



# Policy Manual

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## 01- Board Governance

### 01-101 Committee Policy

The purpose of Committees is to assist the Board, the Director, and the Parent Organization in accomplishing the Mission and Charter of Treeside Charter School.

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

- Academic Excellence
- Financial Accountability
- School Land Trust

The Board directs the Director to establish the following standing Committees to report to the Director:

- Curriculum
- Public Relations
- Technology
- Safety

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

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

The Academic Excellence Committee is delegated the responsibility to present to the Board annually an accountability plan for gathering data about the school's academic progress, staff, student, and parent relationships, and the Director's job performance. The Academic Excellence Committee is responsible to compile the data required by the school's accountability plan and charter and present the data plus a summary to the Board. Members of the Academic Excellence Committee will be appointed by the Board.

The Financial Accountability Committee will insure proper accounting controls are implemented and utilized, prescribe and supervise the methods and systems of accounting to be followed, see that complete books and records of account are kept, prescribe and supervise an adequate system of internal audit, and oversee the preparation of statements of account showing the financial position of the Academy and the results of its operations. The Committee will present recommendations to the Board for ensuring tax and other required financial reports are filed properly and in a timely manner as well as recommendations for employing external auditors. The Treasurer will chair the Financial Accountability Committee and the Business Manager will be a member. Other members of the Financial Accountability Committee will be appointed by the Academy Board. The Board designates elected members of the Board and the Director as the members of the School Land Trust Committee. An additional member of the school staff will be elected annually by the staff to serve on the School Land Trust Committee. The School Land Trust Committee is designated to make decisions about the School Land Trust funds and given the responsibility to make a school plan consistent with Utah Code Section 53A-16-101.5.

Members of committees reporting to the Director will be appointed by the Director and may include board members, staff, parents, or other community members. Responsibilities of committees reporting to the Director

will be delegated to the committee in writing by the Director. The Director will ensure that the responsibilities of the standing committees reporting to the Director are consistent with roles and duties outlined in the school's Charter, State and Federal Law, and the requirements of State and Federal grants the school has accepted.

Approved July 18, 2018

## 01-102 Conflict of Interest Policy

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

Definitions: Conflict of Interest (also Conflict) means a conflict, or the appearance of a conflict, between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include staff members, officers, and board members of School. Board means the Board of Trustees. Officer means an officer of the Board of Trustees. Volunteer means a person -- other than a board member -- who does not receive compensation for services and expertise provided to School and retains a significant independent decision-making authority to commit resources of the organization. Staff Member means a person who receives all or part of her/his income from the payroll of School. Supporter means corporations, foundations, individuals, 501 (c) (3) nonprofits, and other nonprofit organizations who contribute to School.

### POLICY AND PRACTICES

1. Full disclosure, by notice in writing, shall be made by the interested parties to the full Board of Trustees in all conflicts of interest, including but not limited to the following:
  - a. A board member is related to another board member or staff member by blood, marriage or domestic partnership.
  - b. A staff member in a supervisory capacity is related to another staff member whom she/he supervises.
  - c. A board member or their organization stands to benefit from a school transaction or staff member of such organization receives payment from School for any subcontract, goods, or services other than as part of her/his regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and board policy.
  - d. A board member's organization receives grant funding from School.
  - e. A board member or staff member is a member of the governing body of a contributor to school.
  - f. A volunteer working on behalf of school who meets any of the situations or criteria listed above.
2. Following full disclosure of a possible conflict of interest or any condition listed above, the Board of Trustees shall determine whether a conflict of interest exists and, if so the Board shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict

and protect School's best interests. Both votes shall be by a majority vote without counting the vote of any interested director, even if the disinterested trustees are less than a quorum provided that at least one consenting director is disinterested.

3. A Board member or Committee member who is formally considering employment with School must take a temporary leave of absence until the position is filled. Such a leave will be taken within the Board member's elected term which will not be extended because of the leave. A Boardmember or Committee member who is formally considering employment with School must submit a written request for a temporary leave of absence to the Secretary of the School Board, c/o School's office, indicating the time period of the leave. The Secretary of School will inform the Chair of the Board of such a request. The Chair will bring the request to the Board for action. The request and any action taken shall be reflected in the official minutes of the School.
4. An interested Board member, officer, or staff member shall not participate in any discussion or debate of the Board of Trustees, or of any committee or subcommittee thereof in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present board or committee member.
5. Anyone in a position to make decisions about spending School's resources (i.e., transactions such as purchases contracts) – who also stands to benefit from that decision – has a duty to disclose that conflict as soon as it arises (or becomes apparent); s/he should not participate in any final decisions.
6. A copy of this policy shall be given to all Board members, staff members, volunteers or other key stakeholders upon commencement of such person's relationship with School or at the official adoption of stated policy. Each board member, officer, staff member, and volunteer shall sign and date the policy at the beginning of her/his term of service or employment and each year thereafter. Failure to sign does not nullify the policy.
7. This policy and disclosure form must be filed annually by all specified parties.

Approved July 18, 2018

# Conflict of Interest Disclosure Form



This form must be filed annually by all specified parties, as identified in the School Conflict of Interest Policy Statement (ratified by School's Board of Trustees on April 18, 2018)

\_\_\_\_\_ I have no conflict of interest to report

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

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

Signature

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Printed Name

Date

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## 01-103 Complaint Policy

### Definitions:

**Complaint:** A written submission from any individual within the Treeside Charter School community (i.e. student, parent, employee) who:

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

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

**Organizational Structure:** The hierarchy of Treeside Charter School for addressing all Complaints. The organizational structure varies depending on the area of alleged violation. Below is the hierarchy used for Complaint procedures in this policy:

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

### Procedure

#### Step I:

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

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

#### Step II:

In the event that the informal discussion with directly involved parties does not resolve the issue, the Complainant shall file a formal written Complaint form with the next responsible individual in the organizational structure. Complaint Forms are available from the office manager or from the school's website.

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

### Step III:

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

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

### Step IV:

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

### MISCELLANEOUS PROVISIONS

1. Complainant will be informed that the time limits set forth in this policy may be modified or extended if mutually agreed by the employee, or his/her designated representative and the School Administration. If either party wishes to change the timeline set forth in this policy, the party will request the modification(s) from the other party and both parties will be required to agree to the modification(s). The Complaint officer will issue a letter of understanding to the parties outlining the modified timeline.
2. No person shall suffer recrimination or discrimination because of participation in this Complaint procedure.
3. Employees shall be free to testify regarding any Complaint filed hereunder.
4. Confidentiality will be observed pending resolution of the Complaint.
5. A representative of his/her choice may accompany the Complainant in all stages of these proceedings.
6. The business manager will maintain records of all Complaints. The records will be kept in a separate and confidential file. Information regarding Complaints will be classified as private.

7. Gossip among school employees will not be tolerated. When employees have concerns they should follow the procedure in this policy to resolve such concerns. Gossip undermines the efforts of all employees to operate a successful school and may be grounds for disciplinary action, up to and including termination of employment.

Approved: July 18, 2018

# COMPLAINT FORM

NAME \_\_\_\_\_

POSITION/TITLE \_\_\_\_\_  
(If parent or student, put "parent" or "student")

DAYTIME PHONE \_\_\_\_\_

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

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

## STEP 1 INFORMAL RESOLUTION

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

## STEP 2 FORMAL COMPLAINT

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

1. The date of the event that is a violation of law or policy leading to the complaint.
2. A specific statement of the law, rule, policy and/or acceptable practice violated. What action or conduct constituted the violation and what happened?

\_\_\_\_\_  
\_\_\_\_\_ Total number of pages attached \_\_\_\_

3. The resolution or remedy you want.
- \_\_\_\_\_  
\_\_\_\_\_ Total number of pages attached \_\_\_\_

4. Complainant signature and date filed with administration.

\_\_\_\_\_  
Grievant's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Administrator's Signature

\_\_\_\_\_  
Date received

### STEP 3 FORMAL COMPLAINT

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

## 01-104 Records Management Policy

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

### Records Management

1. The Business Manager shall be the records officer for all general school records including, Human Resource Records, and any documents related to fiscal matters such as property, budgets, payroll, accounts, contracts, etc.
2. The Director shall be the records officer for all records related to students.
  - a. The Director shall:
    - i. Create and maintain a list of all employees who may access a student's educational record, including the name and position of each school employee that has such access
  - b. Provide the "Employees with Access to Educational Records List" to the governing board annually or when updated
  - c. Provide training on student privacy laws to those on the "Employees with Access to Educational Records List"
  - d. Provide a certified statement, signed by each school employee, that certifies that the employee(s) completed the training and understands student privacy requirements
3. The board secretary shall be the records officer for all board documents, including policies, minutes, and recordings of board meetings.

### Records Classification

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

1. Public Records shall include:
  - a. Official minutes, actions and decisions of the Board of Trustees and School Administration, unless these records involve information that is classified as private, controlled, or protected.
  - b. Official School and school policies, contracts, minutes, and accounts.
  - c. Names, gender, job titles, job descriptions, business addresses, business telephone numbers, gross salaries, working hours, and dates of employment of all current and former employees.
  - d. Documents showing formal criminal charges against an employee, unless, in the judgment of the Director, the charges are groundless or the charges are not sustained.
  - e. Public records shall be open for public inspection during regular office hours as defined in section H Access to School Records.
2. Private Records Private records shall include:
  - a. Personnel files including applications, nominations, recommendations, evaluations, and proposals for advancements or appointments.
  - b. Documents related to eligibility for unemployment benefits, social services, welfare benefits, personal finances, individual medical condition, and military status.
  - c. Individual student records.

- d. Private records shall be open only to the subject of the record and other authorized individuals or agencies. Access to student records shall be provided in accordance with the Family Educational Rights and Protection Act (FERPA).
3. Controlled Records shall include
  - a. records containing medical, psychiatric, or physiological data on an individual which, if disclosed, could be detrimental to the individual's mental health or safety.
  - b. Controlled records shall be open only to authorized persons or agencies, but will not be open to the subject of the record.
4. Protected Records shall include:
  - a. Any information that, if disclosed, would jeopardize the life or safety of an individual or security of school property or programs.
  - b. Documents that, if disclosed, would place the school at a disadvantage in contract negotiations, property transactions, or bargaining position, or could enable circumvention of an audit.
  - c. Records related to potential litigation or personnel hearings.
  - d. Records generated in meetings which are closed in accordance with the Utah Open and Public Meetings law.
  - e. Test questions.
  - f. Protected records shall be open only to authorized individuals and agencies or in response to court order.
5. Exempt Records: Exempt records shall include student records that are protected by the Family Educational Rights and Protection Act (FERPA).

#### Access to School Records

- a. All Requests must be submitted in writing by using the Treeside Charter School GRAMA Request form. Requests to view school records should be addressed to the appropriate records officer during regular business hours.
- b. Individuals requesting to view records classified as private, controlled, or protected shall be required to prove their right to access the record through personal identification, written release from the subject of the record, power of attorney, court order, or other appropriate means.
- c. The Director shall determine whether access to the requested record(s) is to be granted or denied.
  - i. If the request is approved, the records shall be provided as soon as possible and not more than ten (10) working days from the date the request was received.
  - ii. If the request is denied, the records officer must specify the reason, and the requester shall be informed of the right to appeal.

#### Appeals Process

- a. Appeals to the Board of Trustees
  - I. The requester shall file a written request for a hearing with the Board Secretary at least ten days before the requested hearing date.
  - II. Upon receiving the request, the Board Secretary shall schedule a mutually convenient date, time, and location for the hearing and notify all parties and post the meeting as required under open meetings law.
  - III. The requester has the right to be represented by legal counsel at the hearing.
    - a. If the requester is to be represented by legal counsel, the administration must be notified at least 10 working days in advance of the hearing.

- b. If the requester has legal counsel present at the hearing, the administration may also be represented by legal counsel.
- c. Within ten (10) working days of the hearing, the Board Secretary shall notify the requester in writing of the Board's decision.
- d. If the Board upholds the action of the School Administration, the requester has the right to take any legal action open to the requester.

#### Copying School Records

- a. Treeside Charter School may charge a fee for duplicating school records that is equal to the actual duplication cost plus any employee time involved.
- b. Treeside Charter School shall refuse to allow duplication of copyrighted materials (except in accordance with educational copyright laws and with respect to educational materials).
- c. Treeside Charter School shall charge 5 cents per page for duplicating records, plus the cost of labor involved at the rate of \$12 per hour.

#### Retention of School Records

- a. Treeside Charter School shall adhere to the general schedule for records retention approved by the State Records Committee.
- b. Records that are not covered by the general schedule shall be submitted to the State Records Committee for scheduling.
- c. Only those confidential records required for retention at the school as per state guidelines shall be retained. The school will not retain other confidential records.

Approved July 18, 2018

### 01-105. Sponsorship and Material Display or Distribution Policy

The Board recognizes the educational value of proper and wholesome resources in the nature of individual personalities, business and institutional publications and the many materials of local, state, and national agencies. The property, parking lots, sidewalks, and facilities of Treeside Charter School and the publications of Treeside Charter School are a closed forum, to be managed in the best interests of the students and patrons as determined by school Administration.

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

#### SPONSORSHIP OF FACILITIES OR ACTIVITIES

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

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

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

#### SCHOOL PUBLICATIONS AND PRINTED MATERIALS

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

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

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

Approved July 18, 2018

#### 01-106 Board Member Code of Conduct

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

1. Members must demonstrate loyalty to the charter and board policy, unconflicted by loyalties to staff, other organizations, or any personal interest as a parent, or as a friend or associate of other parents at the school.
2. Members must avoid conflict of interest with respect to their fiduciary responsibility.
  - a. There will be no self-dealing or business by a member with the school outside the scope of the conflict of interest policy. Members will annually disclose their involvements with other organizations or with vendors and any associations that might be reasonably seen as representing a conflict of interest.
  - b. When the board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall withdraw without comment not only from the vote but also from the deliberation.

- c. Board members will not use their board position to obtain employment at the school for themselves, family members, or close associates. A board member who applies for employment must first resign from the board.
3. Board members may not attempt to exercise individual authority over the organization.
  - a. Members' interaction with the director or other staff must recognize the lack of authority vested in individuals except when explicitly authorized by the board, and members must interact appropriately with staff when acting as the parent of a student.
  - b. Members' interaction with the public, the press, the authorizer, or other entities must recognize the same limitation and the inability of any board member to speak for the board except to repeat explicitly-stated board decisions.
  - c. Except for participation in board deliberation about whether the director has achieved any reasonable interpretation of board policy, or when expressing an appropriate opinion as the parent of a student, members will not express individual judgments of performance of employees or the director.
4. Members will respect the confidentiality appropriate to issues of a sensitive nature.
5. Members will be properly prepared and present for board deliberation.
6. Members will support the legitimacy and authority of the final determination of the board on any matter without regard to the member's personal position on the issue.
7. Members will contribute no fewer than 40 hours as operational volunteers directed by staff each year, outside their responsibility as board members.
8. Members will undergo a criminal background check prior to election to the board.

Approved July 18, 2018

### 01-107 Governance Process Policy

The purpose of the board, in compliance with its approved charter, is to ensure that Treeside Charter School achieves appropriate results for its students at an appropriate cost and avoid unacceptable actions and situations.

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

The board shall produce within the above limitations:

1. Authoritative linkage between the charter and the operational organization of the school.
2. Written governing policies that realistically address the broadest levels of all organizational decisions and situations.
  - a. Outcomes: the organizational impacts, benefits, and outcomes; recipients, beneficiaries, and impacted groups; and their relative worth in cost or priority.
  - b. Methods: constraints on executive authority that establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
  - c. Governance Process: specification of how the board conceives, carries out, and monitors its own task.

- d. Delegation: how power is delegated and its proper use monitored; the director's role, authority, and accountability.
- e. Assurance of successful school performance on outcomes and methods.

