recommendation from two high school faculty/administration
5. Support of at least 10% of the number of students regularly enrolled in high school in the district

Term of office—

A student member's term is for one year, beginning on July 1 and ending the following June 30.

*Utah Code § 20A-14-206(3)(b) (1995)*

Student member qualifications—

To be qualified, a student board member shall be enrolled in a high school in the District and may be under 18 years of age.

*Utah Code § 20A-14-206(4) (1995)*

Student member participation—

A student member has the right to participate in all open board meetings.


Entitlement to expense allowances—

A student board member is entitled to expense allowances granted other board members under Section 53A-3-202.

*Utah Code § 20A-14-206(6)(a) (1995)*

Immunity for acts of board—

A student member is not liable for any acts of the governing board.

*Utah Code § 20A-14-206(6)(b) (1995)*
BBB Morgan School District

Board Members: Elections and Reapportionment

Term—

The term of office for an elected member shall be four years, except as required because of reapportionment as set forth below, and begins on the first Monday in January following the election.

Utah Code § 20A-14-203(2) (2016)

Candidacy—

An individual may become a candidate for election to the Board as follows:

By paying the fee described in Utah Code § 20A-9-202, and

In the 2016 general election, by, before 5 p.m. on March 17, 2016, filing a declaration of candidacy with the county clerk in accordance with Utah Code § 20A-9-202.

In a general election held after 2016, by filing a declaration of candidacy with the county clerk on or after the second Friday in March, and before the third Thursday in March, before the next regular general election.

Utah Code § 20A-14-203(1) (2016)

Elections—

[Option for 5 member boards] No more than three (3) members may be elected to the board in any election year, unless otherwise required as a consequence of reapportionment, as set forth below, or to fill a vacancy by election under Policy BBC.

Utah Code § 20A-14-202(1)(g) (2016)

[Option for 7 member boards] No more than five (5) members may be elected to the board in any election, unless otherwise required as a consequence of reapportionment, as set forth below, or to fill a vacancy by election under Policy BBC.

Utah Code § 20A-14-202(1)(g) (2016)

Reapportionment does not cut short board member terms—

Reapportionment does not affect the right of any school board member to complete the term for which the member was elected.

Utah Code § 20A-14-201(3)(a) (2011)

Representation of school board districts after reapportionment—

1) If after reapportionment only one board member whose term extends beyond reapportionment lives within a reapportioned school board district, that board member shall represent that school board district.
2) If after reapportionment two or more members whose terms extend beyond reapportionment live within a reapportioned school board district, the members involved shall select one member by lot to represent that school board district.

   a) The other members shall serve at-large for the remainder of their terms.

   b) Notwithstanding the number of board members otherwise established by law, the at-large board members shall serve in addition to the designated number of board members for the board in question for the remainder of their terms.

3) If after reapportionment there is no board member living within a school board district whose term extends beyond reapportionment, the seat for that school board district shall be treated as vacant and filled as provided in policy BBC.

   Utah Code § 20A-14-201(3)(b) (2011)

Adjustment of term lengths because of reapportionment—

   If, before an election affected by reapportionment, the county or municipal legislative body that conducted the reapportionment determines that one or more members must be elected to terms of two years to meet this part’s requirements for staggered terms, the legislative body shall determine by lot which of the reapportioned local school board districts will elect members to two-year terms and which will elect members to four-year terms. All subsequent elections are for four-year terms.

   Utah Code § 20A-14-201(4) (2011)
Morgan School District

BBC Board Members: Compensation and Expenses

Compensation—

Each member of the Board of Education, except any student member, shall receive an amount not to exceed $3000 per year, payable monthly, as compensation for services.

Health insurance benefit—

Each member of the Board of Education, except any student member, shall be eligible to participate in the district’s health insurance programs during the term of service as a Board member. Board members, except any student member, may receive the same health insurance benefit as a full-time certificated employee.

Member expenses—

Reimbursement to board members for travel expenses for attendance at regional, state, or national conventions, conferences, and workshops shall be made by the District when attendance is authorized and deemed by the Board to be necessary or desirable in carrying out the educational functions of the District; each member shall submit an itemized account of necessary travel expenses for Board approval. Such activities may not exceed 12 per year. Such travel expenses shall be reimbursed at the rates established by the State Division of Finance for members of the State Board of Education.

Board members shall also be compensated for necessary expenses incurred by them on behalf of the School District in the discharge of their duties as board members.


Public hearing for adoption or revising compensation schedules—

Beginning on July 1, 2007, before adopting a new Board member compensation schedule or amending an existing schedule, the Board shall first hold a public hearing on the proposed compensation schedule or schedules at which all interested persons shall be given an opportunity to be heard.

In addition to satisfying the notice requirements for an open Board meeting, the Board shall also meet the specific notice requirements for a public hearing on Board member compensation (see Policy BEA).

Utah Code § 53A-3-202(2), (3) (2010)

Non-member expenses—

The Board may not pay the travel expenses of spouses and other persons who have no responsibilities or duties to perform for the Board when they accompany Board members to Board-related activities.
Student member expenses—

Any student board member is not compensated for services, but is entitled to expense allowances granted other Board members under this Policy.


Retirement Benefits

Elected officials are considered part time and are not eligible for retirement benefits.
Elections of board president and vice-president—

The Board of Education shall elect a president and a vice-president whose terms of office are for two (2) years and until their successors are elected.

The elections shall be held during the first board meeting in January following a regular Board election held in the District.

Removal from office—

An officer appointed or elected by the Board may be removed from office for cause by a vote of two-thirds of the Board.
BBF Morgan School District: Board Members

Code of Ethics

As a school board member:

1) I will be a staunch advocate of free public education.

2) I will uphold and enforce all laws, state board rules and regulations and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.

3) I will make decisions in terms of the educational welfare of children and will strive for public schools which can meet the individual needs of all children regardless of their ability, race, sex, creed or social standing.

4) I will join with my fellow members on the board, the staff, the community and the students in continuing study of the nature, value and direction of contemporary education in our society in order to facilitate needed change in our schools.

5) I will work unremittingly to help the people of my community understand the importance of public education and the need to support it.

6) I will strive to ensure that people are accurately informed about our schools, and I will try to interpret to the staff the aspirations of the community for its schools.

7) I will recognize that my responsibility is not to run the schools, but, together with my fellow board members, to see that they are well run.

8) I will confine my board action to policy making, planning and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.

9) I will arrive at conclusions only after discussing all aspects of the issues at hand with my fellow board members assembled in meeting.

10) I will recognize that authority rests with the whole board assembled in legally authorized meetings and will make no personal promises nor take any private action which may compromise the board.

11) I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

12) I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools.

13) I will vote to appoint, upon proper recommendation by the appropriate administrative officer, the best trained technical and professional personnel available.

14) I will support and protect school personnel in proper performance of their duties.

15) I will refer all complaints to the chief administrative officer and will act on such complaints at legally authorized meetings only after failure of an administrative solution.
BDAB Morgan School District President of the Board:

**Duties**

**Duties generally—**

The president of the Board of Education shall preside at all meetings of the Board, appoint all committees, and sign all warrants ordered by the Board to be drawn upon the business administrator for school moneys.

_Utah Code § 53A-3-204(1) (2011)_

**Presiding officer—**

Duties as presiding officer:

1. Call the Board into session.
2. Conduct Board meetings.
   a. Declare the opening of meetings
   b. Determine order of business according to Board policy.
   c. Recognize claimants to the floor.
   d. Rule on admissibility of business.
      i. Declare motions in or out of order.
      ii. Declare, subject to overriding, the propriety of the Board's considering specific items of business.
      iii. Declare, subject to overriding, specific items of business in or out of the Board's province of action.
   e. Within limits of Board policy, control extent of discussion.
      i. Declare, subject to overriding, discussion closed whenever comment becomes repetitious, dilatory, or no longer pertinent to the point at issue.
      ii. Declare discussion closed whenever time limits previously determined by Board action have been reached.
   f. Maintain the dignity of the Board in session.
      i. Apply the rules of parliamentary procedures.
      ii. Restrain debate within bounds of good taste and courtesy.
      iii. Provide equal opportunity for expression of opposing points of view.
      iv. Within limits of Board policy, secure the rapid handling of Board business.
      v. Rule out of order all action and comment unbecoming a legislative body in session.
   g. Declare the results of Board voting.
      i. Declare the passage or non-passage of motions.
ii. Declare for the record the identities of members (including the president) voting aye and nay and of those not voting.

h. Ensure the legal recording of Board business.
   i. Declare Board decisions to the secretary of the Board of Education
   ii. Make inquiry of the secretary or make investigation of the record as to the rate of progress of note-taking with respect to the Board's dispatch of business.

i. Increase efficiency in Board meeting procedures.

j. Declare the meeting adjourned.

3. Ensure proper keeping of Board records and supplies.

4. Sign as president of the Board official copies of minutes and other Board documents.

5. Secure the legality of Board action, procedures, meetings, and membership.

6. Receive for the Board all delegations and petitions.

7. Issue, subject to Board approval, official statements of Board action and policy.

**Duties regarding other Board members—**

Duties in relation to other Board members:

1. Lead discussion in Board meetings.
   a. Cause topics for discussion to be listed and given to all members prior to meetings.
   b. Stimulate participation of all members in discussion.
   c. Keep discussion to the point.
   d. Ensure discussion of all important phases of each problem considered.
   e. Ensure the full employment of special abilities of individual Board members in the carrying on of Board business.
   f. Draw discussion toward an authorization or directive of action or toward a statement of policy.

2. Guard the rights of expression and freedom of action of all Board members.
   a. Maintain democratic procedures in all Board sessions.
   b. Protect minority opinion.
   c. Ensure fair hearing for all points of view.
   d. Secure Board respect for expression of dissenting opinion.
   e. Prevent, within Board policy, termination of discussion of any problem until each member has expressed an opinion or has indicated willingness to have discussion ended.
   f. Rule impartially on arguments turning on judgments of the presiding officer.
g. Prevent decision-shaping influences upon Board members other than those in free, thorough, and democratic discussion in Board meetings.

h. Refrain from discussing elements of Board deliberations outside of Board meetings except when the public interest requires an official statement.

i. Hold that all decisions and actions of the Board are of all members until such decisions and actions are disavowed by a majority vote in legal session of the board.

j. Ensure the authorizing, conducting, and reporting of all Board business in legal sessions of the Board.

k. As presiding officer, ensure the good order of meetings with courtesy, tolerance, sincerity, and mutual respect evidenced in members’ relations with one another.

3. Induct new members.
   a. Determine the legality of the membership claimed.
   b. Declare the seating of the new member.
   c. Express the official welcome of the Board.
   d. Introduce the new member to other Board members, the superintendent of schools, and other school personnel.
   e. Provide informative materials concerning the school system, school district organization, Board practices and policies, duties of Board members, legal authorizations and compulsions, educational programs of the schools, current problems of the Board, and sources of information aiding in decision making in school board deliberations.
   f. Make accessible all records of Board business.
   g. Provide, according to Board policy, equipment such as binder covers for official copies of Board documents, Board membership list, school directory and calendar, school district map, population charts, statements of Board policy, state school code, books and magazines, notebooks, and file folders.
   h. Arrange tours of observation through the school system for new members.

4. Promote good relations with other school boards.
   a. Secure the exchange of information.
   b. Encourage reciprocal visiting of board meetings and school plants.
   c. Assist in developing area meetings of members of school boards.
   d. Ensure the representation of the Board of Education by Board members at county, state, and other meetings.
   e. Participate in planning for the general improvement of educational opportunity.

5. Maintain the preeminence of worthy educational objectives in all school board activities.
a. Ensure long-range planning of activities toward the accomplishment of educational objectives.

b. Secure the continual informing of the Board by the staff on programs and problems in education.

c. Draw upon the staff for assistance in Board deliberations.

d. Evaluate all proposals in the light of their relation to the accomplishment of worthy educational objectives.

e. Bring about the expression of community needs in education.

6. Cause the development and execution of a long-range plan of school improvement and Board action.

7. Secure the adoption of codes of ethics governing the Board of Education.

8. In the public interest, expose and eliminate any instances of unethical conduct of any Board members.

Duties regarding staff—

Duties in relation to the certified and classified staff of the District:

1. Represent the Board in official relations of the Board with the certified and classified staff.

2. Make official representations of the Board to the staff through the executive officers of the school system.

3. Accept representations of the staff through the executive officers of the school system.

4. Require the filing of school reports to the Board according to Board policy.

5. Make, as a Board member, tours of observation of the school system.

6. Make as the Board president, with the full Board or an authorized committee, tours of inspection annually.

7. Respect professional codes of ethics and demand their observance.

8. Observe codes of ethics for Board members in all relations with the certified and classified staff.

9. Secure the academic freedom and personal liberties of individuals of the school staff.

10. Require the observance of contractual provisions.

11. Secure Board adoption of equitable policies of employment, retention, promotion, and release of personnel.

12. Maintain the preeminence of pupil and student welfare over Board and staff welfare, comfort, and convenience.

13. Require, through Board cognizance of school operation, high standards of service of school personnel.
14. Draw fully on the ability of the staff for assistance to the Board in improving the entire school organization.

**Duties regarding the local community**—

Duties in relation to the community:

1. Represent as Board member the entire school district in Board deliberation.
2. Seek expression of community opinion as guide to the Board of Education.
3. Interpret expressions of community pressure groups in relation to the public interests.
4. Defend, under democratic concepts of rights and liberties, community minority groups in relation to the school system.
5. Refer to the certified staff, subject to review by the Board if necessary, problems of professional relations with the community.
6. Interpret the community to the certified and classified staff.
7. Protect professional and other school personnel from improper pressures of community groups or individuals.
8. Interpret the educational program and plans to the community.
9. Promote community understanding and interest in school activities and develop community concern for worthy educational accomplishments.
10. Promote school activity in community improvement programs.
11. Attend as Board member school-centered community activities.
12. Represent the Board in official statements to the public.

**Duties regarding state government**—

Duties in relation to the state government:

1. Represent the state educational authority in the school district.
2. Secure observance in the school system of applicable sections of the state school law.
3. Ensure legality of all school and school board actions.
4. Require, through Board authority, the prompt filing of accurate reports by the school system to the state government.
5. Conduct, as presiding officer of the Board, public hearings as required by law.
6. Secure all possible advantages for the school system under permissive legislation.
7. Lead the Board to an understanding of state school organization and state school law.
8. Act with the state government and other governmental units including school districts in promoting educational opportunity for all persons in the state.
9. As a state school officer, act in the public interest of the state as a whole when that interest and local public interest appear to be at variance.

President’s duties to be performed by vice-president—

If the president is absent or acquires a disability, these duties are performed by the vice-president.

_Utah Code § 53A-3-204(2) (2011)_
BE Morgan School District: Board Meetings

Meeting defined—

“Meeting” means the convening of the Board with a quorum present, whether in person or by means of electronic equipment, for the purpose of discussing, receiving public comments about, or acting upon a matter over which the Board has jurisdiction, including a workshop or executive session. However, a “meeting” does not include a chance or social gathering; or meetings where no funds are appropriated for expenditure and board members are convened solely to discuss administrative or operational matters which do not require formal action or would not come before the Board for discussion or action.

Utah Code § 52-4-103(6) (2016)

Rules of Order and Procedure—

The Board of Education shall adopt Rules of Order and Procedure to govern a public meeting of the Board of Education. The Rules of Order and Procedure shall include a set of rules that govern and prescribe in a public meeting:

1. Parliamentary order and procedure;
2. Ethical behavior; and
3. Civil discourse.

After adopting the Rules of Order and Procedure, the Board of Education shall:

1. Conduct its public meeting in accordance with the Rules of Order and Procedure adopted by the Board of Education; and

Utah Code § 53A-3-106(1)(c), (2) (2015)

Upon a two-thirds vote, the Board of Education may expel a member of the Board from an open public meeting of the Board for:

1. Disorderly conduct at the meeting;
2. The member’s direct or indirect financial conflict of interest regarding an issue discussed at or action proposed to be taken at the meeting; or
3. Commission of a crime during the meeting.

The Board of Education may also adopt rules that expand the reasons for expelling a Board member from an open public meeting or which establish more restrictive procedures for such expulsion.

Utah Code § 53A-3-106(5)) (2015)
Open to the public—

Every meeting of the Board shall be open to the public unless closed pursuant to Utah Code Ann. §§ 52-4-204, 52-4-205, and 52-4-206.

Utah Code § 52-4-201(1) (2006)

Public hearing—

A public hearing is an open meeting at which members of the public are given a reasonable opportunity to comment on a subject of the meeting. Generally, the Board will determine whether a Board meeting will include a public hearing. However, the Board shall hold a public hearing when considering whether to close a school or change the boundaries of a school, when submitting a ballot issue regarding bond authorization or a tax increase, when considering the adoption of the District budget, before authorizing issuance of bonds, and when considering changes to the Board member compensation schedules, as required by statute.

Utah Code § 11-14-318 (2008)
Utah Code § 53A-3-402(21) (2016)
Utah Code § 53A-3-202(2) (2010)
Utah Code § 59-1-1605 (2016)

Public recording—

All or any part of the proceedings in any open board meeting may be recorded by any person in attendance provided that the recording does not interfere with the conduct of the meeting.

Utah Code § 52-4-203(5) (2014)

Attendance by local government representatives—

An interested mayor or interested county executive (or their designees) may attend and participate in the board’s discussions in the open portions of the Board’s meetings. An “interested mayor” is the mayor of a municipality which is partly or entirely within the boundaries of the school district. An “interested county executive” is the county executive or county manager of a county with unincorporated area within the boundary of the school district. These local government officials may not vote on any issue before the Board and their participation is subject to the Board President’s authority to regulate the conduct of the meeting.

An interested mayor or interested county official may attend a closed meeting of the Board if invited by the Board. Where the closed meeting is held to discuss disposition or acquisition of real property, an interested mayor or interested county official may attend if invited by the Board and if the mayor or county executive does not have a conflict of interest with respect to the disposition or acquisition.

Quorum—

A majority of the members of the Board shall constitute a quorum for meetings of the Board.

Utah Code § 52-4-103(11)(a) (2016)
Utah Code § 53A-3-201(5) (2005)

USBA training session for board members—

In the event the Board or any of its members meet with representatives of the Utah School Boards Association (USBA) for the purpose of receiving or participating in instruction regarding Board functions or activities, and not for the purpose of discussing or acting upon a subject over which the Board has jurisdiction, the Board is not required to comply with the Utah Open and Public Meetings Act, Utah Code § 52-4-101 et seq.

If more than two Board members are present in such meetings, the Board members shall not discuss or act upon any specific matter over which it has jurisdiction. Board members will discuss only matters relative to the instruction they receive from USBA representatives.

If Board members determine in an instructional meeting with representatives of USBA that there is a need to discuss or act upon a subject over which the Board has jurisdiction, then the Board and its members must comply with the Open and Public Meetings Act, Utah Code § 52-4-101 et seq., prior to discussing or acting upon such matters.
BEA Morgan School District:

Board Meetings: Notice Requirements

Public notice of annual meeting schedule—

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

_Utah Code § 52-4-202(2) (2016)_

Notice of specific meetings—

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

_Utah Code § 52-4-202(1) (2016)_

Action limited to meeting agenda—

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

_Utah Code § 52-4-202(6) (2016)_

Giving notice of meeting—

Public notice of each Board meeting and of the Board’s annual meeting schedule shall be given by:

1. Posting written notice at the local Board of Education office;
2. Posting notice on the Utah Public Notice Website; and,
3. Providing notice to at least one newspaper of general circulation within the geographic jurisdiction of the public body or to a local media correspondent. (Notice to such a newspaper or local media correspondent sent pursuant to a subscription made through the Utah Public Notice Website satisfies this requirement if the notice has been timely sent.
4. The District shall also endeavor to post notice of Board meetings on the District’s web site at least 24 hours in advance of the meeting. _The_
statute does not require districts to provide this type of notice, and requires districts to post notice on the State notice website. Therefore, in enacting its own policy, a district may decide whether or not to include this optional provision.]

5. Notice of each Board meeting shall also be given to each interested mayor or interested county executive (or their designee). An “interested mayor” is the mayor of a municipality that is partly or entirely within the boundaries of the school district. An “interested county executive” is the county executive or county manager of a county with unincorporated area within the boundaries of the school district. This notice shall be provided by mail, email, or other effective means agreed to by the person to receive notice.

Utah Code § 52-4-202(3), (4) (2016)
Utah Code § 63F-1-701(4)(d) (2016)

Emergency meeting—

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

Utah Code § 52-4-202(5) (2016)

Annual budget meeting notice—

In addition to complying with the aforementioned public notice requirements, in regards to the budget hearing, the Board shall do the following:

1. Publish the required newspaper advertisement and/or electronic newspaper advertisement (see Utah Code § 45-1-101 (2011) and the required Utah Public Notice Website advertisement at least ten days before the day on which the hearing is held
   a. The public hearing notice will include information on how the public may access the proposed budget.
2. File a copy of the proposed budget with the Board’s business administrator for public inspection; and
3. Post a copy of the proposed budget on the District’s Internet website.
4. In addition, if the proposed budget includes a tax rate in excess of the certified tax rate, or if the Board meeting is required to consider whether to adopt a tax rate in excess of the certified tax rate, the Board shall provide the notices and schedule the meeting as required by Utah Code § 59-2-919.

Utah Code § 53A-16-106(3) (2016)
Utah Code § 59-2-919 (2016)
Bond or tax increase election hearing notice—

In addition to complying with the aforementioned public notice requirements, if the Board is meeting under the Transparency of Ballot Propositions Act to hear arguments for or against a ballot proposition to authorize issuance of bonds or to increase taxes, the District’s election officer must post notice of the time, date, and place of the meeting (along with the arguments for and against the proposition):

1. On the Statewide Electronic Voter Information Website for 30 consecutive days before the election on the proposition;
2. On the District’s website in a prominent place for 30 consecutive days before the election on the proposition;
3. If the District publishes a newsletter or other periodical, in the next scheduled edition before the election on the proposition.

Utah Code § 59-1-1604(6) (2016)
Utah Code § 59-1-1605 (2016)

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

Utah Code § 59-1-1605(3)(b) (2016)

Bond issuance hearing notice—

In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider authorizing issuance of bonds under the Local Government Bonding Act, it shall publish notice of the intent to issue bonds in the newspaper and on the Utah Public Notice Website at least 14 days in advance of the public hearing on the bond issuance as required by Utah Code Ann. § 11-14-318. The notice shall give notice that the hearing will be held to receive input from the public respecting the issuance of the bonds and the potential economic impact that the proposed improvement, facility, or property that the bonds will fund will have on the private sector.

Utah Code § 11-14-318 (2009)

Budget appropriation increase meeting notice—

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


School closure or boundary change hearing notice—

In addition to complying with the aforementioned public notice requirements, if the Board meeting is a public hearing regarding closing one or more schools or changing the attendance area boundaries for one or more schools, the notice of the meeting shall indicate the school or schools under consideration for closure or boundary change and, at least ten days prior to the meeting shall be:

1. Published in a newspaper of general circulation in the area and on the Utah Public Notice Website; and
2. Posted either in at least three public locations within the municipality or municipalities affected or on the District’s official website.

_Utah Code § 53A-3-402(21) (2016)_

**Board member compensation hearing notice—**

Beginning July 1, 2007, in addition to meeting the aforementioned public notice requirements, if the Board is meeting to consider adopting a new Board member compensation schedule or schedules, or to consider amending an existing compensation schedule or schedules, the notice of the meeting with public hearing shall be given at least seven days prior to the meeting by:

1. Publishing the notice at least once in a newspaper published in the county where the District is situated and which is also generally circulated within the District, and publishing notice on the Utah Public Notice Website;

2. Posting the notice:
   a. At each school in the District
   b. In at least three other public places within the District; and
   c. On the Internet in a manner that is easily accessible to citizens who use the Internet.

_Utah Code § 53A-3-202(3) (2010)_
Morgan School District Procurement
CBA Awarding Contracts by Request for Proposals

Definitions—

• “Design-build” means the procurement of design professional services and construction by the use of a single contract with the design-build provider.

• “Service” means labor, effort, or work to produce a result that is beneficial to a procurement unit and includes a professional service. “Service” does not include labor, effort, or work provided under an employment agreement or a collective bargaining agreement.

• “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 (a) accounting, (b) architecture, (c) construction design and management, (d) engineering, (e) financial services, (f) information technology, (g) law, (h) medicine, (i) psychiatry, (j) underwriting, or (k) administrative law judge service.

_Utah Code § 63G-6a-103(27), (63), (80) (2016)_

Request for Proposals—
The request for proposals procurement process may be used instead of bidding if the Procurement Officer determines, in writing, that this process will provide the best value to the District. That determination is final and conclusive unless it is arbitrary and capricious or clearly erroneous. The request for proposals procurement process is appropriate to use for the procurement of professional services, a design-build procurement, when cost is not the most important factor to be considered in making the selection that is most advantageous to the District, or when additional factors besides cost are highly significant in making the selection that is most advantageous to the District.

_Utah Code § 63G-6a-702 (2014)_
_Utah Code § 63G-6a-1911(2) (2013)_

Specifications—
The specifications for the request for proposals shall be developed according to the requirements and process set out in Policy CBA.

Request for Proposals Process—
The request for proposals procurement process begins when the District issues a request for proposals. The District shall publish a request for proposals in accordance with the notice requirements of Policy CBA.

_Utah Code § 63G-6a-703(1), (3) (2016)_

Content of request
A request for proposals shall:
• state the period of time during which a proposal will be accepted;
• describe the manner in which a proposal shall be submitted, including a description of the required format, any required forms, and how to submit price proposals;
• state the place where a proposal shall be submitted;
• include, or incorporate by reference, a description of the procurement items sought;
• include, or incorporate by reference, a description of the subjective and objective criteria that will be used to evaluate the proposal;
• include, or incorporate by reference, the standard contractual terms and conditions required by the authorized purchasing entity;
• state the relative weight that will be given to each score awarded for the evaluation criteria, including cost;
• state the formula that will be used to determine the score awarded for the cost of each proposal;
• if the request for proposals will be conducted in multiple stages, as described below, include a description of the stages and the criteria, scoring, and methodology that will be used to screen offerors at each stage; and
• state that best and final offers may be allowed, as provided by law and this policy, from responsible offerors who submit responsive proposals that meet minimum qualifications, evaluation criteria, or applicable score thresholds identified in the request for proposals.

Utah Code § 63G-6a-703(2)(h) (2016)
Utah Admin. Rules R33-7-102(1) (August 7, 2015)
Utah Admin. Rules R33-7-103 (August 7, 2015)

Addenda to requests for proposals

Addenda to a request for proposals may be made for the purpose of making changes to:

1. the scope of work;
2. the schedule;
3. the qualification requirements;
4. the criteria;
5. the weighting; or
6. other requirements of the request for proposals.

Addenda shall be published within a reasonable time prior to the deadline that proposals are due, to allow prospective offerors to consider the addenda in preparing proposals. Publication at least 5 calendar days prior to the deadline that proposals are due shall be deemed a reasonable time. Minor addenda and urgent circumstances may require a shorter period of time.
After the due date and time for submitting a response to a request for proposals, at the discretion of the Procurement Officer or Board of Education or its designee, addenda to the request for proposals may be limited to offerors that have submitted proposals, provided the addenda does not make a substantial change to the request for proposals that, in the opinion of the Procurement Officer or Board of Education or its designee likely would have impacted the number of offerors responding to the original publication of the request for proposals.

*Utah Admin. Rules R33-7-301 (January 28, 2015)*

**Evaluation criteria**

Each proposal shall be evaluated using only the criteria described in the request for proposals. The criteria set forth in the request for proposals may include experience, performance ratings, inspection, testing, quality, workmanship, time, manner, or schedule of delivery, references, financial solvency, suitability for a particular purpose, management plans, the presence and quality of a work site safety program (including any requirement that the offeror imposes on subcontractors for a work site safety program), cost, or other specified subjective or objective criteria.

*Utah Code § 63G-6a-707(1), (2) (2016)*

Minimum score thresholds must be set forth in the request for proposals and clearly describe the minimum score threshold that proposals must achieve in order to advance to the next stage in the process or to be awarded a contract. Such thresholds may be based on (a) minimum scores for each evaluation category, (b) the total of each minimum score in each evaluation category based on the total points available, or (c) a combination of (a) and (b). Thresholds may not be based on a natural break in scores that was not defined and set forth in the request for proposals or on a predetermined number of offerors.

*Utah Admin. Rules R33-7-501a (August 7, 2015)*

**Exceptions to terms and conditions**

Offerors requesting exceptions and/or additions to the standard terms and conditions published in the request for proposals must include the exceptions and/or additions with the proposal response. Exceptions and/or additions submitted after the date and time for receipt of proposals will not be considered unless there is only one offeror that responds to the request for proposals, the exceptions and/or additions have been approved by the District’s legal counsel, and it is determined by the Board of Education or its designee that it is not beneficial to the District to republish the request for proposals. Offerors may not submit requests for exceptions and/or additions by reference to a vendor's website or URL.

The District may refuse to negotiate exceptions and/or additions:

1. that are determined to be excessive;
2. that are inconsistent with similar contracts of the District;
3. to warranties, insurance, indemnification provisions that are necessary to protect the District after consultation with legal counsel;
4. where the request for proposals specifically prohibits exceptions and/or additions; or
5. that are not in the best interest of the District.
If negotiations are permitted, the District may negotiate exceptions and/or additions with offerors, beginning in order with the offeror submitting the fewest exceptions and/or additions to the offeror submitting the greatest number of exceptions and/or additions. Contracts may become effective as negotiations are completed.

If, in the negotiations of exceptions and/or additions with a particular offeror, an agreement is not reached, after a reasonable amount of time, as determined by the District, the negotiations may be terminated and a contract not awarded to that offeror and the District may move to the next eligible offeror.

_Utah Admin. Rules R33-7-104 (August 7, 2015)_

Submission of confidential information

The following are protected records and may be redacted by the vendor subject to the procedures described below in accordance with the Governmental Records Access and Management Act (GRAMA), Title 63G, Chapter 2 of the Utah Code: (a) trade secrets, as defined in Utah Code § 13-24-2; (b) commercial information or non-individual financial information (subject to the provisions of Utah Code § 63G-2-305(2); and (c) other protected records under GRAMA.

Any person requesting that a record be protected shall include with the proposal or submitted document:

1. a written indication of which provisions of the proposal or submitted document are claimed to be considered for business confidentiality or protected (including trade secrets or other reasons for non-disclosure under GRAMA); and

2. a concise statement of the reasons supporting each claimed provision of business confidentiality or protected status.

_Utah Admin. Rules R33-7-105 (August 7, 2015)_

A person who complies with the above requirements shall be notified by the District prior to the public release of any information for which a claim of confidentiality has been asserted.

Except as provided by court order, when the District or the State Records Committee has determined that disclosure is required for a record requested under GRAMA which is subject to a claim of business confidentiality, the District may not disclose that record until the period in which to bring an appeal expires or the end of the appeals process, including judicial appeal, is reached. This limitation does not apply where the claimant, after notice, has waived the claim by not appealing or intervening before the State Records Committee. To the extent allowed by law, the parties to a dispute regarding the release of a record may agree in writing to an alternative dispute resolution process.

Any allowed disclosure of public records submitted in the request for proposal process will be made only after the selection of the successful offeror(s) has been made public as required by law.

_Utah Admin. Rules R33-7-106 (August 7, 2015)_

Process for submission of protected information
If an offeror submits a proposal that contains information claimed to be business confidential or protected information, the offeror must submit two separate proposals:

1. One redacted version for public release, with all protected business confidential information either blacked-out or removed, clearly marked as "Redacted Version"; and
2. One non-redacted version for evaluation purposes clearly marked as "Protected Business Confidential."

Pricing may not be classified as business confidential and will be considered public information.

An entire proposal may not be designated as "PROTECTED", "CONFIDENTIAL" or "PROPRIETARY" and shall be considered non-responsive unless the offeror removes the designation.

_Utah Admin. Rules R33-7-107 (August 7, 2015)_

**Pre-proposal conferences or site visits**

Pre-proposal conferences and site visits may be held to explain the procurement requirements as follows:

1. Except as authorized in writing by the Procurement Officer or Board of Education or its designee, pre-proposal conferences and site visits must require mandatory attendance by all offerors.

2. A pre-proposal conference may be attended in person, by teleconference, by webinar, or by other electronic media approved by the Procurement Officer or Board of Education or its designee.

3. Site visits must be attended in person.

4. All pre-proposal conferences and site visits must be attended by an authorized representative of the person or vendor submitting a proposal and as may be further specified in the procurement documents.

5. The request for proposals must state that failure to have at least one authorized representative in attendance for the entire duration of each pre-proposal conference or site visit shall result in the disqualification of that offeror.

6. If the Procurement Officer or Board of Education or its designee in writing waives the mandatory attendance requirement for a pre-proposal conference or site visit, the District may use audio or video recordings of pre-proposal conferences and site visits and may require all offerors that do not have an authorized representative in attendance for the entire duration of the conference or site visit to review the recording.

If a pre-proposal conference or site visit is held, the District shall maintain and publish as an addendum to the solicitation:

1. an attendance log including the name of each attendee, the entity the attendee is representing, and the attendee's contact information;
(2) minutes of the pre-proposal conference or site visit; and
(3) copies of any documents distributed by the District to the attendees at the pre-
proposal conference or site visit.

Any verbal modifications to any solicitation documents made in a pre-proposal conference or
site visit shall be reduced to writing and shall also be published as an addendum to the
solicitation.

_Utah Admin. Rules R33-7-201 (August 7, 2015)_

**Cancellation of request for proposals**

A request for proposals may be canceled by the District prior to the deadline for submission of
proposals when the District determines it is in its best interest. If the District cancels a request
for proposals, the reasons for the cancellation shall be made part of the procurement file and
shall be available for public inspection. The District shall then either re-solicit proposals (using
the same or revised specifications) or withdraw the requisition for the procurement item or
items.

_Utah Admin. Rules R33-9-101 (July 8, 2014)_

**No proposals submitted**

If there is no initial response to an initial request for proposals, the Procurement Officer or
Board of Education or its designee may:

(1) contact the known supplier community to determine why there were no
responses to the request;

(2) research the potential vendor community; and,

(3) modify the invitation for bids based upon the information gathered.

If the District has modified the request for proposals and re-issued it and still receives no
proposals or there is insufficient competition, the Procurement Officer or Board of Education or
its designee shall require the District to further modify the procurement documents or cancel
the requisition for the procurement item(s).

_Utah Admin. Rules R33-9-102 (July 8, 2014)_

**Proposal submission**

Proposals (and modifications to proposals) submitted after the established due date and time
will not be accepted for any reason except when the District determines that an error on the
part of the District or its employee resulted in the proposal (or modification to a proposal) not
being received by the due date and time.

All proposals or modifications to proposals received by physical delivery will be date and time
stamped by the District. When submitting a proposal or modification to a proposal by physical
delivery (U.S. Mail, courier service, hand-delivery, or other physical means), offerors are solely
responsible for meeting the deadline. Delays caused by a delivery service or other physical
means will not be considered as an acceptable reason for a proposal or modification to a
proposal being late.

When submitting a proposal or modification electronically, offerors must allow sufficient time
to complete the online forms and upload documents. The solicitation will end at the closing
time posted in the electronic system. If an offeror is in the middle of uploading a proposal when the closing time arrives, the system will stop the process and the proposal or modification to the proposal will not be accepted.

Utah Admin. Rules R33-7-402 (August 7, 2015)

Proposal opening and acceptance

The District shall ensure that proposals are opened in a manner that avoids disclosing the contents to competing offerors during the evaluation process. The District may not accept a proposal after the time for submission of a proposal has expired. An offeror may withdraw or modify a proposal prior to the due date for submission of proposals. The District shall accept a proposal after the due date for submission if the District determines that an error on the part of the District or its employee resulted in the proposal (or modification to a proposal) not being received by the due date and time.

Utah Code § 63G-6a-704(1), (2) (2014)
Utah Admin. Rules R33-7-401 (August 7, 2015)
Utah Admin. Rules R33-7-402(4) (August 7, 2015)

Rejection of Non-responsible or Nonresponsive Proposals

At any time during the request for proposals process, The District may reject a proposal if it determines that the person submitting the proposal is not responsible or that the proposal is not responsive or does not meet mandatory minimum requirements stated in the request for proposals.

Utah Code § 63G-6a-704(3) (2014)

Cancellation before award

When the District determines before award but after opening that the specifications, scope of work or other requirements contained in the request for proposal documents were not met by any offeror the request for proposals shall be cancelled.

In addition, the District may cancel a request for proposals before award but after opening all proposals when the District determines in writing that one or more of the following has occurred:

1. inadequate or ambiguous specifications were cited in the request for proposals;
2. the request specifications have been or must be revised;
3. the procurement item(s) being solicited are no longer required;
4. the request for proposals did not provide for consideration of all factors of cost to the District, such as cost of transportation, warranties, service and maintenance;
5. the proposals received indicate that the District’s needs can be satisfied by a less expensive procurement item differing from that in the request for proposals;
6. except as provided below regarding proposals which exceed available funds, all otherwise acceptable proposals received are at unreasonable prices, or only one proposal is received and the Procurement Officer or Board of Education or its designee cannot determine the reasonableness of the price or cost proposal;
(7) the responses to the request for proposals were not independently arrived at in open competition, were collusive, or were submitted in bad faith; or,

(8) no responsive proposal has been received from a responsible offeror.

_Utah Admin. Rules R33-9-103 (July 8, 2014)_

If the District has an existing contract and a request for proposals is cancelled for one of the reasons listed in paragraphs (6), (7), or (8) above, and the Procurement Officer or Board of Education or its designee has made the required written determination, the District may permit the extension of the existing contract as permitted in Policy CBF.

_Utah Admin. Rules R33-9-105 (July 8, 2014)_

Correction or clarification of proposal or cancellation of contract

The Board of Education or its designee may allow a vendor to correct an immaterial error in a proposal, as provided in Policy CBA and may also request a vendor to clarify information contained in a proposal, as provided in Policy CBA. However, except as permitted with regard to best and final offers, as set forth below, a vendor may not change the total amount of the cost proposal after the deadline for submitting a cost proposal and before a contract is awarded. (This does not apply to a change in the contract price during contract administration, as may otherwise be allowed under these policies.).

_Utah Code § 63G-6a-706 (2016)_

In the event an offeror submits a proposal that on its face appears to be impractical, unrealistic or otherwise in error, the Procurement Officer or Board of Education or its designee may contact the offeror to either confirm the proposal, permit a correction of the proposal, or permit the withdrawal of the proposal, in accordance with the prior paragraph.

Offerors may not correct errors, deficiencies, or incomplete responses in a proposal from an offeror who has been determined to be not responsible, or a proposal that is not responsive, or that does not meet the mandatory minimum requirements stated in the request for proposals.

_Utah Admin. Rules R33-7-502 (August 7, 2015)_

If the District encounters administrative difficulties before award but after the deadline for submissions that may delay award beyond the offerors’ acceptance periods, the offerors should be requested, before expiration of their offers, to extend in writing the acceptance period (with consent of sureties, if any) in order to avoid the need for cancellation.

_Utah Admin. Rules R33-9-104 (July 8, 2014)_

The District may reject any or all proposals, in whole or in part, as may be specified in the request for proposals, when it is in the best interest of the District. In the event of a rejection of any or all proposals, in whole or in part, the reasons for rejection shall be made part of the procurement file and shall be available for public inspection.

_Utah Admin. Rules R33-9-201 (July 8, 2014)_

Establishment of evaluation committee

The District shall appoint an evaluation committee consisting of at least three individuals with at least a general familiarity with or a basic understanding of either (1) the technical
requirements relating to the type of procurement item that is the subject of the request for proposals or (2) the need that the request is intended to address. The District shall ensure that the evaluation committee and each individual participating in the evaluation process (a) does not have a conflict of interest with any of the offerors, (b) can fairly evaluate each proposal, (c) does not contact or communicate with an offeror outside the official evaluation committee process; and (d) conducts or participates in the evaluation in a manner that ensures a fair and competitive process and avoids the appearance of impropriety. The District may authorize the evaluation committee to receive assistance in better understanding a technical issue involved in the request for proposals from an expert or consultant who is not a member of the committee and who does not participate in evaluation scoring. The evaluation committee may, with the approval of the Board of Education or its designee and as outlined in the request for proposals, conduct interviews with, or attend presentations by, the offerors for the purpose of clarifying information contained in proposals. However, in such interactions, an offeror may only explain, illustrate, or interpret the contents of the original proposal. The offeror may not (1) address criteria or specifications not contained in the original proposal, (2) correct any deficiency, inaccuracy, or mistake other than an immaterial error, (3) remedy an incomplete submission of documents, (4) remedy an untimely proposal submission, (5) substitute or alter a required form, (6) remedy a cause for the offeror being considered not responsible or the proposal not responsive, or (7) correct a failure to meet mandatory minimum requirements, evaluation criteria, or score thresholds. Generally, each member of the evaluation committee is prohibited from knowing, or having access to, any information relating to the cost, or the scoring of the cost, of a proposal until after the committee submits its final recommended scores on all other criteria to the District. However, this restriction does not apply if the Board of Education or other individual designated by Procurement Policy Board rule signs a written statement (a) indicating that, due to the nature of the proposal or other circumstances, it is in the best interest of the District to waive compliance with this restriction and (b) describing the nature of the proposal and the other circumstances relied upon to waive compliance with the restriction, and also makes the written statement available to the public upon request.

_Utah Code § 63G-6a-707(3), (4), (5), (6), (9) (2016)_

**Evaluation of proposals**

**Initial review**

The District shall perform an initial review of submitted proposals to determine whether the proposals satisfy any pass/fail minimum requirements set forth in the request for proposals and whether the proposals are responsive and responsible or in violation of the Utah Procurement Code. Examples of possible pass/fail minimum requirements include timeliness of receipt of proposals, qualifications, certifications, licensing, experience, compliance with State or Federal regulations, services provided, product availability, equipment, or other pass/fail minimum requirements set forth in the request for proposals. The evaluation committee may not review proposals from offerors determined to be not responsible or proposals which do not meet the minimum requirements or which are deemed nonresponsive or in violation of the Procurement Code.

_Utah Admin. Rules R33-7-703(1) (August 7, 2015)_
Any proposal that fails to conform to the essential requirements of the request for proposals shall be rejected. Any proposal that does not conform to the applicable specifications shall be rejected unless the request for proposals authorized the submission of alternate proposals and the procurement item(s) offered as alternates meet the requirements specified in the solicitation. Any proposal that fails to conform to the delivery schedule or permissible alternates stated in the request for proposals shall be rejected.

A proposal shall be rejected when the offeror imposes conditions or takes exceptions that would modify requirements or terms and conditions of the request for proposals or limit the offeror’s liability to the procurement, since to allow the offeror to impose such conditions or take exceptions would be prejudicial to other offerors. For example, proposals shall be rejected in which the offeror:

1. for commodities, protects against future changes in conditions, such as increased costs, if total possible costs to the District cannot be determined;
2. fails to state a price and indicates that price shall be the price in effect at time of delivery or states a price but qualifies it as being subject to price in effect at time of delivery;
3. when not authorized by the request for proposals, conditions or qualifies a proposal by stipulating that it is to be considered only if, before date of award, the offeror receives (or does not receive) an award under a separate solicitation;
4. requires that the District is to determine that the offeror’s product meets applicable specifications; or
5. limits rights of the District under any contract clause.

An offeror may be requested to delete objectionable conditions from a proposal provided doing so is not prejudicial to other offerors, or the conditions do not go to the substance, as distinguished from the form, of the proposal. A condition goes to the substance of a proposal where it affects price, quantity, quality, or delivery of the procurement item(s) offered.

*Utah Admin. Rules R33-9-202 (July 8, 2014)*

The originals of all rejected proposals and all written findings with respect to such rejections shall be made part of the procurement file and made available for public inspection.

*Utah Admin. Rules R33-9-204(4) (July 8, 2014)*

**Evaluation procedure**

The evaluation committee shall evaluate each proposal from a responsible offeror which is responsive and which has not been disqualified upon initial review and determine which proposal provides the best value to the District. Each proposal shall be evaluated and scores awarded using the criteria and as provided in the request for proposals.

*Utah Code § 63G-6a-707(1) (2016)*

*Utah Admin. Rules R33-7-703(2) (August 7, 2015)*

Prior to the scoring of proposals, a District procurement officer will meet with the evaluation committee and any staff that will have access to the proposals to:
(1) discuss the evaluation and scoring process to ensure that each committee member has a clear understanding of the scoring process and how points will be assigned;

(2) discuss requirements regarding conflicts of interests, the appearance of impropriety, and the importance of confidentiality;

(3) discuss the scoring sheet and evaluation criteria set forth in the request for proposals; and

(4) provide a copy of Administrative Rule R33-7-703 to the evaluation committee and any staff that will have access to the proposals.

Once the proposals have been received and it is clear which offerors are involved in the request for proposals process, all members of the evaluation committee must sign a written statement certifying that they do not have a conflict of interest as set forth in Utah Code § 63G-6a-707 and Administrative Rule R33-24-107.

Unless an exception is authorized by the Board of Education or its designee, in order to avoid cost influencing the evaluation committee's scoring of non-price criteria, in accordance with Utah Code § 63G-6a-707, costs may not be revealed to the evaluation committee until after the committee has finalized its scoring on all other technical non-price criteria in the request for proposals.

After receipt of proposals, each committee member shall independently, as described below, read and score each proposal based on the technical non-price criteria set forth in the request for proposals to assess the completeness, quality, and desirability of each proposal. Proposals must be evaluated solely on the stated criteria listed in the request for proposals. Past performance ratings and references may be considered if listed as evaluation criteria in the request for proposals. Personal bias based on prior experience with a procurement item or the offeror cannot be considered in scoring proposals, except as provided in the request for proposals. Personal favoritism for a vendor or bias against a vendor cannot be considered in scoring proposals. However, the prohibition against consideration of personal bias or favoritism does not prevent a committee member from having a bias based on their review of a proposal in regard to the criteria in the solicitation. As provided for above, committee members may with District approval receive assistance with technical issues.

After the proposals have been evaluated and scored by individual committee members, the entire committee shall meet to discuss the proposals, if applicable conduct interviews, resolve any factual disagreements, and arrive at the final scoring. During committee discussions, each member may change their initial scoring. If additional information or clarification is needed from an offeror, the committee may, as described above, request information or clarification from an offeror. Such request will only be approved if it can be done in a manner that is fair to all offerors.

All committee members must be present to take any official action. If a committee member does not attend an evaluation committee meeting, the member shall be removed from the evaluation committee and the remainder of the committee may proceed with the evaluation, provided there are at least three evaluation committee members remaining.

At any time during the evaluation process, the evaluation committee may, with the approval of the District and subject to the requirements set forth below, request best and final offers from
responsible offerors who have submitted responsive proposals that meet the minimum qualifications, evaluation criteria, or applicable thresholds and evaluate those offers in accordance with Utah Code § 63G-6a-708 and Administrative Rule R33-7-601, as described below.

Each evaluation committee member shall turn in a completed scoring sheet, signed and dated by the evaluation committee member.

The evaluation committee may tally the final scores for criteria other than cost to arrive at a consensus score by either (a) the total of all of the points given by individual committee members, or (b) the average of the individual scores.

The evaluation committee shall submit its final recommended scores for all criteria other than cost to the District, which shall follow the procedure set out below for reviewing the committee’s scores and for applying the scoring formula and calculating the total combined score.

The evaluation committee and the District shall prepare the cost justification statement and any applicable cost-benefit analysis in accordance with Utah Code 63G-6a-708.

The District’s role as a non-voting member of the evaluation committee will be to facilitate the evaluation process within the guidelines of the Utah procurement code and administrative rule.

The District may replace any member on the committee or reconstitute the committee in any way it deems appropriate to cure any impropriety. If the impropriety cannot be cured by replacing a member, then a new committee may be appointed or the procurement cancelled.

Utah Admin. Rules R33-7-703 (August 7, 2015)

Scoring of proposals

The scoring of evaluation criteria, other than cost, for proposals meeting the mandatory minimum requirements in a request for proposals shall be based on a one through five point scoring system. Points shall be awarded to each applicable evaluation category as set forth in the request for proposals, including but not limited to:

1. Technical specifications;
2. Qualifications and experience;
3. Programming;
4. Design;
5. Time, manner, or schedule of delivery;
6. Quality or suitability for a particular purpose;
7. Financial solvency;
8. Management and methodological plan; and
9. Other requirements specified in the request for proposals.

Scoring Methodology:

1. Five points (Excellent): The proposal addresses and exceeds all of the requirements described in the request for proposals;
(2) Four points (Very Good): The proposal addresses all of the requirements described in the request for proposals and, in some respects, exceeds them;

(3) Three points (Good): The proposal addresses all of the requirements described in the request for proposals in a satisfactory manner;

(4) Two points (Fair): The proposal addresses the requirements described in the request for proposals in an unsatisfactory manner; or

(5) One point (Poor): The proposal fails to address the requirements described in the request for proposals or it inaccurately or poorly addresses the requirements.

_Evaluators are required to exercise independent judgment in a manner that is not dependent on anyone else's opinions or wishes. Evaluators must not allow their scoring to be inappropriately influenced by another person's wishes that additional or fewer points be awarded to a particular offeror. Evaluators may seek to increase their knowledge before scoring by asking questions and seeking appropriate information from the District. Otherwise, evaluators should not discuss proposals or the scoring of proposals with other persons not on the evaluation committee._

The exercise of independent judgment applies not only to possible inappropriate influences from outside the evaluation committee, but also to inappropriate influences from within the committee. It is acceptable for there to be discussion and debate within the committee regarding how well a proposal meets the evaluation criteria. However, open discussion and debate may not lead to coercion or intimidation on the part of one committee member to influence the scoring of another committee member.

Evaluators may not act on their own or in concert with another evaluation committee member to inappropriately steer an award to a favored vendor or to disfavor a particular vendor.

Evaluators are required to report any attempts by others to improperly influence their scoring to favor or disfavor a particular offeror.

If an evaluator feels that the evaluator's independence has been compromised, the evaluator must recuse himself or herself from the evaluation process.

_Evaluators are required to report any attempts by others to improperly influence their scoring._

Interviews and presentations

Interviews and presentations may be held as outlined in the request for proposals. Offerors invited to interviews or presentations shall be limited to those offerors meeting minimum requirements specified in the request for proposals. Representations made by the offeror during interviews or presentations shall become an addendum to the offeror's proposal and shall be documented. Representations must be consistent with the offeror's original proposal and may only be used for purposes of clarifying or filling in gaps in the offeror's proposal. The Procurement Officer shall establish a date and time for the interviews or presentations and shall notify eligible offerors of the procedures. Interviews and presentations will be at the offeror's expense.
**Best and final offers**

The best and final offers process is an optional step in the evaluation phase of the request for proposals process in which offerors are requested to modify their proposals. At any time during the evaluation process, the evaluation committee, with the approval of the Board of Education or its designee, may request and evaluate best and final offers from responsible offerors who have submitted responsive proposals that meet the minimum qualifications, evaluation criteria, or applicable score thresholds identified in the request for proposals. The evaluation committee may request best and final offers if:

1. no single proposal addresses all the specifications;
2. all or a significant number of the proposals received are ambiguous on a material point and the evaluation committee requires further clarification in order to fairly evaluate the proposals;
3. additional information is needed from all offerors in order for the evaluation committee to complete the evaluation of the proposals;
4. the differences between proposals in one or more material aspects are too slight to allow the evaluation committee to distinguish between proposals;
5. all cost proposals are too high or over the budget; or
6. for other reason as provided in regulations of the Utah Procurement Policy Board.

In a best and final offer, an offeror may only address the issues described in the request for best and final offers; the offeror may not correct a material error or deficiency in the original proposal or address any other issue not described in the request for best and final offers. When a request for best and final offers is issued to reduce cost proposals, offerors shall submit itemize cost proposals clearly indicating the tasks or scope reductions that can be accomplished to bring costs within the available budget. The cost information of one offeror may not be disclosed to competing offerors during the best and final offers process and further, such cost information shall not be shared with other offerors until the contract is awarded.

The District shall ensure that auction tactics are not used in the discussion process, including discussing and comparing the costs and features of other proposals. The best and final offers process may not be conducted as part of the contract negotiation process. It may only be conducted during the evaluation phase of the request for proposals process. The District may not use the best and final offers process to allow offerors a second opportunity to respond to the entire request for proposals. If a proposal modification is made orally during the interview or presentation process, the modification must be confirmed in writing.

A request for best and final offers shall be made in compliance with the public notice requirements set forth in Policy CBA, shall include a submission deadline that allows offerors a reasonable opportunity to prepare and submit responses, and shall indicate how proposal modifications submitted in response to the request will be evaluated. Only offerors meeting the minimum qualifications or scores described in the request for proposals are eligible to respond to a request for best and final offers. Unsolicited best and final offers will not be accepted by the District. If an offeror chooses not to participate in a discussion or does not
make a timely best and final offer, the offer submitted by the offeror before the conduct of
discussions shall be treated as the offeror’s best and final offer.

_Utah Code § 63G-6a-707.5 (2016)
Utah Admin. Rules R33-7-601 (August 7, 2015)_

The District shall, if applicable, assign an individual who is not a member of the evaluation
committee to calculate scores for cost based on the applicable scoring formula, weighting, and
other scoring procedures contained in the request for proposals. The District shall also (a)
review the evaluation committee’s scores and correct any errors, scoring inconsistencies, and
reported noncompliance with this chapter, (b) add the scores calculated for cost, if applicable,
to the evaluation committee's final recommended scores on non-cost criteria to derive the total
combined score for each proposal, and (c) provide the evaluation committee the total
combined score calculated for each proposal, including any applicable cost formula, weighting,
and scoring procedures used to calculate the total combined scores. The evaluation committee
may not change its final recommended scores after submitting them to the District or change
cost scores calculated by the District.

_Utah Code § 63G-6a-707(5)(b), (c) (2016)_

Any proposal may be rejected if the Procurement Officer or Board of Education or its designee
determines in writing that it is unreasonable as to price. Unreasonableness of price includes not
only the total price of the proposal, but the prices for individual line items as well.

Any proposal may be rejected if the prices for any line items or subline items are materially
unbalanced. Unbalanced pricing may increase performance risk and could result in payment of
unreasonably high prices. Unbalanced pricing exists when, despite an acceptable total
evaluated price, the price of one or more line items is significantly over or understated as
indicated by the application of cost or price analysis techniques. The greatest risks associated
with unbalanced pricing occur when startup work, mobilization, procurement item sample
production or testing are separate line items; base quantities and option quantities are
separate line items; or the evaluated price is the aggregate of estimated quantities to be
ordered under separate line items of an indefinite-delivery contract.

All proposals with separately priced line items or subline items shall be analyzed to determine if
the prices are unbalanced. If cost or price analysis techniques indicate that an offer is
unbalanced, the District shall (a) consider the risks to the District associated with the
unbalanced pricing in determining the competitive range and in making the source selection
decision; and (b) consider whether award of the contract will result in paying unreasonably high
prices for contract performance.

A proposal may be rejected if the District and the Procurement Officer or Board of Education or
its designee determine that the lack of balance poses an unacceptable risk to the District.

_Utah Admin. Rules R33-9-203 (July 8, 2014)_

When selecting a construction manager/general contractor for a construction project, the
evaluation committee may score a construction manager / general contractor based upon
criteria contained in the solicitation, including qualifications, performance ratings, references,
management plan, certifications, and other project specific criteria described in the solicitation.
The committee may also, as described in the solicitation, weight and score the management fee
as a fixed rate or as a fixed percentage of the estimated contract value. The committee may, at any time after the opening of the responses to the request for proposals, have access to, and consider, the management fee proposed by the offerors but may not know or have access to any other information relating to the cost of construction submitted by the offerors, until after the evaluation committee submits its final recommended scores on all other criteria to the District. (This restriction does not apply if it has been properly waived as set forth above under “Establishment of evaluation committee”.) A “management fee” includes only fees for preconstruction phase services, monthly supervision fees for the construction phase, and overhead and profit for the construction phase.

Utah Code § 63G-6a-707(7), (9) (2016)
Utah Admin. Rules R33-13-205(3) (July 8, 2014)

Justification Statement and Cost-Benefit Analysis

In determining which proposal provides the best value to the District, the evaluation committee and the District shall prepare a written justification statement that (a) explains the score assigned to each evaluation category, (b) explains how the proposal with the highest total combined score provides the best value to the District compared to the other proposals, and (c) if applicable, includes the cost-benefit analysis described below and how that analysis relates to the best value to the District. (The explanation of evaluation category scores is not required to address each criterion within each category.) This cost-benefit analysis shall be based on the entire term of the contract, excluding any renewal periods. The determinations made in the justification and informal cost-benefit analysis are final and conclusive unless they are arbitrary and capricious or clearly erroneous.

If the highest score awarded by the evaluation committee, including the score for cost, is awarded to a proposal other than the lowest cost proposal, and the difference between the cost of the highest scored proposal and the lowest cost proposal exceeds the greater of $10,000 or 5% of the lowest cost proposal, the committee and the District shall make an informal written cost-benefit analysis that:

- explains, in general terms, the advantage to the District of awarding the contract to the higher cost offeror;
- includes, except as provided in the next sentence, the estimated added financial value to the District of each criterion that justifies awarding the contract to the higher cost offeror;
- includes, if assigning a financial value to a particular procurement item or evaluation criterion is not practicable, a written determination to that effect explaining (a) why it is not practicable to assign a financial value and (b) in nonfinancial terms, why awarding the contract to the higher cost offeror provides the best value to the District;
- demonstrates that the value of the advantage to the District of awarding the contract to the higher cost offeror exceeds the value of the difference between the cost of the higher cost proposal and the cost of the lower cost proposals.

If this informal cost-benefit analysis does not justify award of the contract to the offeror that received the highest score, the District may not award the contract to the offeror that received
the highest score and may award the contract to the offeror that received the next highest score except when that offeror’s proposal also meets the threshold for the informal cost-benefit analysis. In that case, the acceptability of the next highest proposal depends on the cost-benefit analysis justifying acceptance. If the cost-benefit analysis of the second highest proposal does not justify acceptance, then the District may not accept that proposal and must proceed to the third highest proposal, following the same process until the District awards the contract in accordance with this section or cancels the request for proposals.

The District is not required to make the cost-benefit analysis for a contract with a construction manager/general contractor if the contract is awarded based solely on the qualifications of the construction manager/general contractor and the management fee if the following requirements are satisfied:

   (1) a competitive process is maintained by the issuance of a request for proposals that requires the offeror to provide, at a minimum:
       a. a management plan;
       b. references;
       c. statements of qualifications; and
       d. a management fee.

   (2) the management fee contains only the following:
       a. preconstruction phase services;
       b. monthly supervision fees for the construction phase; and
       c. overhead and profit for the construction phase.

   (3) the evaluation committee may, as described in the solicitation, weight and score the management fee as a fixed rate or a fixed percentage of the estimated contract value.

   (4) the contract awarded must be in the best interest of the District.

Utah Code § 63G-6a-708 (2016)
Utah Code § 63G-6a-1911(3) (2013)
Utah Admin. Rules R33-7-701a (August 7, 2015)
Utah Admin. Rules R33-7-701 (August 7, 2015)

Award of contract

After completion of the evaluation and scoring of proposals and the justification statement, including any required cost-benefit analysis, the evaluation committee shall submit the proposals, evaluation scores, and justification statement to the Board of Education or its designee. After reviewing these materials, the Board of Education or its designee shall:

- award the contract as soon as practicable to the responsible offeror with responsive proposal receiving the highest total score, or
- if that proposal is rejected as provided for below, to the responsible offeror with the responsive proposal receiving the next highest total score, or
• repeat that process, moving to the next highest scored proposal until the contract is awarded to a responsible offeror who submitted a proposal which was not rejected; or

• cancel the request for proposals without awarding a contract.

The District’s determination to award the contract to an offeror responding to a request for proposals is final and conclusive unless it is arbitrary and capricious or clearly erroneous.

Utah Code § 63G-6a-709(1), (2) (2016)
Utah Code § 63G-6a-1911(4) (2013)

If only one proposal is received in response to a request for proposals, the evaluation committee may conduct a review to determine if the proposal meets the minimum requirements, pricing and terms are reasonable, and the proposal is in the best interest of the District. If the committee determines that all of these requirements are satisfied, the District may make the award. If an award is not made, the District may either cancel the procurement or resolicit for the purpose of obtaining additional proposals.

Utah Admin. Rules R33-7-702 (August 7, 2015)

Rejection of Proposal

The Board of Education or the Procurement Officer may reject a proposal if the offeror (1) is not responsible, (2) is in violation of the Procurement Code, (3) has engaged in unethical conduct, or (4) fails to sign a contract (a) within the time specified in the request for proposals, or (b) 90 days after the contract award, or (c) the time period specified in writing by the Board of Education. A proposal may also be rejected if there is a change in the offeror’s circumstances that, if known when the offer was evaluated, would have caused the offer to not receive the highest score. A proposal may also be rejected if it is not responsive or does not meet the mandatory minimum requirements, evaluation criteria, or applicable score thresholds stated in the request for proposals. Upon rejection of a proposal, the Board of Education or the Procurement Officer shall make a written finding stating the reasons for rejection and provide a copy of that finding to the offeror whose proposal was rejected. If the District cancels a request for proposals without awarding a contract, the District shall make available for public inspection a written justification for the cancellation.

Utah Code § 63G-6a-709(3) - (5) (2016)

Publication of award and scores

On the next business day after a contract award is announced, the District shall make available to each offeror and to the public a written statement which includes the name of the offeror being awarded the contract and that offeror’s total score, the justification statement (including any cost-benefit analysis), and the total scores awarded to other offerors (but without identifying a particular offeror’s score). The District may use codes or another method to distinguish unsuccessful offerors and to indicate their scores, as long as an offeror cannot be matched with the score awarded to that offeror.