Approved July 18, 2018

### 01-108 Board to Administration Delegation Policy

1. The Board's sole official connection to the school, its achievements, and conduct will be through the School Director.
  - a. The School Director is the board's only link to school achievement and conduct, so that all performance of staff, as far as the board is concerned, is considered the performance of the School Director.
  - b. The board will never give instructions to persons who report directly or indirectly to the School Director.
  - c. The board will not evaluate, either formally or informally, any staff other than the School Director.
  - d. The board will view School Director performance as identical to school performance so that accomplishment of board stated outcomes and consistency with Executive Limitations will be viewed as successful School Director performance.
2. The board will instruct the School Director through written policies that define outcomes to be achieved and define situations and actions to be avoided, allowing the School Director to use any reasonable interpretation of these policies.
  - a. Only officially passed motions of the board are binding on the School Director.
  - b. Decisions or instructions of individual board members, officers, or committees are not binding on School Director except in rare instances when the board has specifically authorized such exercise of authority.
  - c. In the case of board members or committees requesting information or assistance without board authorization, the School Director can refuse such requests that require, in the School Director's opinion, a material amount of staff time or funds, or are disruptive.
3. The board will monitor and evaluate the School Director's job performance only against defined outcomes and limitations.
  - a. The board will acquire monitoring information by one or more of three methods
    - I. By internal report, in which the School Director discloses interpretations and compliance information to the board
    - II. By external report, in which an external, disinterested third party selected by the board assesses compliance with board policies
    - III. By direct board inspection, in which a designated member or members of the board assess compliance with the appropriate policy criteria.
  - b. The standard of compliance shall be any reasonable School Director interpretation of Policy. The Board will judge reasonableness by a reasonable person standard, rather than with an interpretation favored by Board Members or the board as a whole.
  - c. All policies that instruct the School Director will be monitored at a frequency and by a method chosen by the board. The board can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule:

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

Approved July 18, 2018

### 01-109 Cost of Governance Policy

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

1. Board skills, methods, and supports will be sufficient to ensure governing with excellence.
  - a. Training and retraining will be used liberally to orient new members and candidates for membership, as well as to maintain and increase existing members' skills and understanding.
  - b. Outside monitoring assistance will be arranged so that the board can exercise confident control over organizational performance.
  - c. Outreach mechanisms will be used as needed to ensure the board's ability to listen to Academy community viewpoints and values.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

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

Approved July 18, 2018

### 01-110 Executive Limitations

#### Global Executive Limitations Policy

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

## Treatment of Students

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

The Director shall not:

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

## Treatment of Parents

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

The Director shall not:

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

## Hiring of Staff

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

The Director shall not:

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

Treatment of Staff

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

The Director shall not

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

Financial Planning/Budgeting

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

There will be no financial plans that

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

Financial Condition and Activities

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

The Director shall not

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

Emergency Director Succession

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

Asset Protection

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

The Director shall not

1. Fail to insure adequately against theft and casualty and against liability losses to board members, staff, and the organizations itself.
2. Allow unbonded personnel access to material amounts of funds.
3. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
4. Fail to ensure that the facility is clean and presentable to investors, regulators, or the general public.
5. Unnecessarily expose the organization, its board, or its staff to claims of liability.
6. Make any purchase (a) wherein normally prudent protection has not been given against conflict of interest; (b) of more than \$10,000.00 without having obtained comparative prices and quality; (c) of more than \$10,000.00 without a stringent method of assuring the balance of long- term quality and cost. Orders shall not be split to avoid these criteria.
7. Fail to protect intellectual property, information, and files from loss or significance damage.

8. Receive, process, or disburse funds under controls insufficient to meet the board-appointed auditors standards.
9. Compromise the independence of the board's audit or other external monitoring or advice, such as by engaging parties already chosen by the board as consultants or advisers.
10. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less than AA rating at any time, or in non-interest-bearing accounts except when necessary to facilitate ease in operational transactions.
11. Endanger the organization's public image, its credibility, or its ability to accomplish Outcomes.
12. Change the organization's name or substantially alter its identity in the community.

### Compensation and Benefits

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

The Director shall not:

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

### Communication and Support to the Board

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

The Director shall not:

1. Neglect to submit monitoring data required by the board in Board-Management Delegation policy "Monitoring Director Performance" in a timely, accurate, and understandable fashion, directly addressing provisions of board policies being monitored, and including Director interpretations consistent with Board-Management Delegation policy "Delegation to the Director," as well as relevant data.
2. Allow the board to be unaware of any actual or anticipated noncompliance with any Outcomes or Executive Limitations policy of the board regardless of the board's monitoring schedule.
3. Allow the board to be without decision information required periodically by the board or let the board be unaware of relevant to Outcomes.

4. Let the board be unaware of any significant incidental information it requires including anticipated media coverage, threatened or pending lawsuits, and material internal and external changes.
5. Allow the board to be unaware that, in the Director's opinion, the board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of board behavior that is detrimental to the work relationship between the board and the Director.
6. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
7. Allow the board to be without a workable mechanism for official board, officer, or committee communications.
8. Deal with the board in a way that favors or privileges certain board members over the others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the board.
9. Fail to submit to the board a consent agenda containing items delegated to the Director yet required by law, regulation, or contract to be board-approved, along with applicable monitoring information.

#### Outcomes Focus of Grants or Contracts

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

The Director shall not:

1. Fail to prohibit particular methods and activities to preclude grant funds from being used in imprudent, unlawful, or unethical ways.
2. Fail to assess and consider an applicant's capability to produce appropriately targeted, efficient results
3. Fund specific methods except when doing so for research purposes, when the result to be achieved is knowledge about differential effectiveness of various methods.

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## 01-111 Data Governance

### 1. Purpose and Scope

#### 1.1 Purpose

Data governance is an organizational approach to data and information management that is formalized as a set of policies and procedures that encompass the full life cycle of data, from acquisition, to use, to disposal. Treeside Charter School (TCS) takes seriously its moral and legal responsibility to protect student privacy and ensure data security. Utah's Student Data Protection Act (SDPA), UCA Title 53E, Chapter 9, Part 3, requires that the TCS adopt a Data Governance Plan.

#### 1.2 Scope

This policy is applicable to all employees, temporary employees, and contractors of TCS. The policy must be used to assess agreements made to disclose data to third-parties. This policy must also be used to assess the risk of conducting business. In accordance with TCS policy and procedures, this policy will be reviewed and adjusted on an annual basis or more frequently, as needed. This policy is designed to ensure only authorized disclosure of confidential information. The following subsections provide data governance policies and processes to ensure compliance with federal and state law and board rule:

1. Purpose and Scope
2. Organization and Roles
3. Parent and Student Rights
4. Collection of Data
5. Maintenance and Protection of Data
6. Data Disclosures
7. Record Retention and Expungement
8. Data Breach Response and Notification
9. Technical Assistance, Training, and Support
10. Data Quality, Auditing, and Transparency

## 2. Organization and Roles

The TCS shall appoint a Student Data Manager and an IT Security Manager (H-Wire), who shall fulfill the roles described in Table 1. As the TCS's data governance matures, a data governance group will be formed, which will oversee compliance with the data governance plan, assess risks, and provide recommendations for controls and other policies related to data governance.

Data governance, security, and privacy are ultimately the responsibility of all employees of TCS, including educators, who will follow this data governance plan per the guidance and training they receive from the Student Data Manager.

## 3. Parent and Student Rights

### 3.1 Definition of parent

A parent is defined as the biological parent, a legal guardian, or an individual in charge of the day- to-day care of the student. In cases where biological parents are separated or divorced, both parents shall have these rights unless there is a court order, State statute, or legally binding document that has revoked these rights to one or both of the parents.

### 3.2 Right to access

Per FERPA, parents of students who are minors (have not turned 18 yet) and adult students shall be given access to the student's data. In general, this access will be given via the TCS's student information system (SIS). Other requests will be granted within a reasonable period, but in no case greater than 45 days after the request was made.

### 3.3 Right to seek to amend

In 34 CFR 99, Subpart C, FERPA describes a parent's right to seek to amend any educational record they believe is inaccurate, misleading, or in violation of the student's right to privacy. TCS shall then decide whether to amend the record within a reasonable amount of time.

If TCS decides not to amend the record, the parent will be informed of their right to a hearing. The hearing will only be held at the parent's request, and the format of the hearing will be determined on a case-by-case basis. Should the hearing determine that the record should not be amended, TCS will inform the parent of the right to place a statement in the record commenting on the contested information. This statement will be maintained by TCS and be included in any disclosures related to the record.

### 3.4 Right to consent to disclose

A parent may submit written consent to disclose information from a student's education record to any individual or entity. The requirements for these disclosures are found in Section of 6.1 of this plan.

## 4. Collection of Data

### 4.1 Prohibited collections

Per UCA 53E-9-305(2), TCS will not collect a student's social security number or, except as required in UCA 78A-6-112(3), criminal record.

### 4.2 Collections only permitted with prior parental consent

#### 4.2.1 Utah FERPA

Per UCA 53E-9-203, TCS will prohibit the administration of any psychological or psychiatric examination, test, or treatment, or any survey, analysis, or evaluation that has the purpose or evident intended effect to have a student reveal any of the following personal information about themselves or concerning a family member's unless written parental consent is received:

- Political affiliations or, as provided by UCA 53G-10-202 or USBE Board Rule, political philosophies
- Mental or psychological problems
- Sexual behavior, orientation, or attitudes
- Illegal, anti-social, self-incriminating, or demeaning behavior
- Critical appraisals of individuals with whom the student or family member has close family relationships
- Religious affiliations or beliefs
- Legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers
- And income, except as required by law

Written parental consent will only be valid if a parent or legal guardian has been given two-week's prior notice, including a copy of the questions in the case of the survey, that includes:

- Which records or information are to be examined

- The means by which they will be examined
- The means by which the information will be obtained
- The purpose for which the records or information are needed
- The entities or persons who will have access to the records
- The method by which a parent or student may access the records
- 

If a school employee believes that collecting any of these information is necessary to respond to an emergency, then the employee may collect the information in accordance with the TCS’s Incident Response Plan.

#### 4.2.2 Optional data

In addition, TCS shall annually designate all information not necessary for day-to-day school functions as “optional” data. Per 53E-9-301(16), optional student data includes information that is

- Related to an IEP or needed to provide special needs services
- Biometric information, which means a retina or iris scan, fingerprint, human biological sample, or scan of hand or face geometry
- Any data not designated as necessary student data

Optional data will only be collected with prior parental consent.

#### 4.3 Parental notification

Per 53E-9-305(2), TCS shall annually prepare and distribute to parents and students a collection notice statement that

- Is a prominent, stand-alone document
- Is annually updated and published on the TCS’s website
- States the necessary and optional data that the TCS collects
- States that the TCS shall not collect of the prohibited data in Section 4.1
- States the data that the school may not share without written parental consent
- Includes the 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.”
- Describes in general terms how the TCS will store and protect the data
- States a student’s rights to the data
- Requests written consent for students in grades 9 – 12 to have their contact information shared with the state Board of Regents for the purpose of higher education outreach

Should the TCS choose, the collection notice statement and any collection of written consent to share optional information may be separate documents.

## 5. Maintenance and Protection of Data

### 5.1 Best practices

TCS shall use reasonable data industry best practices to maintain and protect student data and other education-related data, including teacher and employee data.

Should the TCS contract with a third-party provider to collect, maintain, and have access to student data, TCS shall ensure that the contract with the provider includes a provision that the data are the property of the student and that the data will not be redisclosed with the student's consent. TCS will ultimately monitor and maintain control of the data.

All data will be maintained in accordance with TCS Information Technology Systems Security Plan, as described in R277-487-2(11).

## 5.2 Employee expectations and assurances

Per Board Rule R277-487-3, all employees, aides, and volunteers of TCS shall maintain appropriate confidentiality pursuant to federal, state, local laws, and this and other TCS policies with regard to student performance data and personally identifiable student information.

An employee, aide, or volunteer may not share, disclose, or disseminate passwords that are used to access student performance data or any personally identifiable student information per R277-487- 3(17).

TCS employees may only access student records pursuant to a legitimate educational purpose and consistent with their educator obligations under R277-515.

All TCS employees that have access to confidential data shall receive an annual training regarding data governance and student data privacy requirements as described in Section 9.1. School employees shall annually submit a certified statement to the TCS data manager upon completion of this training.

TCS may use a nondisclosure agreement (NDA) or other methods to ensure that all TCS employees meet these expectations. Licensed educators in violation of this NDA, this data governance plan, or Board Rule R277-487 may be subject to disciplinary action by TCS or by the Utah State Board of Education.

## 6. Data Disclosures

All disclosures of student data must be done in accordance with the Family Educational Rights and Privacy Act (FERPA) and the Utah Student Data Protection Act.

### 6.1 Written parental consent

Data may be disclosed to any party and in any case where the parent or adult student provides written parental consent. Per 34 CFR 99.30, this consent must

- Specify the records that may be disclosed
- State the purpose of the disclosure
- Identify the party or class of parties to whom the disclosure will be made

Parents or adult students may request that a copy of disclosed records be shared with them.

An electronic signature that identifies and authenticates the individual and their approval meets the requirement of written parental consent.

## 6.2 Exceptions where written parental consent is not required

FERPA in 20 USC 1232g and 34 CFR 99.31 and the Utah Student Data Protection Act provide for several cases where TCS may disclose education records without prior written parental consent. Each exception specifies a different entity that may receive education records and what assurances and restrictions must be followed. These can be found in more detail in Table 2.

### 6.2.1 External Research Review Process

All external research requests must be submitted to TCS's external research review process to determine whether the research is for or on TCS's behalf and whether it meets the requirements of FERPA found in 34 CFR 99.31(6). TCS will then determine if the data may be shared with personally identifiable information, de-identified information, aggregated data, or not at all.

### 6.2.2 Third-party contractors

TCS may contract services to third parties using the School Official exception in FERPA. When contracting with any third party, except for cases of general audience websites or where parental consent is obtained, the contract will specify the following:

- Requirements and restrictions related to the collection, use, storage, or sharing of student data by the contractor that are necessary for the education entity to ensure compliance
- 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
- Provisions that govern the deletion of the student data by the contractor
- Provisions that prohibit the redisclosure of the data
- A right-to-audit clause

## 6.3 Recordation

All data disclosures will be recorded on the student's record per FERPA's recordation requirements found in 34 CFR 99.32. All third parties that receive data will be entered into TCS's Metadata Dictionary. A link to the Metadata Dictionary will be available on TCS's website.

## 7. Record Retention and Expungement

### 7.1 Retention

Records retention and expungement policies promote efficient management of records, preservation of records of enduring value, quality access to public information, and data privacy. TCS staff shall retain and dispose of student records in accordance with GRAMA, UCA 63G-2-604, and the Student Data Protection Act, 53E-9-306, and shall comply with active retention schedules for student records per Utah Division of Archive and Record Services.

## 7.2 Expungement

Per 53E-9-306, TCS shall follow Board Rule regarding the categorization, maintenance, and expungement of student disciplinary records, medical records, and behavioral test records. In order to ensure maximum student data privacy, TCS shall also delete student data once administrative need has ended and in accordance with active records retention schedules and USBE Board Rule regarding the timeline and process for a prior student to request that records be expunged.

### 7.2.1 Records that may not be expunged

Per 53E-9-306, the following records may not be expunged:

- Grades
- Transcripts
- A record of the student's enrollment
- Assessment information

## 8. Data Breach Response and Notification

### 8.1 Response

TCS shall follow industry best practices to protect information and data. In the event of a data breach or inadvertent disclosure of personally identifiable information, TCS staff shall follow industry best practices outlined in the Agency IT Security Policy for responding to the breach.

Concerns about data breaches must be reported immediately to the IT security manager (H-Wire) who will collaborate with appropriate members of the administration to determine whether a security breach has occurred. If TCS determines that one or more employees or contracted partners have substantially failed to comply with TCS's Agency IT Security Policy and relevant privacy policies, they will identify appropriate consequences, which may include termination of employment or a contract and further legal action. Concerns about security breaches that involve the IT Security Manager (H-Wire) must be reported immediately to the Superintendent.

### 8.2 Notification

TCS shall follow best practices for notifying affected parties, including students, in the case of an adult student, or parents or legal guardians, if the student is not an adult student.

TCS shall always notify the parent or the adult student in the case of a significant data breach, as defined by Board Rule.

TCS shall notify USBE of any data breach from a third party.

## 9. Training, Technical Assistance, and Support

## 9.1 Training

The Student Data Manager shall ensure that all employees, staff, and volunteers receive an annual training on data security and data privacy per 53E-9-204. The Data Manager shall maintain a list of employees who have completed the training and provide a certified statement, signed by the employees, that verifies their completion. Employees who have not received this training will not be given access to student data.

Furthermore, TCS will provide a range of training opportunities for all staff, including volunteers, contractors, and temporary employees with access to student educational data or confidential educator records in order to minimize the risk of human error and misuse of information.

TCS may arrange for the State Student Data Privacy Trainer to provide trainings or training materials.

## 9.2 Technical assistance and support

The Student Data Manager will provide technical assistance and support to educators, staff, employees, and volunteers as needed.

# 10. Data Quality, Auditing, and Transparency

## 10.1 Data quality

The Student Data Manager, IT Security Manager (H-Wire), and any other TCS employees as designated under the direction of the data governance group shall perform regular and ad hoc data auditing for quality assurance. Data sets and reports will be reviewed for reliability, validity, and presentation before they are disclosed.

## 10.2 Auditing and monitoring

### 10.2.1 Third party audits

As permitted by 53E-9-309(2), TC shall seek evidence of compliance, up to and including an audit by TCS or a designee, to verify that all third parties contracted by TCS are in compliance with Federal and State law, this data governance plan, and all terms of the contract.

### 10.2.2 TCS audits and evidence of compliance

TCS shall annually provide to the State Superintendent evidence of compliance with Federal and State data confidentiality and disclosure laws to be reviewed by USBE's Chief Privacy Officer annually by October 1, per R277-487-3(13).

TCS shall furthermore coordinate with the USBE Student Data Privacy Auditor regarding ad hoc audits of the TCS's compliance with Federal and State law and this data governance plan.

### 10.3 Transparency

TCS shall annually publish the following on its website:

- This data governance plan
- A URL link to the TCS Metadata Dictionary

Table 1. Data governance roles and responsibilities

Role	Responsibilities
<b>Director</b>	<ol style="list-style-type: none"> <li>1. Authorize membership into groups receiving student data access.</li> <li>2. Authorize and manage the sharing, outside of the education entity, of personally identifiable student data.</li> <li>3. Create and maintain a list of all TCS staff that have access to personally identifiable student data.</li> <li>4. Ensure annual TCS level training on data privacy to all staff members, including volunteers. Document all staff names, roles, and training dates, times, locations, and agendas.</li> </ol>
<b>TCS Student Data Manager</b>	<ol style="list-style-type: none"> <li>5. Authorize and manage the sharing, outside of the education entity, of personally identifiable student data</li> <li>6. Act as the primary local point of contact for the state student data officer.</li> <li>7. Create and maintain a list of all TCS staff that have access to personally identifiable student data.</li> <li>8. Ensure annual TCS level training on data privacy to all staff members, including volunteers. Document all staff names, roles, and training dates, times, locations, and agendas.</li> </ol>
<b>IT Systems Security Manager (H-Wire)</b>	<ol style="list-style-type: none"> <li>1. Act as the primary point of contact for state student data security administration in assisting the board to administer this part;</li> <li>2. Ensure compliance with security systems laws throughout the public education system, including:               <ol style="list-style-type: none"> <li>a. providing training and support to applicable TCS employees; and</li> <li>b. producing resource materials, model plans, and model forms for TCS systems security;</li> </ol> </li> <li>3. Investigate complaints of alleged violations of systems breaches</li> </ol>
<b>Educators</b>	<ol style="list-style-type: none"> <li>1. An employee, aide, or volunteer may not share, disclose, or disseminate passwords that are used to access student performance data or any personally identifiable student information.</li> <li>2. TCS employees may only access student records pursuant to a legitimate educational purpose and consistent with their educator obligations.</li> <li>3. All TCS employees that have access to confidential data shall receive an annual training regarding data governance and student data privacy requirements.</li> </ol>

Table 2. FERPA Exceptions

<b>Exception</b>	<b>Who</b>	<b>Assurances</b>	<b>Redisclosure Restrictions</b>
Accreditation	Accrediting Organization	Data may be shared as needed for the organization to carry out its accrediting functions	No redisclosures without parent or student permission or in response to a judicial order/subpoena
Audit/Evaluation	Individuals or agencies designated as "authorized representatives" of the TCS for the purpose of audit or evaluation of a federal or state education program	Written agreement that specifies <ul style="list-style-type: none"> <li>• who the authorized representative is</li> <li>• the data to be shared</li> <li>• requirements to destroy the data once no longer needed</li> <li>• the time period to destroy the data</li> <li>• Policies and procedures to ensure confidentiality and privacy</li> </ul>	No redisclosures without parent or student permission or in response to a judicial order/subpoena or if required by federal law
Caseworkers	Caseworkers of the Department of Human Services or Juvenile Justice Court	Caseworker must have a legal right to access the data, and the student must be under the care and protection of the caseworker per Utah law	The Student Data Protection Act allows redisclosures to other caseworkers in order to improve educational outcomes for youth
Child Nutrition Data	Department of Agriculture, or an authorized representative or contractor of the Food and Nutrition Service	The National School Lunch Program has higher restrictions on child nutrition program data	No redisclosures without parent or student permission or in response to a judicial order/subpoena
Dependent Student	Parents of students who have turned 18 but are still claimed as a dependent on the parent's taxes	Per TCS policy to determine the student is a dependent	None
Directory Information	Any party as designated in the TCS's annual directory information notice	TCS must annually notify parents of their directory information policy. Parents must be given a reasonable amount of time to opt out.	None

Financial Aid	Individuals or agencies who need the student information to determine the eligibility, amount, and conditions of financial aid OR to enforce the terms and conditions of financial aid	None	No redisclosures without parent or student permission or in response to a judicial order/subpoena
Health or Safety Emergency	Appropriate parties in connection with an emergency	TCS must determine that there is a clear and articulable threat	No redisclosures without parent or student permission or in response to a judicial order/subpoena
Juvenile Justice	An alternative school-related intervention run by the Department of Juvenile Justice Services per UCA 53G-8-211	Student must be "prior to adjudication"	No redisclosures without parent or student permission or in response to a judicial order/subpoena
School Official	Teachers and contractors, consultants, volunteers that perform a service or function for which the TCS would use its employees	Must be under direct control of the TCS, as defined by contract, NDA, physical or technical controls, or other agreement specified by the TCS	No redisclosures without parent or student permission or in response to a judicial order/subpoena
Sex Offenders	Individuals who need to know in connection to sex offenders or other individuals required to register under the Violent Crime Control and Law Enforcement Act	None	None
Student Transfer	Officials of another school that the student is attending or seeks to enroll	TCS must make a reasonable effort to notify the parent of the disclosure. This may be done in the TCS's annual FERPA notice.	No redisclosures without parent or student permission or in response to a judicial order/subpoena

Studies	Researchers working for or on the behalf of the TCS to develop, validate, or administer predictive tests; administer student aid programs; or improve instruction	Written agreement that specifies <ul style="list-style-type: none"> <li>• purpose, scope, and duration of the studies</li> <li>• that the data may only be used for the study</li> <li>• restrictions on personal identification of the data</li> <li>• a requirement to destroy the data at the end of the study</li> </ul>	No redisclosures without parent or student permission or in response to a judicial order/subpoena
Subpoena/Judicial Order	Any judicial or legislative authority that issues a subpoena or judicial order	Parents must be notified of the subpoena/judicial order and given enough time to seek protective action	None per FERPA. Utah's Student Data Protection Act, however, restricts the redisclosure for any purposes outside the subpoena/judicial order

## 02-Facilities, Safety, and Risk Management

### 02-101 Facilities Usage Policy

#### 1.0 Purpose

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

#### 2.0 Definition

“Facilities” means the school building, grounds, accessory buildings (ex. storage sheds), equipment, and property belonging to Treeside Charter School.

#### 3.0 Use of School Facilities

##### 3.1 Primary Use of School Facilities

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

##### 3.2 Secondary Use of School Property and Facilities

###### 3.2.1 School Sponsored Programs, Activities, Meetings, and PTO Use

School property and facilities may be used by the Parent Teacher Organization (PTO), teachers, students, administration, and other authorized persons for school-sponsored programs and activities, including but not limited to, membership meetings, committee meetings, after-school programs, clubs, fairs, sports, and all other school-related activities.

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

### 3.2.2 Community Use

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

### 3.2.3 Charitable or Non-Profit Use

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

### 3.2.4 Commercial Use

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

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

### 3.2.5 Other Uses and Limitations

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

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

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

## 4.0 Application and approval for rental of school facilities

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

#### 4.1 Procedures

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

4.1.2 The application must be signed by an adult of 21 years of age or older. The signatory is responsible for all aspects of use as outlined in the policy and regulations.

4.1.3 The Business Manager shall review an application and determine classification of use, personnel requirements, fees and any additional costs for the activity, and ensure compliance with policy.

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

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

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

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

#### 4.2 Restrictions

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

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

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

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

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

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

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

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

## 5.0 Rental Fees and Costs

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

### 5.1 Determination of Fees

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

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

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

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

### 5.2 Classification for Use of School Facilities

#### 5.2.1 No Cost

Groups, events and activities that are organized under the direction of Treeside Charter School are not considered lessees and are not subject to rental fees or costs.

Participants may be held civilly or criminally liable for damage to the building as applicable.

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

activities that require facilities or services above the normal provisions or scheduled duty are subject to Actual Cost.

### 5.2.3 Actual Cost

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

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

### 5.2.4 Commercial Rates

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

## 5.3 Security Deposit

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

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

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

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

## 5.4 Additional Costs

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

### 5.4.1 Equipment and Services

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

#### 5.4.2 Personnel

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

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

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

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

#### 5.4.3 Loss, Damage or Excessive Mess

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

#### 5.4.4 Collection of Fees

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

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

## 6.0 Regulations for Use

### 6.1 Supervision

Facilities may not be left without supervision while occupied.

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

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

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

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

## 6.2 Liability Coverage

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

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

## 6.3 Regulations for Equipment Use

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

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

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

## 6.4 Other Regulations for Use

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

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

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

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

6.4.5 Drapes, hangings, curtains, drops and all decorative materials used within or upon the school buildings shall be made of non-flammable material, or shall be treated and maintained by means of a solution or process approved by the State Fire Marshall. No open fires or flames (candles) shall be permitted without proper authorization.

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

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

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

7.0 Application Packet/Instructions/Permit etc.

Approved July 18, 2018



# Use of Premises Agreement

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## SECTION ONE--DESCRIPTION OF PREMISES

Treeside Charter School ("School") grants \_\_\_\_\_ ("User") permission to use the premises located at \_\_\_\_\_.

## SECTION TWO--TERM

The term of this use agreement is during the hours and days of \_\_\_\_\_

from \_\_\_\_\_ to \_\_\_\_\_ on \_\_\_\_\_.

## SECTION THREE--USE OF PREMISES

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

## SECTION FOUR--RESTRICTIONS ON USE

- A. User shall not use the demised premises in any manner that will increase risks covered by insurance on the demised premises and result in an increase in the rate of insurance or a cancellation of any insurance policy, even if such use may be in furtherance of user's business purposes.
- B. User shall not keep, use, or sell anything prohibited by any policy of fire insurance covering the demised premises, and shall comply with all requirements of the insurers applicable to the demised premises necessary to keep in force the fire and liability insurance.
- C. User shall not enter classrooms, offices, or other rooms in the school and shall keep all occupants within the multi-purpose room and the nearest restrooms and hallways.

## SECTION FIVE--WASTE, NUISANCE, OR UNLAWFUL ACTIVITY

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

## SECTION SIX--REPAIRS AND MAINTENANCE

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

**SECTION SEVEN--SECURITY OF PREMISES**

- A. User is responsible to secure the demised premises after its use, including locking all doors and access points, and enabling the security system.
- B. User will be liable for any damage or theft resulting from failure to properly secure premises.

**SECTION EIGHT--NON LIABILITY OF SCHOOL FOR DAMAGES**

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

**SECTION NINE--ENTIRE AGREEMENT**

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

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## 02-102 Building Access Policy

### SECTION ONE--PURPOSE

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

### SECTION TWO--PROHIBITED ACCESS

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

### SECTION THREE--LIABILITY

Users must protect Treeside Charter School’s property while they use it. Users are responsible for the actions of any person without regular access to the school to whom the User allows access. If accessing the building outside regular school hours, Users are responsible to ensure building security. Users are responsible for all doors and other access points if they are the last to leave.

Users may be held liable for damage, theft, or vandalism that occurs because they did not properly secure the building according to this policy.

### SECTION FOUR—VIOLATIONS

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

### SECTION FIVE--USER AGREEMENT ON BUILDING ACCESS

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

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_

Means of Access : \_\_\_\_\_

Approved July 18, 2018

## 02-103 Reporting of Suspected child Abuse or Neglect

The Board recognizes that the Utah law requires the reporting of child abuse and neglect by any person who has reason to believe that a child has been abused or neglected. To implement this law, the Board authorizes school administration to develop procedures for Treeside Charter School employees to carry out the intent of the law.

### Administration Procedures

- a. The Administration shall cause that any school employee who knows or reasonably suspects that a child's health or welfare has been or appears to have been harmed as a result of abuse and/or neglect shall report and cause reports to be made in accordance with the procedures of this policy.
- b. The Administration shall provide to all professional employees annual training on the subject of identifying and reporting children suspected of abuse or neglect.
- c. The Administration shall distribute annually to all school employees copies of this policy and the Child Abuse-Neglect Report Form.

### Guidelines

- a. If a school employee knows or reasonably suspects that a child 17 years old or younger is being abused or neglected, the employee shall immediately make an oral report to the School Director, or his or her immediate supervisor. Both the employee and the Administrator must make immediate contact to report the suspected abuse or neglect by telephone to local police, or the county sheriff, or the office of the Division of Family Services.
- b. To support the suspicion of abuse and neglect, professional school employees may (but are not required to) gather information by interviewing the child.
- c. If, after conducting the interview, it is determined that the child is in need of immediate medical attention, all involved staff shall follow the procedure for medical treatment for students. However, contact with a parent or guardian for purposes of determining the cause of the injury shall be avoided.
- d. If the information gathered from interviewing the child supports suspected child abuse or neglect the following actions shall be taken.
  - i. The director or his/her designee shall immediately report the case by telephone to the local city police, or county sheriff, or office of the Division of Family Services.

- ii. Within 24 hours after making the oral report, the school employee initiating the report shall complete and give to the School Director a completed Child Abuse- Neglect Report Form.
- e. Upon receiving the Child Abuse-Neglect Report Form, the School Director shall:
  - i. Mail one copy within 24 hours to the agency receiving the oral report (local city police, or county sheriff, or office of the Division of Family Services).
  - ii. Place one copy of all reported cases of suspected child abuse or neglect in a separate file to be maintained by the School Director or his/her designee.  
Note: The Child Abuse-Neglect Report Form shall not be placed in the child's personal file.
- f. It is not the responsibility of the school employee to: (1) prove that the child has been abused or neglected, or (2) determine whether the child is in need of protection.
- g. School employees shall not make contact with the child's family or other persons (relatives, friends, neighbors, etc.) for the purpose of determining the cause of the injury and/or apparent neglect.
- h. School employees are immune from any civil and/or criminal liability when reporting in good faith suspected child abuse or neglect. (UCA §78-3a-20.10)
- i. Any school employee who willfully fails to report a case of suspected child abuse or neglect may face legal and/or disciplinary action up to and including termination of employment. (UCA §78-2a-19)

Approved July 18, 2018

## 02-104 Nutrition and Wellness Policy

### Purpose and Philosophy

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

### Opportunities for Physical Education and Physical Activity

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

### Opportunities for Nutrition Education

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

#### Nutrition Guidelines for Foods Available in Schools

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

#### Monitoring and Policy

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

Approved July 18, 2018

#### 02-105 Safe Walking Policy

To improve student safety and to protect the school from unnecessary liability, the Treeside Charter School board adopts the following policy and standards for safe walking to and from school.