Utah Code § 63G-6a-709.5 (2014)

With respect to a request for proposals process, the following shall be disclosed by the District after receipt of a GRAMA request and payment of any lawfully enacted and applicable fees:
(1) the contract(s) entered into as a result of the selection and the successful proposal(s), except for those portions that are to be non-disclosed as provided for above under “Submission of confidential information”; 

(2) the unsuccessful proposals, except for those portions that are to be non-disclosed as provided for above under “Submission of confidential information”; 

(3) the rankings of the proposals; 

(4) the names of the members of any selection committee; 

(5) the final scores used by the selection committee to make the selection, except that the names of the individual scorers shall not be associated with their individual scores or rankings; and 

(6) the written justification statement supporting the selection, except for those portions that are to be non-disclosed as provided for above under “Submission of confidential information”.

The following information will not be disclosed by the District at any time to the public including under any GRAMA request: 

(1) the names of individual scorers/evaluators in relation to their individual scores or rankings; 

(2) any individual scorer's/evaluator's notes, drafts, and working documents; 

(3) non-public financial statements; and 

(4) past performance and reference information, which is not provided by the offeror and which is obtained as a result of the efforts of the District. However, to the extent such past performance or reference information is included in the written justification statement, it is subject to public disclosure.

_Utah Admin. Rules R33-7-802 (August 7, 2015)_

Errors discovered after contract award 

Errors discovered after the award of a contract may only be corrected if, after consultation with the Procurement Officer or Board of Education or its designee and legal counsel, it is determined that the correction of the mistake does not violate the requirements of the Utah Procurement Code or the Utah Administrative Rules regarding procurement. Any such correction must be supported by a written determination signed by the Procurement Officer or Board of Education or its designee.

_Utah Admin. Rules R33-7-403(3) (August 7, 2015)_

Multiple Stage Request for Proposals—

The District may conduct a request for proposals in stages, where an earlier stage is used to qualify offerors for subsequent stages or to narrow the number of offerors that will move on to subsequent stages. A multiple-stage request for proposals shall be conducted according to this policy.

_Utah Code § 63G-6a-710 (2013)
Morgan School District Policy  
DAA Employment  Nondiscrimination

General Nondiscrimination—
The District shall not, because of an individual’s race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity:

1. Discharge, demote, terminate, retaliate against, harass, or refuse to hire or to promote any otherwise qualified individual; or,

2. Discriminate against an otherwise qualified individual with respect to compensation or in terms, privileges, and conditions of employment.

*Utah Code § 34a-5-106(1)(a)(i) (2015)*  
*Utah Admin. Rules R277-112-3 (November 8, 2012)*

Otherwise Qualified—
An individual is not considered "otherwise qualified" unless the individual has the education; training; ability, with and without reasonable accommodation; moral character; integrity; disposition to work; adherence to reasonable rules and regulations; and other job-related qualifications required by the District for the particular job, job classification, or position.

*Utah Code § 34a-5-106(1)(a)(ii) (2015)*

Nursing Mothers in the Workplace—
The District may not refuse to hire, promote, discharge, demote, or terminate an individual, or may not retaliate against, harass, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against an individual otherwise qualified because the individual breastfeeds or expresses milk in the workplace.

*Utah Code § 34-49-204 (2015)*

Title IX Coordinator—
The District shall designate at least one employee whose responsibilities shall include coordination of the District’s efforts to comply with Title IX of the Education Amendments of 1972, as amended, and its implementing regulations. The District shall notify all employees of the name, office address, office telephone number, and e-mail address of the employee(s) so designated.

*34 CFR § 106.8(a)*

Notification—
The notification may take the following form:
The District designates the following person to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended:

Name: Douglas D. Jacobs  
Position: Superintendent  
Office Address: 240 E. Young Street, Morgan, UT 84050  
Office E-mail: djacobs@morgansd.org  
Telephone: 801-829-3411
Disability—
No otherwise qualified person with a disability shall, solely on the basis of disability, be subject to discrimination in employment in any of the District’s operations so long as any part of its programs and activities receive federal financial assistance.

29 U.S.C. § 794

Definitions—
“Individual with a disability” means any person who has a record of, is regarded as having, or has a physical or mental impairment that substantially limits one or more of life’s major activities. A “qualified individual with a disability” is a person with a disability who can perform the essential functions of the position in question, with or without reasonable accommodation. Employees or prospective employees have the responsibility of notifying the District personnel office of the need for reasonable accommodations on account of a disability.

29 U.S.C. § 705(20)
34 CFR § 104.3

“Has a record of such an impairment” means has a history of or has been classified as having a mental or physical impairment that substantially limits one or more major life activities.

“Regarded as having an impairment” means:
1. Has a physical or mental impairment that does not substantially limit major life activities but that is treated by the District as constituting such a limitation;
2. Has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others towards such impairment; or
3. Has no physical or mental impairment but is treated by the District as having such an impairment.

"Physical or mental impairment" means:
4. Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; lymphatic; skin; endocrine; or
5. Any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental retardation, emotional or mental illness, and specific learning disabilities.

"Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Exceptions—
The following are not included in the definition of an "individual with a disability:"
1. A person whose current use of alcohol or drugs prevents the performance of job responsibilities or constitutes a direct threat to the property or safety of others.
2. A person who has a currently contagious disease or infection and who therefore would constitute a direct threat to the health or safety of other individuals, or who therefore is unable to perform the duties of the job.

29 USC § 705(20)(C)
Section 504 Coordinator—
The District will designate at least one person to coordinate its efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973 and its implementing regulations.

Notification—
The District will take appropriate continuing steps to notify applicants and employees that it does not discriminate on the basis of disability in violation of Section 504 of the Vocational Rehabilitation Act of 1973 and its implementing regulations. The notification shall include identification of the designated coordinator, which may be in the following form:
The District designates the following person to coordinate its efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973:

Name: Douglas D. Jacobs   Position: Superintendent
Office Address: 240 E. Young Street, Morgan, UT 84050
Office E-mail djacobs@morgansd.org   Telephone: 801-829-3411

34 CFR § 104.7(a)

Residence—
The Board shall not require an employee to reside within the District as a condition of employment.

Utah Code § 53A-3-412 (1988)

Duty to Report—
If any employee of the District knows of or has reason to believe that another employee is being harassed at the workplace by others on the grounds of race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity, then the employee must promptly report such harassment to the immediate supervisor. The report shall be made confidentially and the Board shall maintain the confidence of any report of such harassment.

Penalties for Engaging in Harassment—
Within the discretion of the Board, any employee may be terminated for cause, suspended with or without pay or placed on probation for engaging in any form of harassment of another employee on the grounds of race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity.

Baker v. Weyerhaeuser Co., 903 F.2d 1342 (10th Cir. 1990)
Morgan School District Non-Discrimination Notice


The District designates the following person to coordinate its efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973:

Name: Douglas D. Jacobs Position: Superintendent
Office Address: 240 E. Young Street, Morgan, UT 84050
Office E-mail djacobs@morgansd.org Telephone: 801-829-3411

If any employee of the District knows of or has reason to believe that another employee is being harassed at the workplace by others on the grounds of race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity, then the employee must promptly report such harassment to the immediate supervisor. The report shall be made confidentially and the Board shall maintain the confidence of any report of such harassment.
Morgan School District
DAC Background Checks

Employee Background Checks - At the time a prospective employee makes application for employment with the District, such prospective employee shall fill out an employment application providing the following warning:

“All references stated in this application may be checked by the School District and it is the policy of this School District that false information will be grounds for rejecting your application with no further consideration for the position; or, if such false information is discovered after hire, you will be subject to immediate termination for cause. Any false information may also be the grounds for criminal prosecution.”

All employees seeking employment with the District shall provide personal identifying information including: current name, former names, nicknames and aliases; date of birth; address; telephone number; driver license number or other government-issued identification number; Social Security number; and fingerprints.

All employees seeking employment with the District shall sign a written consent, release, waiver, and authorization which authorize the District to request information from the prospective employee’s past three employers and supervisors. The consent, release, waiver, and authorization shall also authorize the District to contact any applicable licensing agency and former employers to obtain a background check, including a reference check, and to conduct a background search into the employee’s criminal record, if any, or any other background check as the District deems necessary to satisfy itself of the quality and competence of the prospective employee’s credentials including submitting the personal identifying information to the Bureau of Criminal Identification within the Department of Public Safety and retaining the personal identifying information for ongoing monitoring.

Criminal Background Check—

The Superintendent or the Superintendent’s designee shall require any prospective employee, or volunteer who will be given significant unsupervised access to a student in connection with the volunteer’s assignment or, where reasonable cause exists, a current employee or volunteer to submit to a criminal background, and shall require the person to provide personal identifying information including: current name, former names, nicknames and aliases; date of birth; address; telephone number; driver license number or other government-issued identification number; Social Security number; and fingerprints for that purpose.

The applicant, volunteer, or employee shall sign a waiver indicating that a criminal history background check will be conducted and that the information will be made available to persons involved in the hiring or background investigation of the employee and used for the purpose of assisting in making an employment or promotion decision.

Unless a criminal background check is done as part of an employee’s continued licensing with the state, an employee shall submit to criminal background checks every six years or more frequently based upon the employee’s assignment.
The District will pay the cost of an applicant’s background check, except that if the following are true, the District will require an applicant to pay the costs of the background check as a condition for consideration for employment:

(a) The applicant has passed an initial review; and

(b) The application is one of a pool of no more than five candidates for a position.

The District may require an employee to pay the cost of a periodic criminal background check required for continued employment.

An applicant, volunteer, or employer shall be extended an opportunity to review the information received as provided under and respond to any information received as a result of the criminal background check.

In making decisions regarding criminal history information, the District shall consider rules established by the State Board of Education and

(a) any convictions, including pleas in abeyance;

(b) any matters involving a felony; and

(c) any matters involving an alleged:

(i) sexual offense;

(ii) class A misdemeanor drug offense;

(iii) offense against the person under Title 76, Chapter 5, Offenses Against the Person;

(iv) class A misdemeanor property offense that is alleged to have occurred within the previous three years; and

(v) any other type of criminal offense, if more than one occurrence of the same type of offense is alleged to have occurred within the previous eight years

If the District disqualifies a person from employment because of information obtained through a criminal background check, the person or employee may request a review of the information received and the reasons for the disqualification and be extended an opportunity to respond to the reasons.

Information obtained pursuant to a criminal background check is confidential and may only be disclosed as provided herein.

By September 1, 2018, the District shall, for each non-licensed employee and volunteer who will be given significant unsupervised access to a student in connection with the volunteer's assignment, collect personal identifying information including: current name, former names, nicknames and aliases; date of birth; address; telephone number; driver license number or other government-issued identification number; Social Security number; and fingerprints and submit that personal identifying information to the Bureau of Criminal Identification within the Department of Public Safety.

Utah Admin. Rules R277-520-12 (June 7, 2012)
Utah Admin. Rules R277-516-4 (December 8, 2009)
Morgan School District DACA Duty to Report

Personal Reporting of Arrests and Convictions

Employee’s Duty to Personally Report Arrests and Convictions—

An employee who is arrested for the following alleged offenses shall report the arrest within 48 hours or as soon as possible to the District’s Superintendent or designee:

1. any matters involving arrests for alleged sex offenses;
2. any matters involving arrests for alleged drug-related offenses;
3. any matters involving arrests for alleged alcohol-related offenses;
4. any matters involving arrests for alleged offenses against the person found in Utah Code Ann. §§ 76-5-101 through 76-5-413; and

An employee shall report convictions, including pleas in abeyance and diversion agreements within 48 hours or as soon as possible upon receipt of notice of the conviction, plea in abeyance or diversion agreement.

After receiving arrest information about the employee, the Superintendent or designee shall review the arrest information and assess the employment status considering the employee’s assignment. An employee shall be immediately suspended from student supervision responsibilities for alleged sex offenses and other alleged offenses that may endanger students during the period of investigation. An employee shall be immediately suspended from any duties that require the employee to transport students or operate or maintain a District vehicle for alleged offenses involving drugs or alcohol during the period of investigation.

The employee shall report for work following the arrest of any matters listed in items (1) through (4) above only after notice has been provided to the District unless directed not to report for work by the District, consistent with District policy.

Failure to report any arrest or conviction pursuant to this policy may result in disciplinary action, up to, and including, termination.

Documents and records related to an employee’s arrest and/or conviction, plea in abeyance, or diversion agreements, as well as final administrative determinations and actions following investigation, shall be maintained for a minimum of two (2) years following termination of employment with the District and require protection of confidential employment information.

Utah Admin. Rules R277-516 (December 8, 2009)

District Reports to Utah State Office of Education—

The Superintendent or designee shall report the conviction, arrest or offense information received from licensed educators to the Utah State Office of Education (“USOE”) within forty-eight (48) hours of receipt of information from licensed educators.

“Licensed educator” means an individual who holds a valid Utah educator license and has satisfied all requirements to be a licensed educator in the Utah public school system (examples
are teachers, school administrators, and school district specialists). A licensed educator may or
may not be employed in a position that requires an educator license. Licensed educators
include individuals who are student teaching, who are in alternative routes to licensing
programs or positions and individuals who hold district-specific licenses.

_Utah Admin. Code R277-516 (December 8, 2009)_
Morgan School District  
DCA Administration Relations

District Governance—
The Board has the power to manage and govern the public schools of the District.

_Utah Code § 53A-3-402 (2014)_
_Elwell v. Board of Education of Park City, 626 P.2d 460 (Utah 1981)_

Consultation—
The Board and its administrative personnel may consult with teachers with respect to matters of educational policy and conditions of employment. The Board may adopt and make reasonable rules, regulations, and agreements to provide for such consultation, but these shall not limit or affect the power of the Board to manage and govern the schools of the District, nor shall such rules, regulations or agreements favor one educational association over another or give preferential treatment to an educational association.

_Utah Code § 53A-3-426(4) (2007)_

Exclusivity and Coercion—
If the Board chooses to engage in consultation, the process shall be structured so that there is no direct or indirect coercion of employees to join or refrain from joining a labor union, labor organization or other type or association, and such consultation shall be structured so that the Board does not favor one educational association over another or give preferential treatment to an educational association.

_Utah Code § 34-34-4 (1969)_
_Utah Code § 34-34-7 (1969)_
_Utah Code § 34-34-8 (1969)_
_Utah Code § 53A-3-426(4) (2007)_

Association Negotiations—
Public employees may negotiate in groups or through employee associations with the District. This is not to be construed as granting to district employees the right to strike, which action is specifically prohibited.

_Utah Code § 34-34-2 (1969)_
_Utah Code § 34-34-16 (1969)_

The term “labor organization” means any organization of any kind, or any agency or employee, representation committee, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with one or more employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.
Publication of Negotiated Agreement—
If the Board engages in negotiations with labor organizations and a negotiated or collective bargaining agreement is reached, the Board shall within ten (10) days of ratification post the agreement or memorandum on the District’s website.

*Utah Code § 53A-3-428 (2009)*

Distribution of Organization Materials—
The District shall not allow unstamped or stamped but not cancelled, employee organization mail to be delivered by interschool mail. Unless off-duty and acting as an agent of an employee organization, a District employee shall not distribute unstamped, or stamped but not cancelled, mail from employee organizations to other District employees.

Equal Access for Employee Associations—
The schools in the District shall allow all employee associations equal access to distribution of information in or access to employee physical or electronic mailboxes (including school-provided email accounts), and to membership solicitation activities at new teacher or new employee training meetings or functions. (This policy does not require the school to afford association access to these activities, but requires that if access is granted to one employee association, equal access must be provided to other employee associations.)

*Utah Code § 53A-3-426(2), (3) (2007)*

No Endorsement of or Preference for Any Employee Association—
The District does not endorse any one employee association, and District policies, structures, and procedures shall not be applied to favor one employee association over another or to otherwise give preferential treatment to one employee association. District calendars and publications shall not include or refer to the name of any employee association in relation to any day or break in the school calendar.

*Utah Code § 53A-3-426(4), (5) (2007)*
Morgan School District  
DDA Reporting of Child Abuse

Reporting of Child Abuse—
Whenever any employee of the District knows or reasonably believes that a child has been neglected, or physically or sexually abused, such employee shall immediately notify the nearest peace officer, law enforcement agency or office of the State Division of Child and Family Services (DCFS). Under such circumstances, the employee shall also notify the building principal. Such a report to the principal does not satisfy the employee’s personal duty to report to law enforcement or DCFS. It is not the responsibility of school employees to prove that the child has been abused or neglected, or determine whether the child is in need of protection. Investigations are the responsibility of the Division of Child and Family Services. Investigation by education personnel prior to submitting a report should not go beyond that necessary to support a reasonable belief that a reportable problem exists.

School officials shall cooperate appropriately with DCFS and law enforcement agency employees authorized to investigate charges of child abuse and neglect, assisting as asked as members of interdisciplinary child protection teams in providing protective, diagnostic, assessment, treatment, and coordination services, including:
1. allowing authorized representatives to interview children consistent with DCFS and local law enforcement protocols;
2. allowing appropriate access to student records;
3. making no contact with parents/legal guardians of children being questioned by DCFS or local law enforcement; and
4. cooperating with ongoing investigations and maintaining appropriate confidentiality.

The employee shall maintain the confidentiality of and not disclose any information learned in connection with an investigation except with those persons with whom the employee is required to cooperate, including the Division, law enforcement, the Utah State Board of Education, or supervisory District officials. Persons making reports or participating in an investigation of alleged child abuse or neglect in good faith are immune from any civil or criminal liability that otherwise might arise from such actions, as provided by law. The anonymity of those reporting or investigating child abuse or neglect will be preserved and information provided pursuant only to the manner provided for in Utah Code § 62A-4a-412.


Reporting of Child Abuse by a School Employee—
An employee who has reasonable cause to believe that a student may have been physically or sexually abused by a school employee shall immediately report that belief to both the school principal and the Superintendent. A District administrator, including the Superintendent, who has received such a report or who otherwise has reasonable cause to believe that a student may have been physically or sexually abused by an educator shall immediately report that information to the Utah State Board of Education.

DDAA Child Abuse Prevention Education and Reporting

Child Sexual Abuse Prevention Education
School Personnel Education Regarding Child Sexual Abuse—

Beginning in the 2016-17 school year, the District shall provide training to all school personnel responding to a disclosure of child sexual abuse in a supportive, appropriate manner and on the mandatory reporting requirements of Utah Code § 53A-6-502 (regarding abuse by school personnel) and Utah Code §62A-4a-403 (regarding reporting of child abuse).

“School personnel” to receive training include all school employees, whether licensed, part-time, contract, or non-licensed.

Training is also available to the parents or guardians of students in grades K-12 on:

a. recognizing warning signs of a child who is being sexually abused, and
b. effective, age-appropriate methods for discussing the topic of child sexual abuse


Training Materials—

The Morgan School District uses materials provided by Prevent Child Abuse Utah as approved by the State Board of Education.


The Morgan School District does not provide instruction on child sexual abuse prevention and awareness to elementary school students.

Reporting of Child Abuse

Reporting of Child Abuse—

Whenever any employee of the District knows or reasonably believes that a child has been neglected, or physically or sexually abused, such employee shall immediately notify the nearest peace officer, law enforcement agency or office of the State Division of Child and Family Services (DCFS). Under such circumstances, the employee shall also notify the building principal. Such a report to the principal does not satisfy the employee’s personal duty to report to law enforcement or DCFS. It is not the responsibility of school employees to prove that the child has been abused or neglected, or determine whether the child is in need of protection.
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4. cooperating with ongoing investigations and maintaining appropriate confidentiality.

The employee shall maintain the confidentiality of and not disclose any information learned in connection with an investigation except with those persons with whom the employee is required to cooperate, including the Division, law enforcement, the State Board of Education, or supervisory District officials. Persons making reports or participating in an investigation of alleged child abuse or neglect in good faith are immune from any civil or criminal liability that otherwise might arise from such actions, as provided by law.

The anonymity of those reporting or investigating child abuse or neglect will be preserved and information provided pursuant only to the manner provided for in Utah Code § 62A-4a-412.

Utah Admin. Rules R277-401 (October 9, 2012)
Utah Code § 62A-4a-403 (2008)
Utah Code § 62A-4a-412 (2017)

Reporting of Child Abuse by a School Employee—

An employee who has reasonable cause to believe that a student may have been physically or sexually abused by a school employee shall immediately report that belief to both the school principal and the Superintendent. A District administrator, including the Superintendent, who has received such a report or who otherwise has reasonable cause to believe that a student may have been physically or sexually abused by an educator shall immediately report that information to the State Board of Education and to the Utah Professional Practices Advisory Commission.

Purpose

The Morgan School District recognizes the quality of education can be improved and enhanced by systematic, fair, and competent evaluation of educators and remediation of those whose performance is unsatisfactory. The Board delegates to the district administration responsibility for assuring that the evaluation process is reasonable and fair and based upon an evaluation instrument which is valid and reliable.

All Educators

Using this instrument, educators must receive a summative rating of effective or highly effective to advance annually on the salary schedule and to receive any salary or pay increases.

Provisional educators may advance with an emerging effective rating.

Licensed Building Level Administrators will receive a rating in professional performance from their assigned supervisor based on the Utah Effective Leadership Standards as measured by the Educational Leadership Observation Tool.

Non-teaching licensed educators will be evaluated by an administrator who knows and understands their work. Their ratings will align, when possible, with and include measuring all 10 of the Utah Effective Teaching Standards with supporting evidence.

The Edivate Observation Tool is used as part of the Public Educator Evaluation Requirements (PEER) model educator evaluation program. The tool is aligned with the standards and indicators of the Utah Effective Teaching Standards and Continuum of Practice and focuses on the measurement of high-leverage instructional activities necessary for effectively teaching.
Definitions

**Career Educator** means an *effective*, or *highly effective* educator who is licensed by the State of Utah, and employed by the district and been employed at least 3 years in the district and has a reasonable expectation of continued employment under the policies of the Board.

**Provisional Educator** means an *emerging effective* or *effective educator*, who is licensed by the State of Utah or is on a district approved *Utah State Pathway to Licensure*, and employed by the district for up to five years who has not achieved status as a career educator within the district.

**Probationary Educator** means an educator employed by the Morgan School District who, under board policy, has been advised in writing that the educator’s performance is not *effective* and/or is experiencing disciplinary actions for violation of district policy.

**Utah Teaching Standards** define effective teaching and learning standards.

**Effectiveness Rating** is an annual designation given to educators (highly effective; effective; emerging or minimally effective; or not effective) based on multiple lines of evidence including self-evaluation, student and parent input, peer observation, supervisor observations, professional growth, student achievement, and other indicators of instructional improvement.

**Informal Observation/Formative Assessment** means periodic evaluations that provide educators with feedback on their performance.

**Formal Observations/Summative Assessments** are evaluations that are used to make annual decisions or ratings of educator performance and inform decisions on salary, confirmed employment, personnel assignments, transfers, or dismissals.

**Unsatisfactory Performance** means a deficiency in performing work tasks, which may be due to insufficient or undeveloped skills, lack of knowledge or aptitude, poor attitude or insufficient effort. Unsatisfactory performance can be remediated through training, study, mentoring, practice or greater effort.
**Plan of Assistance** is a written document identifying a career educator's specific area(s) of unsatisfactory performance and detailing recommendations and strategies for improvement that includes:
   a. specific, measurable, and actionable deficiencies;
   b. the available resources that will be provided for improvement, including a mentor; and,
   c. a recommended course of action that will improve the career educator's performance.

**Student Growth Percentile** (SGP) uses state, national, and standardized tests to quantify the academic progress of individual students or groups of students (median SGP). The SGP serves as a way for educators to understand how much growth a student makes relative to a student’s “academic peers.”

**Student Learning Objective** (SLO) is a content area grade or course-specific measureable learning objective, created by an educator, to document student learning over a defined period of time. In essence, learning goals are established for students, their progress is monitored toward these goals, and then the degree to which educators help students achieve these goals is evaluated. The three parts of the SLO are: Learning Goals, Assessments, and Targets.

**Professional Growth Plan** is a goal(s) based upon the teacher’s self-assessment developed to improve teacher effectiveness.

**Educator Evaluation Program Committee**

To support, monitor, and maintain an educator evaluation program, the Board shall establish a committee comprised of an equal number of educator representatives, parents, and administrators that will review the policy annually.

The committee will consist of:
   a. A principal or vice principal from each school in the district.
   b. One educator from each district school (to be selected by that school’s educators) to serve on the committee.
c. Two parent representatives from each district school community council.

The committee will annually:

a. Review policy status and implementation efforts at each facility;

b. Assess both evaluation program effectiveness and improvement of education;

c. Recommend program changes to improve effectiveness.

The Board has adopted the evaluation standards developed by the Utah State Office of Education which complies with the requirements of the Public Education Human Resource Management Act and rules adopted by the Utah State Legislature in R277-533.

**Evaluation Orientation**

The district shall explain the evaluation process, provide comprehensive training, and provide implementation guidance to administrators with follow-up training as needed.

The principal of each school shall familiarize all educators assigned to the school concerning the district’s educator evaluation program, including the purpose of the evaluations, the standards being evaluated, and the method used to evaluate. Evaluations may not occur prior to the orientation.

**Educator Evaluation Program Components**

Morgan School District’s Educator Evaluation Process shall include the following components:

2. Completion of a professional growth plan.
3. A summative rating of provisional/probationary educators each year.
4. A summative rating of career educators each year.
5. The use of multiple lines of evidence which includes:
   i. student and parent input
   ii. supervisor observations
   iii. evidence of professional growth (required)
iv. student growth measured by SGP or SLO (educator choice)
v. other indicators of instructional improvement (educator choice in consultation with evaluator).

5. A reasonable number of formal and informal observation periods for an evaluation to insure adequate reliability which is defined as:

**Formal Observation**
An observation conducted by a certified evaluator lasting at least 30 minutes.

**Informal Observation**
An observation conducted by a certified evaluator lasting from 5-10 minutes.

**Frequency for Career Educators**
A minimum of 2 formal observations conducted every third year by a certified evaluator for career educators, and 2 informal observations each year.

**Frequency for Provisional/Probationary Educators**
A minimum of 2 formal observations conducted by a certified evaluator and 4 informal observations each year.

At the option of the educator or principal, the observation process may be repeated more often. Written evidence of all observations will be recorded and shared with the educator through the Edivate Observation Tool.

6. Administration of an educator’s evaluation by a certified evaluator:

a. the principal
b. the principal’s designee
7. An orientation for educators on the educator evaluation program

8. Notification of at least fifteen (15) calendar days before an educator’s first observation.

9. An annual educator effectiveness rating that differentiates among the four levels of performance; namely:
   
   3 Highly Effective  
   2 Effective  
   1 Emerging or Minimally Effective  
   0 Not Effective

10. As observation data is triangulated with student growth and stakeholder input data, an educator effectiveness rating will be determined based upon the following formula:
    
    Observation 70%  SGP and/or SLO 20%  Stakeholder Input 10%

11. All educators meet annually by May 15th with the principal to review the effectiveness rating results.

12. Evidence must be provided by the educator by May 1st. Evidence should be specific to the standard and the performance expectation.

13. The educator may make a written response to any part of the summative evaluation and attach a response to the evaluation. Following any revisions of the written evaluation made after the discussion the principal will:

   a. Sign the evaluation summary and have the educator sign the evaluation summary.
   b. give a copy of the written/signed evaluation summary to the educator.
   c. file a copy of the summary evaluation in the educator’s personnel file (located at the district office). All evidence supporting the summative rating should be retained by the educator. An electronic file substantiating the evidence should be retained by the building administrator.
Appeals Process

A career educator who is not satisfied with a summative evaluation may make written request for a review of the evaluation within fifteen (15) calendar days after receiving the written evaluation. The request is made to the district superintendent. If a review is requested by a career educator, the superintendent or the superintendent’s designee shall appoint a person, not an employee of the district, who is certified using the USOE Teacher Effectiveness, to review the evaluation procedures and make recommendations to the superintendent regarding the educator’s summative evaluation. After this consultation, the superintendent will:

   a. Uphold original rating
   b. Change the rating
   c. Invalidate the rating

A career educator who is not satisfied with the Superintendents decision may make a written request for a review of the evaluation by the Morgan Board of Education within fifteen (15) calendar days after receiving the determination from the Superintendent. The Board will hold a hearing with the career educator (including representation), administrator, and superintendent and after all evidence has been presented will:

   a. Uphold the superintendent’s decision
   b. Invalidate the superintendent’s decision
Addressing Deficiencies and Providing a Plan of Assistance

The person responsible for administering an educator’s evaluation will collaborate with the educator whose performance is unsatisfactory or in need of improvement and create a written document clearly identifying a plan of assistance that includes:

a. specific, measurable, and actionable deficiencies
b. the available resources that will be offered for improvement, including a mentor
c. a recommended course of action that will improve the educator’s performance

The educator is responsible for improving his or her performance and demonstrating acceptable levels of improvement in the designated areas of deficiencies. Failure to make improvement may result in probation or termination.

Mentor for Provisional Educator

The principal of a provisional educator shall assign a mentor. The mentor shall be a career educator who performs substantially the same duties as the provisional educator and has at least three years of educational experience and is rated as effective or highly effective on the summative evaluation. The mentor shall assist the provisional educator in becoming effective and competent in the teaching profession and school district, but may not serve as an evaluator of the provisional educator.
### Career Educator Plan Checklist Formative Year

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<tr>
<th>Yearly</th>
<th>To be completed by</th>
<th>Date completed</th>
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<tbody>
<tr>
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<tr>
<td>Performance Goals</td>
<td>September 15</td>
<td></td>
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<tr>
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<td>October 1</td>
<td></td>
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<tr>
<td>2 Informal Observations</td>
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<td></td>
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<tr>
<td>Provide Evidence to Evaluator</td>
<td>May 1</td>
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<tr>
<td>Post Observation Rating Conference</td>
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### Career Educator Plan Checklist for Summative Year (every third year)

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### Provisional/Probationary Educator Plan Checklist

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<td>1 by April 1</td>
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<tr>
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<td>2 by Dec. 15</td>
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<td>2 by April 1</td>
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<td>Mid-Year Conference</td>
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<tr>
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**Suggested Timeline for Administrators**

By September 15\textsuperscript{th}

- Overview of the Utah Effective Teaching Standards and the evaluation process including Student Learning Objectives with all educators.
- Assign a mentor to provisional/probationary teachers.
- Require all educators to complete the self-evaluation online and professional growth plan for the school year.

By Oct. 1\textsuperscript{st}

- Meet with provisional/probationary and career educators.
- Review all educator self-assessments and provide feedback on professional growth plan.

October-March

- Complete formal classroom observations and informal observations of provisional/probationary, and career educators.

By May 1\textsuperscript{st}

- Collect supporting evidence from educators.

By May 15\textsuperscript{th}

- Meet with all educators to review supporting evidence and to establish educator effectiveness rating and end of year sign-off and provide copy to educator.

May 30

- Send signed summary educator rating to the district office.
Utah Effective Teaching Standards

These standards articulate effective teaching and learning and are the foundation for teacher performance and evaluation.

Standard 1: Learner Development

The teacher understands cognitive, linguistic, social, emotional, and physical areas of student development. The teacher:

a. Creates developmentally appropriate and challenging learning experiences based on individual student’s strengths, interests, and needs.

b. Collaborates with families, colleagues, and other professionals to promote student growth and development.

Examples of evidence for Standard 1

✓ Specific documentation of communication with parents regarding cognitive, linguistic, social, emotional and physical development of learners
✓ Lesson or unit plans showing considerations for individual learner growth and development
✓ Participation in professional learning community focused on individual learner growth and development
✓ Screening, diagnostic, formative and summative data used to differentiate instruction and monitor progress.

Standard 2: Learning Differences

The teacher understands individual learner differences and cultural and linguistic diversity. The teacher:

a. Understands individual learner differences and holds high expectations of students.

b. Designs, adapts, and delivers instruction to address each student’s diverse learning strengths and needs.
c. Allows students different ways to demonstrate learning sensitive to multiple experiences and diversity.

d. Creates a learning culture that encourages individual learners to persevere and advance.

e. Incorporates tools of language development into planning and instruction for English language learners and supports development of English proficiency.

Examples of evidence for Standard 2:

✓ Attendance and implementation of professional development related to diverse student needs and/or language acquisition.
✓ Collection, analysis and use of individual learner growth and development to positively adapt and deliver instruction.
✓ Specific documentation of including parents/community members to strengthen diversity appreciation.
✓ Materials developed or adapted that reflect a broad range of cultures, interests, and perspectives

Standard 3: Learning Environments

The teacher works with learners to create environments that support individual and collaborative learning, positive social interactions, active engagement in learning, and self-motivation. The teacher:

a. Develops learning experiences that engage and support students as self-directed learners who internalize classroom routines, expectations, and procedures.

b. Collaborates with students to establish a positive learning climate of openness, respectful interactions, support, and inquiry.

c. Uses a variety of classroom management strategies to effectively maintain a positive learning environment.

d. Equitably engages students in learning by organizing, allocating, and managing the resources of time, space, and attention.
e. Extends the learning environment using technology, media, and local and global resources.

f. Encourages students to use speaking, listening, reading, writing, analysis, synthesis, and decision-making skills in various real-world contexts.

Examples of evidence for Standard 3:

✓ Collection, analysis and use of data to make modifications in classroom instruction.
✓ Implementation of student learning teams to purposefully ensure support of individual learner needs and engagement.
✓ Student work or journals showing self-reflection of his or her personal learning and growth

Standard 4: Content Knowledge

The teacher understands the central concepts, tools of inquiry, and structures of the discipline. The teacher:

a. Knows the content of the discipline and conveys accurate information and concepts.

b. Demonstrates an awareness of the Utah Core Standards and references them in the short- and long-term planning.


d. Uses multiple representations of concepts that capture key ideas.

e. Supports students in learning and using academic language accurately and meaningfully.

Examples of evidence for Standard 4:

✓ Attendance and implementation of professional development related to grade level or specific content.
✓ Specific documentation of learner misunderstandings and the method used to mitigate misconceptions.
✓ Materials used to promote critical thinking and problem solving that extend the learners’ knowledge of content.
✓ Resources, tools, and training developed for colleagues that broaden knowledge of academic language

**Standard 5: Assessment**

The teacher uses multiple methods of assessment to engage learners in their own growth, monitor learner progress, guide planning and instruction, and determine whether the outcomes described in content standards have been met. The teacher:

a. Designs or selects pre-assessments, formative and summative assessments in a variety of formats that match learning objectives and engage the learner in demonstrating knowledge and skills.

b. Engages students in understanding and identifying the elements of quality work and provides them with timely and descriptive feedback to guide their progress in producing that work.

c. Adjusts assessment methods and makes appropriate accommodations for English language learners, students with disabilities, advanced students, and students who are not meeting learning goals.

d. Uses data to assess the effectiveness of instruction and to make adjustments in planning and instruction.

e. Documents student progress and provides descriptive feedback to students, parents, and other stakeholders in a variety of ways.

f. Understands and practices appropriate and ethical assessment principles and procedures.

**Examples of evidence for Standard 5:**

✓ Of a variety of timely and descriptive feedback provided to learners.
✓ Specific documentation of implementation of individual learners’ IEPs, 504 Plans, or other necessary accommodations.
✓ Lesson or unit plans showing considerations of individual learner growth and development.
✓ Resources and materials demonstrating multiple assessment opportunities for learners to show and self-reflect upon growth.

**Standard 6: Instructional Planning**

The teacher plans instruction to support students in meeting rigorous learning goals by drawing upon knowledge of content areas, Utah Core Standards, instructional best practices, and the community context. The teacher:

a. Plans instruction based on the Utah Core Standards.

b. Individually and collaboratively selects and creates learning experiences that are appropriate for reaching content standards relevant to learners and based on principles of effective instruction.

c. Differentiates instruction for individuals and groups of students by choosing appropriate strategies, accommodations, resources, materials, sequencing, technical tools, and demonstrations of learning.

d. Creates opportunities for students to generate and evaluate new ideas, seek inventive solutions to problems, and create original work.

e. Integrates cross-disciplinary skills into instruction to purposefully engage learners in applying content knowledge.

**Examples of evidence for Standard 6:**

✓ Assessment of individual learner needs, analysis of learner progress data results, and application of student learning outcomes in planning.
✓ Attendance and implementation of professional development related to diverse student needs and/or language acquisition.
✓ Specific documentation of cross-curricular collaboration with other departments, grade levels, or colleagues.
✓ Lesson or unit plans or curriculum map showing long- and short-term learning experiences that align with the Utah Core.

**Standard 7: Instructional Strategies**

The teacher uses various instructional strategies to ensure that all learners develop a deep understanding of content areas and their connections and build skills to apply and extend knowledge in meaningful ways. The teacher:

a. Understands and practices a range of developmentally, culturally, and linguistically appropriate instructional strategies.

b. Uses appropriate strategies and resources to adapt instruction and vary his or her role to meet the needs of individuals and groups of learners.

c. Analyzes student errors and misconceptions in order to redirect, focus, and deepen learning.

d. Uses a variety of instructional strategies to support and expand each learner’s communication skills.

e. Provides multiple opportunities for students to develop higher-order and meta-cognitive skills.

f. Provides opportunities for students to understand, question, and analyze information from multiple and diverse sources and perspectives to answer questions and solve real-world problems.

g. Supports content and skill development by using multiple media and technology resources and knows how to evaluate these resources for quality, accuracy, and effectiveness.

h. Uses a variety of questioning strategies to promote engagement and learning.
Examples of evidence for Standard 7:

✓ Specific documentation of implementation of instructional strategies for a range of learners’ developmental, cultural, and linguistic needs.
✓ Examples of learner work showing opportunities to solve complex, open-ended problems and development of innovative solutions.
✓ Learner reflection journals showing self-reflection of individual learning and subsequently setting learning goals.

Standard 8: Reflection and Continuous Growth

The teacher is a reflective practitioner who uses evidence to continually evaluate and adapt practice to meet the needs of each learner. The teacher:

a. Independently and in collaboration with colleagues, uses a variety of data to evaluate the outcomes of teaching and learning and to reflect on and adapt planning and practice.

b. Actively seeks professional, community, and technological learning experiences, within and outside the school, as supports for reflection and problem solving.

c. Recognizes and reflects on personal and professional biases and accesses resources to deepen understanding of differences to build stronger relationships and create more relevant learning experiences.

d. Actively investigates and considers new ideas that improve teaching and learning and draws on current education policy and research as sources of reflection.

e. Develops a professional learning plan based on individual needs and the needs of learners, schools, and educational communities.

Examples of evidence for Standard 8:

✓ Attendance and implementation of professional development related to student or other personal growth needs.
✓ Lesson or unit plans that explicitly describe instructional strategies selected for student needs.
✓ Self-reflection journals, mentoring logs, or evidence of collaborating with colleagues to apply and evaluate new knowledge.
✓ Videos, photos, Podcasts, and other media that reflect learner engagement resulting from new instructional strategies.

**Standard 9: Leadership and Collaboration**

The teacher is a leader who engages collaboratively with learners, families, colleagues, and community members to build a shared vision and supportive professional culture focused on student growth and success. The teacher:

a. Prepares for and participates actively as a team member in decision making processes and building a shared culture that affects the school and larger educational community.

b. Participates actively as part of the learning community, sharing responsibility for decision making and accountability for each student’s learning and giving and receiving feedback.

c. Advocates for the learners, the school, the community, and the profession.

d. Works with other school professionals to plan and jointly facilitate learning to meet diverse needs of learners.

e. Engages in professional learning to enhance knowledge and skill, to contribute to the knowledge and skill of others, and to work collaboratively to advance professional practice.

**Examples of evidence for Standard 9:**

✓ Documentation of discussion, results, and implementation of collaboration with colleagues.
✓ Specific documentation of educational advocacy activities in professional and community groups.
✓ Contributions to the school improvement plan through activities, such as participation on committees or community council.
Specific documentation of leadership in local and state professional and educational organization.

**Standard 10: Professional and Ethical Behavior**

The teacher demonstrates the highest standard of legal, moral, and ethical conduct as specified in Utah State Board Rule R277–515. The teacher:

a. Is responsible for compliance with federal and state laws, State Board of Education administrative rules, state assessment policies, local board policies, and supervisory directives.

b. Avoids actions which may adversely affect ability to perform assigned duties and carry out the responsibilities of the profession, including role model responsibilities.

c. Takes responsibility to understand professional requirements, to maintain a current Utah Educator License, and to complete license upgrades, renewals, and additional requirements in a timely way.

d. Maintains accurate instructional and non-instructional records.

e. Maintains integrity and confidentiality in matters concerning student records and collegial consultation.

f. Develops appropriate student-teacher relationships as defined in rule, law, and policy.

g. Maintains professional demeanor and appearance as defined by the local education agency (LEA).
Student Growth Percentiles (SGP)

The Student Growth Percentile (SGP) quantifies the academic progress of individual students or groups of students (median SGP). The SGP serves as a way for educators to understand how much growth a student makes relative to a student’s “academic peers.”

SGPs help answer the following questions:

- Did my students make sufficient growth toward meeting state standards? Did my students make as much progress as students in other classrooms within my school or across schools?
- Did my students learn as much in mathematics as they did in reading?
- Are there students with unusually low growth who need special attention?
- Do these growth results generally appear consistent with or differ from what I already know about how my students have progressed during the school year?

Instructions for Writing SLOs

Utah has created over 150 example SLOs. These example SLOs are housed on the Utah State Office of Education website by content area.


Student Learning Objectives (SLOs) are a method to document the influence that educators have on student learning over a specific amount of time. SLOs are content- and grade/course-specific learning goals that can be accurately measured to document student learning over a defined and significant period of time (e.g., semester or year). SLOs also constitute an instructional improvement process, driven by teachers in all grades and subjects.
Student Learning Objectives provide the opportunity for all teachers to be able to:

- set meaningful goals
- collaborate with other educators around shared goals
- monitor student and teacher progress toward goals
- evaluate the extent to which goals were achieved
Utah Model SLO Template

<table>
<thead>
<tr>
<th>Course/Grade Level Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>Course Name</td>
</tr>
<tr>
<td>Brief Course Description and Number of Students</td>
</tr>
<tr>
<td>Grade Level(s)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Process, Implementation Timeline, and Sign-Offs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Names and current job positions of those developing this SLO</td>
</tr>
<tr>
<td>Administrator/Supervisor Name and Title</td>
</tr>
<tr>
<td>Administrator/Supervisor sign-off of initial SLO</td>
</tr>
<tr>
<td>Date final SLO is due to determine educator effectiveness rating</td>
</tr>
</tbody>
</table>

Section 1: Establish a Learning Goal:

A Learning Goal describes what students will be able to do at the end of the course or grade based on course or grade-level Utah Core content standards and curriculum.

Section 2: Document Assessment(s) and Scoring:

Assessment(s) and Scoring: Assessments are standards-based, of high quality, and designed to best measure the knowledge and skills found in the SLO Learning Goal. Assessments should be accompanied by clear criteria or scoring rubrics to describe the level at which students have learned.

Identify what proficiency looks like to meet the Learning Goal.

Describe the Assessment(s) (such as performance tasks and their corresponding scoring rubric(s) that measure the level of students’ understanding of the Learning Goal).

Describe how often you will collect data to monitor student progress toward the Learning Goal. Note any formative assessments that you will use.

Explain how you will use this information to differentiate instruction for all students toward the Learning Goal (e.g., gifted and talented, ELL, special education).

Section 3: Establish Targets:

Targets: Identify the expected student learning outcomes by the end of the instructional period for the whole class as well as for different subgroups, as appropriate. Targets are used to effectively project levels of proficiency toward the Learning Goal.

---

1 Assessments and scoring rubrics need to be rated as high quality using the Utah Assessment Review Tool.
**Targets**: Identify the expected student learning outcomes by the end of the instructional period for the whole class as well as for different subgroups, as appropriate. **Targets** are used to effectively project levels of proficiency toward the Learning Goal.

Identify the **baseline data** and **past performance** (e.g., courses, grades, test scores, etc.) of students to **categorize student levels** as their **starting points** prior to instruction and learning.

**STARTING Points**

Using students’ starting points, identify the **number or percentage of students expected** at each **Target** level based on available data about their performance(s). Include any appropriate subgroups.

**EXPECTED Growth**

Describe the **high, average, and low** expected levels of growth and **proficiency** required for students placed within the expected targeted groups.

**PROFICIENCY Levels**

---

**Mid-Instructional Period Target adaptations:**

**Adapted SLO Targets**: At a conference with administrator/supervisor discuss any changes that might be needed.

**REVISED Targets**

If **SLO Targets** are adjusted at mid-instructional period, list **revised outcomes** for end of instructional period Learning Goal.

---

**Final Target Outcomes:**

**Actual Outcomes for Targets**: Record the actual outcomes at the end of the instructional period as assessed using the identified assessment(s) and scoring rubrics for the whole class as well as for different subgroups, as appropriate.

**ACTUAL Outcomes**

Record the **actual number or percentage** of students who achieved the **Targets** set in the section above at the beginning of the instructional period. Include any appropriate subgroups as noted above.

Provide any comments you wish to include about **actual Target outcomes and proficiency/growth levels** for student learning.

---

**Final Section: Establish Educator Ratings**: Use the table below to document the educator rating based on the established Learning Goal, Assessment(s), and Targets.

**Educator Ratings**: Educator rating results are based on the final SLO Target results.

<table>
<thead>
<tr>
<th><strong>☐ Does Not Meet</strong></th>
<th><strong>☐ Partially Meets</strong></th>
<th><strong>☐ Meets</strong></th>
<th><strong>☐ Exceeds</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Based on the students’ starting points, students performed worse than expected.</td>
<td>Based on the students’ starting points, students partially performed as expected.</td>
<td>Based on the students’ starting points, students performed as expected.</td>
<td>Based on the students’ starting points, students performed better than expected.</td>
</tr>
</tbody>
</table>

Administrator/Supervisor comments.

**Date**

Administrator/Supervisor Signature

**Date**

Educator Signature (the signature does not necessarily indicate agreement with the rating)
Morgan School District
Student Survey of Teacher Effectiveness Grades 4-12

Dear Student,

Teachers in the Morgan School District base their instruction on the Utah Teaching Standards. The purpose of this survey is to give your teacher feedback about the use of those standards in the classroom. As you read each statement, mark the box that best matches your opinion. Thank you!

Teacher Name ________________________________ Date __________________

Standard 1  The teacher creates fun and challenging learning experiences.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 2  The teacher allows me to show what I have learned in different ways.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 3  The teacher supports me, respects me, and answers my questions.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 4  The teacher knows a lot about the subject.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 5  The teacher tells me how I am doing.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________
Standard 6  The teacher expects me to do my best.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 7A  The teacher knows my strengths and needs.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 7B  The teacher shows me how to solve hard problems.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 7C  The teacher helps me communicate effectively.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 7D  The teacher uses technology.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 7E  The teacher helps me find and use information and offer my opinion about it.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments
_________________________________________________________________________
_________________________________________________________________________

Standard 8  The teacher changes things when needed so that I can be more successful.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure
**Standard 9**  The teacher talks to my parents about my performance.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments

_________________________________________________________________________

______________________________________________________________________________


**Standard 10**  The teacher follows state laws, school rules, and sets a good example.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure

Comments

_________________________________________________________________________

______________________________________________________________________________
Morgan School District
Student Survey of Teacher Effectiveness Grades K-2

Teacher Name _________________________________  Date ___________

Standard 1  My teacher gives us fun activities.

- Yes
- Sometimes
- No
- Not Sure

Standard 2  My teacher allows me to show what I know in different ways.

- Yes
- Sometimes
- No
- Not Sure

Standard 3  My teacher is nice to me.

- Yes
- Sometimes
- No
- Not Sure

Standard 4  My teacher knows a lot.

- Yes
- Sometimes
- No
- Not Sure

Standard 5  My teacher tells me how I am doing.

- Yes
- Sometimes
- No
- Not Sure

Standard 6  My teacher wants me to do my best.

- Yes
- Sometimes
- No
- Not Sure
**Standard 7A**  My teacher knows what I can do.

- Yes
- Sometimes
- No
- Not Sure

**Standard 7B**  My teacher helps me do hard things.

- Yes
- Sometimes
- No
- Not Sure

**Standard 7C**  My teacher helps me read, write, listen, and speak.

- Yes
- Sometimes
- No
- Not Sure

**Standard 7D**  My teacher uses technology.

- Yes
- Sometimes
- No
- Not Sure

**Standard 7E**  My teacher lets me share my ideas.

- Yes
- Sometimes
- No
- Not Sure

**Standard 8**  My teacher changes things for me so I can do better.

- Yes
- Sometimes
- No
- Not Sure

**Standard 9**  My teacher talks to my parents.

- Yes
- Sometimes
- No
- Not Sure

**Standard 10**  My teacher follows the rules.

- Yes
- Sometimes
- No
- Not Sure
Morgan School District
Parent Survey of Teacher Effectiveness

Dear Parents,
As a professional trying to meet the needs of all my students, I am always looking for ways to improve. You can help by giving me feedback about my effectiveness in relationship to the Utah Teaching Standards. Please take a few minutes to fill out the following survey. You will remain anonymous unless you wish to include your name. As always, if you wish to talk to me personally, please give me a call.
Thank you for your time!

Teacher ___________________________  Date ______________

Place a check in the box of the response that best matches your opinion and add comments to provide helpful information for any “no” or “not sure” responses.

Standard 1  The teacher creates challenging learning experiences.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure
Comments  _________________________________________________________________________
__________________________________________________________________________________

Standard 2  The teacher allows my child to demonstrate learning in different ways.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure
Comments  _________________________________________________________________________
__________________________________________________________________________________

Standard 3  The teacher has a positive climate of openness, respect, support, and inquiry.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure
Comments  _________________________________________________________________________
__________________________________________________________________________________

Standard 4  The teacher demonstrates knowledge of the subjects.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure
Comments  _________________________________________________________________________
__________________________________________________________________________________

Standard 5  The teacher gives me feedback on my child’s performance.

☐ Yes  ☐ Sometimes  ☐ No  ☐ Not Sure
Comments  _________________________________________________________________________
__________________________________________________________________________________

Standard 6  The teacher has appropriate expectations.
<table>
<thead>
<tr>
<th>Standard</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>7A</td>
<td>The teacher knows my child’s strengths and needs.</td>
</tr>
<tr>
<td>7B</td>
<td>The teacher helps my child develop higher-order thinking skills.</td>
</tr>
<tr>
<td>7C</td>
<td>The teacher helps my child communicate effectively.</td>
</tr>
<tr>
<td>7D</td>
<td>The teacher uses technology.</td>
</tr>
<tr>
<td>7E</td>
<td>The teacher helps my child find, use, and analyze information and offer opinions.</td>
</tr>
<tr>
<td>8</td>
<td>The teacher continually evaluates and adapts practices to meet my child’s needs.</td>
</tr>
<tr>
<td>9</td>
<td>The teacher seeks my input, creates a shared culture, and advocates for my child.</td>
</tr>
<tr>
<td>10</td>
<td>The teacher demonstrates the highest standard of legal, moral, and ethical conduct.</td>
</tr>
</tbody>
</table>
Evidence required to support a highly effective (3) rating.

<table>
<thead>
<tr>
<th>25 Observable Teaching Standards</th>
<th>N/O</th>
<th>0</th>
<th>1</th>
<th>2</th>
<th>3</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.c. Uses a variety of classroom management strategies to maintain a positive learning environment.</td>
<td></td>
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<tr>
<td>3.d. Engages students in learning by organizing, managing time and space.</td>
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<tr>
<td>1.a. Uses developmentally appropriate and challenging learning activities.</td>
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<tr>
<td>3.b. Establishes a positive learning climate of openness, respectful interactions, support, inquiry.</td>
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<tr>
<td>7.a. Uses a variety of instructional strategies.</td>
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<tr>
<td>4.a. Knows the content of the discipline and conveys accurate information and concepts.</td>
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<tr>
<td>4.d. Uses multiple representations and explanations to convey concepts.</td>
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<tr>
<td>3.a. Engages and supports self-directed learners (daily schedules, expectations, routines, procedures).</td>
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<tr>
<td>2.b. Delivers instruction to address each student’s diverse strengths and needs.</td>
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<tr>
<td>2.e. Uses strategies, visuals, and modeling to augment auditory directions.</td>
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<tr>
<td>2.d. Creates a learning culture that encourages individual learners to persevere and advance.</td>
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<tr>
<td>3.f. Encourages students to speak, listen, read, write, analyze, synthesis, and make decisions.</td>
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<tr>
<td>2.c. Allows students different ways to demonstrate learning.</td>
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<tr>
<td>7.f. Provides opportunities for students to understand, analyze, question solve real-world problems.</td>
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<tr>
<td>5.b. Encourages students to do quality work.</td>
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<tr>
<td>7.b. Checks for understanding – variety of questioning strategies.</td>
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<tr>
<td>7.c. Adjusts instruction responds to errors and misconceptions.</td>
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<tr>
<td>7.d. Expands learner’s communication skills.</td>
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<tr>
<td>7.e. Provides opportunities for higher-order, cognitive skills.</td>
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<tr>
<td>4.e. Uses academic language and vocabulary to enhance learning.</td>
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<tr>
<td>3.e. (7.g.) Extends the learning environment using technology, media, and local and global resources.</td>
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<tr>
<td>6.b. Creates learning experiences that are based on principals of effective instruction and student needs.</td>
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<tr>
<td>6.c. Differentiates instructions</td>
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<tr>
<td>6.d. Creates opportunities for student generated work and innovative solutions to problems.</td>
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</tbody>
</table>
### 21 Non-Classroom Observable Indicators

Evidence required to support highly effective(3) rating.

#### 23 Non-Observable Standards

<p>| | | | | | |</p>
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td>8.e.</td>
<td>Develops a professional learning plan.</td>
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</tr>
<tr>
<td>1.b.</td>
<td>Collaborates with families, colleagues, and other professionals to promotes student growth.</td>
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<tr>
<td>2.b.</td>
<td>Understands individual learner differences and holds high expectations.</td>
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<tr>
<td>2.e.</td>
<td>incorporates tools of language development into planning and instruction (ELL).</td>
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<tr>
<td>4.b., 6.a.</td>
<td>Demonstrates an awareness of the Utah Core Standards and references them in planning.</td>
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<tr>
<td>5.a.</td>
<td>Designs and uses pre-assessments, formative and summative assessments.</td>
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<tr>
<td>5.c.</td>
<td>Adjusts assessment methods and makes appropriate accommodations for ELL and IEP.</td>
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<tr>
<td>5.d.</td>
<td>Uses data to access the effectiveness of instruction, adjusts, modifies.</td>
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<tr>
<td>5.d.</td>
<td>Documents student progress and provides descriptive feedback.</td>
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<tr>
<td>5.f.</td>
<td>Understands and practices appropriate and ethical assessment principles and procedures.</td>
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<tr>
<td>6.e.</td>
<td>Integrates cross-disciplinary skills into instruction.</td>
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<tr>
<td>8.a.</td>
<td>Independently and in collaboration with colleagues uses data to evaluate outcomes.</td>
<td></td>
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</tr>
<tr>
<td>8.b.</td>
<td>Seeks professional, community and technological experiences to support reflection and problem solving.</td>
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<tr>
<td>8.c.</td>
<td>Recognizes and reflects on personal and professional biases. Builds stronger relationships.</td>
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<td></td>
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<tr>
<td>8.d.</td>
<td>Actively investigates, considers, and incorporates new teaching ideas.</td>
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<td></td>
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<td>9.a.</td>
<td>Participates as a team member in decision-making and building a shared culture.</td>
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<td>9.b.</td>
<td>Participates actively in the professional learning community.</td>
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<td>9.c.</td>
<td>Advocates for the students, school, community, profession.</td>
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<td>9.e.</td>
<td>Works with others to facilitate the diverse needs of learners.</td>
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<tr>
<td>10.a.</td>
<td>Complies with state and federal laws, district policies and procedures, supervisory directives.</td>
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<td>10.b.</td>
<td>Complies with all requirements of State Board Rule R277-530.</td>
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___________________  _______  _______________________  ______
Observer’s Name/Signature   Date   Educator’s Name/Signature            Date
Morgan School District Policy  
DHC Employee Redress of Grievances

Purpose—
The purpose of this policy is to provide employees an orderly process for the prompt and equitable resolution of grievances. The Board intends that, whenever feasible, complaints be resolved at the lowest possible administrative level.

Redress of Grievances—
Employees shall have the right, in a peaceable manner that does not interfere with education in the District, to assemble together for their common goals and apply to those vested with the powers of government for redress of grievances or other purposes, by petition, address, or remonstrance.

Evaluations—
Teachers may present grievances regarding the evaluation process according to the District’s evaluation processes or as set out in the statute regarding evaluations. Those policies and laws shall govern grievances regarding evaluations rather than this policy.

Utah Code § 53A-8a-405 (2012)
Utah Code § 53A-8a-406 (2012)

Right to Representation—
An employee, or where appropriate a group of employees, may present a grievance through another person or organization recognized by the Board regarding any adverse employment action or administrative action decision negatively affecting the employee.

Freedom from Retaliation—
No retaliatory action shall be taken by the Board or any administrator against an employee or other participant in a grievance proceeding because of participation in the grievance procedure.

Presentation—
An employee’s legal right to present a grievance is satisfied at each level when someone in a position of authority hears the employee’s concern; however, that authority is under no legal compulsion to take action to rectify the matter.

Board’s Role—
The Board shall provide an opportunity for employees to present their grievances for Board consideration. At the option of the Board grievances may be reviewed solely at the administrative level by a school principal or the Board may exercise its discretion to hear a grievance at a regular meeting in executive session or in accordance with public meeting regulations.
Notice to Employees

Principals of each school shall be responsible for informing all employees under their supervision of the District’s employee grievances policy.

Definitions—

1. Complaint
   a. A complaint must specify the individual harm suffered.

2. A grievance under this policy shall include:
   a. Grievances concerning an employee’s wages, hours, or conditions of work or other adverse employment action decisions affecting an employee.
   b. Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, disability, sexual orientation, or gender identity or on the basis of the employee’s exercise of constitutional rights.
   c. Alleged violations of State Board rules or of policies adopted by the Board.
   d. Alleged violations of a constitutional, statutory, or common law right.

3. Aggrieved Party
   a. An aggrieved party is an employee who alleges a violation of a constitutional, statutory, or common law right, or of a State Board rule or local Board policy. An employee who files a grievance is not necessarily an “aggrieved party”. Different procedures may apply to “aggrieved parties” than to “complainants”. Those distinctions shall be determined on a case-by-case basis.

Presentations and Hearings—

In most circumstances, complainants shall be entitled to administrative review conferences and an informal presentation of the complaint to the Board at the Board’s discretion; however, this provision shall not be construed to create an independent right to a hearing before the Board in addition to hearings required by law. Aggrieved parties whose legal rights have been adversely affected such that they are entitled to some type of due process hearing shall be offered a hearing before the Board or its designee. Upon receipt of the written request for a hearing, the Superintendent shall determine whether an aggrieved party is legally entitled to more than a presentation and, if so, the type of hearing appropriate.

Aggrieved Party—

An employee aggrieved by a violation of a constitutional, statutory, or common law right, a rule adopted by the State Board of Education, or a policy adopted by the Board shall be afforded a hearing before the Board in accordance with applicable law. However, this provision shall not be construed to create an independent right to a hearing before the Board in addition to any hearing required by law.
Request—
The aggrieved employee shall make a written request for a hearing, identifying specifically the claimed violation and the relief requested. The written request shall be deemed filed upon receipt by the Superintendent’s office. The request shall be filed with the Superintendent’s office not more than 15 days after the claimed violation.

Hearing—
The school principal or designee shall conduct a hearing within 30 days of receipt of a written request. However, the hearing may be postponed by mutual consent. The principal or designee shall notify the aggrieved employee in writing of the time and place of the hearing. The Board shall notify the aggrieved employee of its decision in writing within 15 days after the hearing.

Other Review Processes
Employee termination and non-renewal procedures are found in Policy Series D and such actions are not subject to the procedures set forth in this section.

Representation
The employee registering a complaint or any employee who is the subject of a complaint may be represented at his or her own expense by a fellow employee, attorney, other person, or organization. The District may be assisted in processing complaints as it deems appropriate.

General Provisions
The following shall be general provisions for processing grievances:
1. Grievances shall be heard in informal administrative conferences.
2. Time is of the essence. All time limits shall be strictly complied with, except if extended by mutual consent. All references are to calendar days, unless otherwise indicated.
3. The appropriate administrator at each level shall respond to the employee within seven working days of a grievance conference. Oral grievances may receive an oral or written response, and written grievances shall receive a written response.
4. The employee has seven working days after a response to appeal to the next level. The grievance shall be considered concluded if at any level it is not appealed within the given time limit.
5. All grievances arising out of an event or condition or related series of events must be addressed in one grievance. An employee may not bring separate or serial grievances concerning events or conditions about which the employee has previously complained.

Level One—
Any employee having a grievance shall meet with the Principal or immediate supervisor within fifteen days of the time the employee first knew, or should have known, of the event, condition, or series of events upon which the grievance is based.
Level Two—
If the employee is not satisfied with the outcome of the grievance conference at Level One, the employee may meet with the Superintendent or a designee to discuss the grievance within seven working days after receiving the response.

At or prior to the conference with the Superintendent or designee, the employee shall submit a written description of the basis of the grievance, the date(s) it occurred, the remedy sought, and the date the employee conferred with the Principal or immediate supervisor.

Level Three—
If the outcome of the grievance conference at Level Two is not to the employee’s satisfaction, an employee wishing to appeal shall file a written request with the Superintendent for a Board hearing at the next regular meeting. In matters involving an aggrieved party, the meeting shall be held within 30 days after the date the written request for a Board hearing was filed with the Superintendent, unless postponed by mutual consent or scheduling complications. The Board shall notify the aggrieved employee in writing of the time and place of the hearing. The Board shall provide written notification to the aggrieved employee of its decision within 15 days after the hearing.

The Board may designate a portion of its regular monthly meeting to hear employee grievances. However, the Board shall not discuss any subject that is not included in the written notice (posted agenda) for the meeting, other than to propose to place it on the agenda for a subsequent meeting.

The Board President may set reasonable time limits on grievance presentations. The Board shall listen to the grievance, but is not required to respond or take any action on the matter unless the grievance is from an aggrieved party.

Aggrieved parties who are entitled to some type of due process hearing shall be afforded that hearing with the Board or its designee at Level Three. If the Board’s designee conducts the hearing, the designee shall make a recommendation to the Board at a meeting held within 30 days of the date the request for a Board hearing was filed with the Superintendent. The employee shall be given an opportunity to respond to the recommendation either orally or in writing.

Closed Hearing—
If the grievance involves the character, professional competence, or physical or mental health of the employee bringing the grievance, it shall be heard by the Board in a closed meeting, unless the employee requests that it to be heard in public. If the grievance involves complaints or charges against another person, it shall be heard by the Board in a closed meeting, unless the person complained about requests that it be heard in public.

_Utah Code § 52-4-205(1)(a) (2014)_
Morgan School District Employee Redress of Grievance Form
Orderly process for the prompt and equitable resolution of grievances

Name of Employee______________________________ Date _______________

Please write on the back of this form (or attach a written description) the basis of the grievance, the date(s) it occurred, and the remedy sought.

A complaint must specify the individual harm suffered in one of the following areas:

→ Wages, hours, or conditions of work or other adverse employment action decisions affecting an employee.
→ Specific allegations of unlawful discrimination in employment on the basis of sex (including allegations of sexual harassment), race, religion, national origin, age, disability, sexual orientation, or gender identity or on the basis of the employee’s exercise of constitutional rights.
→ Alleged violations of State Board rules or of policies adopted by the Board, alleged violations of a constitutional, statutory, or common law right.

No retaliatory action will be taken by the Board or any administrator against an employee or other participant in a grievance proceeding because of participation in the grievance procedure.

Level One—
Any employee having a grievance shall submit this form to the Principal or immediate supervisor within fifteen days of the time the employee first knew, or should have known, of the event, condition, or series of events upon which the grievance is based. The appropriate administrator at each level shall meet with the employee within seven working days.

Level Two—
If the employee is not satisfied with the outcome of the grievance conference at Level One, the employee may request to meet with the Superintendent or a designee to discuss the grievance within seven working days after receiving the response.

Level Three—
If the outcome of the grievance conference at Level Two is not to the employee’s satisfaction, an employee wishing to appeal shall file a written request with the Superintendent for a Board hearing at the next regular meeting.
Written description of the basis of the grievance, the date(s) it occurred, and the remedy Sought:
Morgan School District Policy
DJ Employee References and Letters of Recommendation

Required Employment Reference Check—
Before hiring an educator or any individual who will have significant unsupervised access to students, the District shall obtain references and a discipline record from prior employers of the individual being considered for hiring. To the extent that the District is unable to obtain such references and records because prior employers are not willing to provide such information, the District shall proceed as established by regulations of the State Board of Education or according to direction from the State Office of Education. In addition, the lack of reference and discipline information may be considered in making the hiring decision.

A volunteer who will have significant unsupervised access to students is considered an employee for reference and discipline purposes. In obtaining reference information regarding prospective volunteers, the District shall proceed as established by regulations of the State Board of Education or according to direction from the State Office of Education.  

_Utah Code § 53A-6-402(4) (2015)_

Who May Give Information Regarding Ex-Employees—
The Superintendent or the principal of a school in which an employee previously worked may provide information in response to requests by prospective employers of former employees.

Information to be Given to State Board of Education—
The District shall upon request provide to the State Board of Education a recommendation or other information which has significance in evaluating the employment or licensure of a current or prospective school employee, an educator, an education license holder, or an education license applicant.

_Utah Code § 53A-6-402(2) (2015)_

Information that May Be Given—
Information may be provided which could have significance in evaluating the employment or licensure of an employee, including:

1. The dates of commencement and end of employment in the School District;
2. Whether the job performance was rated Highly Effective, Effective, Emerging, or Not Effective in evaluations during the last two years of employment, or any like rating of performance;
3. Any statements in the employee file regarding professional conduct;
4. Any reasons stated for termination of employment or probation; and
5. Any statements regarding sexual harassment or conduct that may be criminal in nature if charges were actually filed.

_Utah Code § 53A-6-402 (2015)_
Letters of Recommendation—

The Superintendent or a school principal having had administrative duties in relation to a former employee may provide a “letter of recommendation” for use by a former employee which assesses the job performance and professional conduct of the former employee.
Morgan School District Policy
DKAC Nepotism

Definition—
For purposes of this section, “relative” means father, mother, husband, wife, cohabitant, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law.

Utah Code § 52-3-1(1)(d) (2015)

Prohibited Appointment—
No Board member or employee of the District may employ, appoint, or vote for or recommend the appointment of a relative or cohabitant in or to any position or employment, when the salary, wages, pay, or compensation of the appointee will be paid from public funds and the appointee will be directly supervised by a relative, unless:

1. The appointee is the only person available, qualified, or eligible for the position;
2. The appointee will be compensated from funds designated for vocational training;
3. The appointee will be employed for a period of 12 weeks or less;
4. The appointee is a volunteer as defined by the District;
5. The Superintendent determines that appointee is the only or best person available, qualified or eligible for the position.

Utah Code § 52-3-1(2)(a) (2015)

Prohibited Supervision—
No District employee may directly supervise an appointee who is a relative or cohabitant when the salary, wages, pay, bid or compensation of the relative will be paid from public funds, unless:

1. The relative was appointed or employed before the District employee assumed his or her supervisory position, if the relative's appointment was not unlawful at the time of appointment;
2. The appointee will be compensated from funds designated for vocational training;
3. The appointee will be employed for a period of 12 weeks or less;
4. The appointee is a volunteer as defined by the District;
5. The appointee is the only person available, qualified or eligible for the position;
6. The appointee is eligible or qualified to be employed by the District pursuant to State Office certification if applicable, civil service laws or regulations, or merit system or regulations; or,
7. The Superintendent determines that the employee is the only person available or best qualified to perform supervisory functions for the appointee.

When a District employee supervises a relative, the employee shall make a complete written disclosure of the relationship to the Superintendent. The District employee may not evaluate the relative's job performance or recommend salary increases for the relative.
Acceptance of Employment—
No appointee may accept or retain employment in the District if the appointee is under the direct supervision of a relative, unless:
   1. The relative was appointed or employed before the District employee assumed his or her supervisory position, if the relative’s appointment was not unlawful at the time of appointment;
   2. The appointee will be compensated from funds designated for vocational training;
   3. The appointee will be employed for a period of 12 weeks or less;
   4. The appointee is a volunteer as defined by the District;
   5. The appointee is the only person available, qualified or eligible for the position;
   6. The appointee is eligible or qualified to be employed by the District pursuant to State Office certification if applicable, civil service laws or regulations, or merit system or regulations; or,
   7. The Superintendent determines that the employee is the only person available or best qualified to perform supervisory functions for the appointee.

Federal Funds—
The rules against nepotism apply to employees paid with public funds regardless of the source of those funds, including employees paid with funds from a federal grant.

Limited Exception for Towns—
Within a town, as defined by Utah Code § 10-1-104, this policy on nepotism shall not apply to the employment of uncles, aunts, nephews, nieces or cousins.

General Exceptions—
This policy on nepotism shall not apply to the employment of a relative if the following criteria are established:
   1. fewer than 3,000 people live within 40 miles of the primary place of employment, measured over all-weather public roads;
   2. the job opening has had reasonable public notice; and
   3. the relative is the best qualified candidate for the position.

If an appointee is to be hired under this exception, the District shall make a written record of the proceedings in which it was established that the appointee met the criteria of this exception, which record shall include a written statement by the hiring officer certifying that the appointee satisfies the exception, all of which shall be retained in the personnel file of the appointee.
Definitions—

1. A “political purpose” means an act done with the intent or in a way to influence, or intend to influence, directly or indirectly, any person to refrain from voting or to vote for or against (a) any candidate for public office at any caucus, political convention, primary, or election, or (b) any judge standing for retention at any election.

2. A “ballot proposition” means constitutional amendments, initiatives, referenda, judicial retention questions, opinion questions, bond approvals, or other questions submitted to the voters for their approval or rejection.

3. A “campaign contribution” means any of the following when done for a political purpose or to advocate for or against a ballot proposition:

   a. a gift, subscription, donation, loan, advance, deposit of money, or anything of value given to a filing entity (an entity subject to campaign and campaign finance reporting requirements);

   b. an express, legally enforceable contract, promise, or agreement to make a gift, subscription, donation, unpaid or partially unpaid loan, advance, deposit of money, or anything of value to a filing entity;

   c. any transfer of funds from a reporting entity (a candidate, a candidate’s personal campaign committee, a judge, a judge’s personal campaign committee, an officeholder, a party committee, a political action committee, a political issues committee, a corporation, or a labor organization) to a filing entity;

   d. compensation paid by any person or reporting entity other than the filing entity for personal services provided without charge to the filing entity;

   e. remuneration from:

      i. any organization or the organization's directly affiliated organization that has a registered lobbyist; or

      ii. any agency or subdivision of the state, including a school district; or

   f. an in-kind contribution.


District Email May Not be Used for Political Purposes—

No person may use any District email system or service for a political purpose, or to advocate for or against a ballot proposition, or to solicit a campaign contribution.
Utah Code § 20A-11-1205 (2017)
EAA Morgan School District

Instructional Goals, Objectives, and Evaluation: Adoption and Purpose

K-12 Curriculum
The District shall support standards in accordance with state law and State Board rules. Effective instruction shall be delivered to all enrolled students and instruction provided in the standards of each subject at appropriate grade levels. The standards represent the core knowledge, skills, and competencies all students should learn to be effective and productive members of society. The District may add elements at its discretion, but shall not delete or omit instruction in the standards.

Adoption of Instructional Materials
The Board shall adopt primary instructional materials in an open and regular meeting of the School Board for which notice is given to parents and guardians of students. Public comment shall be taken by the Board of Education related to curriculum and through recommendations from administrators, teachers, and school community councils.

Improvement of Instructional Program in General
The Board shall annually review data, including results of the SAGE Assessment System for Students, regarding student progress in essential curriculum elements and other pertinent information and identify areas of needed improvement. Based upon the findings of the review, the District shall make necessary adjustments in instructional programs. The District will support available professional development programs based upon legislative funding to provide teachers, principals, and other professional staff with the training required to successfully establish and maintain instructional programs and assessment.

Utah Code Ann. § 53A-1-605(4) (2010) Updated to include SAGE
Utah Code Ann. § 53A-1a-108.5 (2002?) Updated to include SAGE

Principals’ Reports
The Superintendent shall devise a schedule for Principals to give annual verbal reports to the Board regarding progress toward the education objectives established for their campus. The schedule shall ensure that the Board receives reports from each Principal at each instructional level at the annual Board meeting.

EBA Morgan School District
Term of Instruction: School Year

Length of School Year
180 school days each school year; exceptions to the number of school days for individual students and schools are provided for in R277-419-8.

Semester Basis
Schools in the district may operate on a quarter, trimester, or semester basis and shall adhere to the requirements of the appropriate curriculum prepared by the State Board of Education.

Beginning Date
Student attendance for the first semester of the regular school term shall be established by the Board pursuant to a calendar adopted annually.

Emergency/Activity Days
The annual school calendar adopted by the Board shall include sufficient additional instructional days in addition to the minimum numbers stated above so that when disaster, flood, extreme weather conditions, fuel curtailments, or other calamities have caused the closing of schools, the instructional days and hours shall meet the minimum established by the State Board despite required school closures.

Courses Begun and Completed In Summer School

Students shall be awarded credit for courses begun and successfully completed during the summer session, in accordance with the following provisions:

1. The program shall meet the same standards as those in effect during the regular school year.

2. The program shall be administered by a specifically assigned staff member with an appropriate administrative endorsement. The administrator shall have the authority and time during the regular school year to plan and organize the summer school program.

3. Other necessary instructional resources may be made available on the same basis as during the regular term.

4. Courses offered shall include all state-required, standards specified for the course, and student progress shall be evaluated according to the same achievement standards used during the regular term.

Students may be provided an opportunity to complete subjects or courses begun, but not successfully completed, during the regular school term and through remedial courses offered during the regular school year. Such courses shall include all state-required, essential elements specified for the course. Essential elements satisfactorily mastered during the regular term need not be repeated in the summer session. Student progress shall be evaluated according to the same achievement standards used during the regular term.
ECA Morgan School District
ECA Curriculum: Required Instruction

Required core curriculum—
The District’s curriculum shall at least meet the minimum requirements of state law and State Board rules. Those minimum requirements are to contain the standards of each subject at appropriate grade levels. The standards represent the knowledge, skills, and competencies all students should learn to be effective and productive members of society. The Board may add to or alter the standards.

In addition, the District shall provide character education in connection with regular schoolwork, through an integrated curriculum approach. Instruction in this area shall emphasize 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 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 students for a richer, happier life.

As required by statute, the District shall report to the lieutenant governor and the Commission on Civic and Character Education each year by December 30 a report summarizing how civic and character education are achieved in the District through an integrated school curriculum and in the regular course of school work.


K-6 core curriculum—The general core curriculum in grades K-5 shall consist of:

1) Grades K-2:
   a) Reading/Language Arts
   b) Mathematics
   c) Integrated Curriculum
2) Grades 3-5
   a) Reading/Language Arts
   b) Mathematics
   c) Science
   d) Social Studies
   e) Arts;
      i) Visual Arts;
      ii) Music;
      iii) Dance;
      iv) Theatre
   f) Health Education
   g) Physical Education
   h) Educational Technology
   i) Library Media
Utah Admin. R. R277-700-4 (November 8, 2010)

Grades 6-8 core curriculum—In grades 6-8, students shall take a minimum of 12 total units. The District shall teach, and each student shall take, the following units:

1) Language Arts – 3 units.
2) Mathematics – 3 units.
3) Science – 3 units.
4) Social Studies – 2.5 units.
5) The Arts – 1.0 units.
   a) Visual Arts
   b) Music
   c) Dance
   d) Theatre
6) Physical Education – 1.75 units.
7) Health Education – 0.5 units.
8) Career and Career Readiness – 1.0 units.

Grades 9-12 core curriculum—The minimum number of core curriculum credits required for students in grades 9-12 shall be 19, as follows:

1) Language Arts – 4 units, including
   a) Ninth grade level (1 unit);
   b) Tenth grade level (1 unit);
   c) Eleventh grade level (1.5 unit); and
   d) Applied or advanced language arts credit (.5 unit), consistent with the student’s CCR from a list of courses approved by the Board of Education and the State Office of Education, which courses
      i) Are within the field/discipline of language arts, with a significant portion of instruction aligned to language arts content, principles, knowledge, and skills;
      ii) Provide instruction that leads to student understanding of the nature and disposition of language arts;
      iii) Apply the fundamental concepts and skills of language arts;
      iv) Provide developmentally appropriate content; and
      v) Develop skills in reading, writing, listening, speaking, and presentation.
2) Mathematics – 3 units.
   a) This requirement shall be met minimally through successful completion of the foundation courses, Math I, Math II, and Math III.
   b) With a written request from the student’s parent or guardian, a student may opt out of Math III. In that case, the student shall successfully complete another mathematics course from among the advanced and applied mathematics courses on State Board of Education’s list of approved mathematics courses.
   c) If a student has earned credit for a foundation course before 9th grade, the student shall fill the required 3 units of credit by successful completion of other mathematics courses approved by the State Board of Education, consistent with the student’s SEOP, which courses.
i) Are within the field/discipline of mathematics with a significant portion of instruction aligned to mathematics content, principles, knowledge, and skills;

ii) Provide instruction that leads to student understanding of the nature and disposition of mathematics;

iii) Apply the fundamental concepts and skills of mathematics;

iv) Provide developmentally appropriate content; and

v) Include the five process skills of mathematics: problem solving, reasoning, communication, connections, and representation.

d) Students should consider taking additional credits during their senior year which align with their postsecondary career or college expectations. Those students who desire a four year college degree in a science, technology, engineering or mathematics career area should take a calculus course.

3) Science – 3 units, including

a) 2 units from the four science foundation areas:
   i) Earth Systems Science – 1.0 units
   ii) Biological Science – 1.0 units
   iii) Chemistry – 1.0 units
   iv) Physics – 1.0 units; and

b) 1 unit, consistent with the student’s CCR from the foundation courses or a list of applied or advanced science courses approved by the Board of Education and State Office of Education, which courses
   i) Are within the field/discipline of science with a significant portion of instruction aligned to science content, principles, knowledge, and skills;
   ii) Apply the fundamental concepts and skills of science;
   iii) Provide developmentally appropriate content;
   iv) Include the areas of physical, natural, or applied sciences; and
   v) Develop students’ skills in scientific inquiry.

4) Social Studies – 3.0 units including:

a) Geography for Life – 0.5 units

b) World Civilizations – 0.5 units

c) U.S. History – 1.0 units

d) U.S. Government and Citizenship – 0.5 units

e) General Financial Literacy – 0.5 units

5) Arts – 1.5 units from any of the following areas:

a) Visual Arts

b) Music

c) Dance

d) Theatre

6) Physical and Health Education – 2.0 units including:

a) Health – 0.5 units

b) Participation Skills – 0.5 units

c) Fitness for Life – 0.5 units

d) Individualized Lifetime Activities (0.5 units) or team sport/athletic participation (maximum of 0.5 units with school approval)

7) Career and Technical Education – 1.0 units from among the following areas:

a) Agriculture
b) Business  
c) Family and Consumer Sciences  
d) Health Science and Technology  
e) Information Technology  
f) Marketing  
g) Technology and Engineering Education  
h) Trade and Technical Education  

8) Educational Technology – 0.5 units as follows:  
   a) Computer Technology (0.5 units for the class of this name) or  
   b) At the school’s discretion, for successful completion of a state-approved competency examination  

9) Library Media skills (integrated into the subject areas)  
   *Utah Admin. Rules R277-700-7 (November 8, 2010)*  

**Elective credits—**  
In addition to the credits beyond the 19 units of required core curriculum credit, students must earn 11 additional credits to qualify for graduation (adapted to fit a Trimester Schedule)  
   *Utah Admin. Rules R277-700-7E, F (November 8, 2010)*  

**Assessment of student mastery of core curriculum—**  
The Board of Education is responsible to provide students with access to the core curriculum established by the State Board of Education, and for students’ mastery of that core curriculum. Student mastery of the core curriculum shall be evaluated through District participation in SAGE testing as directed by the State Board of Education. Students who have not achieved mastery of the core curriculum will be provided remediation assistance as provided for by State statute and State Board of Education regulations.  
   *Utah Admin. Rules R277-700 (November 8, 2010)*  
   *Utah Code Ann. 53A-1-603 (2013)*  
   *Utah Code Ann. 53A-13-104 (2013)*
ECBA Morgan School District  
Curriculum: Elective Instruction—Pass/Fail Courses  

**Pass/Fail Courses**  
The District may allow a student who wishes to take courses in excess of state and local requirements to take such courses on a pass/fail basis. The student shall declare the intent to take the course pass/fail on the first day the course meets. Students who have a grade average of C or above shall be awarded credit, but pass/fail courses shall be excluded in computing the grade point average.
ECBB Morgan School District  
Curriculum: Elective Instruction—Driver Education

**Driver Education**
The District hereby establishes driver education in the District as set forth in this policy, to help develop the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles.


**Age for Written Testing**
A District school offering driver education shall provide each enrolled student the opportunity to take the written test when the student is 15 years and 9 months of age. The school may permit an enrolled student to take the written test when the student is 15 years of age.


**Components of Driver Education**
Driver education shall consist of both a classroom portion of instruction and a behind-the-wheel and observation portion of instruction.


**Classroom Training**
The classroom training portion of driver education will consist of instruction, in accordance with the rules established by the State Office of Education, which will take place in a regular class during school hours or through NUED.


**Behind-the-Wheel Training**
The behind-the-wheel and observation portion of driver education will be provided by the District in accordance with the rules established by the State Office of Education.


**Funding**
Driver education in the District shall be solely funded through student fees and funds from the Automobile Driver Education Tax Account. However, for these purposes, the cost of driver education does not include the full-time equivalent cost of a teacher for each driver education class taught during regular school hours, or the cost of classroom space and maintenance.


The Board of Education will set the student fee required for participation in driver education in the District, which fee shall be determined by taking into consideration the costs associated with providing driver education which are not covered by reimbursements from the Automobile Driver Education Tax Account. Student fees shall also take into
account costs which are not covered because of students obtaining a waiver of driver education fees.


The District shall submit to the State Superintendent of Public Instruction, as required by the State Board of Education, all reports required to obtain reimbursement of driver education costs from the Automobile Driver Education Tax Account.

ECC Morgan School District
Reading Achievement for K-3

Purpose of the Policy—
The Board adopts this policy to ensure reading proficiency in Kindergarten through grade three.

Reading Achievement Plan—
Each elementary school in the District shall, through its school community council, develop a reading achievement plan as described in Policy GE. The reading achievement plan includes a benchmark assessment, intervention, and reporting components. The school principal shall be responsible to provide leadership and allocate resources and support for teachers and students to implement the reading achievement plan and achieve the reading goals. The Board shall require the reading achievement plan be revised if the Board determines a school’s students are not making adequate learning gains.


Goal Achievement Reporting—
In addition to the reports provided to parents under the reporting component of the reading achievement plan, the District shall annually provide parents with a copy of the student’s comprehensive benchmark assessment, which includes measurements of reading performance.


Reporting to the Board—
The Superintendent shall annually report to The Board on the data and other information submitted to the State Board of Education relating to K-3 reading performance in the District at the District level and at the school level. The Board may use this information to work with the Superintendent to review and revise plans to enable the District to meet K-3 reading goals.


Reading Below Grade Level—
The District shall:

1. Notify a parent or guardian of a first, second, or third grade student, on or before February 15 of the school year, that the first, second, or third grade student is reading below grade level, as determined by multiple assessments administered pursuant to this part, and pursuant to rules enacted by the State Board of Education;
2. Provide focused individualized intervention to develop the reading skill;
3. Inform the parent or guardian of activities that he/she may engage in with the student to assist the student in improving reading proficiency;
4. Provide information to the parent or guardian of the student regarding reading remediation interventions available through the District; and
5. Provide focused reading remediation through appropriate individualized interventions that may involve a reading specialist, before and after school programs, or summer school assistance.
ECD Morgan School District
College Course Work

Graduation credit—

Students enrolled in grades 9-12 shall be permitted to earn credit toward high school graduation for completing college-level courses provided by institutions of higher education that are within the Utah System of Higher Education.

The student is responsible for expenses and arrangements associated with college enrollment as provided for in Utah Code Ann. § 53A-15-101. The student may apply for a fee waiver if appropriate under the District fee waiver policy for class-related costs including consumables, lab fees, copies, materials and textbooks.  

Utah Admin. Rules R277-713-6 (October 9, 2012)

To be eligible to enroll and be awarded credit toward state graduation requirements, a student shall have the approval of the high school principal, or other designee, and must have a current SEP/SEOP on file with the high school. To ensure that the student is prepared for college-level work, an appropriate assessment shall be administered to the student prior to participation in all concurrent mathematics and English courses. In addition, the student shall be assessed to determine if the student meets prerequisites established for the same campus-based course by the sponsoring higher education institutions.

Schools and the Utah System of Higher Education shall jointly coordinate advice and information provided to a prospective or current high school student who participates in the concurrent enrollment program, which shall include providing information on general education requirements at higher education institutions and assisting students or parents to efficiently choose concurrent enrollment courses to avoid duplication and excess credit hours.

Utah Admin. Rules R277-713-3 (October 9, 2012)
American Sign Language shall be accorded equal status with other linguistic systems in the District. The District shall comply with all State Board of Education policies and procedures regarding the teaching of American Sign Language in the District.
A student may count credit received for completion of a course in American Sign Language toward the satisfaction of a foreign language graduation requirement.

Morgan School District Curriculum:
ECG American Heritage

American heritage in the curriculum—

Classes, including American History, in which the subject matter is relevant, shall include thorough study of the:

1. Declaration of Independence;
2. United States Constitution;
3. National Motto;
4. Pledge of Allegiance;
5. National Anthem;
6. Mayflower Compact;
7. writings, speeches, documents, and proclamations of the Founders and the Presidents of the United States;
8. organic documents from the pre-Colonial, Colonial, Revolutionary, Federalist and post Federalist eras;
9. United States Supreme Court decisions; and,
10. Acts of the United States Congress, including the published text of the Congressional Record; and,
11. United States treaties.

Instruction in American history and government shall include study of forms of government (such as a republic, a pure democracy, a monarchy, and an oligarchy), political philosophies (such as socialism, individualism, and free market capitalism), and the United States' form of government (a compound constitutional republic).


Civics Graduation Requirement—

Each student must pass a basic civics test as a condition for graduation from high school unless the student qualifies for an alternate assessment. A “basic civics test” means a test that includes 50 of the 100 questions on the civics test form used by the United States Citizenship and Immigration Services. A passing score is at least 35 out of 50 questions answered correctly. The student may take the test as many times as needed to pass the test.

A student qualifies to take an alternate assessment if the student is within six months of graduation or if the student has a disability and the alternate assessment is consistent with the student’s IEP.

The alternate assessment shall be given in the same manner as the examination given to an unnaturalized citizen and according to 8 CFR § 312.2.
(However, the District may modify the manner of administration for a student with a disability in accordance with the student’s IEP.)

Utah Admin. Rules R277-700-8 (June 21, 2016)
8 CFR § 312.2

Posting American heritage documents—

Schools may post copies of American historical documents or historically important excerpts from these documents in school classrooms and common areas as appropriate. If a school decides to post an excerpt from a particular document, the portions omitted should not be deleted for the purpose of censoring religious or cultural content.


Display of the National Motto—

The national motto of the United States, which is declared by federal statute (36 U.S.C. § 302) to be “In God we Trust,” shall be displayed in one or more prominent places within each school building in the District, as provided for in Utah Code § 53A-13-101.4.


Pledge of Allegiance—

The pledge of allegiance to the flag shall be recited once at the beginning of each day in each public school classroom in the state and, led by a student in the classroom, as assigned by the classroom teacher on a rotating basis.

Each student shall be informed by posting a notice in a conspicuous place that the student has the right not to participate in reciting the pledge.

A student shall be excused from reciting the pledge upon written request from the student’s parent or legal guardian.

At least once a year students shall be instructed that participation in the pledge of allegiance is voluntary and not compulsory; and not only is it acceptable for someone to choose not to participate in the pledge of allegiance for religious or other reasons, but students should show respect for any student who chooses not to participate.

A public school teacher shall strive to maintain an atmosphere among students in the classroom that is consistent with the principles described above.

ECH Human Sexuality Curriculum

Definitions—
The following definitions apply in this policy:

1. "Curriculum materials review committee" means a committee formed at the District or school level, as determined by the Board of Education, that includes parents, health professionals, school health educators, and administrators, with at least as many parents as school employees. The membership of the committee shall be appointed and reviewed annually by August 1 of each year by the Board, shall meet on a regular basis as determined by the membership, shall select its own officers and shall be subject to the Utah Open and Public Meetings Act.

2. “Human sexuality instruction or instructional programs” means any course material, unit, class, lesson, activity or presentation that, as the focus of the discussion, provides instruction or information to students about sexual abstinence, human sexuality, human reproduction, reproductive anatomy, physiology, pregnancy, marriage, childbirth, parenthood, contraception, HIV/AIDS or other sexually transmitted diseases. While these topics are most likely discussed in such courses as health education, health occupations, human biology, physiology, parenting, adult roles, psychology, sociology, child development, and biology, this rule applies to any course or class in which these topics are the focus of discussion. “Human sexuality instruction” also includes instruction on child sexual abuse prevention and awareness.

3. "Maturation education" means instruction and materials used to provide fourth - sixth grade students with age appropriate, accurate information regarding the physical and emotional changes associated with puberty, to assist in protecting students from abuse and to promote hygiene and good health practices.

4. “Medically accurate” means verified or supported by a body of research conducted in compliance with scientific methods and published in journals that have received peer review, where appropriate, and recognized as accurate and objective by
professional organizations and agencies with expertise in the relevant field, such as the American Medical Association.


**Parental Permission Form Required for Participation—**

Students may not participate in any human sexuality instruction or instructional program unless, prior to the student’s participation, the school has on file for that student a completed parental notification form relating to that specific instruction or program which indicates that the student’s parent or guardian authorizes the student to participate. Completed permission forms shall be maintained in the student’s educational records.


**Health and Human Sexuality Guidelines—**

All health and human sexuality education shall stress the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods of preventing sexually transmitted diseases. The curriculum and education shall also stress personal skills that encourage individual choice of abstinence and fidelity in marriage.

At no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult.

Nothing in this policy precludes an educator from responding to a spontaneous question provided that the response is consistent with this policy.


The following may not be taught in District schools:

1. the intricacies of intercourse, sexual stimulation, or erotic behavior;
2. the advocacy of premarital or extramarital sexual activity;
3. the advocacy or encouragement of the use of contraceptives methods or devices; or
4. the advocacy of sexual activity outside of marriage

_Utah Admin. Rules R277-474-3A (August 8, 2011)_
Sexual Abuse Prevention and Awareness—

Beginning with the 2016-17 school year, schools in the District shall provide instruction to elementary school students on child sexual abuse prevention and awareness using the instructional materials approved by the State Board of Education for that purpose. However, before an individual student may receive this instruction, the student's parent or guardian must be notified in advance of the instruction and the content of the instruction and of the parent or guardian's right to have the student excused from the instruction, given an opportunity to review the instruction materials, and be allowed to be present when the instruction is delivered. A parental permission form (as outlined above) must be received for each student before that student receives the instruction. Upon the written request of a parent or guardian, a student shall be excused from the instruction.  


Instructional Staff Training and In-service—

District staff who have responsibility for some aspect of human sexuality instruction in the District may include administrators, teachers, counselors, teacher’s assistants, or coaches, but are not necessarily limited to those categories.

In their first year of service or assignment, all newly hired or newly assigned District staff who have responsibility for any aspect of human sexuality instruction in the District will attend a State-sponsored in-service outlining the human sexuality curriculum and the criteria for human sexuality instruction in any courses offered in the public education system.

All District staff who have any responsibility for any aspect of human sexuality instruction in the District will attend District training outlining the human sexuality curriculum and the criteria for human sexuality instruction in any courses offered in the public education system at least once every three (3) years.


Human Sexuality Curriculum Materials Review Committee

The Board of Education shall appoint a District Human Sexuality Curriculum Materials Review Committee. This committee shall be composed of parents, health professionals, school health educators, and administrators, with at least as many parent members as school employee members. The Board shall review the membership of the committee by August 1 of each year, making new appointments as necessary or appropriate.
The District Human Sexuality Curriculum Materials Review Committee shall meet on a regular basis as determined by the members of the committee, shall establish procedures for operation, and shall designate a chair.


Review of Guest Presentations Relating to Human Sexuality

Before any guest speaker or guest presenter may present any information in any District course relating to human sexuality instruction, the speaker and presenter and the materials to be presented must have been approved by the District Human Sexuality Curriculum Materials Review Committee.

The committee shall not authorize the use of any human sexuality instructional program which has not been previously approved for use in the District as set forth below regarding curriculum approval.

Utah Admin. Rules R277-474-5C (August 8, 2011)

Adoption of District Human Sexuality Instructional Materials

The Board of Education shall determine what human sexuality instructional materials will be used in the District. The Board shall request that the District Human Sexuality Curriculum Materials Review Committee provide recommendations regarding the human sexuality instructional materials to be used in the District. Such recommended materials must be medically accurate and must be consistent with the Health and Human Sexuality Guidelines set forth above. Following recommendations from the Review Committee, the Board shall consider whether to adopt recommended materials at a public meeting which includes a public hearing on the issue. The proposed materials shall have been made available for review by residents of the District a reasonable time in advance of the meeting. If a majority of the Board members present vote to adopt the recommended materials, then the materials may be used in the District.

The District will develop a logging and tracking system of parental and community complaints and comments resulting from student participation in human sexuality instruction, to include the disposition of the complaints, and provide that information to the USOE upon request.

Following adoption of human sexuality instruction materials which have not previously been approved by the State Instructional Materials Commission, the Board shall report such adoption to the State Office of Education. That report shall provide a copy of the materials, documentation of the adoption of the
materials at the Board meeting, documentation that the materials are medically accurate, documentation of the committee recommendations, and the Board’s rationale for adopting the materials.

The Board of Education shall annually review the decision to adopt the human sexuality instructional materials used in the District, and shall consider whether to continue use of those materials.


Monitoring of Human Sexuality Instruction

Each school in the District shall log and track all parental or community complaints and comments resulting from student participation in human sexuality instruction in the school, including disposition of any complaints made. This information shall be provided to District administration on a monthly basis during the school year.

District administration shall compile and maintain records of parental or community complaints and comments resulting from student participation in human sexuality instruction in the District, including disposition of complaints, and shall provide that information to the Utah State Office of Education upon request.

Dear Parent or Guardian:

Your child is enrolled in a course that includes instruction on topics related to human sexuality which are controlled by Utah State Law, Utah State Board of Education Rule, and Morgan School District Policy. Your child cannot participate in this curriculum without your signed consent.

All instruction related to human sexuality or sexual activity takes place within the context of Utah State Law (53A-13-101) and Utah State Board of Education Rule (R277-474) as follows:

- The public schools will teach sexual abstinence before marriage and fidelity after marriage.
- There will be prior parental consent before teaching any aspect of contraception and/or condoms.
- Students will learn about communicable diseases, including those transmitted sexually, and HIV/AIDS.

Program materials and guest speakers supporting instruction on these topics have been reviewed and approved by the Morgan District Review Committee. The curriculum for this course may include information and discussions about the following:

Reproductive anatomy and health
Human reproduction
Information on self-exams
Date rape
Nutritional DVD Supersize Me (edited version)

The following are NOT approved for instruction and may not be taught or discussed:

- The intricacies of intercourse, sexual stimulation or erotic behavior;
- The advocacy premarital or extramarital sexual activity;
- The advocacy or encouragement of the use of contraceptive methods or devices;
- The advocacy of sexual activity outside of marriage.
- Demonstrations on how to use condoms or any contraceptive means, methods, or devices.

In accordance with Utah State Board of Education Rule R277-474-6-D, teachers may respond to spontaneous student questions for the purposes of providing accurate data or correcting inaccurate or misleading information or comments made by students in class regarding human sexuality.

We are required to send a consent form to you within 2 weeks after the beginning of the course, but not less than 2 weeks prior to instruction of the identified topics.

**Your child will not be allowed to participate in the class without the completed and signed consent form on file.**

Please read the attached consent form and select one option, sign, and return to the teacher.

Thank you.
Consent Form

Name of Student: __________________________  Name of Teacher ______________________

| The curriculum for this course may include information and discussions about the topics in this box: |
| Reproductive anatomy and health | Contraception, including condoms* |
| Human reproduction | HIV and AIDS (including modes of transmission) |
| Information on self-exams | Sexually transmitted diseases (terms of a sensitive/explicit nature may be defined) |
| Date rape | Nutritional DVD Supersize Me (educational edited version) |
| Body Imaging | |

*Factual, unbiased information about contraception and condoms may be presented as part of this course. Demonstrations on how to use condoms or any contraceptive means, methods, or devices are prohibited and are NOT authorized.

Please read and check one of the following options:

- **Option 1**
  I GRANT permission for my child to participate in the scheduled instruction and activities/discussions as described above.

- **Option 2**
  I GRANT permission for my child to participate in the scheduled activities/discussions as described above, with the exception of __________________________. I understand that my child will receive an alternative assignment of equal value and will not attend the regularly scheduled class on the day of this instruction.

- **Option 3**
  Prior to making a decision, I will contact the teacher at the school within two weeks to arrange a time to discuss the planned curriculum and review the materials.

- **Option 4**
  I DENY permission for my child to participate in any of the scheduled instruction and activities/discussions. I understand that while my child is not involved in the exempted portion of the curriculum, he/she will be provided a safe, supervised place within the school during the class period(s), and will receive an alternative assignment related to other elements of the course. I understand that withdrawal from the course may be necessary as the topics listed above permeate much of the course content. I shall take responsibility, in cooperation with the teacher and the school, for the student learning the required course material identified on this form (State Board of Education Rule 277-474-5-D).

**PLEASE SIGN AND RETURN**

I have read this form and chosen an option.

Parent/Guardian Printed Name: __________________________

Parent/Guardian Signature: __________________________

Telephone Number: __________________________  Date: __________________________

Signed forms are kept on file for one year.
Morgan School District
FAB Transgender Students 2017

Definitions—

1. “Assigned gender.” This is the gender designated at the time of birth and may also be thought of as the gender corresponding to the individual’s original physiology, or biological gender.

2. “Gender identity.” This is the individual’s internal sense of gender, and “identified gender” refers to the gender that matches this internal sense. Gender identity can be shown by information including but not limited to medical history, care or treatment of the gender identity, consistent and uniform assertion of the gender identity, or other evidence that the gender identity is sincerely held, part of a person’s core identity, and not being asserted for an improper purpose.

3. “Gender expression” means the external cues or indications used to communicate gender to others, such as behavior, clothing, hairstyles, activities, voice, mannerisms, or body characteristics.

4. “Transgender” means that an individual’s assigned gender differs from the individual’s gender identity.

5. “Transgender boy” (or “transgender man”) is an individual whose assigned gender is female but whose gender identity is male.

6. “Transgender girl” (or “transgender woman”) is an individual whose assigned gender is male but whose gender identity is female.


Records and References—

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

Utah Code § 42-1-1 (1933)

The unofficial records of the student shall reflect the preferred name and gender identity of the student. Students shall be addressed or referred to by the pronouns associated with the identified gender: transgender boys shall be referred to using “he” “his” and “him” and transgender girls shall be referred to using “she” and “her.”

A student’s transgender status shall not be disclosed without the student’s consent except as expressly authorized by the superintendent following such legal consultation as the superintendent determines is appropriate.

Facilities—

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

Classes and Activities—

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

UHSAA Extracurricular Activities—

Participation by students in activities under the oversight of the Utah High School Activities Association is subject to UHSAA rules and policies. Where a transgender student wishes to participate in a gender-segregated UHSAA sport or activity according to gender identity rather than assigned gender, the school shall allow the student to participate according to the student’s gender identity as determined by the District, which is to determine that the gender identity is bona fide and not for the purpose of gaining an unfair advantage in competitive athletics. The school shall not disclose the transgender student’s identity to UHSAA without the consent of the student and the student’s parents.

_Utah High Schools Activities Association Handbook 2016-17, Interps. & Guidelines 1.1.4_

Bullying and Harassment—

Policy FGAD, which prohibits bullying, cyberbullying and harassment regardless of the motivation for such misconduct, applies to prohibit bullying, cyberbullying or harassment of students because of their transgender status or gender expression.

When a student has been bullied, cyberbullied, or harassed because of the student’s transgender status or gender expression, consideration should be given to what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student’s ability to learn and function in the school setting.
Morgan School District Admissions and Attendance:
FBA Eligibility and Admissions Requirements

Minimum Age—
Except as provided for in Policy FBAB, Military Children, the District may enroll children in school who are at least five years of age before September 2 of the year in which admission is sought.

_Utah Code § 53A-3-402 (2014)_

Student Residency (Parent or Guardian Resides in Utah)—
The District of residence of a minor child whose custodial parent or legal guardian resides in Utah is:

1. The School District in which the custodial parent or guardian who has legal custody of the child resides; or
2. The District in which the child resides;
   a. While in the custody or under the supervision of a Utah state agency;
   b. While under the supervision of a private or public agency authorized to provide child placement services by the state of Utah;
   c. If the child is married or has been determined to be an emancipated minor by a court of law or authorized administrative agency;
   d. The child resides in the District while living with a responsible adult resident of the District, but only if the Board has determined that all of the following conditions exist:
      i. the child’s physical, mental, moral or emotional health is best served by considering the child to be a resident for school purposes;
      ii. exigent circumstances prevent the case from being considered under the procedures provided for in this policy for interdistrict transfers (see “Student Who is Resident of Utah Attending District Outside of School of Residence,” below);
      iii. considering the child to be a resident of the District will not violate any other law or rule of the State Board of Education; and
      iv. the person with whom the child is living has been designated as the child’s custodian through a durable power of attorney as provided for in this policy.

_Utah Code § 53A-2-201(1) (1995)_

A “responsible adult resident” is an individual who is 21 years of age or older who is a resident of this state and is willing and able to provide reasonably adequate food, clothing, shelter, and supervision for the child.
Student Residency (Parent or Guardian Does Not Reside in Utah)—

A minor child whose parent or legal guardian does not reside within Utah may be considered a resident of the District in which the child lives if it is established to the satisfaction of the local Board that:

1. The child is either married or has been determined to be an emancipated minor by a court of law or authorized state administrative agency;

2. The child was placed and is being supervised by a child placing agency which is authorized by the State of Utah to provide residential or child placement services and the agency is paying the child’s tuition and fees to the extent required by Utah Code § 62A-4a-606;

3. The child is in custody or under the care of a Utah state agency;

4. The child lives with a resident of the District who is a responsible adult and whom the District agrees to designate as the child’s legal guardian as provided for below; or

5. The District, in its sole discretion may accept a non-emancipated student as a resident of the District if each of the following are demonstrated to the Board’s satisfaction:
   a. The child lives with a responsible adult who resides in the District and is the student’s non-custodial parent, grandparent, brother, sister, uncle or aunt; and
   b. The child’s presence in the District is not for the primary purpose of attending the public schools; and
   c. The child’s physical, mental, moral, or emotional health would best be served by considering the child to be a resident for school purposes; and
   d. The child is prepared to abide by the rules and policies of the school district; and
   e. The person with whom the child resides in the district has been designated as the child's custodian in a durable power of attorney which the District agreed in its sole discretion to accept.

NOTE: A document issued by other than a court of law that purports to award guardianship to a person who is not a resident of the jurisdiction in which guardianship is awarded is not valid until reviewed by a court of law.

Durable Power of Attorney—

In certain circumstances identified above, a durable power of attorney must be obtained before a child can admitted to attend school within the District. This durable power of attorney does not confer legal guardianship. In order to be sufficient, this durable
power of attorney must be issued by the person who has legal custody of the child and must grant the custodian full authority to take any appropriate action in the interests of the child, including authorization for educational or medical services.

In addition, the person with legal custody of the child (the grantor of the power of attorney) and the person who the child is to reside with (the person empowered by the power of attorney) must both agree to:

1. Assume responsibility for any fees or other charges related to the child’s education in the District, and
2. Provide the District with all requested financial information needed to determine eligibility for fee waivers, if those are claimed.

_Utah Code § 53A-2-201(3) (1995)_

Forms for this power of attorney and for acceptance of custodianship are provided below.

**Guardianship for Residency Purposes—**

Subject to the District's acceptance and approval, a responsible adult resident residing in the District may obtain guardianship of a child whose custodial parent or legal guardian does not reside in the District for the limited purpose of establishing school district residency of a minor child by submitting to the Superintendent a signed and notarized statement by all persons recognized under the law as the child’s parent(s) or legal guardian(s) which states that:

1. The child’s presence in the district is not for the primary purpose of attending the public schools;
2. The child's physical, mental, moral or emotional health would be best served by transfer of guardianship to a Utah resident;
3. The affiant is aware that designation of a guardian is equivalent to a Court established guardianship and will suspend or terminate any existing parental or guardianship rights in the same manner as a court-established guardianship;
4. The affiant consents and submits to suspension or termination of parental or guardianship rights;
5. The affiant submits to jurisdiction of Utah State courts in which the District is located for any action related to guardianship or custody of the student;
6. The affiant designates the responsible adult resident as agent to accept service of process and notice; and
7. It is the affiant's intent that the student become a permanent resident of the District under the supervision of the responsible adult.
8. The responsible adult must also submit a signed and notarized affidavit stating that:
9. The affiant is a resident of the school district and desires to become the guardian of the student;
10. The affiant consents and submits to the jurisdiction of the state district court in which the school district is located in any action relating to the guardianship or custody of the child in question;

11. The affiant will accept responsibilities of guardianship to provide adequate supervision, discipline, food, shelter, educational and emotional support, medical care and pay all school fees; and

12. The affiant accepts the parent or prior guardian's appointment of agency.

Forms for the affidavits of the parent and the responsible adult are provided below. If the child’s custodial parent or legal guardian cannot be found in order to execute the statement required under subsection (6), then the responsible adult resident must submit a signed and notarized affidavit to that effect to the District. A form for this affidavit is provided below. The District shall also submit a copy of the affidavit to the Criminal Investigations and Technical Services Division of the Department of Public Safety.

The student who lives with the responsible adult must submit a signed and notarized affidavit stating that:

1. The student desires to become a permanent resident of the State of Utah and reside in the District with and be responsible to the named responsible adult; and

2. The child will abide by rules and policies of the district and schools.

A form for this affidavit is provided below. The District may require the responsible adult to also submit any other relevant documents that it reasonably believes to be necessary to substantiate any claim made in connection with the application.

Upon receipt of the required information and documentation, and a determination by the board that the information is accurate, that the requirements have been met, and that the interests of the child would best be served by granting the guardianship, the Board or its authorized representative may designate the applicant as guardian of the child by issuing a designation of guardianship letter to the applicant.

The District shall deliver the original documents filed with the District, together with a copy of the designation of guardianship issued by the District, in person or by any form of mail requiring a signed receipt, to the clerk of the state district court in which the District is located.

Intentional submission to the District of fraudulent or misleading information under this policy is punishable under Utah Code § 76-8-504.

If the District has reason to believe that a party has intentionally submitted false or misleading information under this part, it may, after notice and opportunity for the party to respond to the allegation:

1. void any guardianship, authorization, or action which was based upon the false or misleading information; and

2. recover, from the party submitting the information, the full cost of any benefits received by the child on the basis of the false or misleading information, including tuition, fees, and other unpaid school charges, together with any related costs of recovery.

Appeal of Guardianship Denial—

If the Board denies the application for a guardianship designation, the applicant may either appeal the denial to the Utah district court where the District is located, or may file an original petition for guardianship with the court.


Termination of Guardianship—

A guardianship designation issued by the District may be terminated, and the authority and responsibility of the prior custodial parent or legal guardian may be restored, upon submission to the District of:

1. a signed and notarized statement by the person who consented to the guardianship which requests termination of the guardianship, or
2. a signed written request by the designated guardian requesting termination of the guardianship.

If the District determines that it would not be in the best interests of the child to terminate the guardianship, the District may refer the request for termination to the Utah district court where the original guardianship documents were submitted.

If the District determines, after giving notice and an opportunity to respond, that an individual has intentionally submitted false or misleading information to the District in connection with a guardianship designation, the District may

1. void any guardianship, authorization, or action which was based on the false or misleading information, and
2. recover from the person submitting the false or misleading information the full cost of any benefits received by the child based on the false or misleading information, including tuition, fees, and other unpaid school charges, along with any related costs of recovery.

A student whose guardianship or enrollment has been terminated may, upon payment of all applicable tuition and fees, continue in enrollment until the end of the school year unless excluded from attendance for cause.


Tuition—

The board shall charge the nonresident child tuition at least equal to the per capita cost of the school program in which the child enrolls unless the board, in open meeting, determines to waive the charge for that child in whole or in part. The official minutes of the meeting shall reflect the determination.


Tuition for Education Outside of the District—

If the Board so determines, it shall pay tuition to any accredited district outside the state with which it has a written agreement to educate students attending school in the out-of-state district. The agreement shall be approved by both districts and filed with the State
Board of Education. The District is not required to pay tuition to any district with which it has not contracted.

*Utah Code § 53A-2-204 (1988)*

**Eligibility and Admissions Requirements—**

All documents submitted for proof of guardianship shall be kept by the District until the student has reached the age of eighteen (18) unless the District receives a valid court order to do otherwise.


The District may require evidence that a child is eligible to attend the public free schools of the District at the time it considers an application for admission of the child. The District may withdraw any student who ceases to be a resident; however, a student who guardianship or enrollment has been terminated under this policy may, upon payment of all applicable tuition and fees, continue in enrollment until the end of the school year unless excluded from attendance for cause.

*Plyler v. Doe, 102 S. Ct. 2382 (1982)*
*Daniels V. Morris, 746 F.2d 271 (5th Cir. 1984)*

"Open Enrollment" for Utah Resident Students—

The Board is responsible for providing educational services consistent with Utah state law and rules of the State Board of Education for each student within the District and—to the extent reasonably feasible and in accordance with the limitations and provisions herein—for any student who resides in another district in the state and desires to attend a school in the district.

For purposes of "open enrollment," the following definitions apply:

1. "Early enrollment" means:
   a. prior to the third Friday in February for admission for the next school year to a school that is not a student's school of residence; or

2. "Early enrollment for grade reconfiguration" means
   a. application prior to November 1 for admission for the next school year to a school that is not a student's school of residence if:
      i. the school district is doing a district wide grade reconfiguration of its elementary, middle, junior, and senior high schools; and
      ii. the grade reconfiguration described in Subsection (1)(b) will be implemented in the next school year.

3. "Late enrollment" means application:
   a. (a) after the third Friday in February for admission for the next school year to a school that is not the student's school of residence; or
   b. (b) for admission for the current year to a school that is not the student's school of residence.
4. "Nonresident student" means a student who lives outside the boundaries of the school attendance area.

5. "Open enrollment threshold" means the school enrollment levels (for early enrollment or late enrollment) determined under Utah Code § 53A-2-206.5 and regulations established by the Utah State Board of Education.

6. "School of residence" means the school that a student is assigned to attend based on the student's place of residence.

7. "School attendance area" means an area established by the Board of Education from which students are assigned to attend a certain school.


If a school's average daily membership falls below the open enrollment threshold, the Board shall allow nonresident students to enroll in the school. If a school's average daily membership is above the open enrollment threshold, the Board may, in its discretion, allow enrollment of nonresident students in the school upon satisfactory completion of the application process set forth herein.

The School Board shall provide written notification to the parents or legal guardians of each student that resides within the school district and other interested parties of the revised early enrollment period beginning August 1 and ending November 1 if the school district is doing a district wide grade reconfiguration of its elementary, middle, junior, and senior high schools; and the grade reconfiguration will be implemented in the next school year.

The School Board shall make information about the District, its schools, programs, policies and procedures available to all students who are residents of the State and express an interest in transferring into the District or in transferring to another school within the District.

In order for a Utah student to attend a District school other than the student's school of residence, the nonresident student's parent or guardian must submit an application to the District on a form provided by the State Board of Education.

To be considered as an "early enrollment" application, the student's parent or guardian must submit the application from August 1 to November 1 if there is a district wide grade reconfiguration the following school year or from December 1 through the third Friday in February prior to the school year of application for initial enrollment to begin the following school year in the District. Applications which are submitted for the current school year or after the third Friday in February for the following school year will be considered as "late enrollment" applications.


The District shall charge applicants a one-time $5.00 processing fee to be paid at the time of application.


Notice of Acceptance or Rejection of Application—

For an early enrollment application, the District shall provide written notice of acceptance or rejection of that application within six weeks after receipt of the application by the District or by March 31 whichever is later. For a late enrollment application for the
following school year, written notice of acceptance or rejection shall be provided within two weeks of the District's receipt of the application or by the Friday before the new school year begins, whichever is later. For a late enrollment application for the current school year, written notice of acceptance or rejection shall be provided within two weeks of the District's receipt of the application. Written notice of acceptance of an application for enrollment shall also be sent to the nonresident student's school of residence (for intradistrict transfers) or district of residence (for intradistrict transfers).


Denial of Enrollment Appeal—

Denial of initial or continuing enrollment of a nonresident student may be appealed to the Board. Written notice of the request for appeal to the Board must be submitted to the Board within fifteen (15) days of the date of the Board's denial of the application. The decision of the Board shall be upheld in any subsequent proceedings unless the Board's decision is found, by clear and convincing evidence, to be in violation of applicable law or regulation, or to be arbitrary and capricious.


Standards for Application—

Acceptance or rejection of an application shall be determined on an individual basis. Standards applied to each application include at least the following:

No nonresident student shall be allowed to voluntarily enroll in programs within the District unless, on a case by case basis, the District determines that there is capacity for additional students in the program for which the nonresident student applies, and that there is adequate space, facilities, and teacher availability in the class, grade level and school building for which the student applied.

The District shall maintain heterogeneous student populations if necessary to avoid violation of constitutional or statutory rights of students.

The District shall not be required to provide any program that it has not previously provided to its own students. If the District does not offer a program that the student requires, that fact shall be considered in reviewing the student's application.

The District shall consider the willingness of prospective students to comply with District policies.

The District shall consider whether an applicant's brother or sister is attending the requested school or another school in the District.

The District may give preference to applicants from students residing within the District over applications from students who do not reside within the District.

The District may consider whether the requested transfer is needed for the student's health or safety.

The District may reject an application for transfer for the current school year when the student has already transferred to another school for the current school year under open enrollment (whether that was effective at the beginning of the school year or during the school year).
Standards may not include previous academic achievement, athletic or other extra-curricular ability, the fact that the student requires special education services for which space is available, previous disciplinary proceedings, except that the District may deny applications from students who have committed serious infractions of the law or school rules, including rules of the District which may not have been rules of the student’s prior district where the conduct occurred. The District may deny applications from students who have been guilty of chronic misbehavior which would, if continued endanger persons or property, cause serious disruptions in the school, or place unreasonable burdens on school staff.

The Board may, in its discretion, allow provisional enrollment of students with prior behavior problems. In such cases the Board will, on a case-by-case basis, establish conditions under which enrollment of the nonresident student would be permitted. The Board may also impose such conditions on a nonresident student previously enrolled in the District, under which the nonresident student’s enrollment would be continued.

_Utah Code § 53A-2-208 (2008)_

**Posting of School Enrollment Information—**

For each school, the District shall post the following information on the District website:

1. The school’s maximum capacity;
2. The school’s adjusted capacity;
3. The school’s projected enrollment used in calculating the open enrollment threshold;
4. The school’s actual enrollment on October 1, January 2, and April 1;
5. The number of nonresident student enrollment applications for the school;
6. The number of nonresident student enrollment applications accepted; and
7. The number of resident students transferring to another school.


**Participation in Interscholastic Competition—**

The participation by nonresident students in interscholastic competition shall be governed under rules established by the State Board of Education, in consultation with the Utah High School Activities Association. Final determinations as to extent of participation shall be made by the Board of Education or coaches delegated such authority.

**Termination of Enrollment—**

Once a nonresident student is enrolled within a school in the District, the student may remain enrolled in that school subject to compliance with all rules and standards established for students in the District, and is not required to submit annual or periodic applications unless one of the following occurs:

1. the student graduates;
2. the student is no longer a Utah resident;
3. the student is suspended or expelled from school; or
4. the District determines that enrollment within the school in question will exceed the open enrollment threshold during the coming school year.

However, even when the open enrollment threshold will be exceeded, where a nonresident student is enrolled in a nonresident school for safety reasons because bus service is not provided between the student's neighborhood and their school of residence, that student may remain at that school through the highest grade offered and may thereafter attend the middle school, junior high school, or high school into which the nonresident school feeds, until graduation.

_Utah Code § 53A-2-207(11) (2012)_

Otherwise, where the open enrollment threshold will be exceeded, determination of which nonresident students will be excluded from continued enrollment in the school during a subsequent year is based upon time in the school, with those most recently enrolled being excluded first and the use of a lottery system when multiple nonresident students have the same number of school days at the school. Nonresident students who will not be permitted to continue their enrollment in the District shall be notified on or before March 15 of the school year prior to the school year during which enrollment will be denied.

_Utah Code § 53A-2-207(7) (2012)_

Transportation—

The parent or guardian of the nonresident student must arrange for the student's own transportation to and from schools. The District shall provide transportation for a nonresident student on the basis of available space on an approved route within the District to the school of attendance if District students would be eligible for transportation to the same school from that point on the bus route and the student's presence does not increase the cost of the bus route.

_Utah Code § 53A-2-213 (2008)_

Withdrawal of Enrollment—

Except as set forth below for charter school students, the parent of a nonresident student may withdraw the student from the nonresident school by doing one of the following:

1. Submitting notice of intent to enroll the student in the student's school of residence for the subsequent year.

2. Submitting notice of intent to enroll the student in another nonresident school for the subsequent school year.

Unless provisions have previously been made for enrollment in another school, if the District releases a nonresident student from enrollment in the District, the District superintendent shall immediately notify the student's district of residence.

If the District receives notice from another district that a student residing in the District, but who has been enrolled in the other district, is released from enrollment with that district, the District shall enroll the student in the appropriate District school and take such additional steps as may be necessary to ensure compliance with laws governing school attendance.

_Utah Code § 53A-2-207 (2012)_
The Board may allow a student residing outside the state to attend school within the District, but shall charge the nonresident child tuition at least equal to the per capita cost of the school program in which the child enrolls, unless the Board, in open meeting, determines to waive all or part of the charge for that child. Such action shall be recorded in the minutes of the meeting.

_Utah Code § 53A-2-205 (1988)_

**Returning Charter School Students**

The parent of a student residing in the District but enrolled in a charter school may withdraw the student from the charter school for enrollment in the student’s school of residence in the following school year if an application for admission is submitted to the District by June 30. If the application is submitted after June 30 for the following year or is submitted for the current year, the student may enroll in a school in the District which has adequate capacity in the student's grade level (for elementary students) or the core classes that the student needs to take (for secondary students). (These determinations shall be made following regulations issued by the State Board of Education.)

Notwithstanding these limitations, a student may be enrolled at any time if the District determines that is necessary to protect the health or safety of the student.

_Utah Code § 53A-1a-506.5(7), (8) (2014)_

**Exception to Open Enrollment Requirements for DCFS Cases**

Regardless of the student's place of residency or the open enrollment requirements set forth above, the District shall allow enrollment of a student in a District school where such enrollment is determined by the Utah Division of Child and Family Services to be necessary to comply with the provisions of 42 U.S.C. § 675.


**Required Identification**

Upon enrollment of a student for the first time in a particular school in the District, that school shall notify in writing the person enrolling the student that within 30 days he or she must provide the school with either a certified copy of the student's birth certificate, or other reliable proof of the student's identity and age, together with an affidavit explaining the inability to produce a copy of the birth certificate. If the affidavit appears inaccurate or suspicious, the school shall immediately report such concerns to the Bureau of Criminal Identification within the Department of Public Safety. If a person enrolling a student fails to comply with this requirement, the school shall notify that person in writing that unless he or she complies within ten days the case shall be referred to the local law enforcement authority for investigation. If the person fails to comply within the ten-day period, the school shall refer the case to the Bureau of Criminal Identification within the Department of Public Safety.

_Utah Code § 53A-11-503 (1993)_

**Missing Child**

If a school within the District receives notification from the Bureau of Criminal Identification that a child that is currently or was previously enrolled is missing, the school shall flag that
child's records sufficiently to alert school officers that the record is that of a missing child. If the school receives notification from the Bureau of Criminal Investigation that the child is no longer missing, it shall remove the flag from the record.


**Transfer Students—**

Within fourteen (14) days after enrolling a transfer student (simultaneously if the student is a military child), a school shall request, directly from the student's previous school, a certified copy of his record and shall exercise due diligence in obtaining the record.

*Utah Code § 53A-11-504 (2010)*

*Utah Code § 53A-1-1001 Article IV.B. (2010)*

If a school within the District is requested to forward a copy of a transferring student's record to the student's new school, it shall comply within thirty (30) school days (10 days if the student is a military child) unless the record has been flagged as being that of a missing child, in which case the copy shall not be forwarded and the school shall notify the Bureau of Criminal Identification of the request. Any knowledge as to the whereabouts of a missing child shall be reported immediately to the Bureau of Criminal Identification.


*Utah Code § 53A-1-1001 Article IV.B. (2010)*

**Health Examinations—**

The Board shall implement rules as prescribed by the Department of Health for vision, dental, abnormal curvature of spine, and hearing examinations of students attending the District’s schools.

Qualified health professionals shall provide instruction, equipment and material for conducting the examinations.

Upon written request from any parent or guardian of a student who contends that an examination provided by this policy would violate the personal beliefs of the person making the request and of the student, the student shall be exempt from submitting to the examination.

The school shall give notice in writing to a student's parent or guardian of any impairment disclosed by the examination.

*Utah Code § 53A-11-201 (1996)*

**Credits and Records Transfer—**

The District shall accept credits from accredited secondary schools, accredited special purpose schools and the Utah Electronic High School.

*Utah Admin. Rules 277-705-1(a) (August 8, 2011)*

*Utah Admin. Rules 277-705-3(B)(1) (August 8, 2011)*

**Graduation—**

The District shall award a diploma to a nonresident student attending school within the District during the semester immediately preceding graduation if the student meets graduation requirements generally applicable to students in the school.
**Utah Code § 53A-2-211 (1993)**

**Placement of Transfers—**
Records and transcripts of students from Utah nonpublic schools or from out of state shall be evaluated, and students shall be placed promptly in appropriate classes.

**Expelled Within Twelve Months—**
A student who has been expelled from a public school within the prior 12 months who is otherwise eligible to enroll may be denied enrollment in a District school for that reason. A student who has been expelled within the past 12 months may be allowed to enroll upon approval by the superintendent or designee, subject to such conditions and requirements as are determined to be appropriate.

**Utah Code § 53A-11-904(3) (2010)**

**Student Identification Number—**
District may not use a nine digit number as a student's identification number with the District.

**Utah Code § 63G-15-201 (2012)**
Morgan School District Durable Power of Attorney
(Under Utah Code § 53A-2-201)

The undersigned Grantor(s) is (are) the custodial parent(s) or legal guardian(s) of __________________________________________, a minor child (herein “Student”).