1. Treeside Charter School cannot assume liability for students unless they are on school grounds. Parents, shall plan and review their children's walking/biking route with them and shall be responsible for their safety prior to their arrival on campus.
2. Treeside Charter School will provide carpool supervision by the school entrance every school day during designated arrival and departure hours as published by administration each year. Students may not arrive at school earlier than 8:25 a.m., or wait for carpools later than 3:45 p.m.
3. If a student's walking route to school has stretches with no sidewalk, and/or intersections with no crossing guard, parents must teach and ensure that children use caution, stay well off the street, and cross only after looking both ways. Bikers should wear helmets and stay to the far right side of the street.
4. Students are encouraged to find walking partners to walk to and from school together, avoid talking to strangers, and never approach unfamiliar cars. Students should scream and run away if they feel they are in danger, and tell a crossing guard, another parent/guardian with kids, or a teacher at school what happened.
5. Once on school grounds, students shall walk bikes, and stay on sidewalks. Parking of bicycles shall be only in designated areas.

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

Approved July 18, 2018

## 02-106 Harassment Policy

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

Sexual harassment is a form of sex discrimination, which includes gender-based harassment of a person of the same sex as the harasser. It is the express policy of the School that sexual harassment of employees or an applicant, by you or agents of the School, is unacceptable and will not be tolerated. Unwelcome or unwanted sexual advances, requests for favors or other visual, verbal or physical conduct will be deemed sexual harassment when:

1. Submission to such conduct is explicitly or implicitly a condition of employment;
2. Submission to or rejection of such conduct is used as the basis of employment decisions; and
3. Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination. The School further recognizes that allegations of this type of discrimination may have serious effects on innocent women and men. Therefore, the School has devised two procedures to process a sexual harassment complaint. First, the normal complaint procedure as set forth herein may be utilized. Second, if the employee desires confidentiality, the following procedure may be requested:

1. Any employee who believes he or she has been the subject of harassment should report the alleged act(s) promptly (within two working days) the school Director or Director or designee, giving details as related to the complaint.
2. Management or designee, upon receipt of the complaint, shall take immediate and appropriate steps to investigate the complaint. Confidentiality is mandatory to the maximum extent possible.
3. Following the investigation of the complaint, the school Director, Director or designee shall weigh the facts and determine the validity of the charge. If the complaint is determined to be valid, the offender(s) shall face immediate and appropriate disciplinary action based upon the severity of the charge. This may include written warning and / or

suspension, and / or discharge. If the offender is a supervisor he / she may be demoted. If the complaint is found invalid, the complaining party may request Step 2 of the normal complaint procedure.

Approved July 18, 2018

## 02-107 Safe School Policy

Treeside Charter School is committed to fostering an environment for students, staff, community, neighbors and visitors that is safe, conducive to the learning process, and free from unnecessary disruption. A safe school environment includes the school and grounds during school hours, and during school sponsored activities and events. The following policy and guidelines have been created for this purpose in accordance with Utah State Law (UCA 53A-11-901-909).

### Definition

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

Exclusion means the removal of a student from a school program, but not necessarily from all education services, and includes:

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

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

Change in Placement: Alternative placement of a student for disciplinary or for other legitimate purposes.

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

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

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

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

1. exclusion of the student from school for a predetermined time or until certain conditions are met;
2. specific behavior standards for the student which, when met by the student, allow for designated rights or privileges;
3. in school suspension;
4. community service;
5. restitution for damage or harm.

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

Parent: parent or legal guardian.

Proactive strategies for improving student behavior and limiting the exclusion of students from school:

Treeside Charter School shall provide parents and students with a written mission statement for the school that should be included in a school procedures handbook and provided to parents.

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

Provisions governing the conduct of school age individuals:

Students shall:

- a. be given notice of applicable rules of conduct
- b. comply with applicable rules of conduct as well as all federal, state and local laws and ordinances; and
- c. be civil and respectful to other people and obey persons in authority at the school.

Students may be suspended or expelled from Treeside Charter School for the following reasons and students may not:

1. possess, use, sell or attempt to possess, use or sell any firearm, weapon, knife, explosive, firework, chemical weapon, flammable material, martial arts weapon or other instrument including those which eject anything, or other material dangerous to persons

or property, or any replica or facsimile of any of the above, regardless of intent and whether functional or nonfunctional;

- as required by federal law, a student who is found to have brought a firearm (as defined under Section 921 of title 18, U.S. Code) or a real, look alike, or pretend firearm, explosive or flammable material under state law (53A-11-904) to school or to a school-sponsored activity or to be in possession of such firearm while at school or when involved in any school supervised activity shall be expelled from school for a period of not less than one year;
- the Director or the Director's designee, may modify the one year expulsion requirement if the Director or review committee determines on a case-by- case basis that a lesser penalty would be more appropriate;

2. cause, attempt, threaten or conspire to cause damage to personal or real property, or cause, attempt, threaten or conspire to cause harm to a person or persons, individually or in groups, through:
  - a. arson (UCA 76-6-102)
  - b. burglary
  - c. larceny or stealing (UCA 76-6-403)
  - d. criminal mischief (UCA 76-6-106)
  - e. battery
  - f. assault (UCA 76-5-102)
  - g. harassment (UCA 76-5-106)
  - h. vandalism (UCA 76-6-105)
  - i. hazing (UCA 76-6-106)
  - j. participation in any activity which violates an applicable school rule or federal, state or local law or ordinance, or disrupts normal school proceedings or through threats of participation in any plan or conspiracy relating to the foregoing.
  - k. participation in conduct which threatens harm or does harm to the school, school property, person associated with the school or property associated with such persons
3. commit an offense against an educator when the educator is acting in the course of employment or be subject to an enhanced degree of offense as cited in Utah Code

Annotated 76-3-203.2. Crimes against educators are considered to have created an imminent danger under this policy.

4. be admitted to Treeside Charter School on the basis of having expelled from any school during the preceding 12 months (UCA 53A-11-904).

Procedures for incidents involving weapons, drugs, alcohol, or imminent danger to people or property:

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

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

- A. immediate student suspension:
  - i. the student is suspended until the parent/legal guardian is able to conference with school administrators.
  - ii. the student shall be prohibited from trespassing on school property.
- B. the school may only release the suspended student to the student's parent/legal guardian or other adult designated by the parent or legal authority.
- C. in unlawful or dangerous situations, the student may be released to law enforcement personnel;
- D. a school administrator shall make earnest efforts to contact a parent/legal guardian to schedule a conference with the student, the student's parent/legal guardian within 24 hours of the exclusion;
  - i. during the conference, the administrator shall:
    - ii. review the alleged conduct by the student and present the evidence;
    - iii. give the student an opportunity to respond and present relevant information or explanations.
    - iv. determine whether or not the allegations are true by a preponderance of the evidence, and make a recommendation for action, which may include.
    - v. if true, the following options are available:
      1. discontinue or continue the exclusion (suspension or expulsion) for a specific length of time.

2. develop a remedial discipline plan for the student required under Section 53A-11-902(3) which outlines the requirements for reinstatement in the class, school, or administration's evaluation of alternatives to excluding the student from school.
  3. outline expectations for parents/legal guardians and the school in the student's discipline plan and potential reinstatement: i.e. supervision, a behavior contract, continued participation in extracurricular school activities, ongoing educational services for the student, take-home or independent study assignments, mandatory school contact or evaluation.
  4. advise the student and the parent about the student's rights and obligations and the procedures for appeal of an adverse decision.
- E. at the conclusion of any exclusionary period, a conference will be held with the student and the student's parent/legal guardian at which time a behavior contract will be developed by parents/legal guardians, student, school personnel, and other appropriate individuals.
- F. The administrator shall document the disciplinary action taken.

Procedures for incidents not involving weapons, drugs, alcohol, or imminent danger to people or property:

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

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

- a. explain the allegations or violation to the student.
- b. discuss the evidence and provide the student with a reasonable opportunity to respond and present any relevant information.
- c. take appropriate action consistent with findings made by the administrator after review of the evidence and the student's response, and with applicable school policies and state and federal law, including laws or regulations specific to students with disabilities;
- d. advise the student and the parent/legal guardian about the student's rights and obligations, and the procedures for appeal of an adverse decision.

- e. discuss alternatives to suspension with the student and parent/legal guardian or behavior that is neither violent, unlawful, or falls under weapons, imminent danger or drug and alcohol violations;
  - i. in school suspension or alternative programs;
  - ii. parent/legal guardian supervision of student at school;
- f. amended schedule;
- g. if the parent or legal guardian does not comply with the alternative to suspension requirements, the student shall be suspended in accordance with the conduct and discipline policies of the school;
- h. in the event of suspension or expulsion, the student shall be prohibited from trespassing on school property and attending any school event or activity.

Board of Trustees-Level Hearings:

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

- A. If the student or parent/legal guardian does not concur with the school disposition of student misconduct involving weapons, drugs, alcohol, or imminent danger or for student exclusion for a second or subsequent offense not involving weapons, drugs, alcohol, or imminent danger:
  - 1. the parent/legal guardian may appeal the decision by submitting a written request to the Chief Administrative Officer within 10 days after receiving notice of the decision;
  - 2. the Chief Administrative Officer or review committee shall schedule the appeal hearing within 20 days of receiving the parent's/legal guardian's request for hearing and shall provide the parent/legal guardian with notice of the procedures to be followed in the hearing;
  - 3. the Chief Administrative Officer or review committee shall conduct the appeal hearing at the appointed time and place. The school and the student may each be represented by an advocate of its choice;
  - 4. at the appeal hearing, each party may make statements, question witnesses, and present relevant facts and evidence. The review committee procedures may allow for additional witnesses or affidavits to be presented;

5. the appeal hearing's conclusions) that affect a student's school attendance shall be decided within two school days following the hearing;
6. all other issues shall be disposed of in writing within 30 days of the conclusion of the appeal hearing;
7. these time periods may be waived upon agreement by both parties to the hearing;
8. the recommendation of the review committee will be submitted to the Board of Education if the recommendation to expel the student is upheld;
9. expulsion of a student may be conducted by the Director and Chief Administrative officer;
10. School review committee appeal of exclusion is the final administrative remedy. If students or parents/legal guardians are dissatisfied with the administrative determination, they may appeal to a court of law.

Responsibility of parent for suspended or expelled student:

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

- A. The parent or legal guardian shall work with designated school officials to determine how that responsibility might best be met through private education, an alternative program offered by or through the school, or other alternatives which will reasonably meet the educational needs of the student.
- B. Costs for educational services which are not provided by Treeside Charter School are the responsibility of the parent.
- C. Treeside Charter School will maintain a record of all suspended or expelled students and a notation of the recorded suspension or expulsion shall be attached to the individual student's transcript (UCA 53A-11-907).

STUDENTS WITH DISABILITIES:

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

All students with disabilities enrolled at Treeside Charter School are accountable for the same standards of behavior as non-disabled students unless their Individualized Educational Program

(IEP) teams have determined that their disabilities prevent adherence to these standards and have agreed upon altered standards on their IEPs. Because students with disabilities represent a protected class of individuals, the following general provisions and/or protections apply:

- A. Suspension of students with disabilities for fewer than ten (10) days - School administration may order the removal of a student with a disability for up to 10 consecutive days for any violation of school rules for which students without disabilities would be removed. During this type of removal, the provision of educational services is not required.
- B. Suspension of students with disabilities for more than ten (10) days - Students may be suspended for more than 10 cumulative days per school year for separate instances for which nondisabled students would be suspended. However, such suspension must not constitute a pattern of removal and/or a change of placement. Factors such as the length of each removal, total amount of time the student is removed and proximity of removals to each other may lead to a conclusion of placement change. Regardless, beginning with the 11th cumulative day of removal, general and special education services must be provided to the student while on suspension.

#### I. Weapons and Controlled Substance Violations

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

- A. The student's IEP team must meet as quickly as possible following the violation to conduct a manifestation determination. This procedure uses evidence from the student's psycho educational evaluation(s), school conduct and classroom performance to help identify whether or not the student's misbehavior was a function of his/her disability.
  - a. Violation Related to Student's Disability: The student's IEP team must meet to determine an interim alternative educational setting (IAES) to which the student may be removed for up to 45 school days. The team must also conduct a functional behavioral assessment (FUBA) and develop a behavior intervention plan (BIP) if these have not already been accomplished. If a FUBA and BIP have already been completed, the IEP team will review these and make revisions as appropriate. The purpose of the BIP is to reduce or eliminate the likelihood that the behavior causing the removal from school will recur in the interim alternative educational setting and in the student's school upon his/her return. In an IAES, the student must receive services which allow him/her to progress in the general curriculum and to advance appropriately toward meeting the goals specified on his/her IEP.

- b. Violation Not Related to Student's Disability: If the manifestation determination procedure indicates that the weapons or drug violation was not related to the student's disability, the student may be removed from school on the same basis as would a student without a disability. However, during this removal the school must provide services necessary to enable the student to progress in the general curriculum and appropriately advance toward meeting the goals set forth in his/her IEP.
- c. Dangerousness: A due process hearing officer may order the removal of a student to an interim alternative educational setting (IAES) for up to 45 days if in an expedited due process hearing, s/he determines that the school has demonstrated by substantial evidence that maintaining the current placement of the student is substantially likely to result in injury to the student or others, considers the appropriateness of the student's current placement, considers that the school has made reasonable efforts to minimize the risk of harm in the student's current placement, determines that the IAES proposed by the school in concert with the student's special education teacher meets requirements of addressing the student's behavior and offering services so that the student can progress in his/her general and special education programs.

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

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

- A. In School Suspension - An in school suspension would not be considered a part of the days of suspension previously addressed as long as the student is afforded the opportunity to continue to appropriately progress in the general curriculum, continue to receive the services specified on his or her IEP and continue to participate with nondisabled students to the extent they would have in their current placement.
- B. Behavioral Interventions - any behavioral intervention to be used with a student with disabilities must meet the requirements set forth by the Utah State Board of Education Special Education Rules.

Threats of suicide:

Consistent with UCA 53A-11a-203, the school shall:

- A. notify a parent if the parent's student threatens to commit suicide,
- B. notify the parents of each student involved in an incident of bullying, cyber-bullying, hazing, abusive conduct, or retaliation of the incident involving each parent's student, and
- C. produce and maintain (consistent with Records Retention Policy) a record that verifies that the parent was notified of the incident or threat

Appropriate use of physical restraint in the enforcement of this policy:

The use of physical restraint of students within the context of this policy is only appropriate consistent with state and federal law, UCA Sections 53A-11-801 and 76-2-401(3).

Gang related activity:

- A. School administrators and other school personnel designated by the administration shall have authority to identify student behavior as gang-related and may be allowed under school policy to treat such designated behavior as imminently dangerous to students and staff and follow the procedures outlined under Section V of this policy for disciplining students involved in gang-related activities.
- B. In disciplining students under gang-related provisions, school administrators shall act consistently with and be sensitive to Constitutional protections of freedom of expression and freedom of association.
- C. Students and parents/legal guardians should be given notice that courts have determined that the parameters of freedom of expression and freedom of association in a public school setting are different than in society generally.
- D. Indices of gang-related behavior or association may include, but are not limited to:
  - 1. advocating or promoting a gang or any gang-related activities;
  - 2. marking school property, books, or school work with gang names, slogans, or signs;
  - 3. conducting gang initiations;
  - 4. threatening another person with bodily injury or inflicting bodily injury on another in connection with a gang or gang-related activity;
  - 5. aiding or abetting an activity described under Subsections (2)(f)(i) through (iv) by a person's presence or support;

6. displaying or wearing common gang apparel, common dress, or identifying signs or symbols on one's clothing, person, or personal property that is disruptive to the school environment; and
7. communicating in any method, including verbal, non-verbal, and electronic means, designed to convey gang membership or affiliation.; or
8. any combination of the preceding indices or activities.

Approved July 18, 2018

### 02-108 Traffic and Arrival Departure Policy

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

Approved July 18, 2018

### 02-109 Emergency Response Policy

Treeside Charter School shall comply with R277-400 and UCA 53A-3-402 regarding the development and practice of a comprehensive Emergency Response Plan. Administration shall develop, practice, and execute the plan, which shall provide for all provisions of R277-400, including prevention, intervention, and response measures and shall prepare staff and students to respond promptly and appropriately to school emergencies.

The development of the plan shall include review by a committee made up of appropriate school and community representatives which may include administrators, teachers, parents, community and municipal governmental officers, and fire and law enforcement personnel.

This policy and the school plan shall be reviewed by the Board at least every three years.