Pursuant to Utah Code § 53A-2-201, Grantor(s) hereby designate(s) __________________________________________, who by relationship is (are) the Student’s ________________________________, and who reside(s) at __________________________________________ as the Custodian(s) of Student and grant(s) to Custodian(s) a Durable Power of Attorney with full authority to take any appropriate action, including authorization for educational or medical services, in the interests of the Student. Such action shall have the same force and effect and shall bind the undersigned Grantor(s), the Grantor(s)’ heirs and assigns, to the same degree as would have been the case had the action been taken by the Grantor(s).

Grantor(s) agree(s) to assume full responsibility for payment of any fees or other charges relating to the Student’s education in ____________ School District. If eligibility for fee waivers is claimed under Utah Code § 53A-12-103, or application is made under other programs requiring financial information (such as for free or reduced school lunch) Grantor(s) also agree(s) to provide all financial information requested by the school district in determining eligibility.

This Durable Power of Attorney shall not be affected by the disability of the Grantor(s) and shall remain in effect until the earliest of the following:

a. The Student reaches the age of 18, marries, or becomes emancipated;

b. The following expiration date: ________________________________; or

c. This Durable Power of Attorney is revoked or rendered inoperative by the Grantor(s), the Custodian(s), or by order of a court of competent jurisdiction.

________________________    __________________________
Signature                  Signature

________________________    __________________________
Printed Name                Printed Name

THIS POWER OF ATTORNEY DOES NOT CONFER LEGAL GUARDIANSHIP

On this _____ day of _____________, 20___, personally appeared before me __________________________________________, who is (are) personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is (are) signed, and acknowledged to me that (s)he (they) signed it voluntarily and for its stated purpose.

_______________________________
NOTARY PUBLIC
Morgan School District Acceptance of Designation as a Custodian

The undersigned accept(s) the designation as Custodian(s) of the Student and agree(s) to take appropriate action, including authorization for educational or medical services, in the interests of the Student. The undersigned also agree(s) to assume responsibility for payment of any fees or other charges relating to the Student’s education in _____________ School District. If eligibility for fee waivers is claimed under Utah Code § 53A-12-103, or application is made under other programs requiring financial information (such as for free or reduced school lunch) the undersigned also agree(s) to provide all financial information requested by the school district in determining eligibility.

Signature________________________ Signature________________________
Printed Name_____________________ Printed Name _____________________

On this _____ day of ______________, 20___, personally appeared before me ___________________________________________, who is (are) personally known to me or proved to me on the basis of satisfactory evidence to be the person(s) whose name is (are) signed, and acknowledged to me that the that (s)he (they) signed it voluntarily and for its stated purpose.

________________________________________
NOTARY PUBLIC
Morgan School District Affidavit Granting Guardianship

I, ________________________________, the__________________

(Print Name) (legal relationship)

of ________________________________ give guardianship of

(Name of Student)

him/her to ________________________________

(Name of Responsible Adult who will act as Guardian)

while the said student lives as a permanent resident of ________________ School District
attending schools in the District.

I affirm the following:

a) I verify that the child's presence in the district is not for the primary purpose of
attending the public schools;

b) I have determined that the child's physical, mental, moral or emotional health
would be best served by transfer of guardianship;

c) I am aware that designation of a guardian is equivalent to a Court established
guardianship and will suspend or terminate any existing parental or guardianship
rights in the same manner as a court-established guardianship;

d) I consent and submit to suspension or termination of parental or guardianship
rights;

e) I submit to jurisdiction of Utah State courts in which the District is located for any
action related to guardianship or custody of the student;

f) I designate ________________________________ as my agent to accept service
of process and notice regarding custody and guardianship matters; and

g) I verify that it is my intent that the student become a permanent resident of the
District under the supervision of the responsible adult.

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Signed ________________________________

Executed on: (date) ______________________________
Morgan School District
Affidavit for Guardianship Where Parent Cannot Be Found

I certify that no parent or previous legal guardian can be found to grant guardianship of
_________________________________________________________________________
(Name of student)

to me,____________________________________________________________
(Name of Responsible Adult)

because ______________________________________________________________________

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Signed ________________________________________________________________

Executed on: (date) ______________________________
Morgan School District Affidavit Accepting Guardianship

I, ___________________________________________________________________,

(Name of Responsible Adult who will act as Guardian)

affirm the following:

a) I am a resident of _____________ School District and desire to become the guardian of ______________________;

b) I consent and submit to the jurisdiction of the Utah district court with jurisdiction of _____________ School District in any action relating to the guardianship or custody of this child in question;

c) I accept the responsibilities of guardianship of this child, which include the responsibilities to provide adequate supervision, discipline, food, shelter, educational and emotional support, medical care and to pay all school fees; and

d) I accept appointment by _____________________________ as his or her agent for accepting service of process for any matter involving custody or guardianship of this child.

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Signed _______________________________________________________________________

Executed on: (date) _______________________________________________________________________

Page 18 of 19
Morgan School District Student Guardianship Affidavit

I, _______________________________________________________________,

(Name of Student)

affirm the following:

a) I desire to become a permanent resident of the State of Utah;

b) I desire to reside within the boundaries of the ___________ School District;

c) I agree to be responsible to ______________________________; and

d) I will abide by the rules and policies of ___________ School District and its schools.

I declare under criminal penalty of the State of Utah that the foregoing is true and correct.

Signed   _______________________________________________________

Executed on: (date)    ______________________________
Morgan School District

FBAA Admissions and Attendance:
*Foreign Exchange Students*

Permissive and Mandatory Enrollment of Foreign Exchange Students—

**F1 Visa Tuition Paying Students**

The Morgan School District accepts F1 Tuition paying foreign exchange students at a tuition rate of $6000 per year based upon available space.

**J1 Visa Non-Tuition Paying Students**

The District does not accept J1 Visa Non-Tuition Paying Students.

**Enrollment**

The District shall enroll a foreign exchange student for one school year or less. If the District enrolls a foreign exchange student, the District may require the sponsor to provide a sworn affidavit of compliance prior to the beginning of the school year. The affidavit shall include the following assurances:

1. that the sponsor/agency has complied with all applicable policies of the board;

2. If sponsored by an agency, a study, including a background check of all adult residents, has been made of each household where an exchange student is to reside, and that the study was of sufficient scope to provide reasonable assurance that the exchange student will receive proper care and supervision in a safe environment;

3. that host parents have received training appropriate to their positions, including information about enhanced criminal penalties under [Utah Code § 76-5-406(10)](https://www.法令.com/utah/76-5-406) for persons who are in a position of special trust;

4. that a representative (if sponsored by an agency) shall visit each student's place of residence at least once each month during the student's stay in Utah;

5. that the agency will cooperate with school and other public authorities to ensure that no exchange student becomes an unreasonable burden upon the public schools or other public agencies;

6. that each exchange student will be given in the exchange student's native language names and telephone numbers of agency representatives and others who could be called at any time if a serious problem occurs; and
7. that alternate placements are readily available so that no student is required to remain in a household if conditions appear to exist which unreasonably endanger the student's welfare.

The District may provide the approved exchange student agency sponsoring a foreign exchange student with a list of names and telephone numbers of individuals not associated with the agency who could be called by an exchange student in the event of a serious problem. The agency may make a copy of the list available to each of its exchange students in the exchange student's native language.

_Utah Code § 53A-2-206 (2012)_
Morgan School District

Admissions and Attendance

Military Children

Definitions—
As used in this policy, unless the context clearly requires a different construction:

1. “Active duty” means: full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. §§ 1209 and 1211.

2. “Children of military families” means: a school-aged child, enrolled in Kindergarten through Twelfth grade, in the household of an active duty member.

3. “Deployment” means: the period one month prior to the service members' departure from their home station on military orders though six months after return to their home station.

4. “Education” or “educational records” means: those official records, files, and data directly related to a student and maintained by the school or local education agency, including but not limited to records encompassing all the material kept in the student’s cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

5. “Extracurricular activities” means: a voluntary activity sponsored by the school or the District or an organization sanctioned by the school or the District (such as the Utah High School Activities Association). Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays, and club activities.

6. “Interstate Commission on Educational Opportunity for Military Children” or “Interstate Commission” means the commission that is created under Article IX of the Interstate Compact on Educational Opportunity for Military Children, which has been adopted by Utah in Utah Code § 53A-1-1001.

7. “Local education agency” means: a public authority legally constituted by the state as an administrative agency to provide control of and
direction for Kindergarten through Twelfth grade public educational institutions.

8. “Sending state” means: the state from which a child of a military family is sent, brought, or caused to be sent or brought.

9. “State” means: a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands, and any other U.S. Territory.

10. “Student” means: the child of a military family for whom the local education agency receives public funding and who is formally enrolled in Kindergarten through Twelfth grade.

11. “Transition” means: 1) the formal and physical process of transferring from school to school; or 2) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

12. “Uniformed service” means: the Army, Navy, Air Force, Marine Corps, Coast Guard as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

13. “Veteran” means: a person who served in the uniformed services and who was discharged or released therefrom under conditions other than dishonorable.


Applicability—

This policy shall apply to the children of active duty members of the uniformed services as defined above in this policy, including members of the National Guard and Reserve on active duty orders pursuant to 10 U.S.C. §§ 1209 and 1211; members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one year after medical discharge or retirement; and members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one year after death.

This policy shall not apply to the children of:

1. Inactive members of the national guard and military reserves;

2. Members of the uniformed services now retired, except as provided in the paragraph above;

3. Veterans of the uniformed services, except as provided in the paragraph above, and other U.S. Dept. of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

Eligibility—

1. Eligibility for enrollment.
   a. A special power of attorney, relative to the guardianship of a child of a military family and executed under applicable law, shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent.
   b. The District may not charge tuition to a transitioning military child placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent.
   c. A transitioning military child, placed in the care of a non-custodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which the student was enrolled while residing with the custodial parent.

2. Eligibility for extracurricular participation
   a. The District shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.


Educational Records and Enrollment—

1. Unofficial or “hand-carried” education records:
   a. In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records, the District school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

2. Official education records or transcripts
   a. Simultaneous with the enrollment and conditional placement of the student, the District school shall request the student’s official education record from the school in the sending state. Upon receipt of this request, the school in the sending state should process and furnish the official education records to the District school within 10 days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

3. Immunizations
   a. The District shall give 30 days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the
Interstate Commission, for students to obtain any immunization required by state law. For a series of immunizations, initial vaccinations must be obtained within 30 days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

4. Kindergarten and First grade entrance age
   a. Students shall be allowed to continue their enrollment at grade level in the receiving District school commensurate with their grade level, including Kindergarten, from a local education agency in the sending state at the time of transition, regardless of age. A student that has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving District school, regardless of age. Students transferring after the start of the school year in the District shall enter the District school on their validated level from an accredited school in the sending state.


**Placement and Attendance—**

1. Course placement
   a. When the student transfers before or during the school year, the receiving District school shall initially honor placement of the student in educational courses based on the student’s enrollment in the sending state school and/or educational assessments conducted at the school in the sending state if the courses are offered. Course placement includes but is not limited to Honors, International Baccalaureate, Advanced Placement, vocational, technical, and career pathways courses. Continuing the student’s academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course.

2. Educational program placement
   a. The receiving District school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation or placement in like programs in the sending state. Such programs include, but are not limited to: 1) gifted and talented programs; and 2) English as a second language (ESL). This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student.

3. Special education services
a. In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1400 et seq., the receiving District school shall initially provide comparable services to a student with disabilities based on the student's current Individualized Education Program (IEP); and

b. In compliance with the requirements of Section 504 of the Rehabilitation Act, 29 U.S.C. § 794, and with Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 12131-12165, the receiving District school shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II Plan, to provide the student with equal access to education. This does not preclude the District school from performing subsequent evaluations to ensure appropriate placement of the student.

4. Placement flexibility
   a. District administrators shall have flexibility in waiving course or program prerequisites, or other preconditions for placement, in courses or programs offered within the District, subject to State Board of Education rules and regulations.

5. Absence as related to deployment activities
   a. A student whose parent or legal guardian is an active duty member of the uniformed services, as defined above in this policy, and has been called to duty for, is on leave from, or immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.


Graduation—

In order to facilitate the on-time graduation of children of military families, the District incorporates the following procedures:

1. Waiver requirements
   a. The District and its schools shall waive specific courses required for graduation if similar coursework has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the District shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

2. Exit exams
a. State statute provides that with respect to children of military families, the District shall accept:

i. Exit or end-of-course exams required for graduation from the sending state;

ii. National norm-referenced achievement tests; or

iii. Alternative testing, in lieu of testing requirements for graduation in the receiving state.

In the event the above alternatives cannot be accommodated by the District for a student transferring in the student’s Senior year, then the provisions below regarding transfers during the Senior year shall apply.

3. Transfers during Senior year

a. Should a military student transferring at the beginning or during the student’s Senior year be ineligible to graduate from the receiving District school after all alternatives have been considered, the sending local education agency and the District shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that the sending state has not adopted the Interstate Compact on Educational Opportunity for Military Children, the District shall use best efforts to facilitate the on-time graduation of the student in accordance with the waiver and exit exam provisions above.

*Utah Code § 53A-1-1001 Article VII (2010)*
Morgan School District Admissions and Attendance:  
FBB Compulsory Education

Definitions—

1. “Excused Absence or Valid Excuse” means:
   a. an absence resulting from:
      i. illness;
      ii. death of family member;
      iii. an approved school activity; or
      iv. any other reason established by the district as valid.
   1. In determining whether to pre-approve an extended absence of a student as a valid excuse, the district shall approve the absence if the district determines that the absence will not adversely impact the student’s education.
   b. An absence for attendance at a scheduled family event or a scheduled proactive visit to a health care provider if the parent or guardian submits a written statement at least one school day before the scheduled absence and if the student agrees to make up course work for the missed days according to District or school policy. (See Policy GCE section "Parent rights regarding student absences".)
   c. an absence permitted by a student’s:
      i. individualized education program, developed pursuant to the Individuals with Disabilities Education Improvement Act; or
      ii. accommodation plan, developed pursuant to Section 504 of the Rehabilitation Act.


2. “Home School” means a school comprised of one or more students officially excused from compulsory public school attendance under this policy and Utah Code § 53A-11-102.


3. “Private School” means a school satisfying the following criteria:
   a. maintained by private individuals or entities;
   b. maintained and operated not at public expense;
   c. generally supported, in part at least, by tuition fee or charges;
d. operated as a substitute for, and giving the equivalent of, instruction required in public schools;

e. employs teachers able to provide the same quality of education as public school teachers;

f. established to operate indefinitely and independently, not dependent upon the age of the students available or upon individual family situations; and

g. licensed as a business by the Utah Department of Business Regulations.

_Utah Admin. Rules R277-438-1 (Nov. 10, 2008)_

4. “Truant” means absent without a valid excuse or excused absence.


**Notice of Compulsory Education Attendance Laws**—

Prior to or no later than school registration, the parent or legal guardian of each student in grades 1-12 shall be provided written notice from the school or district informing the parents or legal guardians of Compulsory Education attendance laws, discipline or consequences progress; and opportunities to appeal disciplinary measures.

_Utah Admin. Rules R277-607-4 (Nov. 10, 2008)_

**Compulsory Education**—

The parent or legal guardian of a student who is at least six (6) years of age and not more than eighteen (18) years of age, shall enroll and send his or her school-age minor to a public or regularly established private school during the school year of the district in which the student resides, unless exempted as indicated below. Attendance shall be in District schools or in some other district to which the student may legally be transferred, or in a regularly established private school. It is a class B misdemeanor for a parent or legal guardian, after being served with a notice of compulsory education violation, to fail to enroll a school-age minor in school, unless exempted as indicated below. The District shall report violations of this policy to the appropriate city, county, or district attorney.


**Exemptions**—

Students who meet one or more of the following conditions to the satisfaction of the Board shall be exempt from compulsory attendance requirements and shall be given a certificate, issued by the Board, stating that the minor is excused from attendance during the time specified on the certificate:

1. A minor over age sixteen (16) may receive a partial release from school to enter employment, or to attend a trade school, if the minor has completed the eighth grade. Minors receiving this exemption must still attend school part-time as required by the Board or home school part time as permitted in 2.e. below.

2. On an annual basis, a school-age minor under eighteen (18) years of age may receive a full release from attending a public, regularly established private or
part-time school or class if one of the following is established to the Board's satisfaction:

a. The minor has already completed the work required for graduation from high school or has demonstrated mastery of the skills and competencies required for graduation from high school in accordance with Utah Code Ann. § 53A-15-102(1).

b. The minor is in a physical or mental condition, certified by a competent physician if required by the Board, which renders attendance inexpedient and impracticable.

c. Proper influences and adequate opportunities for education are provided in connection with the minor’s employment.

d. The Superintendent determines that the minor, if over age sixteen (16), is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline.

e. The minor’s parent files a signed and notarized affidavit with the minor’s school district of residence that the minor will attend a home school and that the parent assumes sole responsibility for the education of the school-age minor except to the extent that the minor is dual-enrolled in a public school. A minor receiving a partial release in order to enter employment under item (1) above may be excused from attending required part-time school to attend home school part time.

i. A parent of a minor who attends a home school is solely responsible for:

1. the selection of instructional materials and textbooks;
2. the time, place, and method of instruction, and
3. the evaluation of the home school instruction.

ii. A local school board may not:

1. require a parent of a minor who attends a home school to maintain records of instruction or attendance;
2. require credentials for individuals providing home school instruction;
3. inspect home school facilities; or
4. require standardized or other testing of home school students.

iii. Upon request of a parent, the District shall identify the knowledge, skills, and competencies a student is recommended to achieve by grade level and subject area to assist the parent in achieving college and career readiness through home schooling.

Certificate of Exemption from Public School Attendance—

When the Board excuses a minor from public school attendance pursuant to an exemption other than for home schooling, the Board shall issue a certificate stating that the minor is excused from attendance during the time specified on the certificate. When the Board excuses a minor from attendance under the home school exemption, the Board shall annually issue a certificate excusing the minor from attendance for the specified school year. The certificate shall be issued within 30 days after the initial receipt of the parent or guardian’s signed and notarized affidavit filed by the minor’s parent pursuant to Subsection (2)(e). The Board shall issue additional certificates on or before August 1 of each year thereafter unless (1) the minor enrolls in a District school, (2) the parent or guardian notifies the District that the minor no longer attends a home school, or (3) the parent or guardian notifies the District that the minor’s district of residence has changed.


School Efforts to Resolve Attendance Problems—

Parent(s) of all students in grades 1-12 shall be provided written notice from the school or district informing parents of Compulsory Education attendance laws and encouraging parental cooperation.

1. A student registering in the school district during the school year may be provided written notice explaining the school and school district's compulsory education policy.
2. A student moving from one school to another within the same district may be provided written notice explaining the school and school district's compulsory education policy.


The District shall make reasonable efforts to resolve the school attendance problems of its students, including the following, as deemed reasonably feasible by the Board or its designee in individual cases:

1. counseling of the student by school authorities;
2. issuing a Notice of Truancy;
3. issuing a habitual truant citation;
4. adjusting the curriculum and schedule if determined necessary to meet special needs of the student;
5. considering alternatives proposed by the parent or legal guardian;
6. monitoring school attendance of the student;
7. voluntarily participating in truancy mediation, if available;
8. providing the student’s parent or legal guardian, upon request, a list of resources available to assist the parent or legal guardian in resolving the student’s attendance problems; and
9. enlisting the assistance of community and law enforcement agencies as appropriate.

This policy and related statute do not impose any civil liability on the school district or its employees.

_Utah Code § 53A-11-103 (2012)_

**Notice of Compulsory Education Violation**—

A school administrator, a designee of the school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist may issue a notice of compulsory education violation to a parent of a student, who is at least six (6) years old but under the age of fourteen (14), if the student is truant at least five (5) times during the school year.

The notice of compulsory education violation shall:

1. direct the student’s parent or legal guardian to meet with designated school authorities to discuss the student’s attendance problems and cooperate with the District to secure regular attendance by the student.
2. specify the school authorities with whom the parent is required to meet.
3. state that it is a class B misdemeanor for the student’s parent or legal guardian to intentionally or recklessly fail to meet with the designated school authorities to discuss the student’s attendance problems or fail to prevent the student from being truant an additional five (5) or more times during the remainder of the school year.
4. be served on the student’s parent or legal guardian by personal service or certified mail.

The District shall report violations of this policy to the appropriate city, county, or district attorney.


**Notice of Truancy**—

A student is truant who is absent from school without a valid excuse. The District may authorize school administrators, a designee of the school administrator, a law enforcement officer acting as a school resource officer, or a truancy specialist to issue a notice of truancy to any student who is at least twelve (12) years of age and has been truant at least five (5) times during the school year.

The notice of truancy shall:

1. Identify each of the five (5) or more dates when the student was truant.
2. Direct the student and his or her parent or legal guardian to meet with the designated school authorities and cooperate with the school in securing regular attendance by the student;
3. Allow for contesting the notice of truancy. If the student and/or his or her parent or legal guardian desires to contest the notice of truancy, the parent or legal guardian must meet with the principal or the principal’s designee to voice any concerns about the accuracy of the notice of truancy. If the parent
or legal guardian cannot meet with the principal or the principal's designee, he or she can submit a written review to the principal outlining the concerns about the accuracy of the notice of truancy. After reviewing the concerns, the principal shall make a determination to either revise or affirm each of the dates when the student was allegedly truant. The principal's determination is final. The principal shall notify the parent or legal guardian of the determination. If the principal affirms the notice of truancy, the principal shall direct the parent or legal guardian to follow step 2 outlined above.

4. Be mailed to, or served on, the student’s parent or legal guardian.

_Habitual Truant Citation—_

A “habitual truant” is a student, twelve (12) years of age or older, who fails to cooperate with efforts on the part of school authorities to resolve the student’s attendance problem as outlined above and/or has been absent without valid excuse ten (10) or more times during one school year. A habitual truant citation may be issued by a designated school administrator, a designee of the school administrator, a law enforcement officer acting as a school resource officer, or truancy specialist to a habitual truant after reasonable efforts have been made by the school to resolve the school attendance problems of the student, as outlined above, and these efforts have not been successful. However, a habitual truant citation may not be issued to a student who is at least 16 years old and has at least a 3.5 cumulative grade point average.

After issuing a habitual truant citation, the school shall refer the habitual truant to juvenile court. The habitual truant is subject to the jurisdiction of the juvenile court.

_Other Actions to Resolve Attendance Problems—_

Nothing in the Notice of Truancy policy or Habitual Truant Citation policy shall prohibit a school from taking action to resolve a student’s attendance problems prior to five (5) absences without valid excuses, providing the action does not conflict with the requirements of these policies.

_Truancy Specialist—_

The Board may appoint and determine compensation for a truancy specialist to assist in enforcing laws related to school attendance, and to perform other duties prescribed by law or the Board.

_Duties and Powers—_

The truancy specialist may:

1. Investigate all cases of unexcused absences from school.
2. Enforce provisions of the compulsory attendance law.
3. Keep written records of all cases of any kind investigated by the truancy specialist in the discharge of his or her duties.

4. Follow and assist the school in the designation of habitually truant students pursuant to Policy FBD.

Custody—

The truancy specialist or a school administrator may take a minor into temporary custody if there is reason to believe the minor is a truant minor.

*Utah Code § 53A-11-105(1) (2008)*

If the truancy specialist or a school administrator takes a child into custody, the truancy specialist or administrator shall, without unnecessary delay, release the child to one of the following:

1. The Principal of the child’s school.
2. Any person designated by the Board to receive the child and return him or her to school.
3. A designated receiving center of the District.

*Utah Code § 53A-11-105(2) (2008)*

If the child refuses to return to school or to go to the receiving center, the officer or administrator shall, without unnecessary delay, notify the child’s parents, guardian or custodian and release the child to their custody. If the parents, guardian or custodian cannot be reached or are unable or unwilling to accept custody, the child shall be referred to the Division of Child and Family Services.

*Utah Code § 53A-11-105(3), (4) (2008)*
School Consent to Medical Treatment—
The school in which a minor student is enrolled may consent to medical treatment of that student, provided:

1. The person having the power to consent as otherwise provided by law cannot be contacted.
2. Actual notice to the contrary has not been given by that person.

_Utah Code § 78B-3-406(6)(c) (2008)_

Form of Consent—
Consent to medical treatment under this policy shall be in writing, signed by the school official giving consent, and given to the doctor, hospital, or other medical facility that administers the treatment.

Administering Medication—
Employees of the District may administer medication to a student during periods when the student is under the control of the school, subject to the following conditions:

1. The District has received a current written and signed request to administer the medication during regular school hours to the student from the parent, legal guardian, or other person having legal control of the student.

2. The student’s physician, dentist, nurse practitioner or physician assistant has provided a signed statement describing the method, amount, and time schedule for administration, and a statement that administration of medication by school employees during periods when the student is under the control of the school is medically necessary.

3. Oral, topical, and inhalant medication may be administered by assigned school personnel. Medications requiring other routes of administration will not be given by school personnel except in emergency situations, with the exception of glucagon, see policy below. In non-emergency situations, medications requiring other routes of administration must be given by a registered nurse, with the exception of glucagon, see policy below.

4. All medication that is to be given at school, with the exception of medication that is required in an emergency situation, must be furnished by the parent or guardian and delivered to the school by a responsible adult.

5. All prescription medication must be in the original container labeled by the pharmacy with the name of the student, the name of the physician, the name of the medication, the amount to given (dose), and the duration of the treatment. Over-the-counter drugs must be in the original bottle and labeled with the student's name.
6. All medication provided to the school is to be kept in a secure location.

7. Insofar as possible, one person should be assigned the responsibility of administering student medication.

8. A record including the type of medication, amount, and the time and day it was administered should be kept for each student receiving medication at school. The person administering the medication should sign the record each time medication is given.

9. Elementary and middle school students are not to carry or self-administer medication on school premises unless it has been authorized under Policy FDACB (for asthma or diabetes medication) or FDACC (for epinephrine) or is expressly ordered by the student’s physician because of potentially life-threatening circumstances, including, but not limited to, asthma medication, diabetes medication, glucagon and epinephrine.

10. Authorization for administration of medication by school personnel may be withdrawn by the school at any time following actual notice to the student’s parent or guardian.

11. School personnel who provide assistance under this policy in substantial compliance with the physician’s or dentist’s written statement and the District are not liable, civilly or criminally, for any adverse reactions suffered by the student as a result of taking the medication or discontinuing the administration of the medication pursuant to this policy.


The Board shall consult with the Department of Health and other health professionals to determine:

1. Designation of employees who may administer medication.

2. Proper identification and safekeeping of medication.

3. Training of designated employees.

4. Maintenance of records of administration.


**Administration of Glucagon—**

A glucagon authorization shall include a signed statement from a parent or guardian of a student with diabetes:

1. Certifying that glucagon has been prescribed for the student;

2. Requesting that the student’s public school identify and train school personnel who volunteer to be trained in the administration of glucagon; and

3. Authorizing the administration of glucagon in emergency situations to the student.

After receiving a glucagon authorization from a student’s parent or legal guardian, the school shall:

1. Within a reasonable time, train two or more school personnel who volunteer to be trained in the administration of glucagon, with training provided by the school nurse or another qualified, licensed medical professional;
2. Allow all interested personnel to receive training in the administration of glucagon. Training in the administration of glucagon shall include:
   a. Techniques for recognizing the symptoms that warrant the administration of glucagon;
   b. Standards and procedures for the storage and use of glucagon;
   c. Other emergency procedures, including calling the emergency 911 and contacting, if possible, the student’s parent or guardian.

3. Retain for reference the written materials prepared for training personnel;
4. Permit a student and/or school personnel to possess or store prescribed glucagon so that it will be available for administration in an emergency;

A person who has received glucagon administration training may administer glucagon at a school or school activity to a student with a glucagon authorization if:

1. The student is exhibiting the symptoms that warrant the administration of glucagon; and
2. A licensed health care professional is not immediately available.

A person who administers glucagon in accordance with this policy shall direct a responsible person to call 911 and take other appropriate actions in accordance with his or glucagon administration training.

School personnel who provide or receive training under this policy and pursuant to Utah Code § 53A-11-603 and act in good faith are not liable in any civil or criminal action for any act taken or not taken under the authority of § 53A-11-603 with respect to the administration of glucagon.

_Utah Code § 53A-11-603 (2006)_

**Administration of Seizure Rescue Medication**—

The following provisions govern administration of seizure rescue medication in place of the provisions set forth above under “Administering Medication.” “Seizure rescue medication” is medication prescribed by a health care professional which is given as set out in a student’s rescue seizure authorization while a student is experiencing seizure activity. It does not include medication given intravenously or intramuscularly.

A “seizure rescue authorization” is a student’s Section 504 accommodation plan which:

1. Certifies that
   a. A prescribing health care professional has prescribed a seizure rescue medication for the student; and
   b. The student’s parent or guardian has previously administered the student’s seizure rescue medication without complication in a setting outside of medical supervision; and
   c. The student has previously ceased having full body prolonged or convulsive seizure activity as a result of receiving the seizure rescue medication; and
2. Describes the specific seizure rescue medication authorized for the student, including the indicated dose and instructions for administration; and

3. Requests that the student’s school identify and train school personnel who volunteer to be trained to administer seizure rescue medication; and

4. Authorizes a trained school employee volunteer to administer seizure rescue medication to the student.

After receiving a seizure rescue authorization from a student’s parent or legal guardian, the school shall:

1. Inform school employees to be a school employee volunteer to administer seizure rescue medication;

2. Provide for training of each volunteer in the administration of seizure rescue medication, with training provided by the school nurse or another qualified, licensed medical professional. The training shall be according to the program developed by the Utah Department of Health, which will include:
   a. Techniques for recognizing the symptoms that warrant the administration of a seizure rescue medication;
   b. Standards and procedures for the storage of a seizure rescue medication;
   c. Other emergency procedures, including calling 911 and contacting the student’s parent or guardian;
   d. An assessment to determine competency to administer seizure rescue medication;
   e. An annual refresher training component; and
   f. Written materials describing this information.

3. Retain for reference the written materials prepared for training personnel; and

4. Permit school personnel to possess or store prescribed seizure rescue medication so that it will be available for administration.

A volunteer school employee who has received the required training may administer seizure rescue medication to a student with a seizure rescue authorization if:

1. The student is exhibiting a symptom, described on the student’s seizure rescue authorization, that warrants the administration of a seizure rescue medication; and

2. A licensed health care professional is not immediately available.

A person who administers a seizure rescue medication in accordance with this policy shall direct a responsible person to call 911 and take other appropriate actions in accordance with the seizure rescue medication administration training.

A volunteer school employee who in good faith administers a seizure rescue medication in accordance with this policy and Utah Code § 53A-11-603.5 is not liable in a civil or criminal action for an act taken or not taken under that authority.
Policy FHA, Safe Schools, and Policy FHAA, Safe Schools: Alcohol and Drugs do not apply to the possession of a seizure rescue medication.

*Utah Code § 53A-11-603.5 (2016)*

Civil Liability Immunity—

School personnel shall substantially comply with the health care professional’s written statement in order that they and the District and Board may take full advantage of the immunity from liability granted under *Utah Code § 53A-11-601(3)*.


Treatment for persons for whom a valid life with dignity order has been issued

Background

In very isolated situations, a child who is terminally ill may be enrolled and actively participating in a public school. This policy sets forth what school personnel may and must do if a student subject to a "do not resuscitate" (DNR) directive faces a life-threatening medical emergency.

The law provides that a “life with dignity order” executed pursuant to Utah Code § 75-2a-106 may be directed to health care providers or emergency medical service providers licensed or certified under Utah Code Title 26, Chapter 8A. The law further provides that those licensed or certified emergency medical providers may be directed to withhold or withdraw all life-sustaining procedures. Professionals licensed pursuant to Utah Code § 26-8A-302 include paramedics, medical directors, emergency medical service instructors, and other emergency medical personnel.

Such professionals are granted immunity from liability for complying in good faith with a life with dignity order. Such professionals are also granted immunity for providing life-sustaining treatment notwithstanding a contrary directive in a life with dignity order.

a. Medical service providers who are school employees may have responsibilities related to the treatment or withholding of treatment for persons for whom a valid life with dignity order has been issued pursuant to Utah Code § 75-2a-106. Such providers may act in good faith to exercise their judgement with regard to complying with a life with dignity order to withhold or withdraw life-sustaining treatment or to provide life-sustaining treatment despite a contrary directive in the order.

b. With the exception of situations governed by paragraph A, above, it is the policy of the District that first aid shall be provided to any and all students in need of such assistance while under the control and/or supervision of the
School District. Life with dignity orders will not be followed by school district staff who are not licensed under Section 26-8a-302.

c. When a school employee or volunteer observes or becomes aware of a medical emergency involving a student, normal responsive actions should be taken, including the summoning of emergency medical personnel and administering first aid.

d. This should be done by school staff irrespective of whether a life with dignity order is in place and has been provided to the school with respect to that particular student.

Utah Code: https://le.utah.gov/xcode/Title75/Chapter2A/75-2a-S106.html?v=C75-2a-S106_1800010118000101
Morgan School District
Policy FDAF Concussion and Head Injury

Introduction—

Medical management of sports-related concussion continues to evolve. Recently, there has been a significant amount of new research regarding sports related concussions in high school athletes. The District, in compliance with Utah State Board of Education Rule R277-614 and based on the model policy issued by the State Board of Education and State Risk Management, has established this protocol to provide education about concussion for coaches, school personnel, parents, and students. This protocol outlines procedures for staff to follow in managing concussions, and outlines school policy as it pertains to return to play issues following a concussion.

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

All appropriate staff shall attend a yearly in-service meeting in which procedures for managing sporting event-related concussions are discussed.

Recognition of Concussion—

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

Common signs and symptoms of sports-related concussion signs (observed by others):

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

Symptoms (reported by student):
✓ Headache
✓ Fatigue
✓ Nausea or vomiting
✓ Double vision, blurry vision
✓ Sensitive to light or noise
✓ Feels sluggish
✓ Feels “foggy”
✓ Problems concentrating
✓ Problems remembering

These signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion. Any student who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion, or balance problems) shall be immediately removed from the contest, game, or practice and shall not return to play until cleared by an appropriate health care professional.

Management and Referral Guidelines for All Staff —

The following situations indicate a medical emergency and require activation of the Emergency Medical System:

1. Any student 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.
2. Any student 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.
3. A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle:
   a. Deterioration of neurological function
   b. Decreasing level of consciousness
   c. Decrease or irregularity in respirations
d. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding

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

  f. Seizure activity

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

Guidelines and Procedures for Coaches and Teachers Supervising Contests and Games—

RECOGNIZE • REMOVE • REFER

When in doubt, sit ‘em out.

➤ Recognize concussion: All educators and agents of the District should become familiar with the signs and symptoms of concussion that are described above.

➤ Educators and agents of District should have appropriate training about recognizing and responding to traumatic head injuries, consistent with the employees’ responsibilities for supervising students and athletes.

➤ Remove from activity.

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

Parental Notification –

The District employee or agent is responsible for notifying the student’s parent(s) of the injury. Depending on the injury, either an emergency vehicle will transport or parent(s) will pick the student up at the event for transport. A medical evaluation is required before returning to play.

In the event that a student’s parent(s) cannot be reached, and the student is able to be sent home, the District’s employee or agent should insure that the student will be with a responsible individual, who is capable of monitoring the student and understanding the home care instructions, before allowing the student to go home.

The District’s employee or agent should continue efforts to reach a parent. If there is any question about the status of the student, or if the student cannot be monitored appropriately,
the student should be referred to an Emergency Department for evaluation. An District’s employee or agent should accompany the student and remain with the student until a parent arrives. The District’s employee or agent shall provide for supervision of other students for whom he or she is responsible when accompanying the injured student. Students with suspected head injuries should not be permitted to drive home. District employee or agents should seek assistance from the host site certified athletic trainer (ATC) or team physician, if available, at an away contest if the injury occurs at a formal athletic contest.

Return to Play (RTP) Procedures after Concussion —

Return to activity and play is a medical decision. The student must meet all of the following criteria in order to progress to activity:

1. Asymptomatic at rest and with exertion (including mental exertion in school) AND
2. Have written clearance from the student’s primary care provider or concussion specialist (student must be cleared for progression to activity by a physician other than an Emergency Room physician, if diagnosed with a concussion).

Once the above criteria are met, the student will be progressed back to full activity following the step-wise process detailed below. (This progression must be closely supervised by a District employee or 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).

Progression is individualized, and will be determined on a case-by-case basis. Factors that may affect the rate of progression include: previous history of concussion, duration and type of symptoms, age of the student, and sport/activity in which the student participates. An athlete/student with a prior history of concussion, one who has had an extended duration of symptoms, or one who is participating in a collision or contact sport may be progressed more slowly.

Stepwise progression as described below:

Step 1. Complete cognitive rest. This may include staying home from school or limiting school hours (and studying) for several days. Activities requiring concentration and attention may worsen symptoms and delay recovery.

Step 2. Return to school full-time.

Step 3. Light exercise. This step cannot begin until the student 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 weight lifting.

Step 4. Running in the gym or on the field. No helmet or other equipment.
Step 5. Non-contact training drills in full equipment. Weight training can begin.
Step 6. Full contact practice or training.
Step 7. Play in game. Must be cleared by physician before returning to play.

The student should spend 1 to 2 days at each step before advancing to the next. If post-concussion symptoms occur at any step, student must stop the activity and the treating physician must be contacted. Depending upon the specific type and severity of the symptoms, the student may be told to rest for 24 hours and then resume activity at a level one step below where he or she was at when the symptoms occurred. This resumption of activity could be considerably simplified for a student injured during recess compared to a student injured at a game or formal practice.

Annual Notice to Students and Parents —

Notice of this concussion and head injury policy shall be provided at least annually to parents of students who participate in sporting events as defined in Utah Code § 26-53-102(5), and should require parents' signatures acknowledging such notice.

Additional Considerations —

It is the prerogative of District to designate the credentials of the providers from whom they will accept clearance. This is a very important decision and should be made after careful consideration by the athletic director, principal, superintendent, coach, and parent(s). The school district's liability carrier may also be consulted.

For students injured during formal competitions, serious consideration must also be given as to what the school will do in the case where an athlete is clearly still having concussion symptoms, yet given return to play clearance by a health care provider. The District should designate a specific individual (preferably an expert in the field of concussion management—typically a physician or neuropsychologist) who shall evaluate the athlete and make the final decision regarding return to play.

Utah Admin. Rules R277-614-4 (July 8, 2013)
Morgan School District
FE Student Records

“Education Records” Defined—

For the purposes of this policy, the term “education records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by an education agency or institution or by a person acting for such agency or institution.

The term “education records” does not include:

1. Records that contain only information about a student after he or she is no longer a student in the District.
2. Records made by District personnel that are kept in the sole possession of the maker and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
3. Records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement.
4. Records relating to an individual who is employed by an educational agency or institution, that:
   a. Are made and maintained in the normal course of business;
   b. Relate exclusively to the individual in that individual's capacity as an employee; and
   c. Are not available for use for any other purpose.
   i. Records relating to an individual in attendance at the school who is employed as a result of his or her status as a student are education records and not excepted under paragraph (4).
5. Records on a student who is eighteen (18) years of age or older that are:
   a. Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
   b. Made, maintained, or used only in connection with treatment of the student; and
   c. Disclosed only to individuals providing the treatment.
   i. For the purpose of this definition, “treatment” does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

20 U.S.C. § 1232g
34 CFR § 99.3

Notification of Data Breach—

The District shall notify the parent or guardian of a student (or the student if the student is an adult) if there is a release of the student's personally identifiable student data due to a security breach.
Student Identification Number—

The District may not use a nine-digit number as a student's identification number with the District.

Screening Records—

The Principal of each school shall maintain records of screening for special senses and communication disorders and spinal screening for each student in the school. Records shall be open for inspection by the state or local health department. Individual screening records may be transferred among schools in accordance with provisions below concerning ACCESS BY OTHER PERSONS.

Immunization Records—

The District shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by representatives of local health departments or the Utah Department of Health. The District shall cooperate with other districts in transferring students' immunization records between schools. Specific approval from students, parents, or guardians is not required prior to making such record transfers.

Assessment Transfers—

The results of individual student performance on basic skills assessment instruments or other achievement tests administered by the District are confidential and may be made available only to the student, the student's parent or guardian, and to the school personnel directly involved with the student's educational program. However, overall student performance data shall be aggregated by school and District and made available to the public, with appropriate interpretations, at regularly scheduled Board meetings. The information may not contain the names or other identifying information of individual students or teachers.

Academic Achievement Record—

The District shall maintain a student academic achievement record on each student enrolled in the District. This record shall reflect courses of studies completed and shall substantiate the fulfillment of course requirements toward qualifying for high school graduation. A copy of this record shall be furnished to each student transferring to another school district.

Access to Education Records—

Access to the education records of a student who is or has been in attendance at a school in the District shall be granted to the parent of the student who is a minor or who qualifies as a dependent for tax purposes. “Parent” includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

The District shall presume that a parent has authority to inspect and review the student's records unless it has been provided with evidence that there is a court
order, state statute, or legally binding document that specifically revokes these rights.

34 CFR § 99.4

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

34 CFR § 99.5(a)(1)
34 CFR § 99.3

If material in the education record of a student includes information on another student, only the portion of the material relating to the student whose records were requested may be inspected and reviewed.

Request Procedure—

Upon request of a properly qualified individual, access to a student’s education record shall be granted within a reasonable period of time, not to exceed forty-five (45) days. The District shall respond to reasonable requests for explanations and interpretations of the records.

34 CFR § 99.10

Access by Other Persons—

Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:

1. School officials, including teachers, who have legitimate educational interests. An administrator or teacher is entitled to access to a student's medical records maintained by the District only if he or she has completed in-service training on HIV infection.

2. Officials of other schools or school systems in which the student seeks or intends to enroll, provided that the District either:
   a. Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
   b. Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent.)
      i. In either case, the District shall furnish a copy of the transferred records to the parent if requested, and give the parent an opportunity for a hearing to challenge the content of the record.

3. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs.

34 CFR § 99.31
34 CFR § 99.35
4. Personnel involved with a student’s application for, or receipt of, financial aid.
5. State and local officials to whom such information is specifically required to be reported or disclosed by state statute.
6. Organizations conducting studies for educational agencies or for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies. Such information must be destroyed when no longer needed for the original purposes of the studies.
7. Accrediting organizations that require the information for purposes of accreditation.
8. Parents of a student who qualifies as a dependent for tax purposes.
9. Appropriate persons who, in an emergency, must have such information in order to protect the health or safety of the student or other person.
10. Any person requesting directory information, as defined in local policy, after the District has given public notice of that definition.

34 CFR § 99.31
34 CFR § 99.37

In order for personally identifiable information in education records to be released to any individual, agency, or organization other than to the student and those listed above, written consent must be obtained from the student’s parent. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released. Such information may also be released in compliance with a judicial order or subpoena provided that the District makes a reasonable effort to notify the parent and student of the order or subpoena in advance of compliance.

34 CFR § 99.31

Transfer Not Permitted—

Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student’s parent.

Notice of Behavior that may Threaten Safety—

Notwithstanding any other provision of this policy, in the event a student is expelled for a period of more than ten (10) days for use or distribution of alcohol or a controlled substance, or for possession of an incendiary device or firearm, a record stating the cause of expulsion shall be created and provided only to the following persons:

1. The Principal and Vice-Principal over students in any alternative educational setting where the student will be educated;
2. Any teachers of the student in the alternative education placement; and
3. Counselors in any school where the student attends who may provide counseling services to the student.
If appropriate, the record shall state also any appropriate precautions to be observed in the education of the student.

The Board finds that dissemination of such information to those persons identified is necessary to provide an appropriate and safe education to the student of the District. The District shall not provide copies of such private records to any persons except those identified and the parent or legal guardian of the student without a court order.

If the student is education pursuant to an Individual Education Program, then the record shall be considered by the Individual Education Program Team to determine an appropriate placement in the least restrictive environment consistent with safety and well-being of all students in the District.

A copy of this policy shall be made available to parents and students upon request.

Record of Access to Student Record—

Each school shall maintain a record, kept with the education record of each student, that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records. The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as the District maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

20 U.S.C. § 1232g

The record shall not include requests for access by, or access granted to, parents of the student or officials of the District, requests accompanied by prior written consent of the parent, requests for directory information, or a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

34 CFR § 99.32

Right to Amend Records—

The parent of a student whose records are covered by this policy may ask the District to amend the student’s record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If, after a reasonable time, the District decides not to amend the education records requested, it shall inform the parent of its decision and his right to a hearing to challenge the content of the student's education records.

If the District decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, the District decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of the District. Any explanation shall be maintained with the contested part of the record as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

34 CFR § 99.20
34 CFR § 99.21

Annual Notification of Rights—

The District shall give parents of in-attendance students or the in-attendance students themselves annual notification of their rights under the Family Educational Rights and Privacy Act of 1974 and of the places where copies of this policy may be located. The District shall effectively notify parents or eligible students who are disabled. The District shall effectively notify parents who have a primary or home language other than English. The notice must include:

1. The procedure for exercising the right to inspect and review education records.
2. The procedure for requesting amendment of records.
3. A specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

20 U.S.C. § 1232g(e)
34 CFR § 99.7

Directory of Information—

The District may release information if it has given public notice of:

1. The types of personally identifiable information that it has designated as directory information.
2. The right of the parent to refuse to permit the District to designate any or all of that information about the student as directory information.
3. The period of time within which the parent must notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information.

34 CFR § 99.37

Directory Information—

Directory information may include a student’s name, address, telephone listing, email address, photograph, date and place of birth, major field of study, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, enrollment status, dates of attendance, degrees, honors, and awards received, and the most recent previous school attended by a student.

Directory information shall be released to any individual or organization that files a written request with the Superintendent or designee.

20 U.S.C. § 1232g
34 CFR § 99.3

Fee for Copies—

No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis.

20 U.S.C. § 1232g
34 CFR § 99.11

Records of Students With Disabilities—
The District shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

34 CFR § 300.501(a)

**Access Rights—**

In addition to policies applicable to all student records, the following guidelines shall apply when parents of a student with a disability request to review or inspect District records relating to the education of their child:

Parents may request that a representative inspect and review the records.

34 CFR § 300.613(b)(3)

The District shall comply with a requested request without unnecessary delay and before any meeting regarding an individual education plan (IEP) or hearing relating to the identification, evaluation, or placement of the child.

34 CFR § 300.613(a)

The District shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees) including name, date of access, and the purpose for which the person is authorized to use the records.

34 CFR § 300.614

**Parental Consent—**

Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the Individuals with Disabilities Education Act (IDEA) or disclosed to anyone other than officials of agencies collecting or using this information. The District may not release information from these records without parental consent except as provided in the Family Educational Rights and Privacy Act (FERPA).

34 CFR § 300.622

No student shall be required without parental consent to submit to psychiatric examination, testing or treatment of which the primary purpose is to reveal information concerning:

1. political affiliations or philosophies (except as provided in Policy ECF);
2. mental or psychological problems;
3. sexual behavior, orientation, and/or attitudes;
4. illegal, anti-social, self-incriminating or demeaning behavior;
5. critical appraisals of close family members;
6. any legally privileged information;
7. income (except as required to receive financial assistance or fee waivers); and
8. religious affiliations or beliefs.

The parent shall be notified in writing of the means and purposes of the testing and the person(s) doing the testing at least two weeks, but not more than five months, before information protected by this policy is sought. This written notice must include an Internet address where the parent can view the exact test or survey to be administered.

20 U.S.C. § 1232h
Confidentiality—

The District shall protect the confidentiality of personally identifiable information in collection, storage, disclosure, and destruction of records. One official in the District shall assume responsibility for ensuring confidentiality of personally identifiable information. All persons collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. The District shall maintain for public inspection a current listing of the names and positions of employees who may have access to this information.

34 CFR § 300.623

Destruction of Information—

The District shall inform parents when personally identifiable information pertaining to education of students with disabilities is no longer needed to provide educational services to the student. Such information shall be destroyed on request of the parent. A permanent record of the student’s name, address, and phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limit.

34 CFR § 300.624

Comprehensive System—

The Superintendent shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school personnel.

A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.

This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for non-enrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent.

Custodian of Records—

The Principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of records for students who have withdrawn or graduated. The student handbook distributed annually to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent’s business address.

Types and Locations of Records—

Each record custodian, at the location listed in the student handbook, shall be responsible for the education records of the District. These records may include:

1. Admissions data, personal and family data, including certification of date of birth.
2. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
3. All achievement records, as determined by tests, recorded grades, and teacher evaluation.

4. Health services records, including:
   a. The results of any tuberculin tests administered by the District.
   b. The findings of screening or health appraisal programs the District conducts or provides.
   c. Information and follow-up to ensure that parents have been notified of identified problems and of how they can obtain needed services for the students.
   d. Immunization records.

5. Attendance records.

6. Student questionnaires.

7. Records of teacher, counselors or administrative conferences with the student or pertaining to the student.

8. Verified reports of serious or recurrent behavior patterns.

9. Copies of correspondence with parents and others concerned with the student.

10. Records transferred from other districts the student has been enrolled in.

11. Records pertaining to participation in extracurricular activities.

12. Information relating to student participation in special programs.

13. Records of fees assessed and paid.

14. Other records that may contribute to an understanding of the student.

Request Procedures—

The cumulative record shall be made available to the parent. Records may be reviewed during regular school hours upon written request to the record custodian. The record custodian or designee shall be present to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and the records shall be restricted to use only in the Superintendent’s, Principal’s, or counselor's office, or other restricted area designated by the record custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

Student Rights—

Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

34 CFR § 99.5(a)(1)
34 CFR § 99.3
34 CFR § 300.625

Access by School Officials—

For the purposes of this policy, “school officials” shall mean any employees, trustees, or agents of the District, of cooperatives of which the District is a member, or of facilities with which the District contracts for placement of handicapped students. The term also includes attorneys, consultants, and independent contractors who are retained by the District, by cooperatives of which the District is a member, or by facilities with which the District contracts for placement of handicapped students.
School officials have a “legitimate educational interest” in a student’s records when they are working with the student, considering disciplinary or academic actions, or developing a handicapped student’s individual education plan; compiling statistical data; or investigating or evaluating programs. 

34 CFR § 300.622(b)(1)

Access by Parents—

Parents may be denied copies of records after the student reaches age eighteen (18) and no longer qualifies as a dependent for tax purposes, when the student is attending an institution of post-secondary education, or if the parents fail to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record shall be provided at no charge.

Transcripts and Transfers of Records—

A school shall request a certified copy of a transfer student’s record, directly from the transfer student’s previous school, within fourteen (14) days after enrolling the transfer student unless the student is a military child (see below).

The District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll within thirty (30) school days of the request, unless the student is a military child (see below).


Military Child’s Records—

If the parent or legal guardian of a military child requests an official education record and the school is unable to release the official education record, the school shall provide the parent or guardian of the military child with an unofficial education record.

If a school requires an official education record in order to enroll a student, the school shall enroll and appropriately place a military child based on information in an unofficial record pending validation by an official record.

A school that enrolls a military child shall request a certified copy of a military child’s official education record, directly from the military child’s previous school, simultaneously with enrolling the military child.

If a school receives a request to forward a certified copy of a military child’s official education record, the school shall comply within ten (10) days of the request.

“Military child” means a child enrolled in kindergarten through grade 12 who is legally residing in the household of an active duty service member or whose parent or legal guardian is an active duty service member in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders.


Records of a Missing Child—

Upon notification by the Criminal Investigations and Technical Services Division of the Department of Public Safety (“division”) of a missing child, the school in which that child is currently or was previously enrolled shall flag the record of that child in a manner that whenever a copy of or information regarding the record is requested, the school is alerted to the fact that the record is that of a missing child.
The school shall immediately report any request concerning flagged records or knowledge as to the whereabouts of any missing child to the division. The school may not forward the record to the new school.

Upon notification by the division that a missing child has been recovered, the school shall remove the flag from that child's record.


**The Records Responsibility for Handicapped Students—**

The official responsible for ensuring the confidentiality of any personally identifiable information in handicapped student records shall be the Superintendent.

A current listing of names and positions of persons who have access to handicapped student records is maintained at the office of the Superintendent.

**Procedure to Amend—**

Within fifteen (15) school days of the record custodian’s receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ten school days after the request is received. Parents shall be notified in advance of the date, time, and place of the hearing.

An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence, and at their own expense, may be assisted or represented at the hearing. The parents shall be notified of the decision in writing within ten school days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 school days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District’s decision.

**Notice of Parent and Student Rights—**

_Family Education Rights and Privacy Act, 20 U.S.C. § 1232g_

The_______________ School District maintains general education records required by law. A student’s school records are private and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters the District until the student withdraws or graduates. This record moves with the student from school to school.

By law, both parents, whether married, separated, or divorced, have access to the records of a student who is a minor or a dependent for tax purposes, as do students who are eighteen (18) years of age or older. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.

The Principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of all records for students who have withdrawn or graduated. Records may be reviewed during regular school hours. The record custodian or designee will respond to reasonable requests for explanation and interpretation of the records. The address of the Superintendent’s office is:__________________________________________________________
The addresses of the Principals’ offices
are: ____________________________________________
______________________________________________
______________________________________________

Parents of a minor or a student who is a dependent for tax purposes, the
student (if 18 or older), and school officials with legitimate educational interests are
the only persons who have general access to a student’s records. “School officials
with legitimate educational interests” include any employees, agents, or Board
Members of the District, or of cooperatives of which the District is a member, or of
facilities with which the District contracts for placement of students with disabilities,
as well as their attorneys and consultants, who are (1) working with the student; (2)
considering disciplinary or academic actions, the student’s case, or a student’s
individual education plan; (3) compiling statistical data; or (4) investigating or
evaluating programs.

Certain other officials from various governmental agencies may have limited
access to the records. The District forwards a student’s records on request to a
school in which a student seeks or intends to enroll without the necessity of the
parent’s permission. Parental consent is required to release the records to anyone
else. When the student reaches eighteen (18) years of age, he or she has the right
to consent to release of records transfers to the student.

The parent’s or student’s right of access to, and copies of, student records
does not extend to all records. Materials such as, but not limited to, teachers’
personal notes on a student that are shared only with a substitute teacher and
records on former students do not have to be made available to the parents or
students.

Students over eighteen (18) and parents of minor students may inspect the
student’s records and request a correction if the records are inaccurate, misleading,
or otherwise in violation of the student’s privacy or other rights. If the District refuses
the request to amend the records, the requestor has the right to a hearing. If the
records are not amended as a result of the hearing, the requestor has 30 school
days to exercise the right to place a statement commenting on the information in the
student’s record. Although improperly recorded grades may be challenged, parents
and students are not allowed to contest a student’s grade in a course through this
process. Parents or students have the right to file a complaint with the U.S.
Department of Education if they feel that the District is not in compliance with the law
regarding student records.

Copies of student records are available at a cost of $______ per page,
payable in advance. Parents may be denied copies of student’s records (1) after the
student reaches age eighteen (18) and is no longer a dependent for tax purposes;
(2) when the student is attending an institution of post-secondary education; or (3) if
the parent fails to follow proper procedures and pay the copying charge. If the
student qualifies for free or reduced-price lunches and the parents are unable to
view the records during regular school hours, upon written request of the parent, one
copy of the record will be provided at no charge.

Certain information about District students is considered directory information.
This information will be released to anyone who follows procedures for requesting it,
unless the parent objects to the release of any or all directory information about his
child. In connection with receiving federal funding, the District is also required by
law to provide requesting military recruiters with secondary student names,
addresses and telephone numbers unless the parent objects to the release of that
information. (The same objection may be used for both general directory information release and release to military recruiters.) This objection must be made in writing to the Principal within ten school days after the issuance of this notice. Directory information includes: a student’s name, address, telephone listing, email address, photograph, date and place of birth, major field of study, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, enrollment status, dates of attendance, degrees, honors, and awards received, and most recent previous school attended.

The District’s complete policy regarding student records is available from the Principal's or Superintendent's office.

20 U.S.C. § 1232g(e)
Utah Code § 53A-13-301(2) (2016)
20 U.S.C. § 7908
Morgan School District
FED Student Data Protection

Definitions—

1. “Aggregate Data” means data that:
   a. Are totaled and reported at the group, cohort, school, school district, region, or state level with at least 10 individuals in the level;
   b. Do not reveal personally identifiable student data; and
   c. Are collected in accordance with board rule.

2. “Biometric Identifier”
   a. Biometric identifier means a:
      i. Retina or iris scan;
      ii. Fingerprint;
      iii. Human biological sample used for valid scientific testing or screening; or
      iv. Scan of hand or face geometry.
   b. “Biometric identifier” does not include:
      i. A writing sample;
      ii. A written signature;
      iii. A voiceprint;
      iv. A photograph;
      v. Demographic data; or
      vi. A physical description, such as height, weight, hair color, or eye color.

3. “Biometric Information” means information, regardless of how the information is collected, converted, stored, or shared:
   a. Based on an individual’s biometric identifier; and
   b. Used to identify the individual.

4. “Cumulative Record” means physical or electronic information that the District intends:
   a. To store in a centralized location for 12 months or more; and
   b. For the information to follow the student through the public education system.

5. “Data Governance Plan” means a comprehensive plan for managing education data that:
   a. Incorporates reasonable data industry best practices to maintain and protect student data and other education-related data;
   b. Provides for necessary technical assistance, training, support, and auditing;
   c. Describes the process for sharing student data between the District and another person;
   d. Describes the process for an adult student or parent to request that data be expunged; and
   e. Is published annually and available on the District’s website.

6. “Metadata Dictionary” means a complete list of student data elements and other education-related data elements, that:
   a. Defines and discloses all data collected, used, stored, and shared by the District, including:
      i. Who uses a data element within the District and how a data element is used within the District;
ii. If a data element is shared externally, who uses the data element externally and how a data element is shared externally;

iii. Restrictions on the use of a data element; and

iv. Parent and student rights to a data element;

b. Designates student data elements as either

i. necessary student data or

ii. optional student data;

c. Designates student data elements as required by state or federal law; and

d. Without disclosing student data or security information, is displayed on the District’s website.

7. “Optional Student Data” means student data that is neither necessary student data nor data which the District is prohibited from collecting (as described in Prohibited Collection of Student Data, below).

   a. “Optional student data” includes:

      i. Information that is related to an IEP or needed to provide special needs services but is not “necessary student data”;  

      ii. Biometric information; and

      iii. Information that is not necessary student data but is required for a student to participate in a federal or other program.


District Responsibilities—

The District shall designate an individual to act as a student data manager to fulfill the responsibilities of a student data manager described in Requirements for Student Data Manager, below.

If possible, the District shall designate a records officer pursuant to the Government Records Access and Management Act as defined in Utah Code § 63G-2-103(25), as the student data manager.

The District shall create and maintain a District:

1. Data governance plan; and


The District shall establish an external research review process to evaluate requests for data for the purpose of external research or evaluation.


Student Data Ownership—

A student owns the student’s personally identifiable student data.

A student may download, export, transfer, save, or maintain the student’s student data, including a document.


Notification in Case of Breach—

If there is a release of a student’s personally identifiable student data due to a security breach, the District shall notify:

1. The student, if the student is an adult student; or

2. The student’s parent or legal guardian, if the student is not an adult student.

Prohibited Collection of Student Data—
Beginning with the 2017-18 school year, the District may not collect a student’s:
1. Social Security number; or
2. Criminal record, except as required in Utah Code § 78A-6-112 (Minor taken into custody by peace officer, private citizen, or probation officer).


Student Data Disclosure Statement—
Beginning with the 2017-18 school year, if the District collects student data into a cumulative record it shall, in accordance with this section, prepare and distribute to parents and students a student data disclosure statement that:
1. Is a prominent, stand-alone document;
2. Is annually updated and published on the District’s website;
3. States the necessary and optional student data the District collects;
4. States that the District will not collect the student data described in Prohibited Collection of Student Data, above;
5. Describes the types of student data that the District may not share without a data authorization;
6. States that students and parents are responsible for the collection, use, or sharing of student data obtained by the student as described in Student Data Ownership, above;
7. Describes how the District may collect, use, and share student data;
8. Includes the following statement: “The collection, use, and sharing of student data has both benefits and risks. Parents and students should learn about these benefits and risks and make choices regarding student data accordingly.”;
9. Describes in general terms how the District stores and protects student data; and
10. States a student’s rights under the Student Data Protection Act.

Utah Code § 53A-1-1406(3) (2016)

Student Data Disclosure Statement Recipients—
Beginning with the 2017-18 school year, the District may collect the necessary student data of a student into a cumulative record only if the District provides a student data disclosure statement to:
1. The student, if the student is an adult student; or
2. The student’s parent, if the student is not an adult student.


Optional Student Data Collection—
Beginning with the 2017-18 school year, the District may collect optional student data into a cumulative record only if it:
1. Provides, to an individual described in Student Data Disclosure Statement Recipients, above, a student data disclosure statement that includes a description of:
   a. The optional student data to be collected; and
   b. How the District will use the optional student data; and
2. Obtains a data authorization to collect the optional student data from an individual described in Student Data Disclosure Statement Recipients, above.


Student Biometric Identifier and Biometric Information Data Collection—
Beginning with the 2017-18 school year, the District may collect a student’s biometric identifier or biometric information into a cumulative record only if the District:
1. Provides, to an individual described in Student Data Disclosure Statement Recipients, above, a biometric information disclosure statement that is separate from a student data disclosure statement and which states:
   a. The biometric identifier or biometric information to be collected;
   b. The purpose of collecting the biometric identifier or biometric information; and
   c. How the District will use and store the biometric identifier or biometric information; and

2. Obtains a data authorization to collect the biometric identifier or biometric information from an individual described in Student Data Disclosure Statement Recipients, above.


Sharing Student Data—
Beginning with the 2017-18 school year, the District may not share a student’s personally identifiable student data except in conformance with the requirements of this policy and with the Family Educational Rights and Privacy Act (“FERPA”) and related provisions under 20 U.S.C. §§ 1232(g) and 1232(h).

Utah Code § 53A-1-1409 (2016)

Requirements for Student Data Manager—
Beginning with the 2017-18 school year, the District will designate a student data manager who shall:

1. Authorize and manage the sharing, outside of the District, of personally identifiable student data from a cumulative record for the District as described in this section; and

2. Act as the primary local point of contact for the state student data officer described in Utah Code § 53A-1-1403.

Utah Code § 53A-1-1409 (2016)

Permitted and Prohibited Sharing of Student Data by Student Data Manager—
A student data manager may share the personally identifiable student data of a student with the student and the student’s parent. Otherwise, a student data manager may only share a student’s personally identifiable student data from a cumulative record in accordance with federal law or as follows. Such data may be shared with:

1. A school official;

2. An authorized caseworker, in accordance with this policy, or other representative of the Department of Human Services; or

3. A person to whom the District has outsourced a service or function:
   a. To research the effectiveness of a program’s implementation; or
   b. that the District’s employees would typically perform.

A student data manager may share a student’s personally identifiable student data from a cumulative record with a caseworker or representative of the Department of Human Services if:

1. The Department of Human Services is:
   a. legally responsible for the care and protection of the student; or
   b. providing services to the student; and

2. The student’s personally identifiable student data is not shared with a person who is not authorized:
   a. to address the student’s education needs; or
   b. by the Department of Human Services to receive the student’s personally identifiable student data; and
3. The Department of Human Services maintains and protects the student’s personally identifiable student data.
   A student data manager may share aggregate data.
   A student data manager may not share personally identifiable student data for the purpose of external research or evaluation except as follows: If a student data manager receives a request to share data for the purpose of external research or evaluation, the student data manager shall:
   1. Submit the request to the District’s external research review process; and
   2. Fulfill the instructions that result from the review process.
   A student data manager may share personally identifiable student data in response to a subpoena issued by a court.
   In accordance with State Board of Education rule, a student data manager may share personally identifiable information that is directory information.

   Utah Code § 53A-1-1409 (2016)

Third Party Contractors—

The District may provide a third-party contractor with personally identifiable student data received under a contract with the District strictly for the purpose of providing the contracted product or service.

When contracting with a third-party contractor, the District shall require the following provisions in the contract:

1. Requirements and restrictions related to the collection, use, storage, or sharing of student data by the third-party contractor that are necessary for the District to ensure compliance with the provisions of the Student Data Protection Act and State Board of Education rules;
2. A description of a person, or type of person, including an affiliate of the third-party contractor, with whom the third-party contractor may share student data;
3. Provisions that govern requests by the District for the deletion of the student data received by the third-party contractor from the District;
4. Except as provided in this policy and if required by the District, provisions that prohibit the secondary use of personally identifiable student data by the third-party contractor; and
5. An agreement by the third-party contractor that, at the request of the District, the District or its designee may audit the third-party contractor to verify compliance with the contract.

A third-party contractor’s use of personally identifiable student data shall be in accordance with Utah Code §§ 53A-1-1410 and 53A-1-1411.

   Utah Code § 53A-1-1411 (2016)
Morgan School District Data Disclosure Statement 2017-18

The collection, use, and sharing of student data has both benefits and risks. Parents and students should learn about these benefits and risks and make choices regarding student data accordingly.

The data collected by MSD includes the following:

- **Necessary data:** (List those items under the term “necessary data” in 53A-1-1402)
- **Optional data:** (List those items under the term “optional data” in 53A-1-1402)

The MSD does not collect or use a student’s Social Security Number; or criminal record, except as required in Utah Code 78A-6-112.

The MSD will not share personally identifiable student data without a data authorization, except in conformance with the requirements of its policies, state law, and the Family Education Rights and Privacy Act (FERPA).

Students and parents are responsible for the collection, use, or sharing personally identifiable student data. A student may download, export, transfer, save, or maintain the student’s student data including a document.

MSD will collect, use, and share student data only in accordance with its policy, state law, and FERPA. Specifically, MSD will **collect** student data when students enroll and when students participate in district and state mandated assessments. School officials and teachers may also collect and retain other optional information on a temporary basis for the purpose of recording and managing the students’ educational and behavioral performance.

Student data may be **shared** with the student and the student’s parent and with authorized school personnel including authorized caseworkers or other authorized representatives of the Department of Human Services if the department is legally responsible for the education, care, and protection of the student. The MSD reports aggregate data to the Utah State Board of Education for groups and schools. The MSD may release “directory information” to any individual or organization that files a written request with the Superintendent. Directory information may include a student’s name, address, email address, photograph, date of birth, grade level, participation in officially recognized activities and sports, weight and height of members of athletic teams, enrollment status, dates of attendance, honors and awards received, and the most recent previous school attended by a student. Parents have the right to refuse to permit the district to designate any or all of the information about the student as directory information.

The MSD does not currently share personally identifiable data with third-party contractors. The MSD does not currently grant any requests for the purpose of sharing data for research or evaluation. Student data is stored electronically and follows a student through a public educations system. As a part of the MSD Data Governance Plan, the district has a designated Student Data Manager who also serves as the district information technology director.
Participation in student government and extracurricular activities offers important educational and lifetime benefits and does so in meaningful ways. Participation is a privilege, not a constitutional right. This policy or any other provisions do not create such a right. Students must meet specific requirements in order to participate.

Students who participate in student government and extracurricular activities become role models for others in the school and community. These students play a major role in establishing standards of acceptable behavior in the school and community. They also establish and maintain the reputation of the school along with the level of community confidence and support afforded the school.

It is of the utmost importance that those involved in student government, whether as officers or advisors, and those involved in competitive athletics and related activities, whether students or staff, comply with all applicable laws and rules of behavior and conduct themselves at all times in a manner befitting their positions and responsibilities. *Utah Code § 53A-11-908 (2017)*

**Definitions**

Definitions of curricular, co-curricular, and extracurricular activities:

1. **Curricular activities** occur within the regular school day and constitute the delivery of instruction to students in the District.

2. **Co-curricular activities** are an extension of classroom instruction in which participation is by the entire class or a significant portion. They relate directly to, and enhance student learning of, essential elements through participation, demonstration, illustration, and observation. Co-curricular activities are included in the teacher's instructional plan and are conducted by or supervised by a classroom teacher or other educational professional such as a librarian, school nurse, counselor, or administrator. Students suspended from extracurricular activities because of a grade(s) below 2.0 or any failed courses shall not be prevented from participating in school co-curricular activities.

3. **Extracurricular activities** are school-sponsored activities that are not directly related to instruction of the essential elements, but that may have an indirect relation to some areas of the curriculum. They offer worthwhile and significant contributions to a student's personal, physical, and social development. Participation in extracurricular activities is a privilege and not a right, and students must meet specific requirements in order to participate. Activities may include, but are not limited to, performances, contests, demonstrations, displays, and club activities.
Compliance with Utah High School Activities Association—
   Schools shall comply with, and where approved by the Board, can exceed the rules and regulations of the Utah High School Activities Association.

Participation Eligibility—
   A student in grades 9-12 may participate in extracurricular activities on or off campus at the beginning of the school year. In order to be eligible to participate in an extracurricular activity event for a grade report period following the initial grade report period of a school year, a student shall not have a recorded grade point average lower than 2.0 for the preceding grade report period and have no failed or incomplete courses including unsatisfactory marks for the preceding grade report period.

Prohibited Conduct—
   The following prohibited conduct may render a student ineligible for and/or unable to continue participation in student government and/or extracurricular activities, if occurring while the student is in the classroom, on school property, or during school-sponsored activities, regardless of location or circumstances:

1. Use of foul, abusive, or profane language while engaged in school related activities;
2. 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 76-10-101, tobacco or alcoholic beverages contrary to law; or
3. 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. Utah Code § 53A-11-908 (2010)

Suspension from Extracurricular Activities—
   Students are suspended from participation in any extracurricular activity and considered ineligible for any of the following:

   1. Grade point averages lower than 2.0 at the end of a school grading period.
   2. A failing grade at the end of a school grading period.
   3. An unsatisfactory citizenship mark at the end of a school grading period.

Students with Disabilities—
   Suspension of a student with disabilities whose disability significantly interferes with the student's ability to meet regular academic standards shall be based on the student's failure to meet the requirements of the student's Individual Education Plan, as determined by the Special Education Committee.
Practice during Suspension—
A student who has been temporarily suspended from extracurricular activity events for infractions other than failing grades, GPA below 2.0, or unsatisfactory marks may practice but not participate in games or activities until suspension from participation has been lifted.

Limit on Suspension—
A student may be suspended under this provision during the period in which school is recessed for the summer or during the initial grade reporting period of a regular school term on the basis of grades received in the final grade report period of the preceding regular school term.

Reinstatement to Extracurricular Activities—
At the end of any grade report period in which a student attains a course grade average for that period of 2.0 or more in each course taken, any suspension from participation in extracurricular activities and/or suspension from out-of-school practice for extracurricular activities shall be removed.

Classes—
Schools shall not schedule full-year physical education or athletic fitness and movement classes for specific school teams. In schools where in-season fitness and movement classes are scheduled, the classes shall not be used to violate the starting and stopping dates for practice and competitive play as prescribed by the UHSAA. High school competitive sports programs shall be supplementary to the high school curriculum. Utah Admin. Rules R277-605-3 (March 5, 2002)

Athletic classes conducted for specific school teams shall not be scheduled throughout the regular school day. First and last period athletic assignments may not preclude a coach from teaching a full load of classes during the school day.

No students interested in their prospective sport may play or practice that sport during an athletic period, except after the official beginning practice date or the beginning competition date, if no beginning practice date is established.

Q. Can a student-athlete whose prospective sport is basketball play or practice basketball, during an athletic period, prior to the start of the sports season?
A. No. The athletic period may be used for conditioning, strength training or study hall. From UHSAA Interps & Guidelines 2.2.4: ATHLETIC PERIODS:

Off-Season Clinics—
Required or voluntary participation in summer or other off-season sports clinics, workshops, and leagues may not be used as criteria for team membership or for the
opportunity to try out for team membership. School personnel, activity leaders, coaches, advisory and other personnel shall not require students to attend out-of-school camps, clinics or workshops for which the personnel, activity leaders, coaches or advisory personnel receive remuneration from a source other than the school or district in which they are employed. A summer workshop or clinic conducted by a District school for any sport or activity must be limited to 10 days or part-days within a two-week period. A summer workshop or clinic conducted by a school for any sport or activity shall be scheduled and held consistent with UHSAA bylaws and policies. *Utah Admin. Rules R277-605-5*

**Supervision**—
Coaches and other designated school leaders shall diligently supervise players at all times while on school-sponsored activities, including during the activity itself, in locker rooms, seating areas, eating establishments, lodging facilities and during travel. Coaches and school leaders accompanying school players and teams shall at no time leave them unsupervised. *Utah Admin. Rules R277-605-4 (March 5, 2002)*

**Coaches Conduct**—
A coach or other designated school leader shall not participate in the use of alcoholic beverages, tobacco (including electronic cigarettes), controlled substances, or promiscuous sexual relationships while on school-sponsored activities. *Utah Admin. Rules R277-605-4 Utah Code § 53A-11-908(2) (2010)*

**20 Hour Practice Limit**—
A 20-hour practice limit is in effect for all UHSAA sponsored sports from August 1 to June 1, and for all UHSAA sponsored activities (music, speech/debate, theater/drama) from September 1 to June 1. The practice limit includes one (1) day off each week (Monday-Sunday). Competition days, including travel, will count as three (3) hours. Practice limitations include anytime a team is together which includes, but is not limited to: team practice, team dinners, film time, weight training, individual instruction, etc. Restrictions include any meeting of the team and/or individual sport-related contact with the coach. *UHSAA Interps & Guidelines 2.2.5: PRACTICE LIMITATIONS*

"**20-day Rule**"—
The District shall not schedule, nor permit students to participate in, any school-related or school-sanctioned activities on or off campus that would require, permit, or allow a student to be absent from class in any course more than twenty (20) times during the 180-day school year.

The Board may allow specific exceptions to the twenty (20) absences per class limitation stated above. Exceptions shall not be granted to allow students who have not earned the right to compete at the post-district level to participate in more district-level activities than permitted under the twenty (20) absences per class limitation.
Morgan School District Application for Overnight and Out of State Trips (2017)

In state, overnight activity trips require the approval of the Superintendent. Out of state trips require the approval of the Board of Education.

- Considerations: time out of school, quality, educational purpose, relevancy, cost.
- There should be no penalty imposed on a student for non-participation.
- Requests are considered by the Board in September, January, and April.
- No such experience shall cause a student to miss more than two (2) days of school.
- Written rational for exceptions must be submitted with the application.

Name of Group ___________________________ Dates of Trip______________________
Destination ______________________________ Total days/Nights__________________
Coach/Advisor ___________________________ Total Number of Students __________
Method of Transportation ___________________ Total Time Out of School (hours) ____

<table>
<thead>
<tr>
<th>Trip cost per student</th>
<th>Total fundraising to be applied per student</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(total student cost cannot exceed $1000)</td>
</tr>
</tbody>
</table>

Yes  No  All parents were notified by email or in person and allowed a confidential vote. At least 80% of the parents approve the trip. Please provide evidence.

Educational Purpose of Trip (mark all that apply. Written rational is helpful for Board consideration).
- Contest Finalist
- Reward
- Training/skill improvement
- Opportunity to encounter and explore novel things in an authentic setting
- Shared social experience
- Exposure to new experiences and opportunities leading to career selection
- Support student learning
- Other _________________________________________________________________________

Itinerary (please circle day of week and provide a brief outline)

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<tr>
<th>Day 1 MTWTHFSS</th>
<th>Day 2 MTWTFSS</th>
<th>Day 3 MTWTFSS</th>
<th>Day 4 MTWTFSS</th>
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<tbody>
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</tr>
</tbody>
</table>

Chaperones

__________________________________________________________________________

__________________________________________________________________________

Coach/Advisor Signature Date  Principal’s Signature Date
Morgan School District Extended Travel Policy 2017

Administrator Approval of Travel

Principals shall be responsible for coordinating development of student activity and travel plans. Whenever possible, student activities shall be scheduled in close proximity to the local school and the need for long distance or overnight travel avoided. In-state overnight trips require the approval of the Superintendent. Out-of-state trips require the approval of the Board of Education. Overnight trips and out of state trips are for students in grades 9-12 only.

Utah High School Activities Association

Activities which are sponsored by the Morgan School District and the Utah High School Activities Association follow the guidelines of the UHSAA. Overnight travel may be part of the educational program for high school students when the travel is for an activity sponsored by the Utah High School Activities Association. These trips do not require Board approval.

Limit to Travel Time

Each school group shall have the opportunity to travel out of state every other year. No such experience shall cause a student to miss more than two (2) days of school.

→ Special circumstances requiring an additional day from school for valid educational purposes may be considered by the Board of Education.

→ An exception is granted for up to eight (8) elected student leaders in each CTE organization if in the principal's judgment it is deemed essential to the successful completion of their program.

→ An exception is also granted to an individual CTE student or group of students if winning at the local, state or national level provides an invitation to compete at the next level of competition sponsored by the same organization or entity.

Overnight Travel – High School Students

Overnight travel may be part of the educational program for high school students when the anticipated educational benefits warrant the required expenditures, comparable experiences are not available at the local school, and the travel costs will not burden families unduly.

Supervision

Supervision for student travel must be provided at a ratio of one (1) adult per fifteen (15) students. Supervisors shall be primarily advisors and other school personnel but can also include parents.
**Transportation Request**

All district travel requires the submission of the appropriate Vehicle/Bus Request Form. Requests for vehicles should be received no later than 2 weeks in advance for busses and district cars. A request submitted in advance of the two weeks is appreciated.

**Board Approval by Application**

Non UHSAA sponsored, out of state, overnight travel must be approved by the school principal district transportation department and then forwarded to the Superintendent for Board approval. The Board considers travel requests three times per year at scheduled board meetings. Applications are available in the school and district offices and district website [www.morgansd.org](http://www.morgansd.org). Incomplete applications will not be considered.

The request shall include:

- The name of the group requesting permission to travel.
- The educational objectives of the trip.
- The proposed destination, mode of travel, and number of students involved.
- The number of school days missed. **May not exceed two (2).**
- The estimated cost of the trip including fundraising.
- A list of advisors and adult supervisors.
- The principal's signature of approval.
- Evidence of parental notification and approval.
- Written rational for any requested exceptions.

**Payment of Travel Expenses**

All expenses associated with the trip must be paid by the participants themselves, covered by fund raising, or financed by vocational or other state or federal funds. All funds must be received prior to travel or expenditure of funds for such travel. **Cost per student shall not exceed one thousand dollars ($1000).**

**Transportation Methods**

Morgan School District busses and vehicles will be used for all in-state travel. Licensed, insured commercial carriers are required for out-of-state travel.

**Private Vehicles**

No private vehicles may be used in overnight travel or school sponsored student excursions. Parents or legal guardians wishing to transport their own children, with the approval of the administration and/or the team coach/adviser, will not be under the jurisdiction of the School District.
Requests for Travel

A meeting will be held at the school for parents of potential student participants. The principal or student advisor shall review the proposed travel itinerary, anticipated student costs, and fund raising options. There is a required confidential vote (secret ballot) of the parents/guardians of the students involved which can be obtained thru email as an option.

- If, the confidential vote, fails to gain eighty (80) percent of the parents/guardians approval, plans for the trip shall be abandoned.
- If eighty (80) percent of the parents do approve of the plan and give written permission for their child to participate, the organization may proceed with further planning and fund raising.

No Student Penalties

Students shall not be penalized for opting out of optional traveling activities. Nonparticipation shall not impact grades or the student's status in the class or organization.

Privately Sponsored Tours

Privately sponsored and commercial student tours:

An employee must purchase advertising space to advertise an activity in a publication that accepts advertising, whether or not sponsored by schools in the school district or by the school district. Such publications include school newspapers, but not school newsletters. Unless the activity is sponsored by the school district, the advertisement shall state clearly that the activity is not sponsored by the school or school district.

i) Employees affiliated with private tour agencies are prohibited from using students as a captive audience for soliciting tour participation.

ii) School facilities, supplies, and equipment may not be used for the purpose of advertising privately sponsored tour participants.

iii) Tour agencies may rent building space in accordance with Policy.
# MHS Trips Overnight Out-of-State

<table>
<thead>
<tr>
<th>Board Approval</th>
<th>Group</th>
<th>Date</th>
<th>Location</th>
<th>School Days Missed</th>
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<tbody>
<tr>
<td>August</td>
<td>Wrestling*</td>
<td>December (2019,2021,2023,2025)</td>
<td>Reno, NV</td>
<td>1</td>
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<tr>
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<td>Girls Basketball</td>
<td>December (2018,2020,2022,2024)</td>
<td>Phoenix, AZ</td>
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<td>Troyettes</td>
<td>March (2018,2020,2022,2024)</td>
<td>Los Angeles, CA</td>
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<td>Cheer</td>
<td>March (2019,2021,2023,2025)</td>
<td>California or FL</td>
<td>3</td>
</tr>
<tr>
<td></td>
<td>AP Art History</td>
<td>April (2018,2020,2022,2024)</td>
<td>San Francisco, CA</td>
<td>2</td>
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<tr>
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<td>Band</td>
<td>April (2019,2021,2023,2025)</td>
<td>San Antonio, TX</td>
<td>2</td>
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<tr>
<td></td>
<td>Choir</td>
<td>June (2018,2020,2022,2024)</td>
<td>Los Angeles, CA</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Debate*</td>
<td></td>
<td>Alabama</td>
<td>0</td>
</tr>
<tr>
<td>April</td>
<td>Cross Country*</td>
<td>September (2017,2019,2021,2023)</td>
<td>Boise, ID</td>
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<tr>
<td></td>
<td>Volleyball</td>
<td>September (2019,2021,2023,2025)</td>
<td>San Diego, CA</td>
<td>3</td>
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</tbody>
</table>

*may qualify every year

# MHS Trips Overnight In-State

<table>
<thead>
<tr>
<th>Superintendent Approval</th>
<th>In State</th>
<th>Date</th>
<th>Location</th>
<th>School Days Missed</th>
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<tr>
<td>January</td>
<td>Girls Golf</td>
<td>March</td>
<td>St. George</td>
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<tr>
<td></td>
<td>Academic</td>
<td>March</td>
<td>St. George</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Decathlon</td>
<td>March</td>
<td>St. George</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Boys Soccer</td>
<td>March</td>
<td>St. George</td>
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<td></td>
<td>Softball</td>
<td>March</td>
<td>St. George</td>
<td>1</td>
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<tr>
<td></td>
<td>Boys Tennis</td>
<td>March</td>
<td>St. George</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Baseball</td>
<td>March</td>
<td>Kanab</td>
<td>1</td>
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<td>April</td>
<td>Cheer Camp</td>
<td>June</td>
<td>SLC</td>
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</tr>
<tr>
<td></td>
<td>Boys Basketball</td>
<td>June</td>
<td>St. George</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Girls Basketball</td>
<td>June</td>
<td>Provo</td>
<td>0</td>
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<tr>
<td></td>
<td>Volleyball</td>
<td>July</td>
<td>St. George</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>Cheer (Seniors)</td>
<td>July</td>
<td>St. George</td>
<td>0</td>
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<tr>
<td></td>
<td>SBOs</td>
<td>August</td>
<td>St. George</td>
<td>1</td>
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<tr>
<td></td>
<td>Girls Tennis</td>
<td>August</td>
<td>St. George</td>
<td>1</td>
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<tr>
<td></td>
<td>Boys Golf</td>
<td>September</td>
<td>Cedar City</td>
<td>2</td>
</tr>
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<td></td>
<td>Theater</td>
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# MHS Vocational Overnight Trips

<table>
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<td>FCCLA Nationals</td>
<td>July</td>
<td>Nashville</td>
<td>0</td>
</tr>
<tr>
<td></td>
<td>FFA Nationals</td>
<td>October</td>
<td>Indianapolis</td>
<td>2</td>
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MSD44/FG Morgan School District Authorization of Student Clubs and Organizations

1. PURPOSE AND PHILOSOPHY

The purpose of this policy is to provide guidance to schools regarding authorization of student curricular and non-curricular clubs as outlined in state law, while maintaining a fair opportunity to any student who wishes to conduct a meeting within a limited open forum without discrimination on the basis of the religious, political, philosophical, or other content of the speech at such meeting.

Delegation of Authority to Local Schools

The Board hereby authorizes local schools within the school District to review applications for club authorization. A local school principal shall review applications for authorization of clubs on a case-by-case basis. Before granting an authorization, the school shall find that the proposed club meets the requirements of a curricular club or a non-curricular club, and that the proposed club's purpose and activities comply with this Policy. A school shall grant authorization and school facilities use to curricular and noncurricular clubs whose applications are found to meet the requirements of this part, rules of the State Board of Education, and policies of the District and shall limit or deny authorization or school facilities use to proposed clubs that do not meet the requirements of this part, rules of the State Board of Education, and policies of the District.

2. AUTHORIZATION OF CLUBS

2.1 Only elementary school curricular clubs may be authorized in elementary schools in any of grades K-6.
2.2 Both secondary curricular clubs and non-curricular clubs may be authorized in secondary schools in any of grades 7-12.

2.3 A club whose membership is determined by student body election or a club that is governed by an association that regulates interscholastic activities is exempt from the authorization requirements of this policy.

2.4 The school administration shall review applications for authorization of curricular and non-curricular clubs on a case-by-case basis.

2.5 Before granting an authorization, the school administration shall find that:

   2.5.1 The proposed club meets current law, State Board of Education rules, and District Policy and this policy’s respective requirements of a curricular club or a non-curricular club; and

   2.5.2 the proposed club’s purpose and activities comply with current law, State Board of Education rules, and District Policy.

2.6 Before granting an authorization, a school administration may request additional information from the faculty sponsor, from students proposing the club, or from the Board, if desired.

2.7 The school administration shall grant authorization and school facilities use to curricular and non-curricular clubs whose applications are found to meet the requirements of current law, State Board of Education rules, and District Policy.

2.8 The school administration shall limit or deny authorization or school facilities use to proposed clubs that do not meet the requirements of current law, State Board of Education rules, and District policy.
DEFINITIONS OF TYPES OF CLUBS

3.1 “Club” means any student organization that meets during non-instructional time.

3.2 “Curricular club” means a club that is school sponsored and that may receive leadership, direction, and support from the school or school district beyond providing a meeting place during non-instructional time.

3.3 “Elementary school curricular club” in addition to the definition of curricular club, means a club that is organized and directed by school sponsors at the elementary school.

3.4 “Non-curricular club” means a student initiated group that may be authorized and allowed school facilities use during non-instructional time in secondary schools by a school and governing board in accordance with the provisions of state law. A non-curricular club’s meetings, ideas, and activities are not sponsored or endorsed in any way by a school governing board, the school, or by school or school district employees.

3.5 “Religious club” means a non-curricular club designated in its application as either being religiously based or based on expression or conduct mandated by conscience.

3.6 “Secondary school curricular club” in addition to the definition of curricular club, means a club whose subject matter is taught or will soon be taught in a regular course, whose subject matter concerns the body of courses as a whole, in which participation is required for a particular course, or in which participation results in academic credit.
4. FORMATION AND RENEWAL OF STUDENT CLUBS:  
Within twenty (20) school days after the beginning of the school year, each student group seeking to establish or renew a club under this policy must submit an application to school administration to form a club.

5. CURRICULAR CLUBS

5.1 Curricular Clubs Application

5.1.1 Faculty members or students proposing an elementary school or secondary school curricular club shall submit a Board approved “Student Club Application for Authorization” to the school administration.

5.1.2 Each completed application or complaint shall be approved, denied, or investigated by the school within a reasonable amount of time.

5.1.3 The school administration shall approve the name of the curricular club consistent with the club’s purposes and its school sponsorship.

5.1.4 The school administration shall determine curriculum relatedness by strictly applying the definition of curricular club and the determination of elementary school curricular club or secondary curricular club, as applicable.

5.1.5 If the school administration finds that the proposed club is a non-curricular club, the school may:

(a) return the application to the faculty member or students proposing the club for amendment; or

(b) review the application as an application for authorization of a noncurricular club if in a secondary school.

5.2 Faculty Oversight of Curricular Clubs
5.2.1 School administration shall annually approve faculty members as sponsors of curricular clubs. Faculty sponsors shall organize and direct the purpose and activities of a curricular club.

5.2.2 The approved faculty sponsor shall provide oversight consistent with current law, State Board of Education rules, and District Policy and the needs of the school to ensure that the methods of expression or other conduct of the students or sponsor involved do not:

(a) unreasonably interfere with the ability of school officials to maintain order and discipline;

(b) unreasonably endanger or threaten the well-being of persons or property;

(c) violate concepts of civility or propriety appropriate to a school setting; or (d) violate applicable laws, rules, regulations, and District policies.

5.3 Use of School Facilities by Curricular Clubs

5.3.1 The school administration shall determine and assign school facilities use for curricular clubs consistent with the needs of the school.

5.3.2 In assigning school facilities use, the school administration may give priority to curricular clubs over non-curricular clubs.

5.3.3 A school may provide financial or other support to curricular clubs.
5.3.4 Each club that is denied school facilities use shall be informed at the time of the denial of the factual and legal basis for the denial, and, if appropriate, how the basis for the denial could be corrected.

5.4 Curricular Club Membership and Try-outs

5.4.1 Membership in curricular clubs is governed by the following rules:

(a) membership shall be limited to students who are currently attending a school in the District, at the same level as the sponsoring school;

(b) a school may limit membership to students currently attending the sponsoring school; and (c) other rules as determined by the State Board of Education, school district, or school.

5.4.2 Curricular clubs may require that prospective members try out based on objective criteria outlined in the application materials. Tryouts may not require activities that violate the provisions of current law, State Board of Education rules, and District Policy.

5.4.3 A school shall require written parental or guardian consent for student participation in all curricular clubs as outlined in section 8 of this policy.

6. NON-CURRICULAR CLUBS

6.1 Non-curricular Clubs Application

6.1.1 A non-curricular club shall have a minimum of ten members.

6.1.2 Students proposing a non-curricular club shall submit a Board
approved “Student Club Application for Authorization” to the school administration.

6.1.3 Each completed application or complaint shall be approved, denied, or investigated by the school within a reasonable amount of time.

6.1.4 The school administration shall require that a non-curricular club name shall reasonably reflect the club’s purpose, goals, and activities; and that the non-curricular club name shall be a name that would not result in or imply a violation of current law, State Board of Education rules, and District Policy.

6.1.5 The school administration may provide for approval of a non-curricular name in an action separate from that relating to authorization of the club itself.

6.2 Faculty Oversight of Non-curricular Club

6.2.1 A school principal shall approve faculty members to serve as supervisors for authorized non-curricular clubs. Faculty supervisors shall provide oversight to ensure compliance with the approved club purposes, goals, and activities.

6.2.2 A school principal shall approve faculty members to serve as monitors for authorized religious clubs. Faculty monitors may not participate in the activities of the religious club except to provide support as necessary and to monitor activities to ensure compliance with the approved club purposes, goal, and activities.

6.2.3 The appointed supervisor or monitor shall provide oversight consistent with current law, State Board of Education rules, and District Policy and the needs of the school to ensure that the
methods of expression, religious practices, or other conduct of the students, supervisor, or monitor involved do not:

(a) unreasonably interfere with the ability of school officials to maintain order and discipline;

(b) unreasonably endanger or threaten the well-being of persons or property;

(c) violate concepts of civility or propriety appropriate to a school setting; or

(d) violate applicable laws, rules, regulations, and District policies.

6.2.4 Persons who are not school faculty or club members shall not be allowed access to clubs to direct, conduct, control, or regularly attend club meetings.

6.2.5 Without the prior approval of the school administration persons who are not faculty or club members shall not be allowed to make a presentation to a non-curricular club.

6.3 Use of School Facilities by Non-curricular Clubs

6.3.1 A preference or priority in assigning school facilities use may not be given among non-curricular clubs.

6.3.2 A school shall only provide the space for non-curricular club meetings. A school may not spend public funds for non-curricular clubs, except as required to implement the provisions of this policy, including providing space and faculty oversight for non-curricular clubs.
6.3.3 Provided that all non-curricular clubs are given equal access, schools have the authority to decide the following:

(a) set the number of hours non-curricular clubs may meet per month;

(b) non-curricular club access to the school newspaper, yearbook, bulletin board, public address system, or any combination of the foregoing;

(c) the non-instructional times during which non-curricular clubs may meet; and (d) the places that non-curricular clubs may meet.

6.4 Non-curricular Club Membership and Try-outs

6.4.1 Membership in non-curricular clubs is governed by the following rules:

(a) student membership in a non-curricular club is voluntary;

(b) membership shall be limited to students who are currently attending the school; and

(c) other rules as determined by the State Board of Education, school district, or school.

6.4.2 Non-curricular clubs may require that prospective members try out based on objective criteria outlined in the application materials. Try-outs may not require activities that violate the provisions of current law, State Board of Education rules, and District Policy and other applicable laws, rules, and policies.
6.4.3 A school shall require written parental or guardian consent for student participation in all non-curricular clubs as outlined in section 8 of this policy.

7. CLUB LIMITATIONS AND DENIALS

7.1 A school administration shall limit or deny authorization or school facilities use to a club or require changes prior to granting authorization or school facilities use if he/she determines it to be necessary to:

7.1.1 protect the physical, emotional, psychological, or moral well-being of students and faculty;

7.1.2 maintain order and discipline on school premises;

7.1.3 prevent a material and substantial interference with the orderly conduct of a school’s educational activities.

7.1.4 protect the rights of parents/guardians and students;

7.1.5 maintain the boundaries of socially appropriate behavior; or

7.1.6 ensure compliance with all applicable laws, rules, regulations, and District policies.

7.2 A school administration shall limit or deny authorization or school facilities use to a club or require changes prior to granting authorization or school facilities use whose proposed charter and proposed activities indicate students or advisors in club related activities would have a substantial, material, or significant part of their conduct or means of expression:

7.2.1 encourage criminal or delinquent conduct;

7.2.2 promote bigotry;

7.2.3 involve human sexuality; or
7.2.4 involve any effort to engage in or conduct mental health therapy, counseling, or psychological services for which a license would be required under state law.

7.3 If a school administration limits or denies authorization to a club, he/she shall provide, in writing, to the applicant the factual and legal basis for the limitation or denial and an explanation of the appeals process within a reasonable amount of time.

8. PARENTAL CONSENT

8.1 A school shall require written parental or guardian consent for student participation in all curricular and non-curricular clubs at that school which shall include an activity disclosure statement containing, at a minimum, all the information outlined in the District activity disclosure example.

8.2 All completed parental consent forms shall be filed by the club’s sponsor, supervisor, or monitor with the school’s principal until the end of the school year.

9. INVESTIGATION OF ALLEGED VIOLATIONS

9.1 The school administration shall investigate any report or allegation that an authorized curricular or non-curricular club is participating in activities beyond the scope of its purpose, or is in violation of a provision of current law, State Board of Education rules, and District Policy or another applicable law, rule, regulation, of District policy within a reasonable amount of time after receiving the complaint.

9.2 After meeting with the faculty sponsor, faculty supervisor, or faculty monitor, the students involved, and the person making the report or allegation, if a violation is substantiated, the school administration may do any of the following:
9.2.1 allow the club’s original statement of its purpose, goals, and activities to be modified to include the activities if they are in compliance with the provisions of current law, State Board of Education rules, and District.

9.2.2 Instruct the faculty sponsor, supervisor, or monitor not to allow similar violations in the future;

9.2.3 limit or suspend the club’s authorization or school facilities use pending further corrective action as determined by the school administration; or

9.2.4 Terminated the club’s authorization and dissolve the club.

9.3 A club that has been terminated in accordance with this section may not reapply for authorization until the following school year.

9.4 A student who makes a false allegation or report under this section shall be subject to school discipline.

9.5 Any limitation on expression, practice, or conduct of any student, advisor, or guest in a meeting of a curricular or non-curricular club, or limitation of school facilities use, shall be by the least restrictive means necessary to satisfy the school’s interests as identified in the current law, State Board of Education rules, and District Policy.

9.6 If a school administration suspends or terminates authorization to a club, he/she shall provide, in writing, to the applicant the factual and legal basis for the limitation or denial and an explanation of the appeals process within a reasonable amount of time.
10. APPEALS PROCEDURES

If denied, suspended, or terminated, a club, a student desirous of participating or speaking, or a complaining parent/guardian, has ten (10) school days from the date of the denial, suspension, or termination to file a written appeal to the School Director assigned to that school. The School Director shall issue an opinion in writing either upholding or overturning the denial, suspension, or termination within thirty (30) days of receiving the appeal. The School Director’s decision shall be the final administrative decision.

DEFINITIONS

“Bigotry” means action or advocacy of imminent action involving: the harassment or denigration of a person or entity; or any intent to cause a person not to freely enjoy or exercise any right secured by the constitution or laws of the United States or the state, except that an evaluation or prohibition may not be made of the truth or falsity or any religious belief or expression of conscience unless the means of expression or conduct arising therefrom violates the stands of conduct outlined in the Utah Student Clubs Act, UCA § 53A-13-101.3, 20 U.S.C. § 4071

“Conscience” means a standard based upon learned experiences, a personal philosophy or system of belief, religious teachings or doctrine, and absolute or external sense of right and wrong which is felt on an individual basis, a belief in an external absolute, or any combination of the foregoing.

“Encourage criminal or delinquent conduct” means action or advocacy of imminent action that violates any law or administrative rule, does not include discussions concerning changing of laws or rules, or actions taken through lawfully.
“Involve human sexuality” means

(a) presenting information in violation of laws governing sex education, including UCA §§ 53A-13-101 and 53A-13-302;

(b) advocating or engaging in sexual activity outside of legally recognized marriage or forbidden by state law; or

(c) presenting or discussion information relating to the use of contraceptive devices or substances, regardless of whether the use is for purposes of contraception or personal health.

“Non-instructional time” means time set aside by a school before instructional time begins or after instruction time ends, including discretionary time. Discretionary time includes free time before and after school, during lunch and between classes or on buses, and private time before athletic and other events or activities.

“School facilities use” means

(a) access to a school facility premises or playing field; (b) includes access to a limited open forum. Definitions of types of clubs can be found in section 3 of this policy.

Construction of Policy with Respect to Certain Rights—

Nothing in this Policy is intended to:

2. Influence the form or content of any prayer or other religious activity;

3. Require any person, student, or employee to participate in any prayer or other religious activities;

4. Compel any school employee to attend a meeting of a noncurricular student group if the content of the speech at the meeting is contrary to the beliefs of the employee;
5. Sanction meetings that are otherwise unlawful; or

6. Abridge the constitutional rights of any person.

REFERENCES
Morgan School District Student Club Application for Authorization

Applicants Name: _______________________________________________________________

Role Applicant will hold in proposed club: __________________________________________

School: _______________________________________________________________________

Recommended Club Name: _______________________________________________________

Faculty sponsor, monitor, or supervisor: _____________________________________________

Signature of faculty sponsor, monitor, or supervisor: _________________________________

Please provide a statement of the club’s purpose, goals, and activities:

What type of club are you applying for:

☐ Elementary school curricular club

☐ Secondary school curricular club

☐ Non-curricular club “Curricular Club” means a club that is school sponsored and that may receive leadership, directions, and support from the school district beyond providing a meeting place during non-instructional time.

What category does the club fall within? Indicate which of the following apply:

☐ athletic

☐ science

☐ business/economic

☐ gaming

☐ agriculture

☐ religious

☐ art/music/performance ☐ community service – social justice

☐ other ____________________________

Proposed meeting times, dates, and places:
The Club agrees to comply with the provisions of District Policy 41-421 Authorization of Student Clubs, the Utah Student Clubs Act and all other applicable laws, rules, or policies.

Signature of Applicant: __________________________________________________________
Date: _______________________________________________________________________

Return this completed form along with attachments to your school administration. The school administration will review applications for authorization of curricular clubs on a case-by-case basis. You will be notified of the status of your application in a timely manner.

CLUB AUTHORIZED BY: Principal Signature: __________________________________________

CLUB LIMITED OR DENIED AUTHORIZATION BY: _________________________________

A written notice shall be provided to the applicant with the factual and legal basis for the limitation or denial and explanation of the appeals process.

ATTACHMENTS

☐ Attach to this form, a budget showing the amount and source of any funding provided or to be provided to the club and its proposed use.

☐ If your club will require prospective members to try out, attach to this form an outline of the club’s try-out criteria. Try-outs may not require activities that violate the provisions of District Policy 41-421 Authorization of Student Clubs, the Utah Student Clubs Act and all Other applicable laws, rules, or policies. Page 3 of 11
Morgan School District Student Club Membership Activity Disclosure Statement and Parental Consent Form

Under state law, a school is required to obtain written parental or guardian consent before their student may participate in any curricular or non-curricular club that has been authorized by the student’s school. (UCA §§53A-11-1201 et seq. – Student Clubs Act)

Your student is seeking membership in: ____________________________________________

The club’s purpose, goals, and activities as provided in the club’s application for authorization include:
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
The club’s categorization, as provided in the application for authorization included: __________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

Beginning and ending dates the club intends to meet: _________________________________
____________________________________________________________________________

The sponsor, supervisor, or monitor responsible for the club is: __________________________

Include a tentative schedule of the club activities with dates, times, and places specified: _____
____________________________________________________________________________

Include personal costs associated with the club, if any: ________________________________

Include information about transportation, if any. (will transportation be provided by school or will parent be responsible to transport their student to activities)

I hereby give permission for my student to participate as a member in the
____________________________________________________________________________

Parent Signature: ___________________________________________________________________

Student’s Name: ___________________________________________________________________

Date: ____________________________________________________________________________
FGAB Electronic Devices

Purpose—

While in some instances the possession and use of electronic communication devices or other electronic devices or objects by a student at a school may be appropriate, often the possession and use of such devices or objects by students at school can have the effect of distracting, disrupting and intimidating others in the school setting and leading to opportunities for academic dishonesty and other disruptions of the educational process. The purpose of this policy is to vest in school administrator’s authority to enforce reasonable rules relating to such objects or devices in the public schools. Some electronic devices used by students may be owned by the District and provided to students for their use. This policy also addresses standards for student use of such District-owned devices.

Definitions—

1. Electronic devices
   a. Any type of computer or computer-like device (for example, a tablet) or any device which is used for audio, video, or text communication or recording (such as beepers, pagers, mobile phones with and without picture-taking capacity, smart phones, Blackberries, iPhones); and
   b. Hands-free devices (such as those using Bluetooth connections) connected to devices listed above in (a).

2. District-owned device
   a. Any electronic device which is owned by the District and issued, lent, or otherwise provided to a student by the District.

3. Individualized suspicion
   a. Information that an individual has violated a policy;
   b. This is generally required for a constitutional search (including a search of personal belongings);
   c. Exceptions are possible when the privacy interests implicated by a search are minimal and where other safeguards are available;
   d. This standard is not as exacting in the public school setting as in criminal law.

4. Instructional time
   a. Hours during the school day designated as such by the school or school district.

5. Lunch time
   a. Time period in either elementary or secondary schools designated for lunch;
   b. This may, in elementary schools, be combined with a noon time recess.
6. Medical reasons
   a. A student’s illness, with or without a health care professional’s documentation;
   b. A student’s recurring illness or medical problem(s).

7. Parent/legal guardian
   a. The person(s) who has legal responsibility for the child’s education.

8. Pass time
   a. The period designated in secondary schools between classes or to allow students to move between classrooms.

9. Reasonable suspicion
   a. Reasonable suspicion need not be based on a single factor, but can be based on the totality of the circumstances;
   b. It can be based on the aggregate effect of all information available at the time of a search;
   c. It does not require absolute certainty, but only "sufficient probability," the sort of common-sense conclusion about human behavior upon which practical people are entitled to rely.

10. Recess
    a. Time periods designated in elementary school for exercise or outside activity regardless of whether or not it is designated as instructional time by the school.

11. School or school events
    a. This includes the hours that make up school day, e.g. from 7:40 a.m. until 2:30 p.m., during students’ individual courses or during the entire period of the elementary/intermediate school day
    b. This includes field trips
    c. This includes extended school-sponsored trips or activities
    d. This includes school-provided transportation to and from curricular activities and extracurricular activities, including athletic events

Use of District-Owned Devices—

District-owned devices must be used in accordance with the specific rules and conditions related to the issuance of the device to the student, including rules on care and maintenance of the device, any restrictions on personal uses of the device, and rules relating to installation or use of software on the device. Regardless of location, use of District-owned devices must comply with Policy EEB (regarding internet use), Policy FGAD (regarding bullying, cyberbullying, and hazing), and other student conduct policies.
District-owned devices are the responsibility of the students to whom they are issued, both with respect to loss or damage of the device and with respect to misuse of the device. When the recipient student allows another to use a District-owned device, the recipient student is jointly responsible for any misuse of the device.

Students have no expectation of privacy regarding the contents or use of District-owned devices. The devices shall have filtering software or other restrictions in place to prevent students from accessing inappropriate material. However, the failure of such filtering software or mechanisms does not prevent a student from being disciplined for accessing inappropriate material. Teachers or administrators may directly or remotely view, control, search, or otherwise access District-owned devices at any time.

District-owned devices remain the property of the District. Use of a District-owned device in violation of any District policy may result in the device being confiscated from the student, which may result in missed assignments, inability to complete required assessments, and possible loss of credit or academic grade consequences, in addition to any other appropriate disciplinary sanctions.

Use of Student Electronic Devices—

Student electronic devices may be used during the school day, during school-sponsored activities or school-provided transportation as follows:

1. Students may have electronic devices in their possession during the regular school day.

2. The devices must remain out of sight during instructional time AND be turned off OR on a silent mode.

3. During the school day, if students intentionally use or respond to electronic devices during instructional time or during times of prohibited use identified by teachers, electronic devices may be confiscated.

4. Devices may be retrieved by individuals designated by the school. Students may also be subject to school discipline.

5. A school shall, by written policy, establish a warning schedule for student violations which all school employees shall follow. Exceptions may be made for individual students or for specific time periods as warranted. Time periods shall be interpreted with flexibility.

6. Student electronic devices must be either turned off or held in a secure place by the teacher, as determined by individual teacher, during class quizzes, tests and standardized assessments unless specifically allowed by statute, regulation, student IEP, or assessment directions.

7. Student electronic devices inappropriately used or disclosed may be subject to search by school administrators based on reasonable suspicion.
Exceptions to the above use limitations regarding student electronic devices shall be made consistent with District and school policies, but in the judgment and discretion of individual teachers. Specific potential exceptions are as following:

1. Medical reasons
   a. School administrators may give permission for students to possess electronic devices for good cause shown if the devices do not distract from the instructional or education process.

2. Parent request
   a. Parent(s) may request that a student possess an electronic device on active mode at all times during the school day, with the exception of during course or subject tests and standardized assessments. Teachers shall grant such requests for good cause shown. (Good cause may include medical needs or unusual family situations.)
      i. Parents shall make requests for exceptions to the school district/school policy to the school principal, designee or individual teacher. Schools shall have forms available at the main office and in the counseling center for parent/student requests.

3. Teacher permission
   a. A teacher may permit a student to have an electronic device in his possession at all times during a regular school day, including during assessments, based on a written §504 plan, an IEP or legitimate circumstances as determined by the individual teacher.

4. Emergency
   a. Students may use electronic devices in situations that threaten the health, safety or well-being of students (including themselves), school employees or others.


Use of student electronic devices at school must comply with Policy EEB (regarding internet use). Regardless of location, use of student electronic devices in relation to other students, staff, or any individual connected with the school must comply with Policy FGAD (regarding bullying, cyberbullying, and hazing), and other student conduct policies. Misuse of student electronic devices in a manner that causes disruption at school or school-sponsored activities may result in discipline under the school disciplinary policies (including where warranted suspension or expulsion) and may result in notification to law enforcement authorities.


Use of a student electronic device in violation of this or other District policies may result in confiscation of the device as provided herein and in such other disciplinary sanctions as provided for under this or other student conduct policies. In addition, where such use is in violation or believed to be in violation of an applicable law, regulation, or ordinance, school administrators or teachers may notify law enforcement or other appropriate authorities and the student may be subject to criminal or other penalties provided by law.
Consequences for Violation of Policy—

Students will receive one warning prior to discipline for violation of this policy, as determined by the school.

Designated individuals, upon identification, may retrieve their child’s electronic device during school hours or by appointment.

A school may impose other consequences for a student’s violation of the electronic device policy only following notice of such policy to the school community. Such penalties are not exhaustive and more than one penalty may be imposed, if warranted. Such penalties may include:

1. loss of electronic device privileges
2. disciplinary letter
3. in-school suspension
4. suspension
5. loss of extracurricular or honor privileges or recognition

If students are defiant and will not cooperate with school administrators and/or will not surrender electronic device(s), the designated school administrator may take appropriate action for the safety and well-being of the student and other students or employees at the school. The school principal or designee shall notify a parent immediately of additional penalties.

Notice to Students and Parents of Policy—

A copy of this policy shall be made available in printed form at the District offices and a copy of this policy or a clear electronic link to this policy shall be made available on the District’s web site. Individual school policies shall be made available in printed form at the school offices and a copy of those policies or a clear electronic link to those policies shall be made available on the school’s web site. Parents and students shall receive annual written notice of District and school electronic device policies, which may be satisfied by the website posting, publishing the policy in a school handbook or directory, sending the policy to the student’s home or any other reasonable means.

Parents and students shall receive notice of changes in District or school electronic device policies in a timely manner and through reasonable means.

A copy of the most current policy shall always be available in the main office of the school and shall be posted online on the school website, if a school has a website.

Schools may require that parents return a copy of the policy with signature indicating that parents have had access to the policy.

Information to parents should include exceptions to the policy and potential consequences for students. Information to parents shall provide clear information of how best
to contact students during school hours or activities, in lieu of immediate contact by electronic device.

Students and parents shall be notified that law enforcement may be contacted, at school’s discretion, if circumstances warrant such contact.

**Confiscated Student Electronic Devices—**

Only licensed school personnel (unless other employees are specifically identified in policy) may confiscate student electronic devices. Licensed school employees are discouraged from searching or reviewing material or numbers stored on student electronic devices except under compelling circumstances. Licensed school employees may search an electronic device if the device is found by the employee for the limited purpose of determining the device’s owner.

Schools will do their best to guard and protect confiscated student electronic devices, but are not responsible for loss, damage, theft.

Schools will make a good faith effort to notify parent(s) or designated individuals that a student's electronic device is in the school’s possession and, time and resources permitting, will maintain possession of such devices until the end of the school year, at which time the school may dispose of the device. Prior to disposal of devices, schools shall attempt to clear all personal data.

**Creative and Innovative Uses for All Electronic Devices—**

With prior approval of the Principal, individual teachers and school employees may use electronic devices to communicate effectively with students and parents and to enhance instruction. Such uses might include:

1. notifying absent students of assignments;
2. communicating with parents when students excel or if students fall behind or are absent;
3. parents notifying school when students are absent or tardy;
4. teachers notifying students of news articles or events that would enhance discussion or student research;
5. providing immediate feedback to students on written work or assignments.

**Other Provisions—**

Picture taking or video or audio recording by students is strictly forbidden in school or school activity private areas, such as locker rooms, counseling sessions, washrooms, and dressing areas. Students are further prohibited from using electronic devices to transmit any such recordings. Students are prohibited from using electronic devices to invade the reasonable privacy expectations of students or school staff or any person present at the school.


Students bring their electronic devices on school property or to school activities at their own risk. The school is not responsible for lost, stolen or damaged student electronic devices.

Students are strictly responsible for their own electronic devices. If devices are borrowed or taken and misused by non-owners, device owners are jointly responsible for the misuse of the device and policy violation(s) committed with the device.
Students and parents should be informed and understand that confiscated electronic devices may be subject to search by school officials.

A student’s penalties for violation(s) of an electronic device policy provision may vary depending upon the intentional nature of the violation, other disciplinary actions the student may have received and specific circumstances of the violation.
FGAC Morgan School District
Bus Conduct

This policy establishes responsibilities for the groups who contribute to pupil transportation management. It also establishes rules, procedures and consequences for the benefit, safety and well-being of students.

This information will be given to administrators, operators and students. Parents will receive information regarding the policy and parent expectations via the internet, mail and/or student delivered information packets/handbooks.

Transportation services are provided to eligible riders on assigned busses at authorized bus stops. Other riders may be limited based on a variety of factors including space and funding.

Student Expectations
1) Student conduct that occurs on the bus which may warrant or requires suspension or expulsion under the Safe School policy, FHA.
2) Students are to follow the directives of the driver.
3) Students are to refrain from using profane language, racial slurs or other derogatory comments.
4) Students have the responsibility to help keep the bus clean. Paper, wrappers, etc., are to be put in the appropriate trash container and not on the floor. Damage from vandalism will be the responsibility of the student or his/her family.
5) Students may not use or carry the following on the bus: tobacco of any kind, alcohol, matches, lighters, illegal drugs or laser lights; skateboards, roller blades, and other large items are not allowed on the bus.
6) Students are not to be destructive with seats, windows, floor coverings or painted surfaces. Writing on a bus exterior or interior will not be tolerated.
7) Students must stay seated and keep hands, feet, and personal items to themselves at all times.
8) Students must keep their head, hands, feet, and clothing or bags inside the bus at all times.
9) Students are not permitted to have weapons or ammunition on the bus. This includes replicas of weapons.
10) Students unloading from the bus who must cross the street must cross in front of the bus following these steps:
    a) After exiting the bus, students should walk 10 feet past the front of the bus, being careful not to step into the road.
    b) Students should wait for the driver to signal to cross the street.
    c) Students should look both ways to make sure that the path is clear and the traffic has stopped before crossing the street.
    d) Students should then proceed immediately across the street to avoid delaying stopped traffic and the continued transportation of other students.
11) Bullying in any form will not be tolerated.
12) If food spills, it is the responsibility of the student to clean up the spill.
Advisor and Operator Responsibilities

- Be familiar with all rules, policies and procedures affecting pupil transportation
- Establish rapport with each building administrator and work to ensure proper conduct and communications
- Establish proper rapport with pupils and instruct pupils in proper behavior, general procedures and drills
- Minimized interior noise
- Controlled passenger movement
- Orderly entrance and exit
- No movement of objects
- Silence at railroad crossings
- No transportation of unauthorized materials
- Discussions and seat assignment to handle minor infractions
- Use of appropriate forms to inform persons dealing with discipline problems of serious or recurring misconduct
- Observation of FERPA and rules governing confidentiality.

Parent/Guardian Responsibilities

- Become familiar with rules and regulations
- Encourage children to abide by rules and regulations
- Assist children in understanding rules and regulations
- Recognize their responsibility for the actions of their children
- Effect desirable changes in their children’s behavior
- Support safe riding practices
- Support procedures for emergency evacuation
- Support procedures for safely crossing the highway before boarding and after leaving the bus
- Support procedures to follow in emergencies
- Support respect for the rights and privileges of others.
- Volunteer to help chaperone trips

Disciplinary Actions

Transportation privileges may be temporarily denied or permanently suspended if a student's conduct does not comply with district policies and procedures. When a student enters the school bus, authority lies with the bus driver and the school district. District drivers will make every attempt to work with students and parents to resolve behavior or safety issues. When a student is unable or unwilling to abide by established standards or their personal actions jeopardize the safety of other passengers, the student shall be formally disciplined. If the action is severe or violates the Safe Schools Policy, one or more steps may be skipped and additional Safe Schools Policy consequences added. The following steps are included in the discipline process.
Step 1.
On the first incident, which may be a Level I Safe Schools offense, the student will receive a written warning, with a copy sent to the principal. If possible, the parents will be called by the transportation director or the bus driver. The warning must be signed by the parent and returned with the student before he or she is allowed back on the bus the following morning.

Step 2.
On the second incident or a Level II Safe Schools offense, the student will receive a written suspension. Parents, the student, a representative from the transportation department, and school authorities will meet and a plan of action will be established to correct the student’s behavior before he or she will be allowed back on the bus. Parents need to call to make an appointment for this meeting at 801-829-0731.

Step 3.
On the third incident or a Level III Safe Schools offense, the student will be suspended from all riding privileges for a period of time appropriate for the offense up to a maximum of one full school year. The student may also be referred to the Superintendent for consideration in regards to expulsion from school for a period up to one year.
Definitions—

1. In general, bullying is aggressive behavior that is intended to cause distress and harm, exists in a relationship where there is an imbalance of power and strength, and is repeated over time. As specifically defined by this policy, “Bullying” means intentionally or knowingly committing an act that:

   a. meets one of the following:
      
      i. endangers the physical health or safety of a school employee or student; or

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

      iii. involves consumption of any food, liquor, drug, or other substance; or

      iv. involves forced or coerced actions or activities of a sexual nature or with sexual connotations; or

      v. involves other physical activity that endangers the physical health and safety of a school employee or student; or

      vi. involves physically obstructing a school employee's or student's freedom to move; and

   b. is done for the purpose of placing a school employee or student in fear of:

      i. physical harm to the school employee or student; or

      ii. harm to property of the school employee or student.

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.

2. “Communication” means the conveyance of a message, whether verbal, written, or electronic.

3. “Cyber-Bullying” means:

   a. 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.

b. In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyber-bullying.

4. “Harassment” means repeatedly communicating to another individual, in an objectively demeaning or disparaging manner, statements that contribute to a hostile learning or work environment for the individual.

5. “Hazing” means intentionally or knowingly committing an act that:
   a. meets one of the following:
      i. endangers the physical health or safety of a school employee or student; or
      ii. involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
      iii. involves consumption of any food, liquor, drug, or other substance; or
      iv. involves forced or coerced actions or activities of a sexual nature or with sexual connotations;
      v. involves other physical activity that endangers the physical health and safety of a school employee or student; or
      vi. involves physically obstructing a school employee's or student's freedom to move; and either
   b. is done for the purpose of initiation or admission into, affiliation with, holding office in, or as a condition for, membership or acceptance, or continued membership or acceptance, in any school or school sponsored team, organization, program, or event; or
   c. if the person committing the act against a school employee or student knew that the school employee or student is a member of, or candidate for, membership with a school, or school sponsored team, organization, program, or event to which the person committing the act belongs to or participates in.

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

_Utah Admin. Rules R277-613-1 (October 8, 2013)_
_Utah Code § 76-5-107.5 (2011)_
_Utah Code § 53A-11a-102 (2011)_

“Retaliate” means an act or communication intended:
1. as retribution against a person for reporting bullying, cyberbullying, harassment, or hazing; or

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

_Utah Code § 53A-11a-102 (2011)_

“School employee” means:

1. school administrators, teachers, and staff, as well as others employed or authorized as volunteers, directly or indirectly, by the school, school board, or school district.

**Bullying and Harassment Prohibited—**

No school employee or student may engage in bullying and/or harassment of a student or school employee on school property, at a school related or sponsored event, on a school bus, at a school bus stop, or while the student is traveling to or from a school location or school related or sponsored event.

Students who engage in bullying and/or harassment are in violation of this policy and verified violations shall result in disciplinary action up to and including expulsion, consistent with the school district’s Safe Schools policy (FHA).

School employees who engage in bullying and/or harassment are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district’s Orderly Termination policy (DHA).

Anonymous reports of bullying and/or harassment alone cannot constitute the basis for formal disciplinary action.

The school or District may also report individuals to law enforcement.

_Utah Code § 53A-11a-301 (2013)_

_Utah Admin. Rules R277-613-4 (October 8, 2013)_

**Hazing and Cyberbullying Prohibited—**

No school employee or student may engage in hazing or cyberbullying of a student or employee at any time or at any location.

Students who engage in hazing or cyberbullying are in violation of this policy and verified violations shall result in disciplinary action up to and including expulsion, as well as suspension or removal from a school-sponsored team or activity, including school sponsored transportation, consistent with the school district’s Safe Schools policy (FHA).

School employees who engage in hazing or cyberbullying are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district’s Orderly Termination policy (DHA).

The school may also determine to break up or dissolve a team, organization, or other school-sponsored group for hazing violations by its members.

Anonymous reports of hazing or cyberbullying alone cannot constitute the basis for formal disciplinary action.

The school or District may also report individuals to law enforcement.
Retaliation Prohibited—

No school employee or student may engage in retaliation against a school employee, a student, or an investigator for, or witness of, an alleged incident of bullying, harassment, cyberbullying, hazing, or retaliation against a school employee or student.

Students who engage in such retaliation are in violation of this policy and are subject to disciplinary action up to and including expulsion, consistent with the school district’s Safe Schools policy (FHA). Anonymous reports of bullying, harassment, cyberbullying, or retaliation alone cannot constitute the basis for formal disciplinary action.

School employees who engage in retaliation are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district’s Orderly Termination policy (DHA).

Anonymous reports of retaliation alone cannot constitute the basis for formal disciplinary action.

The school shall inform students who have reported being subject to bullying, harassment, cyberbullying, or hazing and these students’ parents that retaliation is prohibited and shall encourage the students and parents to be aware of and to report any subsequent problems or new incidents.

Making a False Report Prohibited—

No school employee or student may make a false allegation of bullying, harassment, cyberbullying, hazing, or retaliation against a school employee or student.

Students who engage in making such false allegations are in violation of this policy and are subject to disciplinary action up to and including expulsion, consistent with the school district’s Safe Schools policy (FHA).

School employees who engage in making such false allegations are in violation of this policy and verified violations shall result in disciplinary action up to and including termination, consistent with the school district’s Orderly Termination policy (DHA).

Training and Education—

Each school shall establish procedures for training school employees, volunteers and students to recognize and prevent bullying, harassment, cyberbullying, hazing, or retaliation.

Training to students, staff, and volunteers shall include:
1. Training specific to overt aggression that may include physical fighting such as punching, shoving, kicking, and verbally threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior;

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

3. Training specific to prohibitions against bullying or hazing of a sexual nature or with sexual overtones;

4. Training specific to 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; and

5. Training regarding civil rights violations and appropriate reporting and investigative procedures. “Civil rights violations” means bullying, cyber-bullying, hazing, or harassment targeted at a federally protected class and includes such conduct based upon students’ actual or perceived identities and conformance or failure to conform to stereotypes.

In addition to training school employees and educating students mentioned above, all volunteer coaches, employees, and students involved in any curricular athletic program or any extra-curricular club or activity shall:

1. Complete bullying, cyber-bullying, harassment and hazing prevention training prior to participation;

2. Repeat bullying, cyber-bullying, harassment and hazing prevention training at least every three years;

3. Be informed annually of the prohibited activities list provided previously in this Policy and the potential consequences for violation of this Policy.

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying, harassment, hazing, or cyberbullying.


**Evaluation of Student Support Needs**—

When it is determined that a student has been bullied, cyberbullied, hazed, or harassed, consideration should be given to what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student’s ability to learn and function in the school setting.

**Assessment**—

Each school shall regularly (and at least once per year) conduct assessment through student input (surveys, reports, or other methods) of the prevalence of bullying, cyberbullying, hazing, and harassment in the school, and specifically in locations where students may be unsafe and adult supervision may be required such as playgrounds, hallways, and lunch areas.
Publication—

A copy of this policy shall be included in student conduct handbooks, employee handbooks, and shall be available on the District website.

Parental Notification—

The school shall notify the parent or guardian of a student who is involved in an incident of bullying, hazing, cyber-bullying, harassment or retaliation (whether as a perpetrator or victim).

The school is also required to notify the parent or guardian of a student who threatens to commit suicide. (See Policy FDACD.) In addition, the school shall produce and maintain a record that verifies that the parent or guardian was notified of the threats or incidents listed above. The record is a private record for purposes of the Government Records Access and Management Act.