Approved July 18, 2018

### 02-210 National School Lunch Program Policy

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

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

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

#### Applications

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

#### Payments

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

#### Delinquency

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

Approved July 18, 2018

02-211 Inclement Weather / Air Quality Policy

During inclement weather, students are allowed to enter their classrooms in the morning no earlier than 8:25 when the green flag is posted in the front of the building. The green flag will be posted under the following conditions per policy:

- Temperature is 25 degrees fahrenheit or below
- Air quality is “Red”
- Actively raining
- Actively snowing
- Actively hailing
- Unusually harsh winds

### Air Quality

The school closely monitors air quality each day. Teachers are notified of red days and recess and other outdoor activities will be modified. If parents wish their student(s) to stay inside on a particular air quality day, they need to fill out a health alert form and return it to the school office.

### Indoor Recess

It is the focus of TCS to spend time out of doors as much as possible during the school day. We will continue to follow this philosophy in the winter months. Students will play in the snow and spend time outside. Please dress your child appropriately . We will closely monitor weather conditions/temperature daily and make decisions accordingly.

Approved:

## 03 Students

### 03-101 School Fees and Waivers

#### Board Policy

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

The Board delegates to the Administration of Treeside Charter School the responsibility of administering this policy.

#### Administration Policy

The following definitions and standards shall serve as guidelines for the administration as they assess and collect fees at Treeside Charter School.

Definitions

**Fee:** Any charge, deposit, rental, or other mandatory payment, however designated, whether in the form of money or goods.

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

**Student Supplies:** 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 Treeside Charter School-sponsored activities. The term includes pencils, papers, notebooks, crayons, scissors, Treeside Charter School spirit wear, undergarments for athletics, and similar personal or consumable items over which a student retains ownership.

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

**Textbook:** Book, workbook, and materials similar in function that are required for participation in any instructional course. **Includes computer hardware, software, digital content, and maintenance of school equipment.**

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

## Standards

1. Classes and Activities During the Regular Academic Day
  - a. No fee may be charged for any class or activity in kindergarten through sixth grade, including assemblies and field trips.
  - b. Donations may be requested but not required for any class or activity in kindergarten through sixth grade.
  - c. Textbook, lab, and other course-related fees may only be charged in secondary grades (7th grade and higher)
  - d. Students must be able to enroll and participate in any class, and have the opportunity to acquire all skills and knowledge required for full credit and highest grades. They may do this without paying a fee or participating in a fund raising activity with the following exceptions:
    - i. Students of all grade levels may be required to provide materials for their optional projects.
    - ii. Student supplies must be provided for elementary Students. A student may, however, be required to replace supplies provided by Treeside Charter School that are lost, wasted, or damaged by the student.

- iii. Students in grade 7 or higher may be required to provide their own student supplies.
- 2. Activities Outside of the Regular Academic Day
  - a. Fees may be charged in connection with any Treeside Charter School-sponsored activity, regardless of the age or grade level of the student, if participation is voluntary and does not affect a student's grade or ability to participate fully in any course taught during the day.
- 3. General Provisions
  - a. No fee may be charged or assessed in connection with any class or school-sponsored or supported activity, including extracurricular activities, unless the fee has been set and approved by the Board of Trustees in accordance with this policy.
  - b. The Board of Trustees shall adopt the fee schedules and policies for Treeside Charter School at least once each year by in a regularly scheduled public meeting of the board. Provision shall be made for broad public notice and participation in the development of fee schedules and waiver policies.
  - c. Treeside Charter School shall adopt procedures to reasonably ensure that the parent or guardian of each student receives written notice of fee schedules and fee waiver policies before the fees are due. Procedures for fee waivers shall be written in language that is easily understood and included with student registration materials.
  - d. No present or former student may be denied receipt of transcripts or a diploma for failure to pay fees other than a reasonable charge made to cover the cost of duplicating or mailing. No charge may be made for duplicating or mailing copies of academy records to an elementary or secondary school in which the student is enrolled or intends to enroll.
  - e. The Board of Trustees shall provide, as part of any fee policy or schedule, for adequate waivers or other provisions to ensure that no student is denied the opportunity to participate in a class or school-sponsored or supported activity because of an inability to pay a fee. The waiver policy shall include procedures to ensure that:
    - i. Staff shall administer the policy and grant waivers;
    - ii. The process for obtaining waivers or pursuing alternatives is administered fairly and objectively.
    - iii. Fee waivers or other provisions in lieu of fee waivers are available to all students who are in state custody or receiving public assistance in the form of aid to dependent children, general relief, supplemental security income, or foster care, and others whose parents or guardians are financially unable to pay;

- iv. Textbooks are free to all students - Exception a fee may be charged for AP or CE course, subject to waiver. Utah Code 53G-7-602(3)
  - v. Parents are given the opportunity to review proposed alternatives to fee waivers;
  - vi. An appeal process is available, including the opportunity to appeal to the board or its designee; and
  - vii. To preserve equal opportunity for all students and to limit diversion of money and school and staff resources from the basic school program, this fee policy shall be designed to place a reasonable limit on student expenditures for school sponsored activities, including expenditures for activities, clubs, clinics, travel, and subject area and vocational leadership organizations whether local, state or national.
- f. The requirements of fee waiver and availability of other provisions in lieu of fee waiver do not apply to charges assessed pursuant to a student's damaging or losing school property. Treeside Charter School may pursue reasonable methods for obtaining payment for such charges, but may not exclude students from school or withhold transcripts or diplomas to obtain payment of those charges.
- g. Charges for yearbooks, spirit items and clothing, and similar articles not required for participation in a class or activity are not fees and are not subject to the waiver requirements of this policy.

Approved **May 25, 2023**

### 03-102 Attendance Policy

Regular attendance is required by law and is a major key to students' success. Frequent absence of students from day-to-day classroom instruction disrupts the learning process. A quality education requires a continuity of instruction, class participation, learning experience, and study. Activities, discussions, simulations, and presentations take place every day and cannot be duplicated even by after-school instruction or make-up work.

Treeside Charter School makes every effort, within the following guidelines, to encourage regular attendance for all students and to assist parents in their responsibility to have their children attend school regularly.

#### Guidelines

1. Students are expected to be in attendance every school day in order to receive maximum benefit from their education experiences.
2. Parents or guardians have primary responsibility for regular student attendance at school, although students also share in this responsibility. Parents or guardians are

expected to ensure that their children attend school regularly and arrive on time as well.

3. Administrators shall work cooperatively with students, parents or guardians, teachers, and staff to improve student attendance. Administrators shall use earnest and persistent effort, including parent notification, to deter excessive and unexcused student absences.
4. Administrators will notify a parent or guardian as well as the involved student concerning possible consequences for excessive absenteeism, including academic consequences or District Court referral. Notification will be in the form of state mandated truancy letters, phone calls, or conferences, or disciplinary meetings. Habitual truant citations may be issued to students consistent with Section 53A-11-101.7.
5. A student will be considered "truant" if that student has missed school at least five (5) times without a valid excuse or, in other words, for reasons other than those authorized under school policy. A student will be considered "habitually truant" if that student is twelve (12) years of age or older and has missed school at least ten (10) times without a valid excuse.
6. Administrators will meet with school-age minors and their parents or guardians to resolve disputes whenever parents or guardians contest notices of truancy, the designation of absences as "unexcused," or the implementation of academic or disciplinary consequences due to absences. Unresolved disputes may be appealed to the Board of Trustees.
7. Parents must notify the School Director in advance of legitimate absences so that the absence is not designated "unexcused" (absences due to illness and emergency are an exception).
8. An "unexcused absence" is a student's absence from school for reasons other than a reason acceptable to the student's parent or guardian, submitted to the school in writing.
9. Students may be legitimately absent from class because of an "excused absence." An absence is designated as "excused" for illness, medical and dental appointments that cannot be reasonably scheduled after school, unusual opportunities for educational experiences beyond the classroom (pre-approved), family events such as reunions, weddings, religious events, and the like.
10. An absence will also be designated as "excused" when such an absence is consistent with student's IEP, Section 504 Accommodation Plan, even if it falls outside the regular "excused" absence category according to general school policy.
11. Whenever possible, a student anticipating an excused absence should contact the teacher in advance of the absence in order to acquire guidance for study and work while

absent.

12. If a student has been legitimately absent from class, he/she must contact the teacher regarding make-up work when he/she returns (a younger student may utilize the help of a parent or guardian in this process).
13. If a student must leave school during the school day, parents or guardians must telephone the office to confirm an early checkout prior to the student's departure during the school day. The student must check out with the main office and there record his/her name, indicate the reason for early departure, and indicate the time of early departure.
14. The Administration will notify teachers in advance of excused or unexcused absences for which the school has been given notice.
15. Classroom teachers are required to record and verify daily student attendance. Classroom teachers will notify the Administration if a student's attendance is irregular or excessive (more than two consecutive or more than five total), or if the absence seems to be "unexcused" or inexplicable.
16. Individual teachers will, in accordance with school policy, develop grading and credit guidelines that promote attendance, class participation, and academic achievement.
17. Individual teachers will, in accordance with school policy, record tardiness and report the excessive tardiness of any student to the Administration. At the discretion of the School Director, excessive student tardiness will receive academic and/or disciplinary consequences in accordance with school policy.
18. The Administration and individual teachers shall develop attendance plans and procedures that comply with state and board policies. The plan and procedures shall include:
  - a. Responsibilities for students, parents, classroom teachers, and school administrators
  - b. Procedures for managing attendance issues, i.e., illness, check in/out, school activity absences, etc.
  - c. An acceptable range of school and teacher consequences for unexcused absences and tardiness; an
  - d. Guidelines for making up work.
19. The Attendance Policy shall be available for review by parents or interested parties. The Administration and the Board of Trustees shall review attendance data and the Attendance Policy annually in order to consider revisions to the policy in an effort to encourage student attendance.

Approved July 18, 2018

## 03-103 Enrollment Policy

### Statement of Disclosure

Treeside Charter School is a public charter school open to all Utah students without discrimination and on the same basis as other public schools. Treeside Charter School will consider the application of any student who submits a timely application. Treeside Charter School does not discriminate on the basis of race, religion, gender, ability, ethnicity, socio-economic status, proficiency in English, or national origin. Admissions, enrollment, and transfer procedures comply with Utah Code 53A- 1a506.5 which governs such processes in the State of Utah. Treeside Charter School charges no tuition and only those fees allowed by law.

### Enrollment

Open enrollment for each new school year begins in the month of January of each current school year according to the posted calendar. Treeside Charter School enrolls current students first for any new school year, and then conducts a lottery or lotteries when the number of students making application to the school exceeds the enrollment capacity in any grade, class, or program within the school.

### Preferences

While the lottery selects students at random, preference is given to the following individuals in any lottery consistent with applicable state and federal law:

- Children of faculty and staff
  - Children of members of the Board of Trustees
  - Siblings of currently enrolled students
- o Sibling preference is granted beginning with the highest available grade and moving down. If preference is granted to a sibling, that student is placed in the next available slot on appropriate grade list following “children of founding parents” and “children of teacher” status students. Sibling preference is in place only while the first-placed student remains enrolled. If the first-placed student, who qualified siblings for preferential enrollment, is withdrawn before October 1, any siblings will lose sibling preference and move back into their place in the lottery.

### Lottery

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

The lottery will first choose the highest grade applicants and proceed down the grades through the lowest, giving preference to the first drawn names and then to the siblings of those first drawn. The lottery will also determine the priority list position for all other applicants at

specified grade levels. Applications for admission received after a scheduled lottery will be considered in the following lottery.

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

### **Dual Enrollment**

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

- The student will have a minimum attendance at Treeside Charter School of three quarters (3/4) of the weekly instructional time, including instruction in Math and Language;
- The parent provides a written request with a rationale for released time away from Treeside Charter School, and receives authorization from the Administrative Director; and
- If the student is a special education student, the IEP team will meet to determine an appropriate IEP.

If the student will attend Treeside Charter School less than three quarters (3/4) of the weekly instructional time, the parent shall withdraw their student from Treeside Charter School and either enroll in a private school or return to their local school and district to complete the procedures for formal homeschool status per Utah Code 53A-11-102(2)(a).

### **Foreign Exchange Students**

Because Treeside is an elementary school, no foreign exchange students will be enrolled.

Approved July 18, 2018

Revised: Oct 2022

## **03-104 Bullying, Cyberbullying, Harassment, and Retaliation Policy**

### **Purpose**

Bullying, cyberbullying, harassment, and hazing of students and employees are against federal, state and local policy, and are not tolerated by Treeside Charter School. Treeside Charter School is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect.

To that end, Treeside Charter School has in place policies, procedures, and practices that are designed to reduce and eliminate bullying, cyberbullying, harassment and hazing—including but not limited to civil rights violations—as well as processes and procedures to deal with such incidents. Bullying, cyberbullying, harassment, and hazing of students and/or employees by students and/or employees will not be tolerated in Treeside Charter school. School officials have the authority to discipline students for off-campus speech that causes or threatens a substantial disruption on campus or school activities, including violent altercations, or a significant interference with a student’s educational performance and involvement in school activities. If after an investigation, a student is found to be in violation of this policy, the student shall be disciplined by appropriate measures up to, and including, suspension and expulsion, pursuant to Utah Code Ann. 53A-11-904 and in accordance with the U.S. Department of Education Office for Civil Rights, loss of participation in extracurricular activities, and/or probation. If after an investigation, a school employee is found to have violated this policy, the employee shall be disciplined by appropriate measures up to, and including, termination.

## Definitions

1. "Bullying" means a school employee or student intentionally committing a written, verbal, or physical act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have the effect of:
  - a. causing physical or emotional harm to the school employee or student;
  - b. causing damage to the school employee's or student's property;
  - c. placing the school employee or student in reasonable fear of:
  - d. harm to the school employee's or student's physical or emotional well-being; or
    - i. damage to the school employee's or student's property;
    - ii. creating a hostile, threatening, humiliating, or abusive educational environment due to:
      1. the pervasiveness, persistence, or severity of the actions; or
      2. a power differential between the bully and the target; or
    - iii. substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.
  - e. 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.
  - f. In addition to the above, Treeside Charter School considers bullying to be aggressive behavior that:
    - i. is intended to cause distress and harm;
    - ii. exists in a relationship in which there is an imbalance of power and strength; and
    - iii. is repeated over time.

2. "Civil rights violation" means bullying (including cyber bullying), harassing, or hazing that is targeted at a federally protected class.
3. "Cyberbullying" means:
  - a. using the Internet, a cell phone, or another device to
  - b. 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,
  - c. regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.
4. "Federally protected class" means any group protected from discrimination under federal law.
  - a. Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin.
  - b. Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex.
  - c. Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 prohibits discrimination on the basis of disability.
  - d. Other areas included under these acts include religion, gender identity, and sexual orientation.
5. "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. This includes rumor spreading and social aggression intended to demean and disparage another individual and that contributes to a hostile environment for that individual.
6. "Hazing" means intentionally or knowingly committing an act that:
  - a. endangers the physical health or safety of a school employee or student;
  - b. involves any brutality of a physical nature such as whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
  - c. involves consumption of any food, liquor, drug, or other substance;
  - d. involves other physical activity that endangers the physical health and safety of a school employee or student; or
  - e. involves physically obstructing a school employee's or student's freedom to move; and
  - f. 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
  - g. 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.

- h. The conduct described in Subsection "6" constitutes hazing, regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in, the conduct.
7. "Parent" means a student's guardian.
  8. "Retaliation" means an act of communication intended:
    - a. as retribution against a person for reporting bullying, cyberbullying, harassment, or hazing; or
    - b. to improperly influence the investigation of, or the response to, a report of bullying or hazing.
  9. "School" means any public elementary or secondary school or charter school
  10. "School employee" means:
    - a. school teachers;
    - b. school staff;
    - c. school administrators; and
    - d. all others employed, directly or indirectly, by the school.
  11. "Volunteer" means a person on the approved Volunteer List who is working at the school under the supervision of school staff.