The process for notifying a parent or guardian shall consist of:

1. The school principal or designee shall attempt to make personal contact with a parent or guardian when the school has notice of a threat or incident listed above. It is recommended that the parent be informed of the threat or incident with two school people present. If personal contact is not possible, the parent or guardian may be contacted by phone. A second school person should witness the phone call.

2. Contact with the parent or guardian must be documented in a "Verification of Parent or Guardian Contact Regarding Threat or Incident."

(A copy of the “Verification of Parent or Guardian Contact Regarding Threat or Incident” is attached below.) Subject to laws regarding confidentiality of student educational records, at the request of a parent or guardian, a school may provide information and make recommendations related to an incident or threat.

Utah Code § 53A-11a-203 (2016)

The record of parental notification shall be maintained in accordance with Policy FE, Policy FEA, the Utah Student Data Protection Act, Utah Code §§ 53A-13-301 and 53A-13-302, and the Federal Family Educational Rights and Privacy Act ("FERPA"). A copy of the record of parental notification shall upon request be provided to the student to whom the record relates. After the student has graduated, the District shall expunge the record of parental notification upon request of the student.

Utah Code § 53A-11a-203(3)(b) (2016)
VERIFICATION OF PARENT OR GUARDIAN CONTACT REGARDING THREAT OR INCIDENT

I, [Name] , principal or principal’s designee, contacted [Name of parent or guardian] on [Date] and notified him or her that [Name of student] has made suicidal threats or was involved in an incident of bullying, hazing, cyber-bullying, harassment or retaliation. Contact was made:

[ ___ ] in person
[ ___ ] by telephone (number used: ____________________)
[ ___ ] by email (email address used: ____________________)
[ ___ ] by other method (specify): ______________________

Notice was given of:
[ ___ ] suicide threat
[ ___ ] bullying incident
[ ___ ] cyber-bullying incident
[ ___ ] harassment incident
[ ___ ] hazing incident
[ ___ ] retaliation incident

[Name of school staff member] , witnessed the contact.

________________________________________________________________________
Principal or Principal’s Designee       Title       Date

________________________________________________________________________
School Staff Member              Title       Date
FGD Student Rights and Responsibilities

Interrogations and Searches

Search and Seizure—

Students shall be free from unreasonable search and seizure by school officials. School officials may search a student or a student’s property with reasonable suspicion or with the student’s consent. A search must be reasonable both in the reason for the search and the scope of the search.

Jones v. Latexo, 499 F. Supp. 223 (ED. Tex. 1980)

Reasonable Suspicion—

“Reasonable suspicion” is a particularized and objective basis, supported by specific articulable facts, for suspecting a person of violating law or policy.

Searches of Places—

Students have a limited expectation of privacy of areas such as lockers, which are owned and jointly controlled by the school. While students may lock or otherwise secure lockers from access by other students, this does not give the student an expectation of privacy with regard to school access, nor may a student lock or secure a locker with means that are not approved by the school. These areas may be searched on a school-wide or individual basis when the school determines there is cause to conduct such a search. In addition, the school district has a reasonable and valid interest in insuring that the lockers are properly maintained. For this reason, periodic inspection of lockers is permissible to check for cleanliness and vandalism. Any illegal items or contraband discovered during such searches shall be confiscated by school officials and may be turned over to law enforcement officials. Student privacy regarding contents of the locker which are not contraband or in violation of law or policy will be respected.

Zamora . Pomeroy, 639 F. 662 (10th Cir. 1981);

Searches of Students—

Searches of students' outer clothing and pockets may be conducted if reasonable cause exists.

Doe v. Renfrow, 475 F. Supp. 1012 (N.D. Ind. 1979)

Highly intrusive invasions of a student's privacy, such as searches of the student's person or strip searches, shall be conducted only if individualized reasonable cause exists to believe that there is a legitimate safety concern due to a student’s possession of weapons or drugs. These searches must be designed to be minimally intrusive, taking into account the item for which the search is conducted.

Doe v. Renfrow, 631 F.2d 91 (7th Cir. 1980)
Police Involvement—

Where school officials initiate a search and police involvement is minimal, the reasonableness standard is applicable. The ordinary warrant requirement and probable cause standard will apply where "outside" police officers initiate, or are predominantly involved in, a school search of a student or student property for police investigative purposes.


Student Consent—

If the District does not have reasonable cause to search a student or his property, the District may search with the student's free and voluntary consent. However, coercion, whether express or implied, invalidates the apparent consent.


Distribution of Policy—

A copy of this policy in electronic and printed form shall be made available to parents and students upon enrollment.

*Utah Admin. Rules R277-615-4(4) (May 10, 2017)*
Purpose of the Policy

To establish policy and practices regarding the discipline of students in situations that may not be regulated by the Safe School Policy and to follow Utah State Code relating to corporal punishment, suspension and expulsion.

Relation of School Discipline Rules to Other Policies.

Rules and procedures shall restrict corporal punishment and the use of reasonable and necessary physical restraint or force as set forth in these policies and pursuant to Utah Code Ann. § 53A-11-802. Policies shall include written procedures for the suspension and expulsion of, or denial of admission to, a student, consistent with due process and other provisions of law, including 53A-11-904 et seq. Moreover, all rules and procedures shall be consistent with all other policies of the Board, and all state statutes and federal laws governing school discipline, including 53A-11-902, 53A-11-903 and §504 of the Rehabilitation Act of 1974 (29 U.S.C. 794(a)).

Utah Code Ann. § 53A-11-902

Adoption/Revising of Discipline Rules.

In adopting or revising the District’s rules and regulations, the school board shall solicit input from various interest groups at the school and in the community, including district employees, parents and guardians of students, and students.

Utah Code Ann. § 53A-11-901

Teacher’s Authority

A teacher may intervene with a student who has been documented to
1. Repeatedly interfere with the teacher’s ability to communicate effectively with the students in the class.
2. Behave in a manner which threatens the welfare or safety of him/herself or others.

The teacher shall notify the parent or guardian and convene a conference to be attended by the teacher, parent or guardian and student. The teacher may take any of the following actions:

1. Determine that the problem can be resolved without further action.
2. Establish an agreement for proper behavior with the student and parent or guardian.
3. Restriction of privileges.
4. Refer the student to the principal.
**Principal’s Authority**

If the interference continues, a teacher may refer the student to the principal. The Principal may take any of the following actions:

1. Schedule a conference to be attended by the principal or designee and parent or guardian. The hearing may include other people deemed necessary by the principal.
2. Determine that the problem can be resolved without further action.
3. Establish an agreement for proper behavior with the student and parent (guardian) and place the student back in the class.
4. Detention, restriction of privileges.
5. Suspend the student for a period not to exceed 10 school days.
6. Place a secondary student in an alternative education program.
7. Refer the student to the superintendent if more than a 10 day suspension is recommended.

**Superintendent’s Authority**

When a student is referred to the superintendent by the principal, the Superintendent or designee shall schedule a hearing to be attended by the student and the student’s parent or guardian. The superintendent shall:

1. Determine if the student has been given due process.
2. Determine if the student has been given an opportunity for remediation.
3. Determine if extenuating circumstances were considered and reasonable accommodations provided?

If it is determined that the student has been given due process, opportunities for remediation, and reasonable accommodation, the Superintendent shall impose appropriate consequences which may include referral to the Morgan Board of Education for expulsion.

**Board’s Authority**

If a particular type of conduct has the effect of disrupting the learning atmosphere, it should be subject to regulation. The Board possesses discretion in promulgating regulations for the proper conduct of students.

*Utah Code Ann. § 53A-1-402(1)(b)(v)*
*Utah Admin. R. 277-609-3*

**Emergency Situations**

A teacher may remove a student from class in emergency situations resulting from issues regarding discipline, health, safety, and/or welfare. The student should be escorted to the school office, if possible, where a temporary course of action will be determined by school administration. If the student is unable or unwilling to leave the classroom, assistance from administration, law enforcement and medical personnel may be warranted. If it is deemed necessary to remove the student from school, the student shall be released to the student’s
parent or guardian, the parent's or guardian's representative, or other proper authority, including, but not limited to, law enforcement officers and medical personnel. The District shall make reasonable efforts to notify the parent or guardian prior to removing a student from school premises for emergency reasons. If the parent or guardian cannot be notified prior to the removal, the parent shall be notified as soon as possible after the removal and the reasons for it.

**Limitation for Handicapped Students**

Removal of a student with disabilities from school or any class shall only be used in emergency situations and shall be temporary and in consultation with the special education teacher. Removal of a student with disabilities for disciplinary, health, safety, or welfare reasons for more than 10 days constitutes a change in placement and shall not occur without the convening of the student’s I.E.P. Team. Those charged with the education and supervision of students with disabilities shall adhere to other policies of the Board, and all state statutes and federal laws governing school discipline.

This policy does not restrict the use of corporal punishment which is considered to be reasonable discipline for purposes of behavior reduction intervention and which is also in compliance with state regulations and District policies adopted pursuant to Utah Code Ann. 53a-15-301 regarding provision of education for handicapped students.

_Arizona Code Ann. §§ 53a-11-704, 53a-11-705_

_Arizona Code Ann. § 53a-11-401_

**Corporal Punishment**

A school employee may not inflict or cause the infliction of corporal punishment upon a child who is receiving service from the school. The term "corporal punishment" means the intentional infliction of physical pain upon the body of a student as a disciplinary measure. The term “child” means a person under the age of eighteen (18) or under the age of twenty-three (23) if the person is receiving educational services as an individual with a disability.

_Arizona Admin R 277-608_

_Arizona Code Ann. § 53A-11-802_

_Arizona Code Ann. § 53A-11-801_

**Appropriate Conduct**

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:
1) obtain possession of a weapon or other dangerous object in the possession or under the control of a child;
2) protect the child or another person from physical injury;
3) remove from a situation a child who is violent or disruptive; or
4) protect property from being damaged.

_Arizona Code Ann. § 53A-11-802_
An employee of the District may not be subjected to any sanction for failure or refusal to commit an act prohibited by this policy.

Utah Code Ann. § 53A-11-802

Policy FDD regarding Child Abuse Reporting and Investigation shall apply to complaints made to the District regarding improper or unauthorized use of corporal punishment.

Utah Code Ann. § 53A-11-803

Disciplinary Record

Disciplinary records shall be made available to parents/legal guardians or the student, whichever is appropriate, pursuant to the District's student records policy.

Notice of Rules

A copy of the rules and procedures shall be made available to all students at the time of their enrollment in the school. If a school makes significant changes to its discipline rules and procedures, written notice of the adopted and revised discipline rules and procedures shall be distributed to all new and continuing students. In the case of all new, continuing or transfer students, a copy of the rules and procedures shall be mailed to the student's parents or legal guardian.

Utah Code Ann. § 53A-11-903

Board Review of School Discipline Rules

Each school shall file a copy of its school discipline rules and procedures with the Board within thirty days after adoption of the rules and procedures. The Board shall review the rules and procedures filed by each school and may require the school to modify any rule or procedure that is not consistent with Board policy or state statutes on discipline in the public schools.

Morgan School District

FHA Safe Schools

The following definitions shall apply under this policy—

1. "Suspension" means removal of a student from the student's regular classroom assignment for a definite period of time.
2. "In-school suspension" means temporary reassignment, for a specific period of time, to a designated suspension classroom within the school.
3. "Short-term suspension" means exclusion of the student from the school, school grounds, and school activities and functions for a specific period of time that is equal to or less than 10 school days.
4. "Long-term suspension" means exclusion of the student from the school, school grounds, and school activities and functions for a specific period of time that is greater than 10 school days.
5. "Expulsion" means termination of the student's status as a student enrolled in the school. Expulsion may be for an indefinite or fixed period of time.
6. "Involuntary transfer" means reassignment of a student from one school, campus, or academic program, to a different school, campus, or academic program within the District. Involuntary transfer may be for an indefinite period of time or for a fixed period of time.
7. "School district location" means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.
8. "Disruptive behavior" means conduct which unreasonably interferes with the educational process or instruction of students in the classroom or elsewhere, including foul, profane, vulgar or abusive language.


9. “Bullying” means intentionally committing a written, physical, or verbal act that a reasonable person under the circumstances should know or reasonably foresee will have one of the following effects:
   a. causing physical or emotional harm to the school employee or student:
   b. causing damage to the school employee or student’s property;
   c. placing the school employee or student in reasonable fear of:
      i. harm to the school employee’s or student’s physical or emotional well being; or
      ii. damage to the school employee’s or student’s property.
   d. creating a hostile, threatening, humiliating, or abusive educational environment due to:
      i. the pervasiveness, persistence, or severity of the actions; or
      ii. a power differential between the bully and the target; or
   e. substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

Utah Code § 53A-11a-102(2) (2017)
10. “Communication” means the conveyance of a message, whether verbal, written, or electronic.

_Utah Code § 53A-11a-102(3) (2017)_

11. “Cyber-Bullying” means:
   a. 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.
   b. In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyber-bullying.

_Utah Code § 53A-11a-102(4) (2017)_

12. "Hazing" means a school employee or student intentionally, knowingly, or recklessly committing an act that:
   a. meets one of the following:
      i. endangers the mental or physical health or safety of a school employee or student; or
      ii. 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;  
      iii. involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a school employee or student; or
      iv. involves any activity that would subject a school employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a school employee or student to extreme embarrassment, shame, or humiliation; and either;
   b. is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in any school or school sponsored team, organization, program, club, or event; or
   c. is directed toward a school employee or student whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school sponsored team, organization, program, club, or event in which the individual who commits the act also participates.

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

_Utah Admin. Rules R277-613-1 (October 8, 2013)_

_Utah Code § 76-5-107.5 (2011)_

_Utah Code § 53A-11a-102(5) (2017)_
13. "Retaliate" means an act or communication intended:
   a. as retribution against a person for reporting bullying, cyber-bullying, abusive conduct, or hazing; or
   b. to improperly influence the investigation of, or the response to, a report of bullying, cyber-bullying, abusive conduct, or hazing.

14. "Weapon" means "dangerous weapon," which includes any firearm or any object that is used for, or is readily capable of, causing death or serious bodily injury. "Firearm" means a pistol, revolver, shotgun, short barreled shotgun, rifle or short barreled rifle, or any device that could be used as a dangerous weapon from which is expelled a projectile by action of an explosive. The following factors are used in determining whether an object other than a firearm is a dangerous weapon:
   a. the location and circumstances in which the object was used or possessed;
   b. the primary purpose for which the object was made;
   c. the character of the wound, if any, produced by the object's unlawful or improper use;
   d. the manner in which the object was unlawfully or improperly used;
   e. whether the manner in which the object is used or possessed constitutes a potential imminent threat to public safety; and
   f. the lawful purposes for which the object may be used.

Possession of a weapon shall not violate this policy if possession is approved in writing by the responsible school administrator or if the item or material is present or to be used in connection with a lawful activity approved in writing by the responsible school administrator before the material in question is brought on school premises.

Utah Code § 76-10-505.5 (2013)

15. "Unlawful conduct" means any conduct by a student which violates any local, state, or federal law or regulation, or violates any District or school policy, or violates the legal rights of another person, and includes, but is not limited to, the following:
   a. Harassment: the crime of harassment occurs when a student, with intent to frighten or harass another, communicates in writing a written or recorded threat to commit any violent felony.


b. Burglary: burglary means entering or remaining in a building or any portion of a building with the intent to commit an additional crime.

Utah Code § 76-6-202 (2012)

c. Theft: theft means obtaining or exercising unauthorized control over the property of another with the purpose to deprive him or her thereof.

Utah Code § 76-6-404 (1973)

d. Criminal mischief: criminal mischief means intentionally damaging, defacing, or destroying the property of another; or recklessly or willfully shooting or propelling a missile or other object at or against a motor
vehicle, bus, airplane, locomotive, train, railway car, or caboose, whether moving or standing, or intentionally and unlawfully tampering with the property of another so as to recklessly endanger human life, health, or safety or recklessly causes or threatens a substantial interruption or impairment of critical infrastructure.

Utah Code § 76-6-106 (2012)

e. Assault: assault means an attempt, with unlawful force or violence, to do bodily injury to another.

Utah Code § 76-5-102 (2015)

f. Gang activity.

Utah Code § 76-9-801 to 804
Utah Code § 76-9-901 to 907

g. Willfully defaces or otherwise damages school property.


16. Making a false alarm: a student makes a false alarm if he or she initiates or circulates a report or warning of any fire, impending bombing, or other crime or catastrophe, knowing that the report or warning is false or baseless and is likely to cause the evacuation of any building or public transport; improper activation of school alarms or safety systems.

Utah Code § 76-9-105 (2017)

17. Disrupting the operation of a school: Disrupting the operation of a school occurs when a person, after being asked to leave by a school official, remains on school property for the purpose of encouraging or creating an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of the school.

Utah Code § 76-9-106 (1992)

18. Terroristic Threats: A student commits a terroristic threat if the student threatens to commit any offense involving bodily injury, death, or substantial property damage, and:
   a. Threatens to use a weapon of mass destruction or hoax weapon of mass destruction; or
   b. The student acts with intent to:
      i. Influence or affect a government or unit of government or intimidate or coerce a civilian population; or
      ii. Cause action of any nature by an official or volunteer agency organized to deal with emergencies; or
      iii. Prevent or interrupt the occupation of a building or a portion of a building, a place to which the public has access, or a facility or vehicle of public transportation operated by a common carrier.

Utah Code § 76-5-107.3 (2013)

19. "Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, when:
a. Submission to or rejection of the conduct affects the student's academic performance, participation in school-sponsored activities, or any other aspect of the student's education; or

b. The conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive education environment.

See Policy FHAB.

Publication of Safe Schools Policy—

A copy of this policy shall be given to each student in school upon enrollment in the school. Each student transferring to a school in the district who was not attending a school in the district just prior to the transfer shall receive a copy of this policy. When a copy of this policy is provided to a student, a copy shall also be provided to the student's parent or guardian.


A copy of this policy shall be posted in a prominent place in each school in the district. Any significant change in this policy shall be posted in each school in the district, and a copy of the revised policy shall be distributed to the students in each school.

_Utah Code § 53A-11-903(2)(b), (c) (2007)_

Conduct Warranting Discipline—

A student may be disciplined for the conduct described below. The type of the discipline imposed will depend on the nature of the particular conduct.

1. Conduct Which May Warrant, But Does Not Require, Suspension or Expulsion:
   a. A student may be disciplined for any of the following prohibited conduct when it occurs in a school building, or on or in proximity to school property; in conjunction with any school sponsored activity; in or on a school vehicle; is directed at or against another student or a district employee; or when it threatens harm or does harm to the school, school property, a person associated with the school, or property of a person associated with the school.
      i. Any unlawful conduct, as that is defined above.
      ii. Frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including the use of foul, profane, vulgar, or abusive language.
      iii. Willful destruction, defacing, or damaging of school property.
      iv. Behavior, or threatened behavior, which poses an immediate and significant threat to the welfare, safety or morals of other students or school personnel or to the operation of the school.
      v. Disruptive behavior, as that is defined above.
      vi. Possession or use of pornographic material on school property that would constitute a misdemeanor offense under Utah Code § 76-10-1235. (This includes accessing such material through the District computer network or by using any District-owned device.)
vii. Bullying, abusive conduct, cyberbullying, retaliation, and making false allegations of bullying, bullying or retaliation. See Policy FGAD.

viii. Any use of an electronic device or camera to record sounds or images or otherwise capture material in an unauthorized setting or at an unauthorized time shall subject the user of the device to increased discipline based on the circumstances and whether the student has been involved in prior violations of this policy.

1. The use of any device or any electronic device or camera to threaten, intimidate or embarrass another or to capture and transmit test information or any other information in a manner constituting fraud, theft or academic dishonesty will result in an immediate suspension of not less than three (3) days nor more than ten (10) days.

ix. The use of any device in a manner which may be physically harmful to another person, such as shining a laser in the eyes of another student, will result in an immediate suspension of not less than three (3) days nor more than ten (10) days. When a student repeatedly engages in such behavior, the punishment may be increased as is appropriate.

b. Selling, giving, delivering, transferring, possessing, controlling, or distributing an alcoholic beverage on or in proximity to school property or at or in proximity to any school sponsored event. See FHAA.

c. Selling, giving, delivering, transferring, possessing, controlling, or distributing tobacco products on or in proximity to school property or at or in proximity to any school sponsored event. Students shall not smoke or use tobacco products on school property or at any school-related or school-sanctioned activity on or off school property. "Tobacco products" includes an electronic cigarette as that has been defined by state law (Utah Code § 76-10-101).

d. Being under the influence of an alcoholic beverage or controlled substance on or in proximity to school property or at or in proximity to any school sponsored event. See FHAA.

e. Engaging in, assisting, permitting, or otherwise being involved in hazing, as provided by the District's policy prohibiting hazing, Policy FHAC.


f. Engaging in conduct that contains the elements of the offense of arson or aggravated arson under the Utah Criminal Code.

Utah Code § 76-6-102 (2013)
Utah Code § 76-6-103 (1986)

g. Engaging in conduct that contains the elements of any felony.

h. Sexual Harassment.

i. Gang-related activity: A “gang” as defined in this policy means any ongoing organization, association, or group of three or more persons,
whether formal or informal, having as one of its primary activities the
commission of one or more criminal acts, which has an identifiable name
or identifying sign or symbol, and whose members individually or
collectively engage in or have engaged in a pattern of criminal gang
activity. Gang-related activity includes but is not limited to:

i. Wearing, possessing, using or distributing, displaying or selling any
clothing, jewelry, emblem, badge, symbol, sign or other things
which evidence membership in a gang.

ii. Use of a name associated with or attributable to a gang;

iii. Designating "turf" or an area for gang activity or occupation.

Be aware that there are challenging constitutional issues related
to policies dealing with gang-related attire as the policy impacts
students’ First Amendment speech rights. A school should be able
to document evidence of real and substantial problems caused by,
or at least reasonably likely to be caused by, gang clothing. In
designing a dress code, school authorities should focus on
problems if they exist. A school may choose to develop a specific
list of clothing and accessories that “evidence membership in a
gang.” Such lists must be flexible to adapt to shifts in fashion
styles. Students must be given ample notice of the list and any
amendments. The policy should also include an appeals process
that allows students to dispute that particular clothing deemed
gang related is actually not gang regalia.

2. Conduct Which Requires Suspension or Expulsion
   a. A student shall be suspended or expelled from school for participation in
      any serious violation affecting another student or a staff member, or any
      serious violation when it occurs in a school building, in or on school
      property; or in conjunction with any school sponsored activity including:
         i. The sale, control, delivery, transfer or distribution of a drug or
            controlled substance, as defined in Utah Code § 58-37-2, an
            imitation controlled substance, as defined in Utah Code § 58-37b-
            2, or drug paraphernalia as defined in Utah Code § 58-37a-3 (See
            Policy FHAA);
         ii. Commission of an act involving the use of force or the threatened
             use of force which if committed by an adult would be a felony or
             class A misdemeanor.

Utah Code § 53A-11-904(2) (2010)
Utah Code § 76-5-102 (2015)
Utah Code § 76-5-102.3 (2017)

3. Conduct Which Requires 1-year Expulsion
   a. A student shall be expelled from school for not less than one year,
      subject to the 45-day review process for mandatory year expulsions set
      forth below, if the student participates in any serious violation affecting
      another student or a staff member, or any serious violation when it
      occurs in a school building, in or on school property; or in conjunction
      with any school sponsored activity including one of the following
      violations:
i. possession, control or actual or threatened use of a real weapon, explosive, or flammable device or material;
ii. the actual or threatened use of a look-alike or pretend weapon with intent to intimidate another person or to disrupt normal school activities.


4. Discipline Rules for Students With Disabilities
   a. Federal and state laws impose particular requirements regarding discipline of students identified as having a disability. Discipline of such students must comport with the requirements set forth below for students with disabilities.

Remedial Measures and Disciplinary Sanctions—

Following a determination that a student has committed a violation, the student may be subject to one of the following remedial measures or disciplinary sanctions, as is determined to be appropriate for the violation or as is required by the terms of this policy or other District policies.

1. Remedial Measures
   a. Continued school attendance subject to the terms of a remedial discipline plan prepared to correct the violation. This remedial measure is available only where the violation is for willful disobedience, defiance of authority, or disruptive behavior when such conduct is not of such a violent or extreme nature that immediate removal from school is required.
   b. Continued school and class attendance accompanied by the student's parent or guardian for a designated period of time. This remedial measure is available only with the consent of the student's teacher or teachers and the agreement of the student's parent or guardian. The parent or guardian must agree to attend all of the student's classes for each day of the suspension. If the parent or guardian fails to attend class with the student, the student shall then be subject to suspension or other discipline in accordance with this policy.
   c. In-school suspension. Attendance in a designated in-school suspension program. Students shall be instructed in the essential elements of the courses in which they are enrolled at the time of removal.
   d. Home-based instruction. Instruction at home, provided that combined days of suspension and assignment to home-based instruction shall not exceed ten (10) school days in a semester.
   e. Voluntary transfer. Voluntary transfer to another school, campus, community-based alternative school or other special program within the district, subject to the admission criteria of such alternative programs.
   f. Withholding grade reports, diplomas and transcripts. If a school determines that school or district property has been lost or willfully cut, defaced or otherwise damaged by a student, the school may withhold the issuance of an official written grade report, diploma, or transcript of the student responsible for the damage or loss until the student or student's parent or guardian has paid for the damages.
      i. If the student and the student's parent or guardian are unable to pay for the damages or if it is determined by the school in
consultation with the student's parent or guardian that the student's interests would not be served if the parent or guardian were to pay for the damages, then the school shall provide a program of work the student may complete in lieu of the payment. In that case, the school shall release the official grade report, diploma, or transcript of the student upon completion of the work.

ii. If the Department of Human Services or a licensed child-placing agency has been granted custody of the student, that student's records, if requested by the Department or agency, may not be withheld from the Department or agency for non-payment of damages under this section.

iii. No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.

_Utah Code § 53A-11-806 (2017)_

2. Disciplinary Sanctions

a. Detention. Students in grades kindergarten through six may be detained in school after regular school hours in the event the responsible school administrator determines that such action is justified in disciplining the student. No student may be detained after regular school hours until his or her parent or guardian has received prior notice of the detention to take place on a particular school day.

i. The notice provided for under this policy need not be completed prior to detention of the student if detention is necessary for the student's health or safety.

_Utah Code § 53A-3-415 (1991)_

b. Suspension.

c. Involuntary transfer. Involuntary transfer to another school, campus, community-based alternative school or other special program within the District.

d. Expulsion.

Authority to Impose Discipline—

The Board of Education hereby delegates to each school principal within the District the authority to suspend a student in the principal’s school for up to ten (10) school days, in accordance with this policy.

The Board of Education hereby delegates to the superintendent the authority to suspend a student for up to one (1) school year.

The Board of Education has the authority to expel a student for a fixed or indefinite period.

_Utah Code § 53A-11-905 (2007)_

Procedure for Imposing Discipline—

Remedial measures or disciplinary sanctions may be imposed on a student only after it has been determined, following appropriate due process, that the student has committed a violation. The nature of the due process required depends in part on the magnitude of the penalty to be imposed.
1. Short-term Suspension
   a. Informal due process hearing. A school principal may suspend a student for up to ten (10) school days for a violation. Prior to imposing such a suspension, the school principal shall meet with the student, if possible, to discuss the incident(s) and to provide the student an opportunity to respond. The principal shall then determine whether a violation has occurred and whether suspension or other discipline is appropriate. In appropriate cases, the principal shall consider and offer the student alternatives to suspension, including in-school suspension and parental attendance with the student (where appropriate consent from teachers is obtained).
   b. Short-term suspension pending due process hearing. If the school principal makes an initial determination that the violation warrants long-term suspension or expulsion, the school principal may recommend those sanctions and may impose a short-term suspension pending a hearing on whether those sanctions should be imposed.
   c. Departure from school grounds. A suspended student shall immediately leave the school building and grounds following a determination by the school of the best way to transfer custody of the student to the parent or guardian or other person authorized by the parent or applicable law to accept custody of the student.


12. Notice of short-term suspension. If a short-term suspension is imposed, the principal or assistant principal shall immediately provide notice to the student’s parent or guardian. Notice shall, if possible, be given by telephone. If reasonable efforts to contact the parent or guardian by telephone are unsuccessful, then written notice shall be sent to the parent or guardian. The notice, whether verbal or written, shall include the following:
   i. That the student has been suspended.
   ii. The grounds for the suspension.
   iii. The period of time for which the student is suspended.
   iv. The date, time and place for the parent or guardian and student to meet with the principal or assistant principal to review the suspension. This meeting shall be scheduled to occur as soon as is practicable, but in all cases prior to the end of the tenth day of the suspension.


e. Notice of recommended expulsion or long-term suspension. If the principal or assistant principal has recommended that the superintendent expel the student or suspend the student for a period longer than ten days, that fact shall be included in the notice to the parent or guardian.
   f. Meeting to review suspension. At this meeting, the principal or assistant principal shall review with the parent or guardian and student the charges and evidence against the student, and shall provide the student
and parent or guardian with an opportunity to respond. During this meeting, the principal or assistant principal may determine whether the suspension previously imposed should be maintained, whether to adopt an alternative remedial measure, or whether the suspension should be terminated. The principal or assistant principal should also discuss with the parent or guardian a plan to avoid recurrence of the problem.

Utah Code § 53A-11-905(5)(b), (c) (2007)

2. Long-term Suspension or Expulsion
   a. Due process hearing. If the principal or assistant principal recommends long-term suspension or expulsion, he or she shall notify the superintendent of that recommendation. The superintendent shall then schedule a hearing to be held with the student's parent or guardian, the student, and the superintendent or the superintendent's designee. The hearing shall be scheduled to take place prior to the tenth day of the student's suspension where possible.
   b. Notice of hearing. The superintendent shall provide written notice of the date, time and place of the hearing to the student and his or her parent or guardian so as to afford a reasonable opportunity for preparation. The notice shall include a statement of the charges against the student, that a recommendation has been made for suspension for more than 10 days or for expulsion and the period of time for which suspension or expulsion has been recommended. The statement of the charges against the student shall include the nature of the evidence and the names of any witnesses whose testimony may be used against the student unless confidentiality is required due to the necessity to protect student witnesses.

   c. Conduct of hearing. The superintendent or the superintendent's designee shall preside at and conduct the hearing at the appointed time and place. The district and the student may each be represented by a person of their choice. Each side may present testimony of witnesses or other evidence, may cross-examine witnesses and may make legal arguments relevant to the issues. However, the district may present hearsay evidence if confidentiality is required due to the necessity to protect witnesses.

   d. Decision. At the conclusion of the hearing, the superintendent or designee shall make a final determination of the matter, and shall state his or her determination to those attending the hearing. The determination shall then be placed in writing and mailed to the student and his or her parent or guardian. Upon a finding that the student has engaged in conduct warranting discipline, the superintendent may determine what discipline or remedial measures are appropriate for the conduct. If the superintendent determines that the appropriate sanction is expulsion, then that sanction must be authorized by the Board of Education as set out below. Apart from expulsion, the superintendent
may impose any of the available remedial measures or sanctions as are found to be appropriate. In determining the appropriate sanction, the superintendent shall consider whether alternatives to suspension are appropriate or available.


e. Appeal. A student may appeal the determination of the superintendent to the Board of Education by filing a written notice of appeal with the superintendent within ten (10) days of the date the decision of the superintendent is mailed to the student. No further hearing will be held. The Board will review the evidence submitted to the superintendent and the written determination of the superintendent. The Board may affirm the superintendent's decision or modify the Superintendent's decision. The Board's written decision will be issued within thirty (30) days of receipt of the student's written notice of appeal.

f. Board evaluation of expulsion recommendation. If the superintendent recommends expulsion for an indefinite or definite period of time, then the superintendent will transmit that recommendation to the Board of Education along with the record of evidence submitted to the superintendent. The Board may review the recommendation based on this record or may at its sole discretion accept further evidence. Following its review, the Board may accept, modify, or reject the recommendation, or impose other disciplinary sanctions. This decision is final.


g. 45-day review of mandatory one-year expulsions. Where a student has been expelled for one year because of a violation involving a weapon, explosive, or flammable material, a hearing shall be held within 45 days of the imposition of the expulsion. This hearing shall be held before the superintendent or the superintendent's designee, and shall be attended by the student and a parent or guardian of the student. At this hearing, the superintendent shall determine

i. what conditions must be met by the student and the student's parent or guardian for the student to return to school;

ii. whether the student should be placed on probation in a regular or alternative school setting, and if so what conditions must be met by the student to assure the safety of students and staff at the school the student is placed in; and

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

iv. If the superintendent or his or her designee determines that the student should return to school prior to the expiration of the one-year expulsion term conditioned on compliance with the conditions established by the superintendent, then the superintendent shall submit that recommendation to the Board of
Education. If the Board of Education approves the return, the student may return to school pursuant to the conditions established.

*Utah Code § 53A-11-904(2)(b) (2010)*

h. A student may be denied admission to a public school on the basis of having been expelled from that or any other school during the preceding 12 months.

*Utah Code § 53A-11-904(3) (2010)*

**Evidence in Student Hearings**—

All student disciplinary hearings shall be conducted by the Board or its designee in an executive session. All evidence presented in such hearings shall constitute student educational records and shall be treated as "confidential". The District hereby designates all student records as "protected" under the Government Records Access Management Act. The names of students giving statements used in a student hearing involving other students may be protected and redacted where necessary to protect the students from threats of harm or interference with the educational process.

**Notification of Weapons on School Property**—

Whenever a student is found on school property during school hours or a school sponsored activity in possession of a dangerous weapon and that information is reported to or known by the principal, the principal shall notify appropriate law enforcement personnel as well as school and district personnel who, in the good faith opinion of the principal should be informed.

*Utah Code § 53A-11-1101 (1994)*

**Education of Students Subject to Discipline**—

The educational services that will be provided to students subject to discipline will depend upon the nature of the discipline.

1. Students subject to remedial measures. Students subject to remedial measures such as a remedial discipline plan, class attendance with a parent, or in-school suspension will continue to receive educational services from the district according to the remedial measure. A student transferred to another school or program within the district will receive educational services through that school or program.

2. Parental responsibility for education. When a student is expelled or is suspended for more than 10 days, it is the responsibility of the parent's student or guardian to undertake an alternative education plan which will ensure that the student's education continues during the period of the suspension or expulsion. The parent or guardian shall work with designated school officials to determine how that responsibility might best be met through private education, alternative programs offered by the district, or other alternatives which will reasonably meet the student's educational needs. Costs for educational services not provided by the district are the responsibility of the student's parent or guardian.

*Utah Code § 53A-11-907 (2007)*
3. Review of student progress. The district shall contact the parent or guardian of each suspended or expelled student under the age of 16 at least once per month to determine the student's progress.


4. Record of disciplined students. The district shall maintain a record of all suspended or expelled students and a notation of the recorded suspension or expulsion shall be attached to the student's transcript.


**Readmission of Suspended or Expelled Students—**

1. Suspended students. A suspended student may not be readmitted to a public school until the student and the student's parent or guardian have met with a designated school official to review the suspension and have agreed with the school official upon a plan to avoid recurrence of the violation resulting in suspension. At the discretion of the principal, the student may be readmitted if the student and the student’s parent or guardian have agreed to participate in such a meeting. However, a suspension may not extend beyond ten (10) days unless the student and the student's parent or guardian have been given a reasonable opportunity to meet with a designated school official to respond to the allegations and proposed disciplinary action.

5. Expelled students. The superintendent or his or her designee shall review the expulsion sanction of each expelled student at least once per year and shall report the conclusions of such review to the Board of Education. The superintendent or his or her designee may make recommendations regarding whether such sanction should be modified or removed, and what conditions, if any, should be imposed on the student’s readmission. If the Board has expelled a student for a set period of time and has not otherwise specified, at the expiration of that expulsion term a student may enroll at his or her area school on the same terms as a new student.

**Response to School Safety and Crisis Line —.**

The District shall respond to reports received through the School Safety and Crisis Line in accordance with models developed by the State Board of Education.

_Utah Code § 53A-11-902(9) (2017)_
FHAA Safe Schools  
Alcohol and Drugs

**Alcohol**—

A person may not possess or drink an alcoholic beverage inside or on the grounds of any building operated by a part of the District or in those portions of any building, park, or stadium that is being used for an activity sponsored by or through the District or any part thereof. Violation of this provision is a misdemeanor.

*Utah Code § 53A-3-501 (1998)*

**Student Offenses**—

No student shall distribute, dispense, possess, use or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor or unlawfully manufacture, distribute, dispense, possess or use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance, as defined in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812) and as further defined by regulation at 21 CFR § 1300.1 et seq., before, during or after school hours at school or in any other school district location as defined below.

**School District Location Defined**—

"School district location" means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district.

**Guidelines**—

Compliance with this policy should be mandatory. A student who violates the terms of this policy may be suspended or expelled from school, at the discretion of the Board. Each student found in violation of this policy shall be provided with information about drug and alcohol counseling, rehabilitation, and re-entry programs available to students through the school district or otherwise. Violations of the policy on drugs and alcohol may be reported to an appropriate law enforcement agency if permitted under *Utah Code § 53A-11-911*.

1. **Violations—Use or Possession**
   a. **First Violation:**
      i. Students violating the Drugs and Alcohol Policy for the first time will automatically be placed in an alternative education program at home for a minimum of ten (10) days. Students who are participants of teams, choirs, clubs, etc., or elected officers will give up their involvement in that extracurricular
activity for the duration of the ten (10) days. They will not be allowed to attend such activities, even as a spectator. Students and their parents will have an opportunity to fulfill the ten (10) day obligation in two ways:

ii. The student will be placed in an alternative educational program based at home for the designated ten (10) school days. Parents will be required to coordinate homework assignments with a designated school representative.

iii. In lieu of the ten (10) day home-based alternative educational program, the student and his/her parents will enroll in an Early Intervention Drugs and Alcohol Class. The student will be able to return to regular classes the day following the first session of the class. Parents will be required to coordinate homework assignments with a designated school representative during the intervening time.

b. Second Violation:

i. If there is a second violation of the Drugs and Alcohol Policy, the student will be placed on a home-based alternative educational program for a period of nine (9) weeks. A certificated teacher will be sent to the home for two hours once a week for the nine-week period to aid the student with his/her learning.

ii. Any student who has a second violation of the Drugs and Alcohol Policy must submit to a written assessment for potential chemical dependence. This assessment will be conducted by a District team composed of the local school guidance specialist and a school district psychologist. Any assessment done by anyone other than this team would be at the option and expense of the parent(s) or guardian(s). Before the student is readmitted to school, the assessment results will be presented to the parent(s) or guardian(s) and will be forwarded to Juvenile Court if permitted under Utah Code § 53A-11-911.

c. Third Violation:

i. If any student is involved in a third violation of the Drugs and Alcohol Policy, the student will automatically be placed in a home-based alternative education program for the remainder of the school year.

2. Violations -- Selling or Distributing

   a. First Offense:
i. Because of the seriousness of the offense, a student selling and/or delivering alcohol or other illegal substances shall be automatically placed in a home-based alternative educational program for a period of nine (9) weeks.

ii. Before the student is re-admitted to school, he/she must submit to a written assessment for potential chemical dependence. This assessment will be conducted by a District team composed of the local school guidance specialist and a school district psychologist. Any assessment done by anyone other than this team would be at the option and expense of the parent (s) or guardian(s). The assessment results will be presented to the parent(s) or guardian(s) and will be forwarded to Juvenile Court if permitted under Utah Code § 53A-11-911.

b. Second Offense:

i. Any second offense for selling and/or delivering alcohol or other illegal substance will automatically place a student in a home-based alternative educational program for the remainder of the school year.

3. Alternative Education

a. Students who violate the Drug and Alcohol Policy will be placed in alternative education programs as outlined under items 1 and 2. If the designated number of days or weeks of alternative education cannot be completed by the end of the school year, the alternative education program is to be completed at the beginning of the next school year.

4. Repeat Offenders

a. Records will be maintained on all violations of the Drug and Alcohol policy. A student with more than one violation on record will be considered a repeat offender whether the first offense was committed in the current school year or in any prior school year.

5. Removal from Campus

a. During the time a student is on the home-based alternative educational program, he/she is not to be on campus or be a spectator or participant or attend any extra-curricular activity sponsored by the school. If a senior student is placed on the home-based alternative educational program for violation of the Drugs and Alcohol Policy and that placement coincides with the end of school, he/she will not be allowed to participate in graduation exercises. The diploma will be
awarded upon completion of the home-based alternative educational program and all other graduation requirements.

6. Students in Elected Positions
   a. Students in elected leadership positions or representing the school through current extracurricular activities who violate this policy are subject to its guidelines regardless of the time or location of the violation. Students found in violation of this policy will also be subject to the due process under the school district’s policy.

7. Disclosure
   a. Utah state law requires teachers and school personnel to disclose information of suspected chemical and alcohol abuse to the parent or guardian. Personnel will complete the Suspected Abuse Report form and submit it to the appropriate school administrator for referral to the parent or guardian.

   *Utah Code § 53A-11-402 (1988)*
   *Utah Code § 53A-11-403 (2017)*

   b. The purpose of disclosure will be to make parents aware of potential problems and dangers associated with substance abuse.

   c. The disclosure will review student behavior or situations causing concern: attendance, discipline, behavior, grades, physical symptoms, and other problems that affect school performance.

   d. Disclosure will allow parents to seek help for further evaluation of the child from outside agencies.

   e. Parents will be provided with information regarding agencies providing service to adolescents: assessment counseling and treatment.

   f. In complying with Utah state law for disclosure, the school district meets this obligation to parents. The school system will not be held responsible for any financial action resulting from disclosure (assessment, treatment, or counseling). Payment for services or materials provided by chemical abuse professionals who are not school employees will be the responsibility of the parents.

8. Treatment
   a. In order to support the family and student when treatment is sought, the District will provide elective credit for education received during the treatment process. The treatment program must meet Utah State Division of Alcoholism and drug license qualifications.
b. Inpatient/Day Treatment—A student may earn a maximum of one health credit for inpatient treatment under the following guidelines:
   i. Successful completion of the treatment credit will be awarded on the same basis as academic credit (90 hrs. equals 1/2 credit).
   ii. A maximum of five and one-half (5 ½) hours per day may be counted.

c. Aftercare—After completion of the treatment program, a student may earn one elective health credit for participation in an approved aftercare program. The following condition must be met:
   i. A maximum of one credit hour may be earned. This credit will be recorded as one elective health credit.
   ii. Credit will be awarded on the same hourly basis as academic credit. (90 hours equals ½ credit).
   iii. Students must submit a schedule of aftercare programs and verification of regular attendance.

Notice—

The following notice shall be provided to all students of the District:

YOU ARE HEREBY NOTIFIED that use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful and that it is a violation of the policy of this school district for any student to distribute, dispense, possess, use, or be under the influence of any alcoholic beverage, malt beverage or fortified wine or other intoxicating liquor or unlawfully manufacture, distribute, dispense, possess or use or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, anabolic steroid or any other controlled substance as defined in Schedules I through of Section 202 of Controlled Substances Act (21 U.S.C. S 812) and as further defined by regulation at 21 C.F.R. 1300.11 through 1300.15, before, during or after school hours, at school or in any other school district location as defined below.

"School district location" means in any school building and on any school premises; in any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or other school activities; off-school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, or during any period of time when the student is under the supervision of
school district personnel or otherwise engaged in a school
district activity.

Any student who violates the terms of the school district's
Drug and Alcohol Policy is subject to the discipline outlined in
the school district’s policies including all disciplinary sanctions
consistent with local, state and federal law, up to and
including expulsion and referral for prosecution and/or
completion of an appropriate rehabilitation program.

YOU ARE FURTHER NOTIFIED that compliance with this policy
is mandatory.

Section 5145 of the Drug Free Schools and Community Act (Public Law 101-226).
FHAB Safe Schools Sexual Harassment

Board Policy—

It is the policy of the Board of Education of the Morgan School District to provide an educational environment free from sexual harassment and discrimination on the basis of sex. It shall be a violation of this policy for any student to sexually harass any other student. The District encourages all victims of sexual harassment and persons with knowledge of sexual harassment to make a written report of any harassment immediately. All complainants have the right to be free from retaliation of any kind. The District will promptly investigate all formal, informal, verbal, and written complaints of sexual harassment, and take prompt corrective action to end the harassment.

No Private Rights—

Nothing in this policy shall be construed to give any right, claim or action beyond the specific process provided in this policy.

Definitions—

1. "Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, when:
   a. Submission to or rejection of the conduct affects the student’s academic performance, participation in school-sponsored activities, or any other aspect of the student's education; or
   b. The conduct has the purpose or effect of unreasonably interfering with a student’s academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive education environment.

2. Complaints received will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the definitions and should be treated as sexual harassment. Unacceptable conduct may or may not constitute sexual harassment. Normally, unacceptable behavior must be severe or pervasive to be considered sexual harassment.

3. School related conduct that the District considers unacceptable and often a part of sexual harassment includes, but is not limited to, the following:
   a. Rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the Utah Criminal Code.
   b. Sexual invitations or requests for sexual activity in exchange for grades, preferences, favors, selection for extracurricular activities, homework, etc.;
c. Offensive public sexual display of affection, including groping, fondling, petting or inappropriate touching of oneself or others;

d. Any offensive communication that is sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings list," howling, catcalls, and whistles; sexually graphic computer messages or games, etc.;

e. Offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions;

f. Unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, spanking, pinching, stalking, frontal-body hugs, etc.;

g. Offensive physical pranks or touching of an individual’s clothing, such as hazing and initiation, "streaking," "mooning," "snuggies," or "wedgies," bra-snapping, skirt "flip-ups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.;

h. Gestures that are sexually suggestive, sexually degrading or imply sexual motives or intentions;

i. Clothing with sexually obscene or sexually explicit slogans or messages;

j. Written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, etc.

Support of Students Subject to Sexual Harassment—

When it is determined that a student has been subject to sexual harassment, consideration should be given to what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student’s ability to learn and function in the school setting.

Protection from Reprisals—

Students filing complaints shall be free from bias, collusio, intimidation, or reprisal.

Students subjected to sexual harassment are first encouraged to confront the harasser and tell the harasser to stop the conduct because it is unwelcome. Complainants should document the incident(s) of harassment, and any conversations they have with the harasser, noting such information as time, date, place, what was said or done, and other relevant circumstances surrounding the event(s).
If the complainant's concerns are not resolved satisfactorily through a discussion with the harasser, or if the complainant feels he/she cannot discuss the concerns with the harasser, the complainant should directly inform school staff of the complaint and should clearly indicate what action he/she wants taken to resolve the complaint. Whenever reasonable, the complainant should file a written complaint.

Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the principal, and then shall immediately notify the principal.

Complainants who contact school staff with a complaint are encouraged to submit the complaint in writing. However, complaints may be filed verbally. Alternate methods of filing complaints shall be made available to individuals with disabilities who need accommodation.

Confidentiality—

It is District policy to respect the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's right to confidentiality must be balanced with the District's obligations to cooperate with police investigations or legal proceedings, or to investigate and take necessary action to resolve a complaint, the District retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances.

Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate law enforcement authorities and the anonymity of both the complainant and school officials involved in the investigation will be strictly protected as required by Utah Code § 62A-4a-412.

1. Initial Investigative Procedures.

   a. The school administrator has the responsibility to conduct a preliminary review when he/she receives a verbal or written complaint of sexual harassment, or if he/she observes sexual harassment. The site administrator should take the following steps:

      i. Interview the complainant and document the conversation. Instruct the complainant to have no contact or communication regarding the complaint with the alleged harasser. Ask the complainant specifically what action he/she wants taken in order to resolve the complaint. Notify the complainant of his/her right to have someone of the same gender conduct or be present during the investigation. The Complainant should be urged to make a written statement where feasible under the circumstances.

      ii. Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation.
iii. Instruct the alleged harasser to have no contact or communication regarding the complaint with the complainant and to not take any retaliatory action against the complainant.

iv. If the alleged harasser admits all or part of the allegations, issue a written warning/reprimand to the harasser and place a copy in the student's cumulative education record/file. If the harasser is an employee, submit a copy of the written warning/reprimand to the District Human Resources Department for inclusion in the harasser's personnel file. In certain cases expulsion may be warranted for a first offense if the conduct is egregious. Repeated offenses may warrant suspension and expulsion. In addition, promptly contact the Human Resources Department, Area Director, or Title IX Coordinator in situations involving repeated violations or severe infractions such as criminal touching, quid pro quo (e.g., offering educational rewards or punishments as an inducement for sexual favors), or acts which shock the conscience of a reasonable person.

v. If the alleged harasser denies the allegations, promptly conduct a further investigation including interviewing witnesses, if any.

vi. Submit a copy of all investigation and interview documentation to the District Compliance Officer/Title IX Coordinator, and to the Human Resources Department if the complaint involves a School District employee.

vii. Report back to the complainant, notifying him/her in person and in writing regarding the action taken to resolve the complaint. Instruct the complainant to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him/her.

viii. Notify the complainant that if he/she desires further investigation and action, the complaint will be forwarded for a District level investigation.

Principal's Recommendation—

The principal must consider the severity or pervasiveness of the conduct and exercise discretion in determining whether a District level investigation is necessary regardless of the complainant's desires. If a blatant violation occurs involving criminal touching, quid pro quo (e.g., offering an academic reward or punishment as an inducement for sexual favors), or acts which shock the conscience of a reasonable person, the complaint should be referred promptly to the appropriate Area Director, Assistant Superintendent, Superintendent, Human Resources Director, or Compliance Officer/Title IX Coordinator. In addition, where the principal has reasonable suspicion that the alleged harassment involves criminal activity, he/she should immediately contact appropriate law enforcement authorities.
Whenever a sexual harassment complaint is made, the principal must take action to investigate the complaint or to refer the complaint for investigation even if the student does not request any action or withdraws the complaint.

Investigations should commence as soon as possible.

If the initial investigation results in a determination that sexual harassment did occur, and the harasser repeats the wrongful behavior or retaliates against the complainant, the principal will take prompt disciplinary action and will notify the District Compliance Officer/Title IX Coordinator.

**District Level Investigation**—

Complainants who are not satisfied with the outcome of the initial investigation may request a District level investigation by submitting the written complaint to the appropriate Compliance Officer/Title IX Coordinator.

The District level investigation should commence as soon as possible.

In conducting the District level investigation, the District may choose to use an investigative team that has received training in sexual harassment investigation or that has previous experience investigating sexual harassment complaints.

If this investigation results in a determination that sexual harassment did occur, prompt corrective action may be taken including suspension, expulsion, change of placement, or loss of extracurricular activities.

Following the District investigation and determination, the District will notify the complainant in writing of the action taken.

The District level review exhausts all process and remedies provided under this policy.

**Retaliation Prohibited**—

Any act of reprisal against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and therefore subject to disciplinary action. Likewise, reprisal against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited and therefore subject to disciplinary action.

**Discipline**—

Any individual who violates this policy will be subject to appropriate disciplinary action under applicable school discipline policies, District Human Resource policies, and the District Safe Schools Policy.

Depending on the severity or persistence of the harassment, an individual who violates this policy may be subject to suspension, exclusion, probation, termination, or alternate placement. In addition, students who violate this policy may lose the privilege of participating in extracurricular activities.

If school administrators have reasonable suspicion that the harassment involves sexual assault, rape, or any other activity of a criminal nature, the District shall notify appropriate law
enforcement authorities and immediately initiate proceedings to remove the accused party from the situation.

If the accused is a student with a disability whose education involves services under the Individuals with Disabilities Education Act (IDEA) or accommodations under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act, no disciplinary action, change of placement, or other steps shall be taken without convening a multi-disciplinary team to determine the extent to which the harassing behavior is a manifestation of the student's disability.

**False Complaints—**

False, malicious or frivolous complaints of sexual harassment shall result in corrective or disciplinary action taken against the complainant.

**Records—**

Separate confidential records of all sexual harassment complaints and initial investigations shall be maintained in the principal's office. Records of district level investigations shall be maintained in the office of the Compliance Officer/Title IX Coordinator, as follows:

1. Records of initial complaints and investigations shall be retained for at least one (1) year.
2. Records of district level investigations shall be retained for at least three (3) years.
3. Records of complaints and investigations of blatant violations involving criminal touching, quid pro quo, other criminal acts, or acts which shock the conscience of a reasonable person shall be retained permanently.

**Dissemination of Policy—**

A summary of this policy and related materials shall be posted in a prominent place in each District facility. The policy shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the District Compliance officer/Title IX Coordinator.
FHAE Disruptive Student Behavior
Disruptive Student Behavior—

It is a violation of District policy for a student to engage in disruptive student behavior. Disruptive student behavior includes:

1. Frequent or flagrant willful disobedience, defiance of proper authority, or disruptive behavior, including the use of foul, profane, vulgar, or abusive language;
2. Willful destruction or defacing of school property;
3. Behavior or threatened behavior which poses an immediate and significant threat to the welfare, safety, or morals of other students or school personnel or to the operation of the school;
4. Possession, control, or use of an electronic cigarette as defined by Utah Code Utah Code § 76-10-101, tobacco or an alcoholic beverage contrary to law;
5. The commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor.
6. Behavior listed below which threatens harm or does harm to the school or school property, or to a person associated with the school, or property associated with that person, regardless of where it occurs; as well as violation listed below that affect another student or staff member, or any serious violation occurring in a school building, in or on school property, or in conjunction with any school activity, including:
   a. the possession, control, or actual or threatened use of a real weapon, explosive, or noxious or flammable material;
   b. the actual or threatened use of a look-alike weapon with intent to intimidate another person or to disrupt normal school activities; or
   c. the sale, control, or distribution of a drug or controlled substance as defined in Utah Code § 58-37-2, an imitation controlled substance defined in Utah Code § 58-37b-2, or drug paraphernalia as defined in Utah Code § 58-37a-3.
7. 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.


Notice of Disruptive Student Behavior—

A school principal or the principal’s designee shall issue a Notice of Disruptive Student Behavior to a student, nine years of age or older, who:
1. Engages in disruptive student behavior, which does not result in suspension or expulsion, three times during the school year; or
2. Engages in disruptive student behavior, which results in suspension or expulsion, once during the school year.

The Notice of Disruptive Student Behavior shall:
1. Include a list of available resources, including a school counselor or other school representative designated to work with the student, to assist the parent or legal guardian in resolving the student's disruptive behavior problem before the student becomes subject to the jurisdiction of the juvenile court as discussed below;
2. Require the student and a parent or legal guardian of the student to meet with school authorities to discuss the student's disruptive behavior and cooperate in correcting the disruptive student behavior;
3. Outline the procedure the parent or legal guardian can follow to contest the notice of disruptive student behavior; and
4. Shall be mailed by certified mail to, or served on, the parent or legal guardian of the student.

Utah Admin. Rules R277-609-8 (December 8, 2016)

A copy of the Notice of Disruptive Student Behavior and any related documentation shall be retained by the school as documentation regarding the notice.

Habitual Disruptive Student Behavior Notice—

A habitual disruptive student behavior notice may only be issued by the school principal, a designee of the school principal, or a truancy specialist, to a student, nine years or age or older, who:
1. Engages in disruptive student behavior, that does not result in suspension or expulsion, at least six times during the school year;
2. Engages in disruptive student behavior, that (A) does not result in suspension or expulsion, at least three times during the school year; and (B) that results in suspension or expulsion, at least once during the school year; or
3. Engages in disruptive student behavior that results in suspension or expulsion at least twice during the school year.

Within five days after the day on which a habitual disruptive student behavior notice is issued, a representative of the school district shall provide documentation, to a parent or legal guardian of the student who receives the notice, of the efforts to attempt to resolve the minor’s disruptive student behavior problems made by the designated school counselor or representative identified in the notice of disruptive student behavior.

Morgan School District Emergency Safety Interventions
FHAF Safe Schools

This policy governs the use of emergency safety interventions, which are used to address situations where a student presents an immediate danger (to self or others) but which are not used for disciplinary purposes.

Definitions—

“Emergency safety intervention” means the use of seclusionary time out or physical restraint when a student presents an immediate danger to self or others, and the intervention is not for disciplinary purposes.

“Seclusionary time out” means that a student is:

1. Placed in a safe enclosed area by school personnel (the area must meet applicable health department and fire marshal regulations);
2. Purposefully isolated from adults and peers; and
3. Is prevented from leaving (or reasonably believes that the student will be prevented from leaving) the enclosed area.

"Physical restraint" means personal restriction that immobilizes or reduces the ability of an individual to move the individual's arms, legs, body, or head freely.

“Immediate danger” means the imminent danger of physical violence/aggression towards self or others likely to cause serious physical harm.

_Utah Admin. Rules R277-609-1 (September 3, 2015)_

Emergency Safety Intervention—

An emergency safety intervention is using seclusionary time out or physical restraint when a student presents an immediate danger to self or others (not for disciplinary purposes). The District shall implement policies and procedures for the use of emergency safety interventions for all students which are consistent with evidence-based practices.

Physical restraint as part of an emergency safety intervention may not be used with a student except within the guidelines stated below under Physical Restraint. Mechanical restraint may not be used as part of an emergency safety intervention, except those which are protective, stabilizing or required by law, or any device used by a law enforcement officer in carrying out law enforcement duties, including seatbelts or any other safety equipment when used to secure students during transportation. Chemical restraint may not be used as part of an emergency safety intervention, except as prescribed by a licensed physician, or other qualified health professional acting under the scope of the professional's authority under State law, for the standard treatment of a student's medical or psychiatric condition; and administered as prescribed by the licensed physician or other qualified health professional acting under the scope of the professional's authority under state law.
Seclusionary time out as part of an emergency safety intervention may not be used with a student except when a student presents an immediate danger of serious physical harm to self or others and within the guidelines stated below under Seclusionary Time Out.

For a student with a disability, emergency safety interventions may not be written into a student’s individualized education program as a planned intervention unless school personnel, the family, and the IEP team agree less restrictive means which meet circumstances described in Utah Admin. Rule R277-608-4 have been attempted, a functional behavior analysis has been conducted, and a positive behavior intervention plan based on data analysis has been written into the plan and implemented.


**Physical Restraint—**

Physical restraint may only be used when a student presents a danger of serious physical harm to self or others. It may not be used as a means of discipline or punishment. The student may not be placed in a prone (face-down) or supine (face-up) position in physical restraint. No restraint may be used which obstructs the airway of a student or which adversely affects a student’s primary mode of communication.

All physical restraint must be immediately terminated when the student either (a) is no longer an immediate danger to self or others, or (b) is in severe distress. The restraint must be for the minimum time necessary to ensure safety and the District’s release criteria must be implemented. However, a student may not be physically restrained for more than 30 minutes.

*Utah Admin. Rules R277-609-3.B(10)(a) - (c) (September 3, 2015)*


**Seclusionary Time Out—**

A seclusionary time out may only be used for purposes of maintaining safety and may not be used as a means of discipline or punishment. Seclusionary time out shall be used for the minimum time necessary to ensure safety and shall end according to the District’s release criteria. However, a student may not be placed in seclusionary time out for more than 30 minutes. In using seclusionary time out, any door must remain unlocked and the student must be maintained within line of sight of the employee using the seclusionary time out.


**Parental Notice—**

When a crisis situation occurs that requires the use of an emergency safety intervention (physical restraint or seclusionary time out) to protect the student or others from harm, a school shall notify the student’s parent or guardian and District administration immediately and in any event no later than the end of the school day. If a crisis situation occurs for more than 15 minutes, or if physical restraint or seclusionary time out is used for more than 15 minutes, the foregoing notice shall include that information.
The notice provided shall be documented in the student information system records.

The school shall, upon his or her request, provide to the student’s parent or guardian a copy of any notes or additional documentation taken during a crisis situation. Within 24 hours of a crisis situation, the school shall notify the student’s parent or guardian that such a request may be made. A student’s parent or guardian may request a time to meet with school staff and administration to discuss the crisis situation.


ESI Committee—

The District shall establish an Emergency Safety Intervention (ESI) Committee with members appointed by the Superintendent and consisting of two or more administrators, at least one parent or guardian of a student enrolled in the District, and at least two certified educational professionals with behavior training and knowledge of state rules and District discipline policies.

The ESI Committee shall meet often enough to monitor the use of emergency safety intervention in the District, shall determine and recommend professional development needs relating to emergency safety intervention; and shall develop policies for local dispute resolution processes to address concerns regarding disciplinary actions.

The District shall collect, maintain, and periodically review documentation and other records of the use of emergency safety interventions at schools within the District, according to procedures defined by the State Superintendent of Public Instruction. Such documentation and records shall be provided annually to the State Superintendent.

Morgan School District 2017
FI 2017 Student Fees, Fines, and Charges

Definitions—

A “fee” is any charge, deposit, rental, or other mandatory payment, however designated, whether in the form of money or goods. Admission fees, transportation charges and similar payments to third parties are fees if the charges are made in connection with an activity or function sponsored by or through a school. For purposes of this policy, charges related to the National School Lunch Program are not fees.

“Student supplies” are items which are the personal property of a student 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 school-sponsored activities. Student supplies include pencils, paper, notebooks, crayons, scissors, basic clothing for healthy lifestyle classes, and any similar personal or consumable supplies over which a student retains ownership. The term does not include items such as the foregoing for which specific requirements such as brand, color, or a special imprint are set in order to create a uniform appearance not related to basic function.

“Optional Project” is a project chosen and retained by a student in lieu of a meaningful and productive project otherwise available to the student which would require only school-supplied materials.

“Textbook” is a book, workbook, and materials similar in function which are required for participation in a course of instruction.

"Secondary school" means a school that provides instruction to students in any of the following grades 7, 8, 9, 10, 11, or 12.

"Secondary school student" means a student enrolled in a secondary school, including a student in grade 6 if the student attends a secondary school.

"Elementary school student" means a student who is not enrolled in a secondary school.

“Provision in lieu of fee waiver” means an alternative to fee payment and waiver of fee payment. A plan under which fees are paid in installments or under some other delayed payment arrangement is not a waiver or provision in lieu of fee waiver.”


Fees and Restrictions Elementary School Students—

No fee shall be charged to elementary school students for materials, textbooks, workbooks, supplies or any class, activity, assembly or field trip.

Student supplies must be provided for elementary school students. A student may, however, be required to replace supplies provided by the school which are lost, wasted, or damaged by the student through careless or irresponsible behavior.
An elementary school or elementary school teacher may compile and provide to a student’s parent or guardian a suggested list of supplies for use during the regular school day so that a parent or guardian may furnish on a voluntary basis those supplies for student use.

A list provided to a student’s parent or guardian must include and be preceded by the following language:

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

_Utah Admin. Rules R277-407-3 (August 7, 2013)_
_Utah Code § 53a-12-102 (2015)_

Donations or contributions may be invited on forms provided to parents or guardians of students, but must clearly state that donations and contributions are voluntary, and are not required for participation in an activity or class.


**Secondary School Students**—

Textbook fees may be charged to secondary school students.

If a class is established or approved which requires payment of fees or purchase of materials, tickets to events, etc., in order for students to participate fully and to have the opportunity to acquire all skills and knowledge required for full credit and highest grades, the class shall be subject to the fee waiver provisions provided herein.

Secondary school students are required to provide their own student supplies.

_Utah Admin. Rules R277-407-3 (August 7, 2013)_
_Utah Code § 53A-12-102 (2015)_

**General Provisions**—

Regardless of age or grade level, the following provisions are applicable to all students:

1. Students of all grade levels shall be required to provide materials for their optional projects. Students may not be required to select an optional project as a condition for enrolling in or completing a course. Any course related to a project must be based on projects and experiences that are free to all students.

_Utah Admin. Rules R277-407-3 (August 7, 2013)_

2. A fee shall be charged in connection with any school-sponsored activity which does not take place during the regular school day, if participation is voluntary and does not affect a student’s grade or ability to participate fully in any course taught during the regular school day, and if school officials determine that a fee is necessary to cover the costs of the activity.

3. Fees for extracurricular activities sponsored by the Utah High School Activities Association shall not exceed limits established thereby.

4. No fee shall be charged or assessed in connection with any class unless the fee has been set and approved by the Board and notice given, in accordance with the following provisions:
   a. The Board shall annually adopt a fee schedule and policies during a regularly scheduled Board meeting open to the public. Notice of the meeting shall be posted visibly in all District facilities and published in a local newspaper. If school is in session one week prior to the meeting, notice shall be sent of the meeting's subject matter to parents via their children. Minutes of the meeting shall be kept and made available upon request.
   b. After adoption of the fee schedule and policies, copies thereof shall be made available upon request at all school and offices of the District, and shall be included with all registration materials provided to potential or continuing students. The fee schedule and policies shall be accompanied by a copy of the fee waiver policies, including the required standard forms provided to the District by the State Board of Education regarding fee waivers.

5. Fees for school-sponsored activities, including expenditures for activities, uniforms, clubs, clinics, travel, and subject area and vocational leadership organizations shall be kept to a minimum to allow equal opportunity for participation.

6. Donations or contributions for activities or for general use may be solicited after approval by the school Principal or the Board. The Board or its designee may accept such. All requests for donations and contributions must clearly state that donations and contributions are voluntary and that no elementary or secondary school may require a donation in order for a given student to participate in an activity.

7. No present or former student of the District shall be denied receipt of transcripts or a diploma for failure to pay school fees. No charge will be made to cover the cost of duplicating and mailing copies of school records to elementary or secondary schools where the student is enrolled or intends to enroll.


School Store—

The District may operate a school store where students may purchase school supplies and materials.

Waiver of Fees—

A deposit or fee, which a student and his or her parent or guardian is unable to pay, may be waived in whole or in part. Procedures for waiver of fees or deposits may be posted in a central location in each school.
Textbook and workbook fees shall be waived, if the books are required for courses of instruction for each child whose parent or guardian is financially unable to purchase them, as determined in accordance with this fee waiver procedure.

General Procedure—

Students who are in state custody or foster care, or are receiving public assistance in the form of Temporary Assistance for Needy Families (“TANF”), or receiving Supplemental Security Income as a qualified disabled child, or are eligible for free school lunch will have all fees waived. Other fee waivers may be granted in whole or in part because of extenuating circumstances such as exceptional financial burden, loss or substantial reduction of income, or extraordinary medical expenses. Requests for fee waivers are to be made to the school principal. The principal shall make a fair and objective decision without delay.

The application for fee waiver shall include documentation and verification by the parent (1) of the student’s eligibility for the waiver and (2) that the alternatives for satisfying fee requirements have been complied with to the fullest extent reasonably possible under the individual circumstances of the waiver applicant and of the school. In addition, the application shall specify the acceptable forms of documentation, which shall include verification based on income tax returns or current pay stubs.

The waiver application and associated required documentation shall incorporate and conform to the regulations issued by the State Board of Education, which will specify the forms of documentation and verification which are acceptable.

The principal may grant a full or partial fee waiver or deny the waiver request. If the principal grants a waiver in whole or in part, he/she shall also include one or more of the following alternatives to allow the student to satisfy the fee requirement:

1. The student provides tutorial assistance before or after school.
2. The student provides assistance before or after school to teachers or other school personnel on school related matters.
3. The student provides general community or home service.

Other alternatives may be added by each school principal, subject to approval by the Board. When an alternative to meeting the fee requirement is imposed by the principal, then the principal shall outline in detail the responsibilities of the student to meet the fee requirement alternative. Alternatives shall not apply to textbook fees, which are waived without an alternative requirement for qualifying students.

Appeals of the Principal’s decision on the granting of fee waivers may be made to the Superintendent of Schools. Appeals of Superintendent’s decision may be made to
the Board. At all times during the fee waiver procedure, the privacy rights of students and parents will be protected and no student will be discriminated against or denied an opportunity to participate in a class or school-sponsored or supported activity because of inability to pay or because of a request for a fee waiver.

Full or proportionally reduced waivers or provisions in lieu of fee waivers are available for any student eligible for reduced price school lunch.

Requirements for fees for a given student shall be suspended during any period during which the student's eligibility for waiver is being determined or appealed.

No waiver shall be granted for charges assessed pursuant to a student's damaging or losing school property. A school shall not exclude the student from school but may withhold transcripts or diplomas to obtain payment of such charges pursuant to the Board policy regarding defacing or injuring school property. However, a school may not withhold student records that will prevent the student from attending school or being properly placed in school. In addition, if the Department of Human Services or a licensed child-placing agency has been granted custody of the student, that student's records, if requested by the department or agency, may not be withheld from the department or agency for nonpayment of damages.


The Board shall provide for balancing of financial inequities among District schools so that the granting of waivers and provisions in lieu of fee waivers do not produce significant inequities through unequal impact on individual schools.

Utah Admin. Rules R277-407-6 (August 7, 2013)

Required Notices and Action—

The District and each school shall use the following standard forms as they are provided by the State Board of Education:

1. Standard parental notification letter (“School Fees Notice for Families of Students in Grades Seven Through Twelve” or “School Fees Notice for Families of Children in Kindergarten Through Sixth Grade”);
2. Standard fee waiver application (“Fee Waiver Application (Grades K-6)” or “Fee Waiver Application (Grades 7-12)”);
3. Standard written decision and appeal form (“Fee Waiver Decision and Appeal Form”);
4. District certification of compliance (“School District Certification of Compliance”);
5. Secondary school certification of compliance (“Secondary School Certification of Compliance (For Use In Schools Serving Any Grade, 7-12)”);
6. Elementary school certification of compliance (“Elementary School Certification of Compliance (For Use In Schools Serving Any Grade, K-6)”)

Page 5 of 6
These standard forms as drafted and adopted by the State Board of Education are hereby incorporated into these policies. The District and each school shall adhere to the terms and conditions set forth in the standard forms.

As used in the standard forms, the term "waiver" shall include provisions in lieu of fee waivers.
FJ Morgan School District

FJ—Visitation on Campus: Students Leaving with Adult During School Hours

Removal During School Day

No person shall be allowed to remove a student from school during the school day unless that person reports first to the school's administrative offices, and one of the following circumstances is true:

1) The person positively identifies him or herself as the student's custodial parent or legal guardian, including identification of the person, as well as production of documentation sufficient to establish custodial rights to the child, if circumstances warrant it.

2) The person is in possession of and produces a validly issued subpoena or court order instructing the school to deliver the student to the person named in it, and the person can positively identify him or herself as the person named to receive the student in the subpoena.

3) The person is a properly identified law enforcement officer or officer of the court in possession of a validly issued warrant naming the student, and the Principal or his designee, examines the warrant and is satisfied that the student is properly and sufficiently identified.

4) The person is properly identified as an officer of the Department of Child and Family Services (DCFS).

5) The person is properly identified by the parent or guardian on the school admission form as an emergency contact.
Morgan School District

GA Public Information Program

Public Records

Policy Purpose—

This policy is adopted pursuant to the Government Records Access and Management Act Utah Code § 63G-2-701 (“GRAMA”) and applies to District records relating to information practices, including classification, designation, access, denials, segregation, appeals, management, retention, and amendment of documents.


Privileged Document—

The District reserves the right to claim a privilege with respect to all documents which are subject to attorney work product, attorney-client, physician-patient, psychiatrist-patient or other statutory privilege.

Appropriate Requester of Records—

Every person has the right to inspect a public record free of charge and the right to copy a public record in compliance with the terms of this policy. (The procedure for requesting a record is set forth below.) A “public record” generally means any record that is not private, controlled, or protected. However, a “public record” does not include a record to which access is restricted pursuant to a court rule, a federal regulation, another statute, or records to which access is restricted or governed as a condition of participation in a state or federal program or for receiving state or federal funds.

For purposes of this policy, “records” do not include: temporary drafts or other materials prepared for the originator’s personal use or for the personal use of another, personal notes, notes kept in personal journals, diaries or other day timers, notes of informal observations, notes of evaluations or materials owned by the originator in his or her private capacity, documents relating to the Board of Education’s actions in a quasi-judicial capacity, books or other items catalogued in District libraries, copyrighted material (unless copyrighted by a government entity), or computer programs or software. In addition, GRAMA does not apply to District documents and information relating to security plans; security codes, combinations, and passwords; passes and keys; security procedures; and building and public works designs to the extent that those relate to ongoing security measures.

Utah Code § 63G-2-204(1) (2011)
Utah Code § 63G-2-201 (2016)

Public Records—

Public records shall include

1. official minutes,
2. actions and decisions of the Board of Education and District Administration;

3. official District and school:
   a. policies
   b. contracts
   c. accounts
   d. employment records of former and current employees and officers to the extent they disclose only:
      i. names
      ii. gender
      iii. job titles
      iv. job descriptions
      v. business address
      vi. business telephone number
      vii. gross salaries
      viii. working hours and dates of employment

4. any other record properly identified as public in accordance with Utah Code § 63G-2-301 unless the record involves information which is classified as private, controlled or protected.

Public records shall also include formal charges or disciplinary actions against a current or former employee if the disciplinary action has been completed, all time periods for administrative appeal have expired, and the charges on which the disciplinary action was based were sustained.

Utah Code § 63G-2-301 (2014)

In addition, each school shall maintain a list of “teachers” who currently hold a level 1, 2, or 3 license and “associate teachers” who do not currently hold a level 1, 2, or 3 license but are permitted to teach in the school under another authorization. This list shall be available for review by any person upon request.


Availability of Public Records—

Public records shall be open for public inspection during regular office hours, subject to compliance with the procedures set forth in this policy.

Private Documents—

The District hereby designates all documents identified in Utah Code § 63G-2-302(1)(a) through (c), (g) through (i), (k), and 302(2) as “private data,” including specifically but not limited to:

1. All private personnel records contained in a personnel file, applications, nominations, or recommendations for employment, advancement or appointment (with the exception of those portions of personnel records identified as public above);
2. Any formal employee evaluation signed by the employee;
3. Records showing an individual’s home address, home telephone number, social security number, insurance coverage, marital status, payroll deductions, race, religion or disabilities or military status;
4. Records touching upon an individual’s eligibility for unemployment benefits, social services, or welfare benefits;
5. Records touching upon an individual’s personal finances, except for the compensation information identified as public above, information provided to the Board for the purpose of complying with a financial assurance requirement, or records that must be disclosed pursuant to another statute;
6. Records touching upon any individual’s medical or psychological condition, past or present; or
7. Any record the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Utah Code § 63G-2-302 (2016)

In addition, in determining whether a record is properly classified as private, the District shall consider and weigh any personal privacy interests, including those in images, that would be affected by disclosure of the record and any public interests served by disclosure.

Utah Code § 63G-2-201(13) (2016)

Student Records—

All student records are designated as “education records” and the disclosure of such education records is not governed under GRAMA but under 20 U.S.C. § 1232g and 34 CFR § 99 et seq, and 34 CFR § 300 et seq. The District may not release information related to educational records without parental consent, except as provided in the Family Educational Rights and Privacy Act (FERPA). See Policy FE: Student Records.

Utah Code § 63G-2-107(2) (2016)

Availability of Private Records—

Upon an appropriate written request from the subject of the records, or the parent or legal guardian of an unemancipated minor who is the subject of the record, the District shall disclose private records and other private data only to:

1. the subject of the record, or
2. the parent or legal guardian of an unemancipated minor who is the subject of the private record, or
3. the legal guardian of a legally incapacitated individual who is the subject of the private record, or
4. any individual who has a power of attorney from the subject of the record, or who submits a notarized release from the subject of the record, or
   a. his legal representative which is dated not more than ninety (90) days before the date the request is made, or
b. pursuant to an order of a court of competent jurisdiction to disclose such record.

_Utah Code § 63G-2-202(1) (2015)_

**Controlled Records—**

A record is controlled if:

1. the record contains medical, psychiatric, or psychological data about an individual;

2. the governmental entity reasonably believes that:
   a. releasing the information in the record to the subject of the record would be detrimental to the subject's mental health or to the safety of any individual; or
   b. releasing the information would constitute a violation of normal professional practice and medical ethics; and,
   c. the governmental entity has properly classified the record.

Records showing medical or psychological tests of a student may be disclosed to persons within the school district who are members of that student's individual education program (IEP) team.

_Utah Code § 63G-2-304 (2008)_

**Availability of Controlled Records—**

Upon proper request, the District shall disclose a controlled record to:

1. a physician, psychologist, certified social worker, insurance provider or producer, or a government public health agency upon submission of:
   a. a release from the subject of the record that is dated no more than 90 days prior to the date the request is made; and
   b. a signed acknowledgment of the terms of disclosure of controlled information as provided by GRAMA; or to
2. any person to whom the record must be disclosed pursuant to a court order or legislative subpoena.

_Utah Code §63G-2-202(2)(a) (2015)_

**Protected Records—**

The District hereby designates as “protected data” all records identified in _Utah Code § 63G-2-305_, including but not limited to:

1. Any document disclosing a trade secret as defined in _Utah Code § 13-24-2_ if the person submitting that information to the District has provided the District with the information specified in _Utah Code § 63G-2-309_;

2. commercial information or non-individual financial information from a person if:
   i. disclosure of that information could reasonably be expected to result in unfair competitive injury to the person submitting the
information or would impair the ability of the District to obtain necessary information in the future;

ii. the person submitting the information has a greater interest in prohibiting access than the public in obtaining access; and

iii. the person submitting the information has provided the District with the information specified in Utah Code § 63G-2-309;

3. Test questions or answers;

4. Any document the disclosure of which may give an unfair advantage to a person or entity proposing to enter into a contract with the District, except that (subject to 1 and 2 above), once the contract has been awarded, a bid, proposal, or application submitted to the District in response to a request for bids, a request for proposals, a grant, or similar document is no longer considered a Protected document;

5. Records that would identify real property or the appraisal or estimated value of real or personal property, including intellectual property, under consideration for acquisition by the District before any rights to the property are acquired unless:

   i. Public interest in obtaining access to the information outweighs the District’s need to acquire the property on the best terms possible;

   ii. The information has already been disclosed to persons not employed by or under a duty of confidentiality to the District;

   iii. In the case of records identifying the property, potential sellers of the property have already learned of the District’s plans to acquire the property;

   iv. In the case of records identifying the appraisal or estimated value of the property, the potential sellers have already learned of the District’s estimated value of the property; or

   v. The property the District is considering acquiring is a single-family residence and the District has initiated negotiations to acquire the property under Utah Code § 78B-6-505;

6. Records prepared in contemplation of the sale, exchange, lease, rental or other compensated transaction of real or personal property (including intellectual property), which if disclosed prior to completion of the transaction would reveal the appraised or estimated value of the property unless:

   i. The public interest in access outweighs the interests in restricting access, including the District’s interest in maximizing the financial benefit of the transaction; or

   ii. When prepared by or on behalf of the District, appraisals or estimates of the value of the subject property have already been disclosed to persons not employed by or under a duty of confidentiality to the District;

7. Any record that may jeopardize the life or safety of an individual if disclosed;
8. Any records which may jeopardize the security of District property or programs;

9. Records touching upon audits, audit techniques, procedures and policies if disclosure would interfere with audits or collections;

10. Records that are subject to the attorney client privilege;

11. Records touching upon issues of actual or potential litigation;

12. Records prepared for or by an attorney, consultant, surety, indemnitor, insurer, employee, or agent of District for, or in anticipation of, litigation or a judicial, quasi-judicial, or administrative proceeding;

13. Records touching upon collective bargaining strategy;

14. Records touching upon occurrences covered by the Division of Risk Management;

15. Records generated in a meeting closed in accordance with the Utah Open and Public Meetings Act;

16. Records, other than personnel evaluations, that contain a personal recommendation concerning an individual if disclosure would constitute a clearly unwarranted invasion of personal privacy, or disclosure is not in the public interest;

17. Materials to which access must be limited for purposes of securing or maintaining the District’s proprietary protection of intellectual property rights including patents, copyrights, trademarks and trade secrets;

**Utah Code § 63G-2-305 (2015)**

**Availability of Protected Records—**

Upon proper request, the District shall disclose a protected record to:

1. the person that submitted the record;

2. any other individual who:
   a. has a power of attorney from all persons, governmental entities, or political subdivisions whose interests were sought to be protected by the protected classification; or
   b. submits a notarized release from all persons, governmental entities, or political subdivisions whose interests were sought to be protected by the protected classification or from their legal representatives dated no more than ninety (90) days prior to the date the request is made;

3. any person to whom the record must be provided pursuant to a court order or legislative subpoena as provided by statute.


Exempt records include student records, which are protected by the Family Educational Rights and Privacy Act.
Copyrighted or Patented Materials—

Any document which is copyrighted, either by formal filing under federal copyright laws or by informal claim of copyright, or which is covered by a patent, trademark or other protected designation, shall not be copied or provided to any person without an order of a court of competent jurisdiction ordering such disclosure or written permission from the author of the record.


Sharing Records—

The District shall provide a private, controlled, or protected record to another governmental entity, a political subdivision, a government-managed corporation, the federal government, or another state if the requesting entity:

1. is entitled by law to inspect the record; or
2. is required to inspect the record as a condition of participating in a state or federal program or for receiving state or federal funds.

The District may provide a record that is private, controlled, or protected to another governmental entity, a government managed corporation, a political subdivision, the federal government, or another state if the requesting entity:

1. serves as a repository or archives for purposes of historical preservation, administrative maintenance, or destruction;
2. enforces, litigates, or investigates civil, criminal, or administrative law, and the record is necessary to a proceeding or investigation;
3. is authorized by state statute to conduct an audit and the record is needed for that purpose;
4. is one that collects information for presentence, probationary, or parole purposes; or
5. is the Utah Legislature, a legislative committee, a member of the Legislature, or a legislative staff member acting at the request of one of these entities and the record is requested in connection with the Legislatures duties including preparation or review of a legislative proposal or legislation, appropriations, or an investigation or review by the Legislature or a legislative committee.

The District may provide a private, controlled or protected record to another governmental entity, a political subdivision, a government managed corporation, the federal government, or another state if the requesting entity provides written assurance:

1. that the record or record series is necessary to the performance of the governmental entity’s duties and functions;
2. that the record or record series will be used for a purpose similar to the purpose for which the information in the record or record series was collected or obtained; and
3. that the use of the record or record series produces a public benefit that outweighs the individual privacy right that protects the record or record series.

The District may disclose records that may evidence or relate to a violation of the law to a government prosecutor, peace officer, or auditor.

Utah Code § 63G-2-206(9) (2012)

A governmental entity, including the District, that receives a record pursuant to this policy, Record Sharing, or Utah Code § 63-2-206, is subject to the same restrictions on disclosure of the record as the originating entity.


Procedures—

A person may request access to the District's records if that person meets the requirements set forth in this policy and submits a written request containing the requester's name, mailing address, daytime telephone number, a specific description of the records requested and showing the requester's status as one entitled to access to such records. Each requester shall submit a written request specifically identifying those documents requested. The request shall specifically state whether:

1. the requester seeks only to inspect the records;
2. the requester seeks to inspect and obtain copies of records; or
3. the requester seeks to have the District identify and provide copies of the requested records, without prior inspection by the requester.

In the event that copies of records are requested, the requester shall pay fees as set forth below.

Procedures for Electronic Records—

In submitting the records request, the requester shall also state if the requester desires copies of the records in electronic format. Upon receipt of such a request, the District shall provide records in electronic format if otherwise appropriate under this policy and if all of the following requirements are met: (1) the District maintains the records in a format that is reproducible, (2) the record can be provided to the requester without reformatting or conversion, and (3) the electronic copy either does not disclose other records which are exempt from disclosure or the electronic records to be disclosed can be segregated from those not to be disclosed without undue expense to the District.

Utah Code § 63G-2-201(12) (2016)

Records Officer—

The Superintendent shall appoint a “records officer” to work with Division of Archives and Records Service in the care, maintenance, scheduling, designation, classification, disposal, and preservation of records.

Each records officer shall, on an annual basis, successfully complete online training and obtain certification from Division of Archives and Records Service.

Access to District Records—

A request to view District records should be addressed to the appropriate records officer during regular business hours. Individuals requesting to view records classified as “Private,” “Controlled,” or “Protected” must prove their right of access to the records through personal identification, written release from the subject of the record, power of attorney, court order or other appropriate means.

The records officer shall determine whether access to the requested records is to be granted or denied.

If the request is granted, the record shall be provided as soon as possible and not more than ten (10) business days from the date the request is received unless extraordinary circumstances as identified in Utah Code § 63G-2-204(5) require a longer period of time. If the requester seeks an expedited response, the time for response to the request shall be five (5) business days if the requester demonstrates that the request benefits the public rather than the requester. This public benefit is presumed if the request is made to obtain information for a story or report for publication or broadcast to the general public. The District shall promptly evaluate all requests for expedited responses and if the District determines that the requester has not demonstrated that the request is for public benefit and that the response to the request will therefore not be expedited, the District shall so inform the requester within five (5) business days of the request.

If the request is denied wholly or partly, the records officer must provide a written denial which:

1. Describes the records or parts of the records to which access is denied (provided that the description does not disclose private, controlled, or protected information);
2. Cites to the provisions of the Open and Public Meetings Act or other law or regulation exempting the record or parts of record from disclosure (provided that this does not disclose private, controlled, or protected information);
3. States that the requester has the right to appeal the denial to the superintendent;
4. States that the appeal must be made within 30 days after the denial is sent; and
5. States the superintendent’s name and business address.

The written denial is to be sent to the requester’s address, email, or personally delivered to the requester.


If the records are not maintained by the District, the requester should be informed that the records cannot be provided for that reason.

If the District determines that extraordinary circumstances as identified in Utah Code § 63G-2-204(4) require a longer time for response, the District shall notify the requester of that determination within ten business days (five for public benefit requests) and shall describe in the notice the circumstances which constitute the extraordinary circumstances and shall inform the requester when the records or
shall be available or response shall be made consistent with Utah Code § 63G-2-204(6).

Utah Code § 63G-2-204 (2011)

Fees for Search and/or Duplication of Records—

A fee shall be charged for the District's actual cost of duplicating a requested record and also for the personnel time in compiling and obtaining the record, which charge shall be the hourly rate of the lowest paid employee that the custodian of records determines has the necessary skill and training to perform the request.

However, no fee may be charged for:

1. the time and work required to determine whether the record is subject to disclosure (beyond that needed to retrieve the record or compiling, formatting, manipulating, packaging, summarizing, or tailoring the record as needed to meet the request, which can be charged as set out above); or

2. the requester's inspecting the record.

An additional charge of $.10 shall be charged per each page of a document which has been requested to be certified.

Before beginning to process a request, the District shall require the requester to pay any past unpaid fees of the requester and shall require the payment of the estimated future fees if those are expected to exceed $50.00.

Utah Code § 63G-2-203 (2016)

Right to Require Requester to Make Copies—

If an appropriate requester requests to have copies of more than fifty (50) pages of records, the District may in its sole discretion provide the requester with facilities to make copies and require the requester to make copies him or herself at his or her own expense.

Utah Code § 63G-2-201(9) (2016)

Appeals Process—

An appeal of an access denial may be made by the requester or by any interested party. (An “interested party” is a person other than the requester who is aggrieved by an access denial. An “access denial” is the complete or partial refusal to disclose a record or the failure to respond or to timely respond to a records request.) The requester may also appeal a denial of a request to waive fees or the records officer’s determination that extraordinary circumstances exist justifying additional time for responding and the date determined for response.

Utah Code § 63G-2-400.5 (2015)  

An appeal is made by filing a notice of appeal with the superintendent within 30 days after (1) the District sends or delivers the notice of denial or denies a request to waive fees, (2) the records request is considered denied because the District has not timely responded to the request, or (3) the District gives notice of the claim of extraordinary circumstances justifying a longer time for responding.
The notice of appeal must include (1) the name, mailing address, and daytime telephone number of the requester or interested party and (2) the relief sought. The appealing party may also file a short statement of facts, reasons, and legal authority in support of the appeal.

If the appeal involves a record which is subject to a claim of business confidentiality, then the superintendent shall send notice of the appeal to the person claiming business confidentiality within three business days after receiving the notice of appeal (or, if the notice has to be given to more than 35 persons, as soon as reasonably possible). The superintendent shall also send notice to the appealing party of the business confidentiality claim and the schedule for deciding the appeal within three business days after receiving the notice of appeal. The business confidentiality claimant has seven business days after the superintendent sends notice to the claimant in which to submit further support of the claim of confidentiality.

The superintendent shall rule on the appeal within five business days of receiving the notice of appeal unless the record is subject to a claim of business confidentiality. In that case, the superintendent shall rule on the appeal within twelve business days after the superintendent sends the notice of appeal to any individual asserting a claim of business confidentiality. If the superintendent does not rule on the appeal within these time periods, then the superintendent is deemed to have affirmed the access denial or the claim of extraordinary circumstances requiring additional time to respond or the extended date to respond.

The District shall send written notice of the superintendent’s decision to all participants. If the superintendent in whole or in part affirms the access denial, this notice shall state (1) that the appealing party has the right to appeal the decision to the State Records Committee or to a state district court, and (2) the name and business address of the executive secretary of the State Records Committee. The time for filing an appeal to the State Records Committee is thirty days after the superintendent’s decision is issued. However, if the issue was a claim of extraordinary circumstances or an extended response date based on extraordinary circumstances and if the superintendent does not make a decision, then the appeal to the State Records Committee may be filed within forty-five days of the original records request. If the appeal is by filing a petition for judicial review in district court, the petition must be filed within thirty days of the superintendent’s decision.

An individual who is aggrieved by the District’s classification or designation of records for GRAMA purposes (but who is not requesting access to the records) may appeal the District’s action to the superintendent following these procedures. However, if the non-requesting party is the only party appealing, the decision on the appeal is to be made within thirty days of the notice of appeal.
Retention of District Records—

The District shall adhere to the general schedule for records retention approved by the State Records Committee. Records which are not covered by the general schedule shall be submitted to the State Records Committee for scheduling.

Amendment of Records—

An individual may contest the accuracy or completeness of any public, or private, or protected record concerning him/her by requesting the School District to amend the record. However, this provision does not affect the right of access to private or protected records. This provision does not apply to records relating to title of real property, medical records, judicial case files, or any other records that the School District determines must be maintained in their original form to protect the public interest or preserve the integrity of the record keeping system.

Utah Code § 63G-2-603 (2008)

Request to Amend—

The request to amend shall contain the requester's name, mailing address, daytime telephone number and a brief description explaining why the specific record should be amended.


Response—

The School District shall issue an order either approving or disapproving the request to amend no later than thirty (30) days after the request is made. The order shall state reasons for the decision. If the request is denied, the requester may submit a written statement contesting the information in the record. The School District shall place the statement with the record, if possible, and disclose the statement whenever the contested record is disclosed.


Notice to Provider of Information—

The District shall post a notice and explain upon request to a person who is asked to furnish information that could be classified as a private or controlled record:

1. The reasons the person is asked to furnish information that could be classified as a private or controlled record;
2. The intended uses of the information;
3. The consequences for refusing to provide the information; and
4. The reasons and circumstances under which the information may be shared with or provided to other persons or governmental agencies.

Morgan School District
GE School Community Councils

Formation of Community Councils—
Each school within the District shall, in consultation with the Board of Education, establish a school community council at the school building level.

A school or District administrator may not prohibit or discourage a community council from discussing issues, or offering advice or recommendations, regarding the school and its programs, school district programs, the curriculum, or the community environment for students.

The Board may ask school community councils for information to inform Board decisions and may also ask school community councils to address local issues at the school community council level before bringing those issues to the Board.

The Board shall report approval dates of required plans (listed below) to the State Board of Education.  Utah Code § 53A-1a-108 (2016)

Purposes of Community Councils—
The purposes of school community councils are to involve parents or guardians of students in decision making at the school level, improve the quality of education of students, prudently expend School LAND Trust Program money, and increase public awareness of school trust lands and related land policies, management of the State School Fund, and educational excellence.  Utah Code § 53A-1a-108(2) (2016)

Composition of Councils—
Each school community council shall consist of school employees (including the school’s principal) and parents or guardians of students who are attending the school.

The recommended composition of school community councils for high schools is six (6) parent or guardian members and four (4) school employee members (including the principal). The recommended composition of school community councils for other schools is four (4) parent or guardian members and two (2) employee members (including the principal). The school community council is not required to have the recommended composition and can by majority vote of a quorum of the council determine how many members the council will have, provided that there are at least two (2) school employee members and there are at least two (2) more parent or guardian members than school employee members.

The number of parent or guardian members of a school community council who are not educators employed by the school district shall exceed the number of parent or guardian members who are educators employed by the school district. If, after an election, the number of parent or guardian members who are not educators employed by the school district does not
exceed the number of parent or guardian members who are educators employed by the school
district, the parent or guardian members of the school community council shall appoint one or
more parent or guardian members to the school community council so that the number of
parent or guardian members who are not educators employed by the school district exceeds
the number of parent or guardian members who are educators employed by the school district.

Each community council shall elect a chair from its parent or guardian members and a vice chair
from its parent or guardian members or school employee members other than the principal.

_Utah Code § 53A-1a-108 (2016)_

**Notice of Available Community Council Positions**—

At least 10 days before the date of a community council election, the principal of the school, or
the principal’s designee, shall provide notice to each school, employee, parent, or guardian of
the opportunity to vote in, and run as a candidate in, the election. The notice shall include:

1. the dates, times, and location of the election;
2. a list of council positions that are up for election;
3. instructions for becoming a candidate for a community council position;
4. the location where a ballot may be cast; and
5. the means by which a ballot may be cast, whether in person, by mail, or by
electronic means.

At least once per year, the principal shall post on the school website an invitation to parents to
serve on the school community council that includes an explanation of how a parent can
directly influence the expenditure of the School LAND Trust Program funds and the dollar
amount the school receives each year from that program.


_Utah Admin. Rules R277-491-4(2) (July 8, 2016)_

**Selection of School Employee Members**—

The principal shall serve as an ex officio member with full voting privileges. A school
administrator may not serve as chair or vice chair of the school community council. Employee
members shall be elected by secret ballot by a majority vote of the school employees. The
employee member election shall be held in the same season as the election for parent or
guardian members. The principal, or the principal’s designee, shall oversee the elections.
Results of the election shall be made available to the public upon request. If the number of
employee candidates is less than or equal to the number of open employee positions, no
election is required. If an employee position on the council remains unfilled following an
election or after appointment when no election is required, the other employee members of
the council shall appoint an employee to fill the position.

_Utah Code § 53A-1a-108 (2016)_

**Selection of Parent and/or Guardian Members**—

Parent or guardian members shall be elected by secret ballot by a majority vote of those voting
in an election held at the school. Only parents or guardians of students attending the school
are eligible to vote in this election. However, when elections are held in the spring, parents or
guardians of students who will be attending the school in the fall are eligible to vote and to be candidates. Ballots cast in this election shall be deposited in a secure ballot box. If the number of parent or guardian candidates is less than or equal to the number of open parent or guardian positions, no election is required.

School community councils may establish procedures that allow for ballots to be clearly marked and mailed to the school in the case of geography or school distances that would otherwise discourage parent participation. Hand-delivered or mailed ballots shall meet the same timelines for voters voting in person. Schools may allow parents to vote by electronic ballot. If a school allows voting by electronic means, the opportunity shall be clearly explained on the school’s website including:

1. directions for electronic voting;
2. security provisions for electronic voting;
3. a statement to parents and community members that violations of a school's voting procedures may disqualify a parent’s vote or invalidate an election, or both.

The principal, or the principal’s designee, shall oversee the elections. Results of the election shall be made available to the public upon request. Following the election, the principal shall complete the Principal’s Assurance Form on the School LAND Trust website, affirming that the school community council has been properly elected and vacancies filled as necessary and that the council’s bylaws or procedures comply with law.

Utah Admin. Rules R277-491-4(1) (July 8, 2016)

Any parent or guardian who qualifies to be a candidate may file or declare himself or herself as a candidate for election to the council. An individual qualifies to be a candidate if she or he is the parent or guardian of a student who will be enrolled at the school during the parent or guardian's term of office; however, if the parent or guardian is also an educator employed at the school, the parent or guardian is not eligible to be a “parent or guardian” candidate or member of the council.

The election for the parent and/or guardian members shall be held in the spring or in the fall, as determined by each school’s principal. However, once the election season has been determined, it must remain the same for at least four years before it can be changed.

Spring elections for parent or guardian members shall be scheduled by the principal on a date or dates such that the election is completed before the last week of school. For spring elections, the school community council shall attempt to notify the parents of incoming students of the opportunity to run for the council and shall provide those parents with the opportunity to vote in the election.

Fall elections for parent or guardian members shall be scheduled by the principal on a date or dates near the beginning of the school year. If a parent or guardian position on the council remains unfilled following an election or after appointment when no election is required, the other parent or guardian members of the council shall appoint a parent or guardian who meets the above qualifications to fill the position.

Term of Office—

Elected or appointed members of the council shall serve a two (2) year term beginning either the first day of the school year (for spring elections) or on November 1 (for fall elections). However, terms shall be staggered so that no more than approximately half of council members stand for election in any one year. A member’s term shall be extended as needed until his or her replacement’s term begins (for example, to avoid a gap that would result from a shift from one election season to the other). A school community council member may serve successive terms so long as the member continues to meet the eligibility requirements to be a parent or guardian member or an employee member. If a change to a statute or regulation affects the composition of the council, a council member who was elected or appointed before the change may complete the term to which she or he was elected.


Updating Council Membership—

By or before October 20 of each year, the principal shall enter the names of the council members on the state School LAND Trust Program website.

Utah Code § 53A-1a-108(5)(g) (2016)

Duties of Councils—

Each school community council shall advise and make recommendations to the school, school district administrators, and the local school board regarding the school and its programs, school district programs, and other issues relating to the community environment for students. School community councils shall report on plans, programs, and expenditures at least annually to the Board and shall cooperate with State Board of Education monitoring and audits. Councils may also advise and inform the Board and other members of the school community regarding the uses of School LAND Trust Program funds. They shall also encourage participation on the council and may recruit potential applicants to apply for open council positions. Councils shall establish clear written procedures which govern removal from office of members who move away or who consistently do not attend meetings, as well as additional clarifications to assist in the efficient operation of the council consistent with the law and with Board rule.


Each school community council shall also:

1. Create a school improvement plan in accordance with § 53A-1a-108.5;
2. Create a School LAND Trust program for the school in accordance with § 53A-16-101.5; and
3. Advise and make recommendations to school and district administrators and the school board regarding the school and its programs, school district programs, a child access routing plan in accordance with § 53A-3-402, safe technology use and digital citizenship, and other issues relating to the community environment for students.

Each school community shall also provide for education and awareness on safe technology use and digital citizenship that empowers students to make smart media and online choices and students’ parents or guardians to know how to discuss safe technology use with their students. (“Digital citizenship” means the norms of appropriate, responsible, and healthy behavior related to technology use, including digital literacy, ethics, etiquette, and security.) Each school community council shall also partner with the school’s principal or other administrators to ensure that adequate on- and off-campus Internet filtering is installed and consistently configured to prevent viewing of harmful content by students and school personnel. To fulfill these duties, a school community council may create a subcommittee and may also partner with one or more non-profit organizations. Utah Code § 53A-1a-108(1)(a), (3)(a)(iv), (v), (b) (2016).

To assist the community council in fulfilling these responsibilities, the principal shall annually provide the council with a report which summarizes the current safe technology and digital citizenship practices of the District and the school, including (1) information on internet filtering protocols for school and District devices which access the internet, (2) instructional practices, monitoring, and reporting procedures, and (3) and required internet safety training. Utah Admin. Rules R277-491-6(3) (July 8, 2016)

Duties of Council Chair—

With respect to meetings, the school community council chair (or designee) shall:

1. Post meeting information (time, place, and date of the meeting, agenda, and prior meeting draft minutes) on the school website at least one week in advance;
2. Set each meeting’s agenda;
3. Conduct each meeting according to the council’s rules;
4. Keep written minutes which meet the requirements of this policy and law; and
5. Welcome and encourage public participation.

The chair shall also inform council members about resources available on the School LAND Trust website. Utah Admin. Rules R277-491-5 (July 8, 2016)

Community Council Meeting Procedures—

Each community council shall adopt rules of order and procedure to govern its meetings which prescribe parliamentary procedure, ethical behavior, and civil discourse. The council’s meetings shall be conducted in accordance with these rules. These rules shall also outline the process for (1) selecting a chair and vice chair (2) removing from office a member who moves away or fails to attend meetings regularly, and (3) for a member to declare a conflict of interest. Copies of these rules shall be made available at each meeting of the council and shall be posted on the school’s website. Utah Code § 53A-1a-108.1(10) (2015), Utah Admin. Rules R277-491-6(1) (July 8, 2016)

Community Council Training—

The superintendent or designee shall provide annual training to the community councils of the District. This training shall include education of the chair and vice chair regarding their responsibilities, informing council members about the resources available on the state School LAND Trust website, and educating the members about the following statutes which govern
school community councils: Utah Code § 53A-1a-108 (relating to the establishment, composition, and duties of community councils); Utah Code § 53A-1a-108.1 (regarding open meeting requirements applicable to community councils); Utah Code § 53A-1a-108.5 (regarding the school improvement plan); and Utah Code § 53A-16-101.5 (regarding the School LAND Trust program). Training is also available from the School Children’s Trust Section under the State Board of Education. Utah Code § 53A-1a-108(8) (2016), Utah Code § 53A-16-101.6(13) (2016)

Community Councils Open Meetings Requirements—

School community councils are not a “public body” subject to the requirements of and are exempt from the Utah Open and Public Meetings Act. However, a school community council shall conduct its business in an open and transparent manner according to the following requirements:

1. A meeting of a school community council is open to the public.
2. A school community council may not close any portion of a meeting.
3. On or before October 20, the principal shall post the following information on the school's website and in the school office:
   a. The proposed school community council meeting schedule for the year;
   b. A telephone number or email address, or both, where each school community council member can be reached directly; and
   c. A summary of the annual report required under Section 53A-16-101.5 on how the school's School LAND Trust Program money was used to enhance or improve academic excellence at the school and implement a component of the school's improvement plan.
   d. The school community council shall identify and use methods to provide this information to a parent or guardian without Internet access but without using School LAND Trust Program funds.
4. A school community council shall, at least one week prior to a meeting, post the following information on the school's website:
   i. a notice of the meeting, time, and place;
   ii. an agenda for the meeting; and
   iii. the minutes of the previous meeting.
   a. An agenda required under Subsection (4)(ii) shall provide reasonable specificity to notify the public as to the topics to be considered at the meeting. Each topic shall be listed under an agenda item on the meeting agenda.
5. The notice requirement of Subsection (4) may be disregarded and an emergency meeting held if:
   a. because of unforeseen circumstances it is necessary for a school community council to hold an emergency meeting to consider matters of an emergency or urgent nature; and
   b. the school community council gives the best notice practicable of:
      i. the time and place of the emergency meeting; and
      ii. the topics to be considered at the emergency meeting.
6. An emergency meeting of a school community council may not be held unless:
   a. an attempt has been made to notify all the members of the school community council; and
b. a majority of the members of the school community council approve the meeting.

7. A school community council may not take final action on a topic in a meeting unless the topic is:
   a. listed under an agenda item as required by Subsection (4)(a); and
   b. included with the advance public notice required by Subsection (4).

8. Written minutes shall be kept of a school community council meeting.

9. Written minutes of a school community council meeting shall include:
   a. the date, time, and place of the meeting;
   b. the names of members present and absent;
   c. a brief statement of the matters proposed, discussed, or decided;
   d. a record, by individual member, of each vote taken;
   e. the name of each person who:
      i. is not a member of the school community council; and
      ii. after being recognized by the chair, provided testimony or comments to the school community council;
      iii. the substance, in brief, of the testimony or comments provided; and
      iv. any other information that is a record of the proceedings of the meeting that any member requests be entered in the minutes.

10. The written minutes of a school community council meeting are a public record under Title 63G, Chapter 2, Government Records Access and Management Act and shall be retained for three years.


School Improvement Plan—

Each school community council shall create a school improvement plan to improve teaching and learning conditions. In developing this plan, the council shall, with the school’s principal, annually evaluate and use the school’s statewide achievement test results, reading achievement plan, class size reduction needs, and technology needs. (However, in evaluating statewide achievement test results, the council may not have access to data which reveals the identity of students.)

The school improvement plan developed by the school community council shall:

1. identify the school’s most critical academic needs;
2. recommend a course of action to meet those needs;
3. list any programs, practices, materials, or equipment that the school will need to implement its action plan to have a direct impact on the instruction of students and result in measurably increased student performance;
4. describe how the school intends to enhance or improve academic achievement, including how financial resources available to the school (for example, state and federal grants, or School LAND Trust Program monies) will be used for this purpose; and
5. if the council represents an elementary school, include a reading achievement plan developed in accordance with this policy and with Utah Code § 53A-1-606.5.
Although the school improvement plan focuses on the school's most critical academic needs, it may also include other actions to enhance or improve academic achievement and the community environment for students. The school principal shall make the school budget and other data available to the council as needed in developing the school improvement plan. The school improvement plan developed by the council is subject to the approval of the Board of Education. The school improvement plan as approved by the Board of Education shall be implemented by the school. The school shall provide ongoing support for the council's plan.

The school shall also through the school community council prepare and present an annual report to the Board of Education at the end of the school year which details the use of School LAND Trust funds and which assesses the results obtained from the use of those funds, and which also details the use of funds from other sources and the results obtained from use of those sources. The council may develop a multi-year school improvement plan, but the multi-year plan must nevertheless be presented to and approved by the Board of Education each year. Utah Code § 53A-1a-108.5 (2016)

**School LAND Trust Program—**

In developing the school improvement plan, the council shall include a program to use the School LAND Trust funds allocated to the school to implement a component of the school improvement plan, including a description of programs, practices, materials or equipment needed to implement the component of the plan. The program developed by the council to use the School LAND Trust funds is subject to the approval of the Board of Education. The program, as approved by the Board of Education, shall be implemented by the school. The school shall provide ongoing support for the council's plan. The school shall also publicize to its patrons and the general public how the School LAND Trust funds were used to implement a component of the improvement plan and the results of those efforts. The principal shall ensure that the school website fully communicates how parents can directly influence expenditure of School LAND Trust Program funds and includes the dollar amount of funds received by the school each year. Also, the school shall prepare and post on the state School LAND Trust Program website an annual report each fall which details the use of School LAND Trust funds and which assesses the results obtained from the use of those funds. (To assist with this annual report, on or before October 1 each year, the District shall post on the School LAND Trust Program website the amount of funds distributed to each school.) A summary of this report shall be provided to parents or guardians of students attending the school. The council shall create and vote to adopt a plan for the School LAND Trust Program money in a meeting of the school community council at which a quorum is present.

If a majority of the quorum votes to adopt a plan for the use of School LAND Trust Program money, the plan is adopted. A school community council shall:

1. post on the state School LAND Trust Program website a plan for the use of School LAND Trust program money that is adopted; and
2. include with the plan a report noting the number of community council members who voted for or against the approval of the plan and number of members who were absent for the vote.

The Board of Education shall approve or disapprove the plan for use of School LAND Trust Program money. If the Board of Education disapproves of the plan, the Board will provide a
written explanation of the reasons for disapproval and request the council to revise the plan and the council shall submit a revised plan to the Board of Education for approval. Once the Board of Education has approved a School LAND Trust Program plan, the school community council may amend the plan by majority vote of the council subject to Board of Education approval. The school shall implement the program as approved, provide ongoing support for the program, and meet State Board of Education reporting requirements regarding financial and performance accountability of the program.

_Utah Code § 53A-16-101.5 (2016)_

The president of the Board of Education shall ensure that the members of the Board are provided annual training on the School LAND Trust Program and its requirements. (Training is available from the School Children’s Trust Section under the State Board of Education.)


**Child Access Routing Plan**—

Each school community council shall annually develop a child access routing plan for its school and submit it to the school traffic safety committee.


**Reading Achievement Plan for Elementary Schools**—

The school community council for each elementary school shall, as part of the school improvement plan, develop a reading achievement plan for the school, which shall be submitted to the District for review and approval prior to implementation. The reading achievement plan must be reviewed and approved by the District annually. (In developing this plan, the council may not have access to data which reveal the identity of students.)

Following approval by the District, the reading achievement plan shall be implemented by the school’s principal, teachers, and other appropriate staff. The reading achievement plan shall be designed to reach the long-term goal of having all students in the school reading on or above grade level by the end of the third grade. The reading achievement plan shall include the following components:

1. An assessment component that focuses on ongoing formative assessment to measure the five domains of reading (phonological awareness, phonics, fluency, comprehension, and vocabulary), as appropriate, and to inform instructional decisions, and which includes a reading assessment selected from a list recommended by the State Board of Education.

2. An intervention component that:
   a. Provides adequate and appropriate interventions focused on each student attaining proficiency in reading skills;
   b. Is based on best practices identified through proven research-based methods;
   c. Provides intensive intervention, such as focused instruction in small groups, implemented at the earliest possible time for students having difficulty in reading;
d. Provides an opportunity for parents to receive materials and guidance so that they will be able to assist their children in attaining proficiency in reading skills; and

e. As resources allow, involves a reading specialist.

3. A reporting component that includes reporting to parents their child’s benchmark assessment results and, at the end of third grade, their child’s reading level.

_Utah Code § 53A-1-606.5 (2016)_

**Subcommittees and Task Forces—**

A school community council may create subcommittees or task forces to advise the council or make recommendations to the council, or to develop all or part of the plans that the council’s duties require it to prepare. However, any plan or portion thereof developed by a subcommittee or task force shall be subject to the approval of the council.

A school community council may appoint individuals who are not members of the council to serve on a subcommittee or task force (including parents or guardians, school employees, or other community members).

_Utah Code §53A-1a-108 (2016)_
Morgan School District

GF Fundraising and Donations

Scope of Fundraising and Donations Policies—

This policy applies to all District administrators, licensed educators, staff members, students, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for school-sponsored events; or receive, authorize, accept, value, or record donations, gifts, or sponsorships for the District or individual schools. It is expected that in all dealings, District and school employees will act ethically, consistent with the District’s ethics training, the Utah Educators’ Standards (R277-515), the Public Officers’ and Employees’ Ethics Act (Utah Code Ann. ' 67-16-1 et seq.), and State procurement law (Utah Code Ann. ' 63G-6a-101 et seq.).

District Foundation—

The District Foundation (the “Foundation”) is an entity established to receive donations and gifts for the benefit of the District and the District’s schools. Any organization or individual wishing to donate cash, materials, equipment, other property or programs to a school is encouraged to make such donations through the Foundation.

Definitions—

“Public funds” for purposes of this policy are defined as 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 Districts or other public bodies.

Utah Code § 51-7-3(26) (2013)

“School-sponsored” for purposes of this policy means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by the District or individual school(s) that support the District 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 the District or public school, or District or public school employee.

b. Uses the District or public 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.

d. Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code 53A–11–1205 through 1208.
General Policy—

All funds, property, or goods donated or collected through fundraisers become public funds and the property of the District, and should be used for the purpose for which they were donated and in accordance with State and District policies. Donations, whether in-kind, cash, or otherwise, shall be complete transfers of ownership, rights, privileges, and/or title in or to the donated goods or services and become exclusive property of the District upon delivery. The District and individual schools are ultimately responsible for the expenditure and allocation of all monies collected and expended through student, school organized fundraising.

The District recognizes that fundraising efforts, donations, gifts, sponsorships, and public support vary among schools. The District is committed to appropriate distribution of unrestricted funds and the management of donations and gifts to ensure that the educational opportunities for all students are equal and fair.

The District is committed to principles of gender equity and compliance with Title IX guidance. The District commits to use all facilities, unrestricted donations and gifts, and other available funds in harmony with these principles. The District 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. The benefits derived from donations and gifts should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.

The collection of money or assets associated with fundraisers for school-sponsored activities, donations, gifts or sponsorships will comply with the District cash receipting policies. The expenditure of any public funds associated with fundraisers for school-sponsored activities, donations, gifts, or sponsorships will comply with the District cash disbursement policies.

Fundraising is permitted within the District to allow the District and schools to raise additional funds to supplement school-sponsored academic and co-curricular programs.

The District and individual schools will comply with all applicable state and federal laws; the State procurement code (Utah Code 63G-6a); State Board of Education rules, including construction and improvements; IRS Publication 526 “Charitable Contributions”; and other applicable IRS regulations.

Fund raising activities should not be approved which involve high-pressure sales tactics, yield profits in excess of usual wholesale margins to suppliers of goods sold, would expose students and other participants in the fund raising activity to risk of personal injury, would expose the school or District to risk of financial loss if the fund raising activity is not successful, or would violate law or district policies.

District employees may not direct operating expenditures to outside funding sources to avoid District procurement rules (operating expenditures include equipment, uniforms, salaries or stipends, improvements or maintenance for facilities, etc.).

District employees must comply with District procurement policies and procedures, including complying with obtaining competitive quotes; avoiding bid
splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

Donations and gifts should be accounted for at an individual contribution level. Donations, gifts, and sponsorships shall be directed to the District, District program(s), school, or school program(s). Donations, gifts, and sponsorships shall not be directed at specific District employees, individual students, vendors, or brand name goods or services.

Donated funds shall not compensate public employees, directly or indirectly.

If donations or gifts are offered in exchange for advertising or other services, an objective valuation will be performed and a charitable receipt will be issued by the foundation or the business administrator.

Donations or gifts shall not be accepted that advertise or depict 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 students; or, in the opinion of the District, may cause a substantial disruption to the education environment.

Donations, gifts, and sponsorships given by vendors to specific programs (e.g., drama, sports teams) or District employees shall be evaluated for compliance with Utah Code ' 63G-6a-2304.5. As required by state law, donations will only be accepted where there is no expectation or promise, expressed or implied, of remuneration or any undue influence or special consideration. District employees are not permitted to accept personal payment or gratuities in any form from a vendor or potential vendor as a precondition for purchase of any product or service.

Donations and gifts over $250 will be provided with an acknowledgment of the contribution from the District for IRS purposes. The acknowledgment will be in the form of a receipt issued by the foundation or business administrator. These receipts will be generated from the information provided on the "Donations, Gifts, and Sponsorships" form.

Gifts to specific school programs of equipment, such as computers and audio-visual equipment, must be approved in advance to assure that the District is not compelled by a gift to undertake expenses in support of the donated equipment or make other management decisions in order to use the gift, such as allocating space to donated equipment, that the District deems to be unwise.

Fees for School-Sponsored Activities—

Properly approved school-sponsored activities may:

a. Use the school’s name, facilities, and equipment.

b. Utilize District employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser.

c. Be insured under the District’s risk management policy (pending approval by the District risk manager) or general liability insurance policy.
d. Provide additional compensation or stipends for District employees with the approval of the principal or immediate supervisor and under District payroll policies.

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. School-sponsored activities must comply with all fee approval and fee waiver provisions established in Utah Code and Utah State Board of Education rules. Districts may be responsible for providing student transportation for these activities.

Principals, consistent with District policy, have the responsibility to waive fees, if appropriate. Individual teachers, coaches, advisors, etc. do not have the authority to waive board-approved fees.

Annually, each District division, department, or program and individual school will review all planned camps, clinics, activities, and fundraisers and determine those designated as school-sponsored. Those not designated as school-sponsored will follow the non-school-sponsored criteria below.

**Authorization and Supervision of Fundraising—**

Authorization and supervision of fundraising for school-sponsored activities:

a. Fundraising at the District level shall be approved in writing, prior to the activity, by the superintendent or applicable assistant superintendent/director and supervised by District employee(s) designated by the approver. The approver shall ensure that the activity is appropriately classified as a school- or District-sponsored activity.

b. Fundraising at individual schools shall be approved in writing, prior to the activity, by the principal and supervised by a member of the faculty or other District employee designated by the principal. The approver shall ensure that the activity has been appropriately classified as a school-sponsored activity. Principals may approve fundraisers or activities where the expectation is to earn up to $10,000. Fundraisers expected to earn more than $10,000 and up to $50,000 must be approved in writing by the superintendent. Fundraisers expected to earn more than $50,000 must be approved by the District’s board.

c. The sale of banners, advertising, signs, or other promotional material that will be displayed on school property must be approved by the principal 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 students, are prohibited.

d. All fundraising projects for construction, maintenance, facilities renovation or improvement and other capital equipment purchases must be approved in writing by the business administrator, the superintendent, and the District board. (See “Capital Fundraising” section below.)
Capital Fundraising and Large Donations—

All fundraising projects donations or gifts for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases must be approved in writing by the business administrator, the superintendent, and the District’s board. Prior to the initiation of a large capital drive or specific fundraising drive, the following will be provided to the business administrator for evaluation and recommendation to the superintendent:

- a. Prospective construction, maintenance or renovation plans and estimated costs
- b. Proposed naming opportunities
- c. Proposed fundraising timeline
- d. Loans or financing agreements
- e. Maintenance or upkeep requirements and costs
- f. Assurances of compliance with Title IX (e.g., available for use by both male and female students and/or for several purposes or activities)

The superintendent will make a recommendation to the District’s board. The board reserves the right to tentatively approve plans, pending fundraising, donations, equity, or other conditions.

All physical facilities are owned and operated by the District. No part of any school facility or capital equipment may be named for a donor without the express written consent of the board.

The District shall only grant naming opportunities that are consistent with the mission and educational objectives of the District. Decisions regarding naming opportunities are within the sole discretion of the board.

Advertising—

To avoid disruption of students’ instructional activities, schools shall not be used for distribution of partisan, religious, or commercial advertisements, fliers, bulletins, newspapers, etc.; nor shall such items be placed on vehicles parked on school grounds.

Principals may permit the school distribution of fliers, bulletins, newspapers, etc. with information regarding nonprofit community youth programs such as Boy Scouts of America, Girl Scouts of America, county and municipal programs, and little league-type recreation programs.

Students and employees of the District, including teachers and administrators, shall not act as agents for commercial agents during school hours or contract time.

A District employee’s participation in a private, but education-related, activity must be separate and distinguishable from the employee’s public employment. District employees may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. The District employee’s employment and experience can be used to demonstrate qualifications. The
advertisement must clearly state that the activity is not school sponsored. See R277-107 for specific direction.

Types of Donations, Gifts, and Sponsorships—

Cash Donations. Cash donations are welcomed and may be accepted from private individuals, companies, organizations, clubs, foundations, and other appropriate entities. All cash donations will be received in compliance with the District’s cash receipting policies. Cash donations may be used to fund or enhance programs, facilities, equipment, supplies, services, etc.

Cash donations may not be used to hire regular classroom teachers, thereby altering the staffing ratios. However, classroom assistants, coaching assistants, or specialists of any kind, including individuals who may hold educator licenses, may be hired using the funds received. Donations to fund such positions shall be made to a program, school, division, or department—not directly to individuals—and employment will be processed through the District’s Human Resources Department and Payroll Department. The District or school administration reserves the right to decline or restrict these types of donations if they create inequitable environments in the school or inequities that violate Title IX or other laws, are not economically in the best interest of the District, interfere with educational goals, or for any other reason determined by the District or school.

Cash donations shall not be used to augment an employee’s remuneration beyond the remuneration associated with the salary schedule of the employee’s position.

Products. The District or individual schools may accept donated products which carry the donor company’s name, trademark, logo, or limited advertising on the product (e.g., cups, T-shirts, hats, instructional materials, furniture, office equipment, etc.). These items shall be valued at fair market value at the time of the contribution. If advertising or other services are offered in exchange for the donation or gift, this may alter the contribution amount.

Equipment, Supplies, or Goods. The District or individual schools may accept donated equipment, supplies, or goods for use in the District or individual schools or school programs. These items shall be valued at the fair market value at the time of the contribution. If advertising or other services are offered in exchange for the donation or gift, this may alter the valuation amount.

Donor and Business Partner Recognition. Donor and business partner recognitions may be placed on equipment, furniture, and other donated gifts that are not considered capital or fixed assets. Non-permanent recognitions may be placed on District buildings or structures with written approval from the superintendent. The board may grant approval for the naming of buildings, structures, rooms, or other district facilities; see “CAPITAL FUNDRAISING” above). Principals may authorize banners, flyers, posters, signs, or other notices recognizing a donor or school business partner. Such materials shall feature the school-business partnership and not promote or endorse the business named.
Approval and Acceptance of Donations, Gifts, and Sponsorships—

Donations, gifts, and sponsorships valued at more than $250 must be documented on the District “Donation, Contribution, or Sponsorship” form. This form must be completed prior to the acceptance of money or goods, and must be retained in the District or school accounting records. A copy of the completed form will be sent to the foundation or business administrator, and a receipt for charitable contribution purposes will be issued to the donor.

Approval levels are as follows:

1) Money, goods, supplies, or in-kind donations, gifts, or sponsorships valued at $250–$10,000 must be documented on the District “Donation, Contribution, or Sponsorship” form and be approved by an individual school principal or applicable District department or division supervisor prior to acceptance.

2) Money, goods, supplies or in-kind donations, gifts, or sponsorships valued at $10,000–$50,000 must be documented on the District “Donation, Contribution, or Sponsorship” form and be approved by the business administrator and superintendent prior to acceptance.

3) Money, goods, supplies or in-kind donations, gifts, or sponsorships valued at more than $50,000 must be documented on the District “Donation, Contribution, or Sponsorship” form and be approved by the District board prior to acceptance.

General Fundraising Standards—

The District reserves the right to prohibit, restrict or limit any fundraising activities associated with the District or individual schools. Faculty and student participation in fundraisers is typically voluntary. However, employees may be directed to supervise specific activities as an employment assignment. Students, including fee-waiver-eligible students, may be required to participate fully in school, team, or group-wide fundraisers in order to benefit from fundraisers.

Participation in fundraising shall not affect a student’s grade. Students shall not be required to participate in fundraising activities as a condition of belonging to a team, club or group, nor shall a student’s fundraising effort affect his/her participation time or standing on any team, club or group, except as to fee waiver requirements.

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 students, 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 District employee or volunteer.

Schools may not impose a sales quota (or the like) as part of fundraising efforts, and students or parents shall not be required to pay for any unsold items, or pay for goals not met.
Door-to-door sales are prohibited for all students in elementary and middle schools. High school students may participate in one door-to-door campaign per sport, club, or group per year. Suitable procedures must be used by the schools, administrators and supervising faculty to safeguard students and funds collected. Procedures must be clearly communicated to parents.

Approval may be denied for fundraising activities that would expose the school or District to risk of financial loss or liability if the activity is not successful.

Fundraising activities shall be age appropriate, and shall maintain the highest standards of ethical responsibility and integrity.

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.

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.

Records of all fundraising efforts shall be open to the parents, students and donors, including accurate reporting on participation levels and financial outcomes. This policy does not require the release of students’ personally identifiable information protected by FERPA.
GFA Fundraising and Donations:

Private and Non-School-Sponsored Activities and Fundraising

Scope of Policy—

This policy applies to all District administrators, licensed educators, staff members, students, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for school-sponsored events; or receive, authorize, accept, value, or record donations, gifts, or sponsorships for the District or individual schools. It is expected that in all dealings, District and school employees will act ethically, consistent with the District’s ethics training, the Utah Educators’ Standards (R277-515), the Public Officers’ and Employees’ Ethics Act (Utah Code Ann. ' 67-16-1 et seq.), and State procurement law (Utah Code Ann. ' 63G-6a-101 et seq.).

Definitions—

“School-sponsored” for purposes of this policy means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by the District or individual school(s) that support the District 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 the District or public school, or District or public school employee.

b. Uses the District or public 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.

d. Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code 53A–11–1205 through 1208.