### **Prohibitions**

1. No school employee or student may engage in bullying or harassing a school employee or student:
  - a. on school property;
  - b. at a school related or sponsored event;
  - c. on a school bus;
  - d. at a school bus stop; or
  - e. while the school employee or student is traveling to or from a location or event described above
2. No school employee or student may engage in hazing or cyberbullying a school employee or student at any time or in any location.
3. No school employee or student may engage in retaliation against:
  - a. a school employee;
  - b. a student; or
  - c. an investigator for, or witness of, an alleged incident of bullying, harassing, cyberbullying, hazing, or retaliation

4. No school employee or student may make a false allegation of bullying, harassing, cyberbullying, hazing, or retaliation against a school employee or student.
5. Any bullying, harassing, or hazing that is found to be targeted at a federally protected class is further prohibited under federal anti-discrimination laws and is subject to compliance regulations from the Office for Civil Rights.

### **Actions Required if Prohibited Acts are Reported**

1. Each reported complaint will include:
  - a. name of complaining party;
  - b. name of offender (if known);
  - c. date and location of incident(s);
  - d. a statement describing the incident(s), including names of witnesses (if known).
2. Each reported violation of the prohibitions noted previously will be promptly investigated by a school administrator or an individual designated by a school administrator. A report of bullying, cyberbullying, hazing, harassment, and retaliation may be made anonymously, but Treeside Charter school will not take formal disciplinary action based solely on an anonymous reports.
3. Verified violations of the prohibitions noted previously shall result in consequences or penalties. Consequences or penalties may include but are not limited to:
  - a. student suspension or removal from a school-sponsored team or activity including school sponsored transportation;
  - b. student suspension or expulsion from school or lesser disciplinary action;
  - c. employee suspension or termination for cause or lesser disciplinary action;
  - d. employee reassignment; or
  - e. other action against student or employee as appropriate.
4. The school will notify a parent if the parent's student threatens to commit suicide, or if the student is involved in an incident of bullying, cyberbullying, harassment, hazing, or retaliation.
  - a. Treeside Charter School will produce and maintain a record that verifies that the parent was notified of the incident or threat.
  - b. Treeside Charter School will not disclose the record described in 4a to anyone unauthorized to receive it and will not use the record for purposes not allowed under the law.
5. Compliance with the Office for Civil Rights when Civil Rights Violations Occur:
  - a. Once Treeside Charter School knows or reasonably should know of possible student-on-student bullying, cyber-bullying, harassment or hazing, the school must take immediate and appropriate action to investigate or otherwise determine what occurred.

- b. If it is determined that the bullying, cyber-bullying, harassment or hazing occurred as a result of the student-victim's membership in a protected class, Treeside Charter School shall take prompt and effective steps reasonably calculated to:
    - i. end the bullying, cyber-bullying, harassment, or hazing b .eliminate any hostile environment, and
    - ii. prevent its recurrence.
  - c. These duties are Treeside Charter School's responsibilities even if the misconduct also is covered by a separate anti-bullying policy and regardless of whether the student makes a complaint, asks the school to take action, or identifies the bullying, cyberbullying, harassment or hazing as a form of discrimination.
6. Actions must also include, as appropriate:
- a. procedures for protecting the victim and other involved individuals from being subjected to: a. further bullying, cyberbullying, harassment, or hazing, and b. retaliation for reporting the bullying, cyberbullying, harassment, or hazing.
  - b. prompt reporting to law enforcement of all acts of bullying, cyberbullying, harassment, hazing, or retaliation that constitute suspected criminal activity.
  - c. prompt reporting to the Office for Civil Rights (OCR) of all acts of bullying, cyberbullying, harassment, hazing, retaliation that may be violations of student(s)' or employee(s)' civil rights.
  - d. procedures for a fair and timely opportunity for the accused to explain the accusations and defend his actions prior to student or employee discipline.
  - e. procedures for providing due process rights under Section 53A-8-102 (licensed staff) and local employee discipline policies prior to employee discipline or Section 53A-11-903 and local policies (students) prior to long term (more than 10 day) student discipline.

## **Investigations**

Treeside Charter School will promptly and reasonably investigate allegations of bullying, cyberbullying, harassment and/or hazing. The Treeside Charter School Investigators [insert name/s of at least 2 school employees, preferably one male and one female, in appropriate positions of authority, who are responsible to receive, investigate, and respond to reports] will be responsible for handling all complaints by students and employees alleging bullying, cyberbullying, harassment, or hazing as outlined in the procedures below [insert procedures by which reports are to be made to the School Investigators].

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

## Training

1. All students, staff, and volunteers at Treeside Charter School will receive annual training from a qualified professional regarding bullying, cyberbullying, harassment, hazing.
  - a. This training will address:
    - i. overt aggression that may include physical fighting such as punching, shoving, kicking, and verbal threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior
    - ii. relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation;
    - iii. bullying, cyberbullying, harassment or hazing of a sexual nature or with sexual overtones;
    - iv. cyberbullying, 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
    - v. civil-rights violations including training and education specific to bullying based upon students' actual or perceived identities, and conformance or failure to conform to stereotypes. Training on civil rights violations will include compliance when civil rights violations are reported.
    - vi. awareness and intervention skills such as social skills training.
  - b. The school shall:
    - i. distribute this policy annually to employees, parents, and students;
    - ii. require each employee, parent, and student to sign a statement annually acknowledging receipt of the policy; and
    - iii. keep a copy of each signed statement
2. Volunteers are under direct supervision of a licensed educator who is responsible for ensuring the volunteer is trained in the above areas. Volunteers are required to report to their supervising staff member if they are notified of a bullying, cyberbullying, hazing, harassment, or retaliation incident among students or if they reason to suspect such an incident. Volunteers are prohibited from engaging in bullying activities themselves and will be asked to leave Treeside Charter School if in violation of this policy.
3. Pursuant to 53A-15-1301, Treeside Charter School will implement a youth suicide prevention program for students.
4. Pursuant to 53A-1-603, all licensed educators must complete 2 hours of professional development of youth suicide prevention training once every license renewal cycle. To the extent possible, other programs or initiatives designed to provide training and education regarding the prevention of bullying, cyber-bullying, harassment, hazing, and

retaliation will be implemented.

5. In addition to training for all school employees, students, employees, and volunteer coaches involved in any extra-curricular activity shall:
  - a. participate in bullying and hazing prevention training prior to participation in the extra-curricular activity;
  - b. repeat bullying, cyberbullying, harassment, and hazing prevention training at least every three years;
  - c. be informed annually of the prohibited activities list provided previously in this Policy and the potential consequences for violation of this Policy.

### **Additional Notes**

1. 53A-11a-301 requires that this policy be developed with input from (1) students, (2) parents, (3) teachers, (4) school administrators, (5) school staff, or (6) law enforcement agencies.
2. All information received in a complaint, names of complainants shall be treated with the utmost confidence to the extent possible. Administrators shall notify complainant before revealing his name.
3. A student assessment of the prevalence of bullying in Treeside Charter School, specifically locations where students are unsafe and additional adult supervision may be required, such as playgrounds, hallways, and lunch areas, will be provided on a bi-annual basis.
4. This policy does not prohibit expressive activity protected by the First Amendment of the United States Constitution. However, if off-campus speech that may constitute a bullying, cyber-bullying, hazing, or harassment incident creates a substantial disruption to the school environment, under *Tinker v. Des Moines*, Treeside Charter School may take disciplinary action against the student who initiated the speech. Factors that Treeside Charter School may consider in determining whether a substantial disruption has occurred are:
  - a. whether there is a verbal or physical confrontation over the incident at school;
  - b. whether there is likely to be a verbal or physical confrontation based on evidence of a prior relationship between the victim and the student who initiated the speech;
  - c. whether any part of the speech that gave rise to the incident was repeated at school;
  - d. whether students are discussing the incident during class or if it otherwise is disrupting school work;
  - e. whether there is a widespread whispering campaign sparked by the off-campus incident that disrupts the school environment and students' abilities to focus on school;

- f. whether administrators who dealt with the incident were pulled from their ordinary tasks to address the incident and how much time it took out of an administrators' day to do so;
- g. whether speech similar to the off-campus speech in this incident has occurred in the past and has resulted in violence or near violence at school;
- h. whether there is a negative effect on classroom activities as a result of the off-campus incident;
- i. whether the speech was violent or whether there is a history of violence from the student/s who initiated the speech; (Note: true threats are not protected by the First Amendment if it advocates "imminent" violence or unlawful conduct. Thus, a message that threatens physical harm, even if it isn't meant to be serious, may not be protected by the First Amendment and the person who utters such a message may be disciplined by Treeside Charter School.)

Approved June 25, 2025

### 03-105 Student Discipline Policy

The Board recognizes that student discipline is essential to further the educational process and provide an environment conducive to learning. The Board authorizes the Administration to take appropriate action to preserve order among the students and staff and to protect school property. Acts of violence, use or possession of a weapon or facsimile, criminal behavior, and gang activity in or about school property, or activities shall be dealt with in accordance with Academy policy and the law. (See Utah Code §53A- 11-901)

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

#### A. Student Code of Conduct

- a. The school director shall develop a student code of conduct in cooperation with faculty, parents, and students. The school code of conduct shall be consistent with this policy and other school policies.
- b. A copy of the school policies and student code of conduct, as amended each year, shall be distributed to students and/or parents prior to or during the first week of school each year. Students enrolling after the beginning of the school year shall be provided a copy of the school policies and student code of conduct at the time of registration. Teachers will be given a copy of the student code of conduct prior to the beginning of the school year.

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

- a. Possessing (regardless of intent), using, selling or attempting to possess, use or sell any firearm, weapon, knife, explosive device, noxious or flammable material, firework, chemical weapon, martial arts weapon or other instrument including those which eject a projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use.
- b. Causing, or attempting, threatening or conspiring to cause damage to personal or real property, or causing or attempting, threatening or conspiring to cause harm to a person through:
  - i. Possession or distribution of drugs or alcoholic beverages.
  - ii. Sexual harassment or fabrication of sexual harassment charges with malicious intent to defame character.
  - iii. Arson—the willful and malicious destruction of any part of a building or its contents or occupants by use of fire or explosive.
  - iv. Burglary—breaking, entering or remaining in a structure without authorization during the hours when the premises are closed to students.
  - v. Theft/Larceny/Stealing—the intentional unlawful taking and/or carrying away of property belonging to or in the lawful possession or custody of another.
  - vi. Criminal Mischief—willful or malicious injury or damage in excess to public property or to real or personal property belonging to another.
  - vii. Battery—the unlawful and intentional touching or striking of another person against his or her will.
  - viii. Assault—placing another person in fear or apprehension of a harmful or offensive touching, whether or not a touching is actually intended
  - ix. Vandalism—willfully defacing, cutting, marring, injuring, damaging, or losing school or staff property. Official grade transcripts and diplomas may be withheld until the student or the student's parent(s)/guardian has paid for the damage or made appropriate restitution.
  - x. Gang-related Activity—dangerous or disruptive activity, which may include but is not necessarily limited to the following:
    - xi. wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which evidence membership in a gang;
    - xii. using a name which is associated with or attributable to a gang; or
    - xiii. designating turf or an area for gang activities, occupation, or ownership.
  - xiv. Bullying—aggressive behavior that is intentional and that involves an imbalance of power or strength. A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more students.
    - 1. Physical bullying: hitting and/or punching
    - 2. Verbal bullying: teasing or name calling
    - 3. Non-verbal or emotional bullying: intimidation through gestures, social exclusion and relational aggression

- 4. Cyber-bullying: sending insulting, threatening or harassing messages by phone or computer, or electronic messaging
  - xv. Involvement in any activity which violates federal, state or local law or regulation, disrupting normal school proceedings, or causing, or attempting, threatening or conspiring to cause other students to violate federal, state or local law or regulation or to disrupt school proceedings, or attempting, threatening or conspiring to do any of these. These activities include, but are not limited to: extortion, forgery, lewdness, and distributing obscene or pornographic materials.
  - xvi. Students with prior knowledge of dangerous or disruptive behavior have the duty to report such behavior to school administration. Students that fail to report such behavior are subject to appropriate disciplinary sanctions.
- C. Due Process Procedures and Disciplinary Action: Due process is an administrative procedure followed when continued attendance of a student is in question. Fairness and reasonableness in disciplinary actions are to be maintained in all proceedings.
  - a. The following disciplinary actions shall be taken in response to any serious violation which threatens or does harm to school property, to persons associated with the school, or their property, that involves the possession, control, use, or threatened use of a real or look-alike weapon, explosive, noxious or flammable material, with intent to intimidate another person or to disrupt normal school activities, regardless of where it occurs (USC §53A-11-904(1) (3)):
    - i. Immediately suspend the student from school.
    - ii. As soon as possible following the incident, the school director or other administrator shall investigate and schedule a conference with the student and parent(s)/guardian.
    - iii. The parent(s)/guardian shall be notified of the student's right to a due process hearing which shall be conducted according to the procedures outlined under item D. of this policy.
    - iv. The school director shall prepare a report for the Governing Board, which will review each instance of such action.
  - b. The following actions will be taken for other violations of this policy:
    - i. Immediately remove the student from the scene of the violation.
    - ii. As soon as possible following the incident, a school administrator shall investigate and document the charges and schedule a conference with the student involved. At this conference, the student may be suspended pending the informal parent conference.
    - iii. If the issue cannot be immediately resolved, a school administrator shall invite the parent(s)/guardian to an informal conference where information can be presented on behalf of the student.

1. This informal conference shall take place at the first reasonable opportunity. In most instances this conference should take place within three school days of the incident.
  2. At the informal conference the charges shall be explained and supporting evidence reviewed.
- iv. Following the informal conference, a school administrator shall take appropriate disciplinary action which may include, but is not limited to, one or more of the following.
1. INTERVENTIONS  
Referral to:
    - a. anger management/self-discipline classes;
    - b. court/ law enforcement agency;
    - c. school guidance specialist; or
    - d. Division of Family Services, Child Protective Services or other agency.
  2. SANCTIONS
    - a. behavior contract;
    - b. community or school service;
    - c. in-school suspension;
    - d. lunch/after-school detention; (parent or guardian shall be contacted prior to after school detention for students in grades K- 6)
    - e. restitution for damage/harm;
    - f. parent/guardian attending class with student (requires teacher permission).
  3. REMOVAL
    - a. short-term suspension less than or equal to 10 days
      - i. 1-2 days suspension: makeup homework shall be made available to students upon return to school. Students will be given one week to complete the assignments and turn them in to the teacher.
      - ii. Three to less than or equal to 10 days suspension: parents can make arrangements for makeup work during the suspension period.
    - b. (12) students serving a suspension from school are prohibited from being on school property and participating in school- sponsored activities.
- c. In accordance with state law, the school director may suspend a student for up to 10 school days.
- i. The parent(s)/guardian shall be notified of the right to appeal the decision to the Governing Board.

- ii. Prior to suspension or expulsion for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not of such a violent or extreme nature that immediate removal is required, good faith efforts shall be made to implement a remedial discipline plan that would allow the student to remain in school (i.e., in-school suspension, parent or guardian attending classes, other alternatives)
- d. A security or police officer may be invited to a due process hearing or any other phase of the student disciplinary action whenever a school administrator deems it necessary for safety.
- e. The policy for student disciplinary action and due process shall apply to students with disabilities only to the extent permissible under the law.
  - i. Students with disabilities are subject to expulsion imposed for violations involving firearms, explosives, and flammable materials (real, look-alike or pretended).
  - ii. Students with disabilities who are studying under an Individual Education Plan (IEP) may not be expelled or have their school placement changed without a hearing of the IEP committee except for violations involving weapons, drugs or serious bodily injury (consistent with the Individuals with Disabilities Education Act of 2004).

D. Right of Appeal

- a. A record of all expelled students shall be kept and a notation of the expulsion attached to the individual student's grade transcript.
- b. In accordance with state law, if a student is suspended or expelled from Treeside Charter School for more than 10 school days, the parent(s)/guardian is responsible for undertaking an alternative education plan which will ensure that the student's education continues during the period of suspension or expulsion.
- c. Costs for educational services that are not provided by the school are the responsibility of the student's parent(s)/guardian.

E. Appeals to the Governing Board

- a. The final determination may be appealed to the Governing Board.
- b. A written appeal must be submitted to the Board Chair within 10 days of the day of suspension or expulsion.
- c. The Board shall review the determination, the evidence presented, and documents submitted by the student's family.
- d. The Board may affirm the determination, amend the determination, or affirm the determination in part and amend in part.
- e. The Board's written decision shall be issued within 21 working days of receipt of the student's written appeal.

F. Prohibited Discipline: Treeside Charter School shall not use any form of the following forms of discipline:

- a. Corporal punishment (R277-608)

- b. Physical punishment of any kind
- c. Verbally abusive comments
- d. Any punishment that is demeaning

Approved July 18, 2018

### 03-106 Student Privacy

Treeside Charter School shall comply with confidentiality of student records as required under federal law, state law (UCA 53A-13-301 and 302) and under R277-487.

An employee, student aide, volunteer, third party contractor, or other agent of the school shall protect the privacy of a student, the student's parents, and the student's family and support parental involvement in the education of their children through compliance with the protections provided for family and student privacy under this part and the Family Educational Rights and Privacy Act and related provisions under 20 U.S.C. Secs. 1232g and 1232h, in the administration and operation of all public school programs, regardless of the source of funding. Administration shall develop procedures to ensure that all provisions of student records privacy and security are maintained. Administration is prohibited from administering to a student any psychological or psychiatric examination, test, or treatment, or any survey, analysis, or evaluation without the prior written consent (consistent with 53A-13-301(4)) of the student's parent or legal guardian, in which the purpose or evident intended effect is to cause the student to reveal information, whether the information is personally identifiable or not, concerning the student's or any family member's:

- a. political affiliations or, except as provided under Section 53A-13-101.1 or rules of the State
- b. Board of Education, political philosophies;
- c. mental or psychological problems;
- d. sexual behavior, orientation, or attitudes;
- e. illegal, anti-social, self-incriminating, or demeaning behavior;
- f. critical appraisals of individuals with whom the student or family member has close family
- g. relationships;
- h. religious affiliations or beliefs;
- i. legally recognized privileged and analogous relationships, such as those with lawyers, medical
- j. personnel, or ministers; and
- k. income, except as required by law.

This policy does not limit the ability of a student to spontaneously express sentiments or opinions otherwise protected against disclosure under this section

Approved July 18, 2018

## 03-107 Technology and Network Protection Policy

The Treeside Charter School board of Trustees recognizes that students need to be proficient users of information, media, and technology to succeed in a digital world.

Therefore, the Treeside Charter School will use electronic resources as a powerful and compelling means for students to learn core subjects and applied skills in relevant ways. The Board directs the Director or designee to create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities to promote appropriate and responsible technology use and to develop procedures to support this policy.

Legal Reference: 18 USC §§ 2510-2522, Electronic Communication Privacy Act

### **Electronic Resources: Procedure**

These procedures are written to support the electronic resources of the school and to promote positive and effective digital citizenship among students and staff. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual's life and career. Expectations for student and staff behavior online are no different than face-to-face interactions.

### **Network**

The Treeside Charter School network includes wired and wireless computers and peripheral equipment, files and storage, e-mail and Internet content (blogs, web sites, web mail, groups, wikis, etc.). The Treeside Charter School reserves the right to prioritize the use of, and access to, the network.

All use of the network must support education and research and be consistent with the mission of Treeside Charter School.

Acceptable network use by Treeside Charter School students and staff includes:

- Creation of files, projects, videos, web pages and podcasts using network resources in support of educational research;
- Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and web pages that support educational research;
- With parental permission, the online publication of original educational material, curriculum related materials and student work. Sources outside the classroom or school must be cited appropriately;
- Staff use of the network for incidental personal use in accordance with all Treeside Charter School policies and guidelines;
- Connection of staff personal laptops to the Treeside Charter School network after checking with as authorized by designated staff to confirm that the laptop is equipped with up-to-date virus software, compatible network card and is configured properly.

Connection of any personal electronic device is subject to all guidelines in this document.

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Unacceptable network use by Treeside Charter School students and staff includes but is not limited to:

- Personal gain, commercial solicitation and compensation of any kind;
- Liability or cost incurred by Treeside Charter School;
- Downloading, installation and use of games, audio files video files or other applications (including shareware or freeware) without permission or approval from the Director;
- Support or opposition for ballot measures, candidates and any other political activity;
- Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software, and monitoring tools;
- Unauthorized access to other Treeside Charter School computers, networks and information systems;
- Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
- Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacture);
- Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material; and Attaching unauthorized equipment to Treeside Charter School network. Any such equipment will be confiscated and destroyed.

Treeside Charter School will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by its own negligence or any other errors or omissions. Treeside Charter School will not be responsible for unauthorized financial obligations resulting from the use of, or access to, Treeside Charter School computer network or the Internet.

Internet Safety: Personal Information and Inappropriate Content

- Students and staff should not reveal personal information, including a home address and phone number, on websites, blogs, podcasts, videos, wikis, e-mail or as content on any other electronic medium.
- Students and staff should not reveal personal information about another individual on any electronic medium.
- No student pictures or names can be published on any class, Treeside Charter School website unless the appropriate permission has been verified.
- If students encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.

### **Filtering and Monitoring**

Filtering appliances are used to block or filter access to visual depictions that are obscene and all child pornography in accordance with the Children's Internet Protection Act (CIPA). Filtering software is not 100% effective. While filters make it more difficult for objectionable material to

be received or accessed; filters are not a solution in themselves. Every user must take responsibility for his or her use of the network and Internet and avoid objectionable sites;

- Any attempts to defeat or bypass Treeside Charter School Internet filter or conceal Internet activity are prohibited: proxies, https, special ports, modifications to Treeside Charter School browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content;
- E-mail inconsistent with the educational and research mission of Treeside Charter School will be considered SPAM and blocked from entering Treeside Charter School e-mail boxes;
- Treeside Charter School will provide appropriate adult supervision of Internet use. The first line of defense in controlling access by minors to inappropriate material on the Internet is deliberate and consistent monitoring of student access to Treeside Charter School computers;
- Staff members who supervise students, control electronic equipment or have occasion to observe student use of said equipment online, must make a reasonable effort to monitor the use of this equipment to assure that student use conforms to the mission and goals of Treeside Charter School; and
- Staff must make a reasonable effort to become familiar with the Internet and to monitor, instruct and assist effectively.

### **Internet Safety Instruction**

All students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. Age appropriate materials will be made available for use across grade levels.

Training on online safety issues and materials implementation will be made available for administration, staff and parents.

### **Copyright**

Downloading, copying, duplicating and distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes are permitted when such duplication and distribution fall within the Fair Use Doctrine of the

United States Copyright Law (Title 17, USC) and content is cited appropriately. All student work is copyrighted. Permission to publish any student work requires permission from the parent or guardian.

### **Network Security and Privacy**

System logins and accounts are to be used only by the authorized owner of the account, for authorized Treeside Charter School purposes. Students and staff are responsible for all activity on their account and must not share their account password.

Administration shall ensure that school faculty, staff, and students are trained in proper network security procedures, including the protection of passwords and the prohibition of the use of another user's network account.

### **Student Data is Confidential**

Treeside Charter School staff must maintain the confidentiality of student data in accordance with the Family Education Rights and Privacy Act (FERPA).

### **No Expectation of Privacy**

Treeside Charter School provides the network system, e-mail and Internet access as a tool for education and research in support of Treeside Charter School mission. Treeside Charter School reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of: The network;

- User files and disk space utilization;
- User applications and bandwidth utilization; User document files, folders and electronic communications;
- E-mail;
- Internet access; and
- Any and all information transmitted or received in connection with network and e-mail use.
- No student or staff user should have any expectation of privacy when using Treeside Charter School network. Treeside Charter School reserves the right to disclose any electronic message to law enforcement officials or third parties as appropriate. All documents are subject to the public records disclosure laws of the State of Utah.

### **Archive and Backup**

Regular backup shall be made of all Treeside Charter School data (including e-mail correspondence) for purposes of public disclosure and disaster recovery.

### **Disciplinary Action**

All users of Treeside Charter School electronic resources are required to comply with Treeside Charter School policy and procedures [and agree to abide by the provisions set forth in Treeside Charter School user agreement]. Violation of any of the conditions of use explained in this or any other policy related to Electronic Resources may be cause for disciplinary action, up to and including suspension or expulsion from school and suspension or revocation of network and computer access privileges, and up to and including termination of employment for employees.

Approved July 18, 2018

### 03-108 Head Injury Policy

In compliance with Utah State Board of Education Rule R277-614 Treeside Charter School has established this Head Injury and Concussion Policy to provide education about concussion for coaches, school personnel, parents, and students. This policy outlines procedures for staff to follow in managing concussions, and outlines school policy as it pertains to return to play issues following a concussion.

School seeks to provide a safe return to activity for all students following any injury, but particularly after a concussion. In order to effectively and consistently manage these injuries, administration shall develop procedures to ensure that concussed 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.

Administration, Physical Education Specialists and/or Committees shall review this protocol annually. Any changes or modifications will be reviewed and given to athletic department staff, including coaches and other appropriate school personnel in writing.

All appropriate staff shall attend a yearly in-service meeting in which procedures for managing sporting event-related concussions are discussed.

#### Non-Policy tools and procedures

##### **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 does not lose consciousness.

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**

1) The following situations indicate a medical emergency:

- a) Any student with a witnessed loss of consciousness (LOC) of any duration should be spine boarded and transported immediately to nearest emergency department via emergency vehicle.
- b) 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.
- c) A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle.
  - i) Deterioration of neurological function
  - ii) Decreasing level of consciousness
  - iii) Decrease or irregularity in respirations
  - iv) Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
  - v) Mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation
  - vi) Seizure activity

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

### **Guidelines and Procedures for Coaches and Teachers Supervising Contests and Games:**

### Recognize concussion

- 1) All educators and agents of the school should become familiar with the signs and symptoms of concussion that are described above.
- 2) Educators and agents of school shall have appropriate training about recognizing and responding to traumatic head injuries, consistent with the employees' responsibilities for supervising students and athletes.

### Remove from activity

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

### Refer the athlete/student for medical evaluation

- 1) The agent of school is responsible for notifying the student's parent(s) of the injury.
  - a) Contact the parent(s) to inform a parent of the injury. Depending on the injury, either an emergency vehicle will transport or parent(s) will pick the student up at the event for transport. (see Section II).
  - b) A medical evaluation is required before returning to play.
- 2) In the event that a student's parent(s) cannot be reached, and the student is able to be sent home (rather than directly to medical treatment):
  - a) The school 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.
  - b) The school agent should continue efforts to reach a parent.
  - c) If there is any question about the status of the student, or if the student cannot be monitored appropriately, the student should be referred to an Emergency Department for evaluation. A school agent should accompany the student and remain with the student until a parent arrives.
  - d) The school agent shall provide for supervision of other students for whom he or she is responsible when accompanying the injured student.

### Return to Play (RTP) Procedures After Concussion

- 1) Return to activity and play is a medical decision. The student must meet all of the following criteria in order to progress to activity:
  - a) Asymptomatic at rest and with exertion (including mental exertion in school) AND
  - b) have written clearance from 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).

- 2) 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 school agent. If your school does not have an athletic trainer, then the coach must have a very specific plan to follow as directed by the athlete's physician).
- 3) Progression is individualized, and will be determined on a case-by-case basis. Factors that may affect the rate of progression include: previous history of concussion, duration and type of symptoms, age of the student, and sport/activity in which the student participates. An athlete/student with a prior history of concussion, one who has had an extended duration of symptoms, or one who is participating in a collision or contact sport may be progressed more slowly.
- 4) Stepwise progression as described below:
  - a) Complete cognitive rest. This may include staying home from school or limiting school hours (and studying) for several days. Activities requiring concentration and attention may worsen symptoms and delay recovery.
  - b) Return to school full-time.
  - c) 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.
  - d) Running in the gym or on the field. No helmet or other equipment.
  - e) Non-contact training drills in full equipment. Weight training can begin.
  - f) Full contact practice or training.
  - g) Play in game. Must be cleared by physician before returning to play.
- 5) The student should spend 1 to 2 days at each step before advancing to the next. If post-concussion symptoms occur at any step, 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.

### Potential Problem Areas

While current Utah law designates that a student may be returned to play by "an appropriate health care provider", school may limit the credentials from which it will accept clearance in its sole discretion. Generally, students will be required to provide a note from his/her health care provider before being allowed to return to play. This is a very important decision and will be made after careful consideration by the athletic director, director, teacher (elementary), and parent(s). The school's liability carrier may also be consulted.

School administration will not allow students clearly having concussion symptoms to return to play even if given clearance by a healthcare provider.

Approved July 18, 2018

### 03-109 Administration of Medication to Students

The Board recognizes that some students need to receive medication during the school day and delegates to the Administration responsibility for developing appropriate guidelines for administering medication to students in accordance with Utah Code §53A-11-601.

The Administration authorizes the following guidelines for administering medication to students.

#### Guidelines

- A. School personnel may administer prescription medication or nonprescription medication to a student during the regular school day only when the medication has been prescribed by the student's physician, dentist, nurse practitioner, or physician assistant and the school director receives:
  - a. A current, written request that medication be administered during regular school hours signed by the student's parent or legal guardian, and
  - b. A current, written statement signed by the prescriber of the medication that includes the following:
    - i. A statement that administration of medication by school employees during periods when the student is under the control of the school is medically necessary, and
    - ii. A statement that describes the method, amount, time schedule for administration, and duration of the treatment.
- B. The parent request and prescriber's statement must be resubmitted at the beginning of each school year the medication is continued, and as medication is prescribed or changed. The school may administer medication based on the previous year's parent request and prescriber's statement for up to ten (10) school days when necessary to allow the student's parent or guardian time to obtain the prescriber's signed statement for the current year.
- C. Administering over-the-counter medications requires a prescribing practitioner statement as well as consent of the parent or guardian. Protocol for administering over-the-counter medications is the same as for administering prescription medications.
- D. Oral, topical, and inhalant medication, opiate antagonists, or injectable epinephrine may be administered by assigned school personnel in compliance with applicable law.
- E. All medication that is to be given at school must be furnished by the parent or guardian and delivered to the school by a responsible adult, except as otherwise allowed by law.
- F. All prescription medication must be in the original container labeled by the pharmacy with the name of the student, the name of the prescriber, the name of the medication, and the dosage. The name of the medication and dosage indicated on the label must be

identical to the name of the medication and dosage specified in the statement signed by the prescriber.

- G. Nonprescription medication must be submitted in the original container and be labeled with the student's name. The name of the medication and dosage indicated on the label must be identical to the name of the medication and dosage specified in the statement signed by the prescriber.
- H. All medication provided to the school must be kept under lock and key.
- I. School personnel who are assigned to administer student medication shall receive appropriate training.
- J. A record including the type of medication, amount, and the time and day it was administered must be kept for each student receiving medication at school. The person administering the medication must initial the record each time medication is given.
- K. Authorization for administration of medication by school personnel may be withdrawn by the school director after consultation with the school nurse at any time following actual notice to the student's parent or guardian.
- L. School personnel who administer medication to students in substantial compliance with the prescriber's written statement are not liable, civilly or criminally, for any adverse reaction suffered by the student as a result of taking the medication or the school's discontinuing the administration of the medication under these guidelines.
- M. Elementary students are not to carry or self-administer medication on school premises unless it is expressly ordered by the prescriber and authorized by the parent. Secondary students may possess and self-administer over-the-counter or prescription medications not to exceed an eight (8)-hour dosage or medications only dispensed in multi dose containers.
- N. Unused medication must be picked up by a responsible adult within two weeks following the last dose administered. Medication remaining at the school after this time should be destroyed.
- O. Distribution of any drug or medication from one student to another will be considered Dangerous and Disruptive Conduct and shall be dealt with according to the provisions of applicable policy.
- P. Sunscreen and Lip Balm are not considered medication.