Non-School-Sponsored Activities & Fundraisers—

Activities, clubs, groups and their associated fundraisers or other activities that are not school-sponsored or groups, clubs, sports, and programs that are not managed by District employees are deemed to be non-school-sponsored. Non-school-sponsored activities may:

a. NOT use the school’s or District’s name without express District permission.

b. NOT use the District’s facilities, equipment, and other assets or staff unless a facilities use agreement is initiated and approved. These agreements should follow District policy for other facilities use agreements.

c. NOT utilize District employees (in their official capacity) and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
d. NOT be insured under an District’s risk management or insurance policy. Non-school-sponsored activities must provide their own insurance through a third-party insurer.

e. NOT provide additional compensation or stipends for District employees, if the activity is not substantially different from an District employee’s regular job functions and duties and outside of employee’s contract hours. (See District employee disclosure agreement below.)

f. Not co-mingle public funds and private fundraising proceeds or expenditures.

g. Not use school records to contact parents or students.

Parental notification by an District employee is required if District employees are involved in the planning, administration, advertising, or serving as staff for a non-school-sponsored activity and if District students are involved. This notification shall occur using the “Non-School-Sponsored Parent Notification” form. A copy of this form shall be submitted to the principal by the District employee prior to the event.

Funds, donations, or gifts generated through non-school-sponsored activities or events may be donated to the District or to an individual school to support specific programs, teams, groups, clubs, etc. All donations or gifts shall follow the guidance established in the District’s donations and gifts policy.

Non-school-sponsored activities may work in conjunction with the District or an individual school to raise funds. The District may allow these groups to use District facilities at little or no charge in exchange for contributions or percentages of proceeds. The District may choose to provide some level of support or pay for portions of these activities. These arrangements shall be set forth in a written agreement or contract, and all transactions will be conducted as “arm’s-length transactions.” These agreements shall take into consideration the District’s fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by the principal, the facilities use agreement approver, and the business administrator. The District will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.


**Participation in Private or Non-School-Sponsored Events—**

District 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 students in the District 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 students, provided they are not advertised or promoted during school time or using any type or amount of school resources.

(6) May use school or student 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.

District employees may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. The District 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.)

District employees may engage in outside employment with a private entity or other separate organizations that does not interfere with District duties or job functions. Employees must complete the District disclosure agreement annually when engaging in outside employment that is similar to the employee’s official job duties or functions.

Parental notification is required if District students are recruited to participate in these activities.

District employees may not set up bank accounts for activities or fundraisers associated with District responsibilities or job functions.

District employees may not direct fees or fundraiser proceeds from school-sponsored activities to outside entities.

District employees may not direct operating expenditures to outside funding sources or groups to avoid District procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).

District employees must comply with District procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.
Child Nutrition Morgan School District
Child Nutrition Program Charges Policy

A. Purpose and Background
(1) National School Lunch, Breakfast, Special (Kindergarten) Milk and the After School Snack Program are federal programs in which this school participates. Pricing policies for school meals are determined at the local level, including decisions about whether or not to extend credit to parents who do not have meal money in their student’s accounts or whether or not to provide an alternate meal to such student.

(2) Schools receive partial reimbursement for meals served to students who do not qualify for free meals. Parents must make payments to the student’s account to make up the difference between the federal reimbursement and the cost of the meal. This policy applies only to school meal payments, not a la carte sales.

(3) If students qualify for free or reduced price school lunch, their meals are paid for in whole or in part with federal funds. Otherwise, parents must pay for their student’s meals. Schools should adopt policies which minimize unpaid accounts and ensure students are not subject to punishment or stigmatization when parents fail to make school meal payments.

(4) The purpose of this policy is to explain how schools in the Morgan District will notify parents/guardians about money owed; the school’s procedures for providing meals if students’ accounts are in arrears; and notice to both parents and school employees that students will never be confronted or embarrassed about money owed for school meals.

B. Scope
This policy applies to all local education agencies (LEAs), parents, and students that participate in the National School Lunch, Breakfast, Special (Kindergarten) Milk and the After School Snack Programs. The scope includes requirements and direction for delinquent meal accounts.

C. Definitions
(1) “Alternate Meal” means a meal served to students different from the meals served to other students because the student does not have adequate funds in their lunch account. The alternate meal, such as a sandwich and milk, allows the student to have something to eat while limiting the cost to the school lunch program. In most cases, an alternate meal does not meet the USDA requirements and may not be claimed for reimbursement. The cost to produce this meal is not an allowable cost to the food program and must be paid for from non-federal funds.

(2) “Automated Meal Payment System” means a web based system which allows parents to deposit funds in student’s meal accounts, informs parents of account balances and student meal payments and sends messages to the parent when funds in the account are low. Some systems allow parents to control the use of the funds (i.e., allow the parent to choose if the funds can be used for reimbursable meals only or if they may also be used for the purchase of a la carte or vending items).

(3) “Collection Efforts” means an LEA uses a collection agency to collect delinquent lunch balances, contacts parents by phone, mail, or other effort to recoup unpaid meal balances. Schools may not withhold student records for unpaid school balances.
(4) “Delinquent Accounts” means a meal fund account that has not been paid. School nutrition programs are responsible for the collection of funds in advance of the meal being served, but the school must take responsibility for the collection of delinquent accounts, if they are allowed. Collection of delinquent accounts can be made by the school contacting the parents, the principal, another school group or account paying the amounts or by having the unpaid accounts turned over to a collection agency. The expenses of collecting unpaid funds are not an allowable expense in the food program.

(5) “Free Meal” means a meal served to a student whose parents have qualified, based on federal standards, for free meals. The free meal receives the highest federal rate of reimbursement. The meal is served at no cost to the student.

(6) “LEA” means a local education agency, including local school boards/public school districts and charter schools.

(7) “Meal Charging” means allowing students who do not have funds in their account to receive a reimbursable meal, with parents or other school organizations paying for these meals at a later time. Schools are not required to have a policy to provide meals to students who do not have the funds to pay for the meal.

(8) “Overt Identification” means allowing only those with a need to know the free, reduced-price or paid status of a student. Such information, by regulation, only those who need to know (those who process school meal payments) may know the status of a student.

(9) “Parent” means a student’s parent, legal guardian, or custodian.

(10) “Paid Meal” means a meal served to a student whose parents have not qualified for reduced-price or free meals. This meal receives the lowest amount of federal reimbursement. The parent must pay the lunch price established by the local school Board.

(11) “Point of Service” means the place at the end of the line where meal payments and counting of reimbursable meals occurs. By regulation, this must be at the end of the meal line, but schools may obtain an exception if they wish to have the point of service at the beginning of the line. Schools must have an adult at the end of the line to assure the meals selected by students meets the requirements and is reimbursable from USDA.

(12) “Reduced-Price Meal” means a meal served to a student whose parents have qualified for reduced-price meals. The federal rate of reimbursement is less than for a free meal, but more than that for a paid meal. The parent must pay .40/lunch and .30/breakfast (schools may charge less than these amounts, but may not charge more and only the set amount is reimbursable).

(13) “Reimbursable Meal” means a meal which meets the USDA requirements and may be claimed for payment from USDA.

D. Model Policy Components

(1) Before school begins, parents shall receive information from the student’s resident school:
• about school meals;
• the prices for the meals;
• what students will receive if their meal accounts are delinquent; and
• the policy for unpaid accounts.

(2) Schools will send reminders of the policy throughout the school year. Schools may send letters home, newsletter reminders, announcements, phone calls and other means of communication to contact parents/guardians.

(3) The school shall provide applications for free/reduced price meals to parents. The school shall also provide the school’s meal prices. Accompanying the information about the prices of school meals, parents will receive an application for free and reduced-price meals. The application is available in a variety of languages at: http://www.fns.usda.gov/school-meals/family-friendly-application-translations. The school will provide paper applications for parents who do not have access to on-line forms.

(4) If the student’s family receives benefits from the Special Nutrition Assistance Program (SNAP), the Family Employment Program (FEP) or the Food Distribution Program on Indian Reservations (FDPIR), the household qualifies for meals at no charge, once the school receives notice of student’s or family’s eligibility, and does not have to complete or submit a free/reduced-price form. Schools will send the household an e-mail/letter informing parents of the student’s eligibility for free meals. If a parent qualifies under one of these programs and has not received such a letter before school starts, the parent should contact the school food service.

Payments and School Verification

(1) The school must verify at some point in each student’s meal service, that the meal is reimbursable or non-reimbursable.

(2) The school will credit meal payments from parents to the student’s account before the meal period. This assures all funds are accurately applied to meal accounts in advance of students selecting school meals. Schools will apply payments to the purchase of the current day’s meal first, and the payment of past-due accounts second.

(3) If a family qualifies for free meals, no payments are due.

(4) If a family qualifies for reduced price meals, the school will charge no more than $.40 for lunch or $.30 for breakfast. The LEA sets the price for reduced-price meals.

Payment options include:

1. Parents may use an automated payment system, if available, to make payments for student’s meals. Parents may make on-line payments, using debit or credit cards for one or all of their children, allocating the funds to each child’s account. The school may add additional fees for the use of a credit card and will notify parents of added fees.

Schools may provide payment incentives for parents who pay in advance for meals. For example, meal prices may be reduced for those who pay for a year, semester or month of meals in advance. A school will provide notice of prices of these options to parents.
2. Parents may make payments to the school by mail or hand delivery. Payments should clearly note the account to which the funds should be credited (student’s name and amount, if several students attend the school). The school accepts checks, money orders and cash. (Parents should note the school policy for checks returned to the school for insufficient funds.)

Identification of Delinquent Accounts

(1) Schools will identify family or student accounts that do not have adequate balances to pay for student meals. Schools will identify these accounts weekly and notify parents regularly. The school will contact parents, as parents have directed, on the automated meal payment system, or by phone, text or e-mail, to allow parents to indicate how they wish to make payments. Schools may ask students to take notifications addressed to the parent home with them; however, the school may not tell students to “remind” their parents to send money to the school. It is the parent’s responsibility to pay the student’s account. Asking students to remind parents is inappropriate.

(2) The student will be contacted in advance of the meal service, if the school does not have payment from the parents, to tell the student what action the school will take. The school will take such actions as discretely and sensitively as possible so as not to embarrass the student.

The school may allow any of the following options for meals if a student’s meal account is inadequate:

1. Student may bring a sack meal from home.

2. Schools will continue to provide full meals to elementary students and notify parents that the school will use collection efforts to pay for meals. Schools shall maintain documentation of parent notice.

3. School staff will inform students in secondary school (grades 7 – 12) that students cannot choose a school meal because the account is delinquent.

4. Schools may continue to provide full meals to all students and use appropriate school funding to pay for meals not covered by parents.

5. Schools may notify parents that the school will offer elementary students an “alternate meal” at last 24 hours before the school gives the student an alternate meal. The school shall maintain documentation of parent notice.

(3) LEAs may choose to use any or none of these when writing policies. Options for serving students with delinquent accounts should include confidentiality and sensitivity towards students and adequate meals for all students.

(4) The school is not required to provide a meal at no cost if the student does not qualify for a free meal. Because federal funds may not be used for the expenses of these meals, the school must use state or other funds to cover the cost of the meals. The school will provide notice to parents at designated times during the school year of the school’s policy for providing meals to students when accounts are delinquent. If a student’s account is delinquent, the school may offer the student an alternate meal. The LEA will comply with all applicable state and federal laws.
Debt Collection

(1) Schools will notify parents of students with delinquent balances in their school lunch accounts and how the parents will be notified of inadequate funds by such methods as:

1. the automated school lunch payment system;
2. email or phone text to the parent;
3. written notice sent to the parent by mail or carried home by the student in a sealed envelope;
4. telephone conversation with the parent.

(2) If parents have been notified, no payment is received, and the amount owed exceeds $50.00, the account may be turned over to a collection agency (no federal funds may be used for the collection of funds). Schools will notify parents at least twice annually concerning their procedures for the collection of past-due fees.

(3) The school may complete an application for free/reduced-price meals on behalf of the parents, if school personnel have knowledge of the parent’s financial circumstances and parents give permission. The school will notify parents that an application has been completed on their behalf (“Eligibility Manual for School Meals,” August, 2013, pg. 36).

(4) If a student repeatedly has no money in the student’s school lunch account and no meals for the student are provided from home, school officials will consider the circumstances in the home (e.g., potential abuse or neglect, homelessness, etc.) and may contact the district’s social worker and/or Child Protective Services.

(5) Schools may set aside or raise funds which may be used for payment of past-due accounts. Parent organizations may hold fundraisers and individuals may donate funds to be used for such accounts. Schools will determine and notify all parents of the school’s standards for paying for students’ lunches with school discretionary funds.
Morgan School District Closed Enrollment Policy 2017

A resident student is one in which:

A. The custodial parent or the legal (court established) guardian lives in Morgan County.
B. The student is under the custody or supervision of a Utah State Agency or a private or public agency that is authorized to provide child placement services in Utah.
C. The student is married and currently residing within Morgan County.
D. The student is considered to be emancipated by a court of law or by a state administrative agency authorized to make that determination.

All resident students are entitled to the opportunity to attend school in the Morgan County School District.

A nonresident student is one who does not fit the definition of a resident student. A nonresident student whose parents or guardians are residents of the State of Utah may be admitted under the provisions of these rules and regulations when a school has not been “closed” by the school board upon submission of a formal application to the building administrator.

A student who changes status from a resident to a nonresident during a school year must submit an application within ten school days of the date in which their residency changes. A student who changes status from a resident to a nonresident during the summer must submit an application within two weeks of the first day of the new school year.

Nonresident students whose parents reside within the State of Utah will not be required to pay tuition. A nonresident student whose parents or guardians are not residents of the State of Utah may be admitted to a school with “open” enrollment upon the payment of tuition equal to the previous year’s per-capita cost of the school program in which the student enrolls. A nonresident student who is considered a foreign exchange student sponsored by an agency approved by the state may be admitted to a school without the payment of tuition.

A maximum of three (6) foreign exchange students will be permitted during any given school year.

Unless a school is “closed,” it is required to take any nonresident student who is considered to be a resident of Utah with the following exceptions:
A. The school or district does not currently offer a program required by that student.
B. The student is unwilling to comply with building and/or district policies.
C. The student is currently under an expulsion from another school district.
D. The student has committed serious infractions of the law or school rules or has been guilty of chronic misbehavior that, if continued, would endanger persons, or property, cause serious disruptions in the school, or place unreasonable burdens on the school staff.

**Enrollment process of nonresident students**

Nonresident students will not be admitted to schools that have been formally “closed” unless they are a student in continuous enrollment within the district and in good standing with the school district having made application for continued enrollment. Nonresident students will be admitted to schools that are open as follows:

A. Information regarding the school or district as well as the procedures for admission will be available in each building and the district office.
B. Application forms will be available in each building and the district office.
C. Applications shall be made during the month of January by those seeking admission for the following year. The school may accept applications after January, but reserves the right to reject any or all applications following that deadline.
D. Students who change their status from resident to non-resident must submit a non-resident application.
E. Written notification to the student’s parent or legal guardian of acceptance or rejection of an application within six weeks after receipt of the application by the district or by March 1.

An enrolled nonresident student shall be permitted to remain enrolled in the Morgan County School District subject to the same rules and standards as a resident student without renewed applications in subsequent years unless one of the following occurs:

A. The student graduates
B. The student is no longer a Utah resident
C. The student is suspended or expelled from school
D. A student who is not considered to be in good standing (#3) moves from a school that is considered “opened” into a school that is considered to be “closed” by the school board.
E. A student reaches the legal mandatory age for enrollment in public schools.

The Board may take formal action to close a school to the enrollment of nonresident students when the enrollment of that school exceeds 90 percent of the capacity for the permanent
structure of that particular facility. (Modular or portable classrooms are not considered to be part of the permanent structure of the facility.

Formal action to close a facility for nonresident students shall come on/or before January 15 of the year proceeding the closure although the Board reserves the right to formally close a facility up to the week before school begins in cases where enrollment has grown since January.

Appeal Process Denial of initial or continuing enrollment in a nonresident school may be appealed to the Board of Education of the nonresident district.

Morgan School District Complaint Process

The Morgan School District encourages discussion and resolution of concerns and complaints through conferences with the appropriate teacher, principal, or other employee. Concerns should be expressed as soon as possible to allow early resolution. All parties are encouraged to resolve issues. A complainant may withdraw a complaint at any time. It is important to follow levels to safeguard rights of due process.

Complaints involving allegations of criminal activity should be reported to law enforcement and school administration and would begin the complaint process at level two.

→ Level One – Teacher, Counselor, Coach, Advisor, Other

If an informal conference regarding a complaint fails to reach a satisfactory outcome, the complainant may reengage the process by filing a written complaint form at the next level.

→ Level Two - Principal

The principal will initiate an investigation of the information/evidence and gather additional information/evidence if necessary and make a determination. If a formal written complaint fails to reach a satisfactory outcome, the complainant may appeal by filing a written complaint at the next level.

→ Level Three - Superintendent

The superintendent will consider all information/evidence and either uphold the principal’s decision or make another determination. If a formal written complaint fails to reach a satisfactory outcome at this level, the complainant may appeal the decision of the Superintendent to the Morgan Board of Education by filing a written complaint.

→ Final Level - Board of Education

The School Board will review the Superintendent’s decision and all information/evidence. A hearing may be held. The Board will uphold the superintendent’s decision or make another determination. All decisions of the Board of Education are final.
COMPLAINT FORM
LEVEL TWO - PRINCIPAL

This form should be filled out completely within 15 days of the date of the decision or result giving rise to the complaint or grievance and giving it to the principal.

Student’s Name___________________________ Grade _________ School _____________

Parent’s Name_________________________________ Phone _____________________

Issue ______________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
Date of Incident _________________ Location of Incident ___________________________

Was a conference held with the teacher, coach, advisor, other?

☐ Yes (Date) _________________
☐ No (please state reason) ___________________________________________

Date of Conference __________________________

Names of those attending the conference ________________________________________
___________________________________________________________________________

Please write a brief description of the incident

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

What remedy do you seek?

___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________
___________________________________________________________________________

______________________________  ____________________________ _________
Printed Name     Signature    Date
This form should be filled out completely when appealing a Level Two decision to the Superintendent.

Student's Name _________________________ Grade _____ Campus __________________

Parent's Name _________________________________________ Phone ________________

To whom did you present this complaint? _________________________________________

Please write a brief description of the incident and the results that have led to this appeal
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

Did you meet with the principal?

☐ Yes
☐ No

What remedy do you seek to this complaint?
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

______________________________  ____________________________ _________
Printed Name     Signature    Date
APPEAL FORM
BOARD OF EDUCATION
This form must be filled out completely when appealing a Level Three decision to the Board,

Student’s Name _________________________ Grade ______ Campus __________________

Parent’s Name _________________________________________ Phone __________________

To whom did you present this complaint? _________________________________________

Please write a brief description of the incident and the results that have led to this appeal
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

Did you meet with the Superintendent?

☐ Yes
☐ No

What remedy do you seek to this complaint?
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________
____________________________________________________________________________

______________________________  ____________________________ _________
Printed Name     Signature    Date
District electronic communications devices (DECD) are to be used only for district business. An employee who is issued or provided a DECD by the district remains at all times responsible for that device. The employee will be held responsible for use or misuse of the device by the employee or by anyone else. Consequences for misuse may include adverse employment action up to and including termination from employment.

Personal use of these devices is prohibited except in emergency situations or with preapproval from the superintendent or school principal or designee. In the event personal calls are made or received on a district electronic communication device, including emergency calls, the employee must reimburse the district for all costs incurred. The employee must also reimburse the district for the purchase price of the device if not returned when requested. Devices are to be used in a safe manner. Employees should not use them while operating district or non-district motor vehicles except to the extent permitted by governing motor vehicle or other laws. Devices should be used judiciously.

District electronic communication devices are valuable and should be handled with care. Loss, theft, or damage to a DECD must be reported immediately to the user’s supervisor. If loss, theft, or damage occurs as a result of employee negligence, the employee to whom the device is assigned will be responsible for reimbursing the district for repair or replacement costs.

Devices are to be used in an ethical and responsible manner. No employee is to use a DECD for the purpose of illegal transactions, harassment, obscene or offensive behavior, to access or create pornographic or inappropriate material, for unauthorized access to an electronic network or files or other violations of district policies or federal, state, or local laws regardless of whether the device is located on district property when the misuse occurs or is located elsewhere.

Employees have no expectation of privacy in using DECDs. Such devices and all information contained on them may be inspected or searched at any time, either directly or remotely. Employees may not act to conceal the use of the device nor install software to accomplish concealment. Employees should also be aware that a personal electronic communication device which is used to conduct district business may become subject to public records requests or other legally required disclosure.

If an employee misuses a DECD or leaves district employment, the employee may be responsible for fees or charges associated with cancellation of the service contract. If the superintendent or designee determines that the employee no longer needs a district electronic communication device to perform the employee’s job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of the district.

I, ________________________________, have read and understand the Morgan Acceptable Use of Electronic Communication Devices for District Business policy and agree to adhere to the provisions outlined therein.

Employee Signature ________________________________ Date ________________
District electronic communications devices (DECD) are to be used only for district business. An employee who is issued or provided a DECD by the district remains at all times responsible for that device. The employee will be held responsible for use or misuse of the device by the employee or by anyone else. Consequences for misuse may include adverse employment action up to and including termination from employment.

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Employee Signature ________________________________  Date __________________
Morgan School District

Firearms

Control of Dangerous Materials and Firearms on District Property

No district employee, no student, nor any other person, shall possess a firearm, weapon, explosive, flammable material, or other material dangerous to persons or property on or about school premises or other district buildings or property with the exception of:

1. Law enforcement officers.

2. Dangerous materials used for authorized purposes in connection with a lawful activity or when the item or material is present or to be used in connection with a lawful, approved activity and is in the possession or under the control of the person responsible for its possession or use (e.g. chemicals in a chemistry class, knives in a family and consumer science class).


   a. General Public Concealed Weapons Permit Holders

      Morgan School District does not accept liability or responsibility for any person’s decision to carry, use, or threaten the use of a weapon. Any and all demands, liabilities, claims, damages, actions, or proceedings in law or equity, including attorney’s fees and costs of suit, relating to or arising out of a person’s decision to carry, use or threaten the use of a weapon will be the sole responsibility of that person without any recourse to or liability protection from or through the District.

   b. District Employee Concealed Weapons Permit Holders

      An employee’s decision to carry, use, or threaten the use of a weapon is outside the scope of the employee’s employment. Using school property to cover, hide, or secret a weapon is prohibited.

      Any and all demands, liabilities, claims, damages, actions, or proceedings in law or equity, including attorney’s fees and costs of suit relating to or arising out of an employee’s decision to use, or threaten the use of a weapon will be the sole responsibility of the employee without any recourse to liability or employment protection.
Morgan School District
High School Graduation Requirements

A high school education creates a great foundation for a successful future. Students will leave the Morgan School District prepared for college, career, and life in the 21st Century world. State law and the Utah State Board of Education have established high school completion requirements and guidelines. With this policy, the Morgan Board of Education establishes specific standards and requirements for graduation from the Morgan School District.

Graduation Requirements
The requirements for a Morgan High School Diploma are established by the Utah State Board of Education as enumerated in R277-700. There are additional requirements for students wanting to qualify for NCAA Status and the Regent’s Scholarship.

Required Credits
Students attending Morgan High School on a trimester schedule are required to earn 30 credits. In order to participate in the graduation ceremony at Morgan High School, a student must have earned the required number of credits and be enrolled for at least 1 trimester during the student’s senior year. Parents of students who will not have the required number of credits to graduate will receive verified notification from the school counselor by January 30th and again by May 1st.

Earning Credit
School counselors shall make information regarding approved options for earning credit toward high school graduation readily available to students and parents. Grades earned in all credit-bearing courses will factor into a student’s cumulative grade point average. Students in grades 9-12 may earn credit towards graduation by any of the following methods:

1. Successful completion of credit-bearing courses (in-person or online) offered by Morgan High School or institutions accredited by AdvanceEd or approved by the State Board of Education or Morgan School District.

   a. Students seeking credit for work done in non-accredited settings (e.g. home school, non-accredited private schools, etc.) must be referred to the District Curriculum Committee for evaluation of the work. The Committee is authorized to review and award credit based on the alignment of the syllabus or course outline with State and District standards, rigor of the course, and the course requirements. Credit awarded by the committee shall be reflected on the student’s transcript.
A student must have finished a course before the awarding of credit can be considered.

**Process:**

1. A parent/student makes an appointment with the school counselor and requests that credit be considered.
2. The counselor asks the parent to provide the following information:
   a. Amount of credit sought
   b. Source of the curriculum
   c. Course requirements
   d. Examples of student work (tests, projects, etc.)
   e. Evidence of student mastery (tests, projects, etc.)
   f. Number of hours student spent with an instructor or with electronic tutorials.
   g. Number of hours of individual student work.
   h. Any other information that would help determine credit.
3. The counselor reviews the information/evidence. If sufficient, the counselor forwards the information/evidence, along with a recommendation, to the school principal for consideration.
4. The principal reviews the information/evidence and if sufficient, forwards the information/evidence, along with a recommendation, to the superintendent for consideration.
5. The superintendent reviews and if sufficient, forwards the information, along with a recommendation to the Morgan District Curriculum Committee for consideration.
6. The committee meets, considers the information/evidence along with the recommendations of the counselor, principal, superintendent and makes a determination.
7. The superintendent notifies the parent of the decision of the committee.
8. Committee decisions are final.

2. Successful completion of concurrent enrollment classes.
3. Passing scores on district developed and administered competency assessments.
   a. Pass/fail grades and letter grades may be issued for competency assessments.
      i. School counselors in consultation with the head of the school department in a given area and school administrator will determine pass/fail or letter grade based upon the student’s performance on the assessment in conjunction with the schools grading policy.
4. Credit will issued for competency test scores higher than 60%.
5. High scores on the ACT or SAT can accelerate course work.
a. Students who earn high scores on the ACT or SAT may be placed in upper level classes approved by the principal, counselor, teacher in the area of a high score, in consultation with the parent/guardian and student.
b. Upper level course credit may be used to satisfy graduation requirements.

Credit Recovery
Credit recovery programs are offered outside of the regular school program to provide students with an option for recovering credit for a previously failed course. Credit is awarded upon successful course completion or demonstration of competency through a district approved assessment.

Students with Disabilities
The IEPs of students with disabilities may contain and document modifications, substitutions, and/or exemptions to meet the needs of the students. Such modifications, substitutions, and/or exemptions shall conform to State Special Education Rules. A Morgan School District education ends for a student with an Individualized Education Plan once all required credits have been earned. Students with an I.E.P. may remain until age 22 to earn the required number of credits to graduate.

Adult Education
Students who are 18 years of age and whose class of membership has matriculated may enroll in the Morgan School District Adult Education Program to complete requirements for a high school diploma or GED.

Parents of students who are 16 years old and are at least one year behind their peers in earned credit may transfer and enroll in the district adult education program. Transfers must be approved by the principal and superintendent in consultation with a school counselor, student, and parent/guardian.
Morgan School District  
Identification of Students at Risk

To maximize student success and retention, the Morgan School District identifies students who may be at risk of failure through observation. The following checklist of "early warning signs" assists administrators, teachers, counselors, and other school personnel in the identification of students who may be in need of intervention. The greater the number of items observed, the greater the potential for risk.

Children and adolescents at-risk may:

- demonstrate poor academic performance
- have excessive attendance issues
- express self-destructive behaviors
- face financial stress
- appear withdrawn
- engage in bullying
- experience sleep and eating disturbances
- evidence significant changes in behavior
- have experienced trauma/tragedy/loss
- engage in substance abuse
- have been/are victims of abuse
- become involved with gangs
- evidence frequent disciplinary problems

School personnel should document and report any risk factors to the parent of the student and to a school counselor. Violations of school rules or escalated, destructive behaviors should be reported to school administrators.

Resources for students at risk are available through the office of the school counselor and the office of special education.
Morgan School District Non-Discrimination Notice


The District designates the following person to coordinate its efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973:

Name: Douglas D. Jacobs Position: Superintendent
Office Address: 240 E. Young Street, Morgan, UT 84050
Office E-mail djacobs@morgansd.org Telephone: 801-829-3411

If any employee of the District knows of or has reason to believe that another employee is being harassed at the workplace by others on the grounds of race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity, then the employee must promptly report such harassment to the immediate supervisor. The report shall be made confidentially and the Board shall maintain the confidence of any report of such harassment.
Morgan School District Notice of Rights and Procedural Protections Section 504

Section 504 is a part of the Rehabilitation Act of 1973 that prohibits discrimination based upon disability. Section 504 is an anti-discrimination, civil rights statute that requires the needs of students with disabilities to be met as adequately as the needs of the non-disabled are met. To be covered under Section 504, a student must be “qualified” (which roughly equates to being between 3 and 22 years of age, depending on the program, as well as state and federal law, and must have a disability) [34 C.F.R. §104.3(k)(2)].

Definitions:

An individual with a disability means: any person who: (i) has a mental or physical impairment that substantially limits one or more major life activity; (ii) has a record of such an impairment; or (iii) is regarded as having such an impairment” [34 C.F.R. §104.3(j)(1)].

An impairment as used in Section 504 may include any disability, long-term illness, or various disorder that “substantially” reduces or lessens a student’s ability to access learning in the educational setting because of a learning-, behavior- or health-related

Major life activities: Major life activities include, but are not limited to: self-care, manual tasks, walking, seeing, speaking, sitting, thinking, learning, breathing, concentrating, interacting with others and working, reading, concentrating, standing, lifting, bending, etc. This may include individuals with AD/HD, dyslexia, cancer, diabetes, severe allergies, chronic asthma, Tourette’s syndrome, digestive disorders, cardiovascular disorders, depression, conduct disorder, oppositional defiant disorder, HIV/AIDS, behavior disorders and temporary disabilities (e.g., broken writing arm, broken leg, etc.).

Placement

According to the federal regulations: “…placement decisions are to be made by a group of persons who are knowledgeable about the child, the meaning of the evaluation data, placement options, least restrictive environment requirements, and comparable facilities” [34 C.F.R. §104.35(c)(3)]. A Section 504 eligible child will always be in the regular classroom unless (according to federal regulations): “… the student with a disability is so disruptive in a regular classroom that the education of other students is significantly impaired, then the needs of the student with a disability cannot be met in that environment. Therefore, regular placement would not be appropriate to his or her needs and would not be required by §104.34” (34 C.F.R. §104.34, Appendix A, #24).

Morgan School District Compliance Officer

Dr. Douglas D. Jacobs, Superintendent
240 E. Young Street P.O. Box 530
Morgan, UT 84050
801 829-3411
djacobs@morgansd.org
Parental Rights under Section 504:

Parent or legal guardian has the right to:

1. Receive notice regarding the identification, evaluation and/or placement of your child;
2. Examine relevant records pertaining to the child;
3. Request an impartial hearing with respect to the district’s actions regarding the identification evaluation, or placement of the child, with an opportunity for the parent/guardian to participate in the hearing, to have representation by an attorney, and have a review procedure;
4. File a complaint with the school District Section 504 Coordinator, who will investigate the allegations regarding Section 504 matters other than the child’s identification, evaluation and placement.
5. File a complaint with the appropriate regional Office for Civil Rights. For additional information, contact: U.S. Department of Education, Washington, D.C. 20202-1100 (800) 421-3481 www.ed.gov/ocr E-mail: ocr@ed.gov

Parents must always be given notice before their child is evaluated and/or placed under Section 504 (34 C.F.R. §104.36). Parents must also be given a copy of their child’s Section 504 accommodation plan if the committee determines that the child is eligible under Section 504. If a parent requests a referral for evaluation, and the school district refuses, the school district must provide the parent with notice of their procedural rights under Section 504. Parents have the right to be notified by the district prior to any action that would identify the child as having a disability, evaluate the child for services under Section 504 or place the child in a program based on a disability.

Evaluation Process

Under Section 504, no formalized testing is required. The 504 Committee should look at grades over the past several years, teacher’s reports, information from parents or other agencies, state assessment scores or other school administered tests, observations, discipline reports, attendance records, health records and adaptive behavior information. Schools must consider a variety of sources. A single source of information (such as a doctor’s report) cannot be the only information considered. Schools must be able to assure that all information submitted is documented and considered.

Under Section 504, schools are not required to pay for an outside independent evaluation. If a parent disagrees with the school’s evaluation decision, they may request a due process hearing or file a complaint with the Office for Civil Rights.

While there are no specific time lines on this issue, students must be re-evaluated at least every three years or whenever there is going to be a “significant change in placement.” The accommodation plan may be revised at any time during the school year if needed.
Types of Accommodations

Each child’s needs are determined individually. Determination of what is appropriate for each child is based on the nature of the disabling condition and what that child needs in order to have an equal opportunity to compete when compared to the non-disabled. There is no guarantee of A’s or B’s or even that the student will not fail. Students are still expected to produce. The ultimate goal of education for all students, with or without disabilities, is to give students the knowledge and compensating skills they will need to be able to function in life after graduation.

Accommodations that may be used, but are not limited to, include:

- Highlighted textbooks
- Extended time on tests or assignments
- Peer assistance with note taking
- Frequent feedback
- Extra set of textbooks for home use
- Computer aided instruction
- Enlarged print
- Positive reinforcements
- Behavior intervention plans
- Rearranging class schedules
- Visual aids
- Preferred seating assignments
- Taping lectures
- Oral tests
- Individual contracts

Discipline

Children under Section 504 are still expected to follow the district’s student code of conduct. However, when disciplining a child under Section 504, schools must consider the relationship between the disability and the misbehavior if the child is going to be removed from the regular setting for longer than 10 days. This does not mean that a student with a disability cannot be sent to a discipline center or that they cannot go to in-school suspension, or be suspended from school.
A parent has primary responsibility for the education of his/her child; the state is in a secondary and supportive role to parents.

1. A parent has the right to reasonable academic accommodations from the Morgan School District as provided below.

2. The Morgan School District will make a determination of what is reasonable based on the factors provided in Utah Code Ann. 53A-15-1501(2)(a) and (b), as outlined below.

3. “Reasonably accommodate” means:
   a. A Morgan School shall make its best effort to enable parents to exercise their rights without substantial impact to staff and resources. Impact to staff and resources includes, but is not limited to:
      i. employee working conditions,
      ii. safety and supervision on school premises and for school activities, and
      iii. the efficient allocation of expenditures.
   b. B. In accommodating a parent request, a Morgan School will balance the following:
      i. the rights of parents;
      ii. the educational needs of other students;
      iii. the academic and behavioral impacts to a classroom;
      iv. a teacher’s workload; and
      v. the assurance of the safe and efficient operation of a school.

4. A Morgan School will consider each accommodation on an individual basis.

5. A Morgan School will consider all students equally in granting accommodations; however, students with IEPs, in accordance with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA), 20 U.S.C., 1400, or Section 504 accommodation plans, in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, whose parents have requested accommodations, consistent with the students’ plans, will receive appropriate accommodations.

6. Parents’ Rights:
   a. A Morgan School will make its best efforts to allow parents to exercise the rights below but may deny a request for accommodations that:
      i. substantially impacts staff and resources, or
      ii. infringes on the educational needs of other students, the academic and behavioral impacts to a classroom, a teacher’s workload, and the assurance of the safe and efficient operation of a school. In addition, changes to services and placement must be made in accordance with the IEP process for students with disabilities under IDEA.
7. Parents have the right to have reasonable accommodations for their students by any Morgan School as specified below:
   a. Pursuant to a written request, to have a student retained based on the student’s academic ability or the student’s social, emotional, or physical maturity;
   b. Pursuant to a written request, to excuse a student from attendance for a family event or visit a health care provider without requiring a note from the provider;
      i. Any Morgan School may require a student to complete make-up work missed due to an absence excused for a family event.
      ii. Any Morgan School may offer positive incentives for students to attend school.
      iii. Pursuant to a written request, to place a student in a specialized class or advance course, based on multiple academic points;
      iv. To initially select a teacher;
      v. To request a change of teacher;
      vi. To visit and observe any class the student attends;
      vii. To meet with a teacher at a mutually agreeable time, other than regular parent/teacher conferences.
   c. Any Morgan School will:
      i. allow a student to earn course credit towards graduation without the course by testing out of the course, or demonstrating competency in course standards.
      ii. pursuant to a written request, excuse a student from taking a state test.
   d. The parental rights above do not include all rights that may be available to parents.

8. Notice to Parents and Students
   a. This policy serves as notice to parents of their rights under Utah Code §53A-15-1502.
   b. Any Morgan School will distribute the school’s Conduct and Discipline Policy to students (including to students enrolled for the first time).
   c. Parents will be notified and provided with an opportunity to acknowledge receipt of any Morgan School’s discipline and conduct policy. [LEA’s should review its discipline and conduct policy to ensure the policy includes a place for parent’s signature acknowledging receipt of the discipline/conduct policy.]
   d. Morgan Schools will notify a parent of a student’s violation of the discipline and conduct policy, and allow a parent to respond to the notice in accordance with Chapter 11, Part 9, School Discipline and Conduct Plans.

Utah State Office of Education School Law Section Model Policy as Directed by the State Superintendent of Public Instruction Revised October 23, 2014
Process for Applying for a SEVIS I20 thru the Morgan School District

Required Information needed for the Morgan School District to begin the SEVIS I20 Application Process:

1. Full student name (family name, first name)
2. Country of Birth
3. Date of Birth
4. Country of citizenship
5. Gender
6. Foreign Address
7. US Address
8. Email address
9. Living expenses (usually $3500)
10. Passport number
11. Visa number
12. Visa issue date
13. Visa expiration date

Please send the information to Superintendent Doug Jacobs at djacobs@morgansd.org.

Morgan School District Tuition for a school year is $6000. Tuition must be paid in full to the school district before the I20 can be obtained. The Morgan School District does not accept J-1 students.

Student and Exchange Visitor Information System
Help Desk: 10800 892 4829
ICE/SEVIS: http://www.ice.gov/sevis/
Study in the States (SITS): http://studyinthestates.dhs.gov/
$200 SEVIS application fee

SEVIS Western Region Field Representative:
Mary Shepherd Weir
Field Representative, Western Region
Field Representative Unit (FRU)
Student Exchange Visitor Program (SEVP)
HSI/ICE/DHS
Cell: (202) 276-7938
E-mail: mary.shepherd@ice.dhs.gov
Morgan School District Public Comment Policy

The Morgan School District Board of Education provides an opportunity for patrons to give brief input at each board meeting during the Public Comment portion of the meeting.

Patrons who would like to address the Board must call 801-829-3411 or sign up at the district office by 2:00 p.m. the day of the meeting and speak to the Superintendent about the topic, time needed, and number of participants. The Board President may, at his discretion, invite non-scheduled patrons to address the Board.

Due to the privacy rights of the employees in the district including teachers, coaches, and advisors, the members of the Board of Education will not hear or discuss in public any issue regarding specific employee appointments, employment, or performance. Questions, complaints, or charges against any employee should follow the Morgan District Complaint Procedure.
Morgan School District
High School Graduation Requirements

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1. Successful completion of credit-bearing courses (in-person or online) offered by Morgan High School or institutions accredited by AdvanceEd or approved by the State Board of Education or Morgan School District.

   a. Students seeking credit for work done in non-accredited settings (e.g. home school, non-accredited private schools, etc.) must be referred to the District Curriculum Committee for evaluation of the work. The Committee is authorized to review and award credit based on the alignment of the syllabus or course outline with State and District standards, rigor of the course, and the course requirements. Credit awarded by the committee shall be reflected on the student’s transcript.

   b. A student must have finished a course before the awarding of credit can be considered.
Process:

i. A parent/student makes an appointment with the school counselor and requests that credit be considered.
   1. The counselor asks the parent to provide the following information:
   2. Amount of credit sought
   3. Source of the curriculum
   4. Course requirements
   5. Examples of student work (tests, projects, etc.)
   6. Evidence of student mastery (tests, projects, etc.)
   7. Number of hours student spent with an instructor or with electronic tutorials.
   8. Number of hours of individual student work.
   9. Any other information that would help determine credit.

c. The counselor reviews the information/evidence. If sufficient, the counselor forwards the information/evidence, along with a recommendation, to the school principal for consideration.

d. The principal reviews the information/evidence and if sufficient, forwards the information/evidence, along with a recommendation, to the superintendent for consideration.

e. The superintendent reviews and if sufficient, forwards the information, along with a recommendation to the Morgan District Curriculum Committee for consideration.

f. The committee meets, considers the information/evidence along with the recommendations of the counselor, principal, superintendent and makes a determination.

g. The superintendent notifies the parent of the decision of the committee. Committee decisions are final.

2. Successful completion of concurrent enrollment classes.

3. Passing scores on district developed and administered competency assessments.
   a. Pass/fail grades and letter grades may be issued for competency assessments.
      i. School counselors in consultation with the head of the school department in a given area and school administrator will determine pass/fail or letter grade based upon the student’s performance on the assessment in conjunction with the schools grading policy.

4. Credit will issued for competency test scores higher than 60%.

5. High scores on the ACT or SAT can accelerate course work.
a. Students who earn high scores on the ACT or SAT may be placed in upper level classes approved by the principal, counselor, teacher in the area of a high score, in consultation with the parent/guardian and student.

b. Upper level course credit may be used to satisfy graduation requirements.

Credit Recovery
Credit recovery programs are offered outside of the regular school program to provide students with an option for recovering credit for a previously failed course. Credit is awarded upon successful course completion or demonstration of competency through a district approved assessment.

Students with Disabilities
The IEPs of students with disabilities may contain and document modifications, substitutions, and/or exemptions to meet the needs of the students. Such modifications, substitutions, and/or exemptions shall conform to State Special Education Rules. A Morgan School District education ends for a student with an Individualized Education Plan once all required credits have been earned. Students with an I.E.P. may remain until age 22 to earn the required number of credits to graduate.

Adult Education
Students who are 18 years of age and whose class of membership has matriculated may enroll in the Morgan School District Adult Education Program to complete requirements for a high school diploma or GED.

Parents of students who are 16 years old and are at least one year behind their peers in earned credit may transfer and enroll in the district adult education program. Transfers must be approved by the principal and superintendent in consultation with a school counselor, student, and parent/guardian.
Morgan School District
Services for Homeless Students

Definitions—
1. "Domicile" means the place which a person considers to be the permanent home, even though temporarily residing elsewhere.

2. "Emancipated minor" means:
   a. a child under the age of 18 who has become emancipated through marriage or by order of a court consistent with Utah Code § 78A-6-801 et seq.; or
   b. a child recommended for school enrollment as an emancipated or independent or homeless child/youth by an authorized representative of the Utah State Department of Social Services.

3. "Enrolled" for purposes of this rule means a student has the opportunity to attend classes and participate fully in school and extracurricular activities based on academic and citizenship requirements of all students.

4. "Homeless child/youth" means a child who:
   a. lacks a fixed, regular, and adequate nighttime residence;
   b. has primary nighttime residence in a homeless shelter, welfare hotel, motel, congregate shelter, domestic violence shelter, car, abandoned building, bus or train station, trailer park, or camping ground;
   c. sleeps in a public or private place not ordinarily used as a regular sleeping accommodation for human beings;
   d. is, due to loss of housing or economic hardship, or a similar reason, living with relatives or friends usually on a temporary or emergency basis due to lack of housing; or
   e. is a runaway, a child or youth denied housing by his family, or school-age unwed mother living in a home for unwed mothers, who has no other housing available.

5. "Parent" means a parent or guardian having legal custody of a minor child.

6. "School district of residence for a homeless child/youth" means the school district in which the student or the student's legal guardian or both currently resides or the charter school that the student is attending for the period that the student or student’s family satisfies the homeless criteria.

Utah Admin. Rules R277-616-1 (May 18, 2012)

Criteria for Determining Where a Homeless or Emancipated Student Shall Attend School—
Under the McKinney-Vento Homeless Assistance Act of 1987, Title VII, Subtitle B, as amended, 42 U.S.C. §§ 11431 through 11435, homeless students are entitled to immediate enrollment and 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.

A homeless student shall:

1. be immediately enrolled even if the student does not have documentation required under Utah Code sections 53A-11-201, 301, 302, 302.5 and Utah Code section 53A-2-201 through 213;

2. be allowed to continue to attend his school of origin, to the extent feasible, unless it is against the parent/guardian's wishes; be permitted to remain in the student's school of origin for the duration of the homelessness and until the end of any academic year in which the student moves into permanent housing; or

3. transfer to the school district of residence or charter school if space is available as defined under Utah Admin. Rules R277-616-11.

Determination of residence or domicile may include consideration of the following criteria:

4. the place, however temporary, where the child actually sleeps;

5. the place where an emancipated minor or an unaccompanied child/youth or accompanied child's/youth's family keeps its belongings;

6. the place which an emancipated minor or an unaccompanied child/youth or accompanied child's/youth's parent considers to be home; or

7. such recommendations concerning a child's domicile as made by the State Department of Human Services.

Determination of residence or domicile may not be based upon:

8. rent or lease receipts for an apartment or home;

9. the existence or absence of a permanent address; or

10. a required length of residence in a given location.

If there is a dispute as to residence or the status of an emancipated minor or an unaccompanied child/youth, the issue may be referred to the USOE for resolution.

The purpose of federal homeless education legislation is to ensure that a child's education is not needlessly disrupted because of homelessness. If a child's residence or eligibility is in question, the child shall be admitted to school until the issue is resolved.

_Utah Admin. Rules R277-616-3 (May 18, 2012)_

**Transfer of Guardianship**

If guardianship of a minor child is awarded to a resident of a school district by action of a court or through appointment by a school district under Utah Code § 53A-2-202, the child becomes a resident of the school district in which the guardian resides.

If a child's residence has been established by transfer of legal guardianship, no tuition may be charged by the new school district of residence.

_Utah Admin. Rules R277-616-4 (May 18, 2012)_
R396-100-1. Purpose and Authority.

(1) This rule implements the immunization requirements of Title 53A, Chapter 11, Part 3. It establishes minimum immunization requirements for attendance at a public, private, or parochial kindergarten, elementary, or secondary school through grade 12, nursery school, licensed day care center, child care facility, family home care, or Head Start program in this state. It establishes:
(a) required doses and frequency of vaccine administration;
(b) reporting of statistical data; and
(c) time periods for conditional enrollment.
(2) This rule is required by Section 53A-11-303 and authorized by Section 53A-11-306.

R396-100-3. Required Immunizations.

(1) A student born before July 1, 1993 must meet the minimum immunization requirements of the ACIP prior to school entry for the following antigens: Diphtheria, Tetanus, Pertussis, Polio, Measles, Mumps, and Rubella.
(2) A student born after July 1, 1993 must meet the minimum immunization requirements of the ACIP prior to school entry for the following antigens: Diphtheria, Tetanus, Pertussis, Polio, Measles, Mumps, Rubella, and Hepatitis B.
(3) A student born after July 1, 1993, must also meet the minimum immunization requirements of the ACIP prior to entry into the seventh grade for the following antigens: Tetanus, Diphtheria, Pertussis, Varicella, and Meningococcal.
(4) A student born after July 1, 1996 must meet the minimum immunization requirements of the ACIP prior to school entry for the following antigens: Diphtheria, Tetanus, Pertussis, Polio, Measles, Mumps, Rubella, Hepatitis B, Hepatitis A, and Varicella.
(5) To attend a Utah early childhood program, a student must meet the minimum immunization requirements of the ACIP for the following antigens: Diphtheria, Tetanus, Pertussis, Polio, Measles, Mumps, Rubella, Haemophilus Influenza Type b, Hepatitis A, Hepatitis B, Pneumococcal, and Varicella vaccines prior to school entry.
(6) The vaccinations must be administered according to the recommendations of the United States Public Health Service's Advisory Committee on Immunization Practices (ACIP) as listed below which are incorporated by reference into this rule:
(a) General Recommendations on Immunization: MMWR, December 1, 2006/Vol. 55/No. RR-15;
(b) Immunization of Adolescents: MMWR, November 22, 1996/Vol. 45/No. RR-13;
(c) Combination Vaccines for Childhood Immunization: MMWR, May 14, 1999/Vol. 48/
(e) Updated Recommendations for Use of Tetanus Toxoid, Reduced Diphtheria Toxoid and Acellular Pertussis (Td) Vaccine from the Advisory Committee on Immunization Practices, 2010: MMWR, January 14, 2011/Vol. 60/No. 1;
(g) Haemophilus b Conjugate Vaccines for Prevention of Haemophilus influenza Type b Disease Among Infants and Children Two Months of Age and Older: MMWR, January 11, 1991/Vol. 40/No. RR-1;

(h) Recommendations for Use of Haemophilus b Conjugate Vaccines and a Combined Diphtheria, Tetanus, and Pertussis, and Haemophilus b Vaccine: MMWR, September 17, 1993/Vol. 42/No. RR-13;

(i) Updated Recommendations of the Advisory Committee on Immunization Practices (ACIP) for the Control and Elimination of Mumps: MMWR, June 9, 2006/Vol. 55/No. RR-22;

(j) Updated Recommendations of the Advisory Committee on Immunization Practices (ACIP) Regarding Routine Poliovirus Vaccination: MMWR, August 7, 2009/Vol. 58/No. 30;

(k) Prevention of Varicella: MMWR, June 22, 2007/Vol. 56/No. RR-4;

(l) Prevention of Hepatitis A Through Active or Passive Immunization: MMWR, May 29, 2006/Vol. 55/No. RR-7;

(m) Licensure of a 13-Valent Pneumococcal Conjugate Vaccine (PCV13) and Recommendations for Use Among Children-Advisory Committee on Immunization Practices, (ACIP), 2010: MMWR March 12, 2010/Vol. 59/No. 09; and

(n) Prevention and Control of Meningococcal Disease: Recommendations of the Advisory Committee on Immunization Practices (ACIP): March 22, 2013/62(RR02);1-22.

R396-100-4. Official Utah School Immunization Record (USIR).

(1) Schools and early childhood programs shall use the official Utah School Immunization Record (USIR) form as the record of each student's immunizations. The Department shall provide copies of the USIR to schools, early childhood programs, physicians, and local health departments upon each of their requests.

(2) Each school or early childhood program shall accept any immunization record provided by a licensed physician, registered nurse, or public health official as certification of immunization. It shall transfer this information to the USIR with the following information:

(a) name of the student;
(b) student's date of birth;
(c) vaccine administered; and
(d) the month, day, and year each dose of vaccine was administered.

(3) Each school and early childhood program shall maintain a file of the USIR for each student in all grades and an exemption form for each student claiming an exemption.

(a) The school and early childhood programs shall maintain up-to-date records of the immunization status for all students in all grades such that it can quickly exclude all non-immunized students if an outbreak occurs.

(b) If a student withdraws, transfers, is promoted or otherwise leaves school, the school or early childhood program shall either:

(i) return the USIR and any exemption form to the parent of a student; or
(ii) transfer the USIR and any exemption form with the student's official school record to the new school or early childhood program.

(4) A representative of the Department or the local health department may examine, audit, and verify immunization records maintained by any school or early childhood program.

(5) Schools and early childhood programs may meet the record keeping requirements of this section by keeping its official school immunization records in the Utah Statewide Immunization Information System (USIIS).
R396-100-5. Exemptions.

A parent claiming an exemption to immunization for medical, religious or personal reasons, as allowed by Section 53A-11-302, shall provide to the student's school or early childhood program the required completed forms. The school or early childhood program shall attach the forms to the student's USIR. **Exemptions for student in Morgan County are obtained through the Weber-Morgan Health Department located in Ogden.**

R396-100-6. Reporting Requirements.

(1) Each school and early childhood program shall report the following to the Department in the form or format prescribed by the Department:
   (a) by November 30 of each year, a statistical report of the immunization status of students enrolled in a licensed day care center, Head Start program, and kindergartens;
   (b) by November 30 of each year, a statistical report of the two-dose measles, mumps, and rubella immunization status of all kindergarten through twelfth grade students;
   (c) by November 30 of each year, a statistical report of tetanus, diphtheria, pertussis, hepatitis B, varicella, and the two-dose measles, mumps, and rubella immunization status of all seventh grade students; and
   (d) by June 15 of each year, a statistical follow-up report of those students not appropriately immunized from the November 30 report in all public schools, kindergarten through twelfth grade.

(2) The information that the Department requires in the reports shall be in accordance with the Centers for Disease Control and Prevention guidelines.


A school or early childhood program may conditionally enroll a student who is not appropriately immunized as required in this rule. To be conditionally enrolled, a student must have received at least one dose of each required vaccine and be on schedule for subsequent immunizations. If subsequent immunizations are one calendar month past due, the school or early childhood program must immediately exclude the student from the school or early childhood program.

(1) A school or early childhood program with conditionally enrolled students shall routinely review every 30 days the immunization status of all conditionally enrolled students until each student has completed the subsequent doses and provided written documentation to the school or early childhood program.

(2) Once the student has met the requirements of this rule, the school or early childhood program shall take the student off conditional status.


(1) A local or state health department representative may exclude a student who has claimed an exemption to all vaccines or to one vaccine or who is conditionally enrolled from school attendance if there is good cause to believe that the student has a vaccine preventable disease or:
   (a) has been exposed to a vaccine-preventable disease; or
   (b) will be exposed to a vaccine-preventable disease as a result of school attendance.

(2) An excluded student may not attend school until the local health officer is satisfied that a student is no longer at risk of contracting or transmitting a vaccine-preventable disease.
The Morgan County School District is committed to the promotion of a healthy school environment by supporting wellness education, good nutrition, and regular physical activity as part of the total learning experience. Improved student health has a positive effect on academic performance as well as the student’s self-image. A healthy lifestyle leads to a more productive life for the student and families. The District recognizes its role in providing guidance to students through both instruction and practice.

This policy also provides procedures for notifying parents/guardians about money owed and the school’s procedures for providing meals if students’ accounts are in arrears.

A. Wellness Education

1. The Utah Core Curriculum in the area of health education is to be implemented as designated by the Utah State Board of Education.
2. Nutrition and the value of regular physical activity are to be taught at all elementary and secondary grade levels in designated courses.
3. A wellness fair will be held annually for employees.

B. Good Nutrition

The health of today’s school environment continues to improve. Students are offered healthier school meals with more fruits, vegetables and whole grains through the National School Lunch Program and the School Breakfast Program. The Smart Snacks in School standards published by United States Department of Agriculture (USDA) builds on those health advancements by insuring that all other snack foods and beverages available for sale to students in school are tasty and nutritious.

The School Lunch Program will follow all USDA requirements for federal school meals. The standards do not apply during non-school hours, on weekends and at off campus fundraising events.

Any food sold in school must:

1. Be a “whole grain-rich” grain product; or
2. Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food: or
3. Be a combination food that contains at least ¼ cup of fruit and/or vegetable; or
4. Contain 10% of the Daily Value (DV) of one of the nutrients of public health concern in the 2010 Dietary Guidelines for Americans (calcium, potassium, vitamin D, or dietary fiber).
Foods must also meet several nutrient requirements:

**Calorie Limits:**
- Snack Items: 200 calories
- Entrée Items: 350 calories

**Sodium Limits:**
- Snack Items: 230 mg
- Entrée Items: 480 mg

**Fat Limits:**
- Total Fat: 35% of calories
- Saturated Fat: 10% of calories
- Trans Fat: Zero grams

**Sugar Limits:** 35% of weight from total sugars in foods

Accompaniments such as cream cheese, salad dressing and butter must be included in the nutrient profile as part of the food item sold.

Schools may sell:

Plain water, unflavored low fat milk, unflavored or flavored fat free milk and mild alternatives, 100% fruit or vegetable juice and 100% fruit or vegetable juice diluted with water (with or without carbonation) and no added sweeteners.

Elementary schools may sell up to 8-ounce portions, while middle schools and high schools may sell up to 12-ounce portions of milk and juice. There is no portion size limit for plain water.

Beyond this, the standards allow additional “no calorie” and “lower calorie” beverage options for high school students.

1. No more than 20-ounce portions of calorie-free, flavored water (with or without carbonation); and other flavored and/or carbonated beverages that are labeled to contain 5 calories per 8 fluid ounces or 10 calories per 20 fluid ounces.
2. No more than 12-ounce portions of beverages with 40 calories per 8 fluid ounces, or 60 calories per 12 fluid ounces.

The supervisor of food services for the district shall assist schools in determining nutritional values and compliance.

C. Physical Activity

1. Implementation of the Utah Core Curriculum in physical education at all grade levels
2. In grades 1-5, include at least one recess period with active play each day as well as a regular, consistent program of physical education each week.
3. In grades 6-12, prioritize instruction to include activities that promote conditioning, strength building, and activities that can provide lifelong physical activity and fitness.
4. Encourage the development of intramural and recreation programs outside of the regular instructional program of the school day.
5. Encourage and promote competitive athletics at the high school level.

D. Implementation

With the exception of the school lunch program, the building principal or his/her designee have the direct responsibility for implementing this policy with oversight by the superintendent.

Meals and Payments

National School Lunch, Breakfast, Special (Kindergarten) Milk and the After School Snack Program are federal programs in which the district participates. Pricing for school meals is determined by the Board of Education.

Schools receive partial reimbursement for meals served to students who do not qualify for free meals. Parents must make payments to the student’s account to make up the difference between the federal reimbursement and the cost of the meal. This does not apply to a la carte sales.

If students qualify for free or reduced price school lunch, their meals are paid for in whole or in part with federal funds. Otherwise, parents must pay for their student’s meals.

Schools are responsible for the collection of funds in advance of the meal being served and the school takes responsibility for the collection of delinquent accounts. Collection of delinquent accounts is made by the school contacting the parents, the principal, another school group or account paying the amounts and, if unsuccessful, referring the matter to the director of district food services to enlist the assistance of a collection agency. The expense of collecting unpaid funds is not an allowable expense in the federal food program.

Schools will have an adult at the end of the line to assure the meals selected by students meet the requirements and is reimbursable from USDA.

Before school begins, or upon enrollment, parents will receive information from the student’s resident school:

- about school meals;
- the prices for the meals;
- what students will receive if their meal accounts are delinquent; and
- the policy for unpaid accounts.
• Applications for free/reduced price meals;
• Meal prices

If the student’s family receives benefits from the Special Nutrition Assistance Program (SNAP), the Family Employment Program (FEP) or the Food Distribution Program on Indian Reservations (FDPIR), the household qualifies for meals at no charge, once the school receives notice of student’s or family’s eligibility, and does not have to complete or submit a free/reduced-price form. Schools will send the household an e-mail/letter informing parents of the student’s eligibility for free meals. If a parent qualifies under one of these programs and has not received such a letter within 30 days of the start of the school year, the parent should contact the school food service.

Payments and School Verification

The school may credit meal payments from parents to the student’s account before the meal period. This assures all funds are accurately applied to meal accounts in advance of students selecting school meals. Schools will apply payments to the purchase of the current day’s meal first, and the payment of past-due accounts second.

Schools will offer a variety of payment options. Parents may make on-line payments, using debit or credit cards for one or all of their children, allocating the funds to each child’s account. The school may add additional fees for the use of a credit card and will notify parents of added fees.

For example, meal prices may be reduced for those who pay for a year, semester or month of meals in advance. A school will provide notice of prices of these options to parents.

Parents may make payments to the school by mail or hand delivery. Payments should clearly note the account to which the funds should be credited (student’s name and amount, if several students attend the school). The school accepts checks, money orders and cash. (Parents should note the school policy for checks returned to the school for insufficient funds.)

Identification of Delinquent Accounts

Schools will identify family or student accounts that do not have adequate balances to pay for student meals. Schools will identify these accounts weekly and notify parents regularly. The school will contact parents, as parents have directed, on the automated meal payment system, or by phone, text or e-mail, to allow parents to indicate how they wish to make payments. Schools may ask students to take notifications addressed to the parent home with them; however, the school may not tell students to “remind” their parents to send money to the school. It is the parent’s responsibility to pay the student’s account.
The school may allow any of the following options for meals if a student’s meal account is inadequate:

- Student may bring a sack meal from home.
- Schools may continue to provide full meals to elementary students and notify parents that the school will use collection efforts to pay for meals. Schools shall maintain documentation of parent notice.
- School staff will inform students in secondary school (grades 7 – 12) that students cannot choose a school meal because the account is delinquent. The student will be contacted in advance of the meal service, if the school does not have payment from the parents and to tell the student what action the school will take. The school will take such actions as discretely and sensitively as possible so as not to embarrass the student.
- Schools may continue to provide full meals to all students and use appropriate school funding to pay for meals not covered by parents.

The school is not required to provide a meal at no cost if the student does not qualify for a free meal. Because federal funds may not be used for the expenses of these meals, the school must use state or other funds to cover the cost of the meals.

**Debt Collection**

Schools will regularly notify parents of students with delinquent balances in their school lunch accounts by telephone, through the automated system, email or phone text, written notice, or note carried home by the student in a sealed envelope.

If parents have been notified and no payment is received, and the amount owed exceeds $50.00, the account may be turned over to a collection agency. Federal funds are not used for the collection of delinquent accounts.

The school may complete an application for free/reduced-price meals on behalf of the parents, if school personnel have knowledge of the parent’s financial circumstances and parents give permission. The school will notify parents that an application has been completed on their behalf.

If a student repeatedly has no money in the student’s school lunch account and no meals for the student are provided from home, school officials will consider the circumstances in the home (e.g., potential abuse or neglect, homelessness, etc.) and may contact Child Protective Services.

Schools may set aside or raise funds which may be used for payment of past-due accounts. Parent organizations may hold fundraisers and individuals may donate funds to be used for such accounts. Schools will determine and notify all parents of the school’s standards for paying for students’ lunches with school discretionary funds.
Students who receive free or reduced meals will not be required to work for meals or milk, use a separate service area, go through a separate serving line, enter the service area through a separate entrance or at a different time, or be served meals or milk that vary from what is sold to children paying the full price.

Students should never be confronted or embarrassed about money owed for school meals. There shall be no overt identification of children who receive free or reduced-priced meals or milk in collecting applications, payments, or in serving meals or milk. The names of children eligible to receive free or reduced-priced meals or free milk shall not be published, posted, or announced, and these children will not be overtly identified. School lunch personnel do not know the identity of students receiving free or reduced-priced meals or free milk.