Approved July 18, 2018

## 03-110 Electronic Devices on Campus

- 1) Definitions:
  - a) Electronic Device means a mobile phone, PDA, MP3 or other music player, any portable computer, or any other device that holds digital information;
- 2) Prohibitions:
  - a) Electronic devices may not be used in ways that bully, humiliate, harass, or intimidate school-related individuals, including students, employees, and invitees, consistent with R277-609 and R277-613, or violate local, state, or federal laws; and
  - b) LEA employees and invitees may not use electronic devices to access inappropriate matter on the Internet and World Wide Web while using LEA equipment, services or connectivity whether on school property or while using school-owned or issued devices;
  - c) Use of electronic devices during standardized assessments unless specifically allowed by statute, regulation, student IEP, or assessment directions;
- 3) Administration shall adopt procedures that:
  - a) Protect the safety and security of students when using electronic mail, chat rooms, and other forms of direct electronic communications (including instant messaging);
  - b) Prohibit unauthorized access, including hacking and other unlawful activities by LEA electronic device users; and
  - c) Prohibit unauthorized disclosure, use and dissemination of personal student information under the Family Educational Rights and Privacy Act, 34 CFR, Part 99.
- 4) Administration shall include the following information in a handbook for parents and students:
  - a) provisions that inform students that there may be administrative and criminal penalties for misuse of electronic devices and that local law enforcement officers may be notified if school employees believe that a student has misused an electronic device in violation of the law;
  - b) provisions that inform students that violation of LEA acceptable use policies may result in confiscation of LEA-owned devices which may result in missed assignments, inability to participate in required assessments and possible loss of credit or academic grade consequences;
  - c) provisions that inform students that they are personally responsible for devices assigned or provided to them by the LEA, both for loss or damage of devices and use of devices consistent with LEA directives;
  - d) provisions that inform students and parents that use of electronic devices in violation of LEA or teacher instructional policies may result in the confiscation of personal devices for a designated period; and
  - e) provisions that inform students that use of privately-owned electronic devices to bully or harass other students or employees and result in disruption at school or school-sponsored activities may justify administrative penalties, including expulsion

from school and notification to law enforcement.

- 5) Administration shall include the following in a handbook for employees:
- a) notice that use of electronic devices to access inappropriate or pornographic images on school premises is illegal, may have both criminal and employment consequences, and where appropriate, shall be reported to law enforcement;
  - b) notice that employees are responsible for LEA-issued devices at all times and misuse of devices may have employment consequences, regardless of the user; and
  - c) notice that employees may use privately-owned electronic devices on school premises or at school sponsored activities when the employee has supervisory duties only as directed by the employing LEA.

Approved July 18, 2018

### 03-110a Electronic Device Restrictions Policy

#### **Introduction:**

In our ongoing efforts to foster an ideal learning environment, we acknowledge the significance of cell phones and other electronic devices in modern society. This electronic device policy is designed to establish guidelines for the appropriate use of cell phones and electronic devices within Treeside Charter School as we seek to balance the educational benefits of technology with the need for maintaining a productive and focused learning environment. By adhering to this policy, students contribute to a positive and focused learning environment that prioritizes academic achievement and personal responsibility. Cooperation and respect for these guidelines are essential for the safety and well-being of all members of the school community.

We also acknowledge the need for educators to design and implement engaging lessons to provide productive learning environments that lead to increased student performance.

#### **Definitions:**

Cell phone: handheld, portable electronic device that is designed to be operated using one or both hands and is capable of transmitting and receiving voice, data, or text communication by means of:

- A cellular network
- A satellite network; or
- Any other wireless technology

A cell phone includes:

- A smartphone;

- A feature phone;
- A mobile phone;
- A satellite phone; or
- A personal digital assistant that incorporates capabilities similar to a smartphone, feature phone, mobile phone, or satellite phone.

Electronic devices: any other device that has or will be able to act in place of or as an extension of an individual's cell phone. An electronic device does not include school provided or required devices.

Smart watch: a wearable computing device that closely resembles a wristwatch or other time-keeping device with the capacity to act in place of or as an extension of an individual's cell phone. A smart watch does not include a wearable device that can only:

- Tell time
- Monitor an individual's health information;
- Or track the individual's physical location.

Earbuds: An earbud is a small, portable audio device designed to fit directly in the outer ear. Typically connected via a cable or Bluetooth, earbuds deliver sound from electronic devices such as smartphones or music players and often come with built-in microphones for calls, noise isolation, and touch controls.

Headphones: A pair of small speakers that are worn over or in the ears, allowing users to listen to audio from devices such as computers, smartphones, or music players. They typically consist of two ear cups connected by a headband and can be wired or wireless. Headphones are used for various purposes, including music listening, gaming, and communication.

### **Electronic Devices Framework:**

- Cell phones and other electronic devices are permitted on school grounds, but their use is restricted to specific times and dedicated locations.
- Students are solely responsible for the care and security of their cell phones and electronic devices. The school is not liable for any loss, theft, or damage to personal devices.
- Cell phones, smart watches, headphones and earbuds are not to be seen, heard or used in the school building during school hours. Electronic devices must be stowed away in a backpack, secured by the student and set to a mode where notifications cannot be received. Smart watches must also be set so that notifications cannot be received. Administrative exceptions may be granted for

students with individual education plans (IEPs), 504 accommodations, and individual health plans.

- If a student needs to communicate with a parent/guardian, they may use their cell phone in either the front office or counseling office with permission. Students are only to contact parents or guardians who may be assisting them with a crisis during the school day.

## Consequences for Violations:

Teachers will be asked to remind students at the beginning of the school day or at the beginning of class to put their phones, earbuds, and headphones away in their backpacks and to set their electronic devices in a mode where they will not receive notifications.

Violations of this cell phone policy will result in disciplinary action, which will include:

- First offense:
  - Students will be given a reminder of the policy.
  - No cell phones or electronic devices will be confiscated by teachers.
- Second offense:
  - No cell phones or electronic devices will be confiscated by teachers.
  - Parent/caretaker will be notified and reminded of the policy.
- Third offense:
  - The incident will be recorded as a disciplinary incident.
  - Parent/caretaker will be notified.
  - The electronic device until be held by staff until retrieved by a parent/caretaker.

- Repeat violations may result in a required meeting with administration to create a cell phone and electronic device contract or escalated consequences, up to and including suspension or loss of privileges.

## Review and Revision:

This cell phone policy will be reviewed periodically to ensure its effectiveness and relevance. Any necessary revisions will be made in consultation with school administrators, faculty, students, and parents/guardians.

## Employee Expectations:

For this policy to be successful in creating learning environments that are free from distractions, teachers must create engaging learning environments, enforcing the policy as written. Teachers should also model appropriate cell phone use and not use their devices during instructional time, except in emergency situations or in cases where they are using it to support instruction (i.e. timers, contacting other staff members).

**Board Approved: January 20, 2025**

### 03-111 Extracurricular Activities and School Clubs

Administration shall ensure that students have a range of extracurricular activities and clubs in which to participate if they choose, consistent with the school's charter and state law.

Participation in extracurricular activities at students' boundary school

Administration shall ensure that Treeside Charter School procedures allow students to participate in extracurricular activities at students' District School of Residence consistent with R277-494.

Treeside Charter School shall pay any non-waived participation fees for such student participation.

Adopted July 18, 2018

### 03-112 Student Transportation

The administration shall develop procedures that ensure that when students are transported by employees, volunteers, or transportation firms under a contract with the school, such transportation is done in compliance with applicable laws, protects the school from unnecessary liability, and ensures appropriate levels of student safety.

Any party that transports students on behalf of the school shall have adequate insurance. Volunteers and employees of the school that transport students on behalf of the school shall complete a defensive driving course prior to transporting students and shall complete said course at least every two years.

All buses owned by the school, and any transportation system operated by the school, shall comply with R277-601, and administration shall develop procedures for such operations consistent with that rule.

Adopted July 18, 2018

### 03-113 Special Education

See separate Special Education Procedures document

### 03-114 Education of Homeless Students

Administration shall develop and implement procedures to ensure that homeless students who apply to attend Treeside Charter School (consistent with the school's enrollment and lottery policies) may immediately enroll with full participation even if they are unable to produce records which may include medical records, birth certificates, school records, or proof of residency normally required for enrollment, consistent with R277-616.

Adopted July 18, 2018

### 03-115 Student Search Policy

In order to ensure student safety and protect individual student rights, administration shall develop and implement procedures related to the search of student property. Procedures shall provide:

- That a search may only occur upon reasonable suspicion that student safety is at risk or that a student is in possession of an item or items prohibited by school safety or discipline policy, such as controlled substances or weapons;
- That students are protected from unreasonable intrusion;
- That faculty and staff are appropriately trained in the fair and consistent implementation of student search procedures.

Adopted July 18, 2018

### 03-116 Dissemination of Information about Juvenile Offenders

- A. The dissemination of any information about students' juvenile offenses or charges shall be consistent with FERPA and GRAMA, including applicable time periods and protection of confidential information.
- B. Only the School Director and teachers who have instructional or activity oversight of the student shall have authority to receive confidential information about students' juvenile offenses or charges.
- C. A dispute regarding the dissemination of information shall be decided in favor of a student's rights to privacy, except in the event of apparent imminent danger to persons or property.

Adopted July 18, 2018

### 03-117 Field Trips

#### **Board Directive**

Field trips are an integral part of the instructional program and may be provided to enrich or expand learning opportunities for students. Subject to funding constraints, field trips shall be used to place a variety of civic, cultural, community, and business resources within the reach of the classroom. The Board authorizes the Administration to implement a policy for field trips.

#### **Administrative Policy**

The Administration shall be responsible to see that field trip experiences, which are directly related to established curriculum goals, are provided according to the following administrative policy provisions:

1. Field trip authorization
  - a. Field trips shall be authorized by the school administrator who is responsible to assure that adequate funding is available through an appropriate funding source.

- b. Other faculty or staff may be assigned to coordinate field trip activities after proper authorization.
2. The following information shall be provided by the teacher(s) or adviser(s) requesting the field trip:
  - a. A description of the field trip including the purpose of the trip, place of destination, class or sponsoring organization, and number of students involved.
  - b. An outline of the field trip curriculum including instruction prior to the event, during transit, at the point of destination, and evaluation or follow-up activities after the event.
  - c. All field trips must adhere to established policies and regulations governing student safety, including use of an authorized means of transportation which meets all State requirements for transporting students, parent permission for student participation, and an adequate number of qualified adult supervisors who have passed a School background check, if needed.
3. Subject to funding constraints, students may be transported by a contracted bus service, by volunteer drivers, or with students responsible for their own transportation.
4. Each student desiring to participate in any field trip must submit a "Participation Disclosure and Acknowledgment" form signed by the student and the student's parent or guardian which acknowledges the method of travel. A student may not participate in the activity, unless a completed "Participation Disclosure and Acknowledgment" form is on file.

Volunteer Drivers (this does not include parents of students who may drive student friends of their children who visit their homes for social activities, or who have formed an independent carpool with other families for transportation to and from school during regular arrival and departure times) shall meet the following conditions, and sign an acknowledgement form to that effect:

1. Carry comprehensive insurance coverage of at least \$100,000 per injury and \$300,000 per accident and provide evidence of such insurance to the school.
2. Have and carry while driving a copy of my valid Driver License and provide a copy to the school.
3. Pass a School background check.

Approved: July 18, 2018

## 03-118 Student Dress Code Policy

Treeside Charter School believes that a mandatory dress code will promote a sense of school unity and our belief that individuality comes not from how one dresses, but from individual thought, behavior, and artistic and academic expression. A dress code removes distractions created by socioeconomic differences and modern fashion while instilling personal responsibility and self-respect.

All students are required to wear their uniforms Tuesday through Friday.

Mondays are “free dress days” as defined below.

Parents are responsible for ensuring that their children wear the designated school uniform clothing as outlined below. Uniform items can be found at stores such as Target, Old Navy, Kohls, among many others.

### SCHOOL COLORS

Light blue, navy blue, dark yellow, light yellow, dark green, light green, dark pink, light pink, white.

### TOPS:

- Shirts must be solid, school colors.
- Shirts must have a collar (polo style or button-up shirt).
- Shirts can be long or short-sleeved.
- Sleeves must cover the shoulders and under the arm.
- Turtlenecks in solid school colors may be worn alone or under any of the other approved tops.
- Logos and embroidery other than a small logo (i.e. Ralph Lauren or Tommy Hilfiger) are permitted as long as they are no larger than 1” square.
- Shirts must be long enough to cover the midriff when standing, sitting, and bending over.
- Shirts DO NOT need to be tucked in.

### SWEATERS & VESTS:

- Sweaters & vests must be solid school colors.
- Hoodies may be worn in school colors only. Hoods are not permitted to be worn inside the building.

### BOTTOMS:

- Boys must wear solid-colored navy or khaki pants or shorts, either with a pleated or plain front.
- Girls must wear navy or khaki pants, shorts, skirts, skorts, or capris, either with a pleated or plain front.

- Shorts and skorts must be at least 1" longer than the fingertips when the arms are held to the sides.
- Skirts must be no shorter than 2" above the knee when standing.
- The waistband must be worn at or above the hip bones.
- Bottoms made from nylon, sweat, leather, or vinyl are not permitted.
- Cargo pants/shorts are permitted.
- No low-riding bottoms or visible undergarments will be allowed.

#### SOCKS, TIGHTS & LEGGINGS

- Socks must be worn and can be any school color, white, black, or tan.
- Due to the physicality of our program, something must be worn under skirts to cover undergarments. For example tights, leggings, or spandex shorts.
- Leggings and tights must be a school color and be opaque (not sheer).
- Lace/patterned tights/leggings are not permitted.
- When tights and leggings are worn, skirts still must be no shorter than two inches above the knee.

#### DRESSES:

- Polo shirt style dresses, shirt dresses, and jumpers are permitted in solid uniform shirt colors.
- Dress length must be no shorter than 2" above the knee when standing.

#### FIELD TRIPS / NATURE-BASED LEARNING DAYS:

- When students are participating in outside learning, normal dress code will be worn unless otherwise specified by the teacher.

#### SHOES:

- Footwear must be appropriate for outdoor activities and P.E.
- Footwear may not have open toes and must have a strap or some kind of back on the shoe so that it doesn't slip off the feet (i.e. loafers, tennis shoes, or ballet flats).
- Students may not wear:
  - Shoes with wheels.
  - Flip Flops.
  - Slippers of any kind.

#### ACCESSORIES:

- Students may wear accessories that are appropriate for school and not distracting.
- Hats, sunglasses, and bandanas are not to be worn inside the school except for medical or religious purposes.

#### HAIR:

- Hair must be kept neat and have a combed appearance.
- On woodworking days, students with long hair will be asked to wear a ponytail or bun for safety.

#### OTHER ATTIRE:

- Students may choose other attire such as backpacks or purses. The attire must be appropriate to our learning environment.
- Winter coats, jackets, gloves, and hats are not subject to the uniform color restrictions and may be worn outside the building.

#### GENERAL POLICY CONSIDERATIONS:

- Clothing must be neat and in good condition. Rips, tears, and large stains are not permitted.

#### DRESS DOWN MONDAY:

- A “Dress Down Monday” is a regular school day when various provisions of this Dress Code Policy will not be enforced.
- Students are allowed to wear non-uniform clothes with the following restrictions:
- No ripped or torn jeans/shirts.
- No sleeveless or spaghetti strap shirts.
- No attire with foul/obscene or offensive language or graphics.
- No mini-skirts/ low cut shirts or immodest clothing.
- All shoe attire must follow the uniform guidelines above.

Approved:

### 03-119 Suspension Policy

Grounds and Procedure for the Suspension of Students November 15. 2017

It is the priority of Treeside Charter School faculty, staff, administration, and board to provide an emotionally, socially, intellectually, and physically safe learning environment and educational experience for every child.

The following outlines our procedures in defining, creating, and nurturing a safe environment:

- All students are explicitly taught in a school-wide and classroom-based setting that any form of physical violence is not acceptable. We define this as: kicking, hitting, biting, tripping, throwing objects, scratching, etc.
- Student are taught to keep their hands off of each other’s body even when not motivated by anger (ex: poking for fun, play choking, etc.)
- Students are taught that their hands must be kept off of each other’s clothes and personal items (ex: pantsing each other, pulling on each other's shirt, getting in each other’s backpacks, etc.)
- Students are taught to be safe inside and outside of our school home. This includes: no running in the halls, no climbing fences, no climbing into the sunken garden areas, etc. Specifically, students are taught to stay away from construction areas. Students have been shown these areas so there is no question of boundaries.

- Students are taught to stay on school grounds at all times unless directed otherwise by a teacher.
- Students are taught that unkind and foul language and gestures towards adults, peers, and others are not allowed.
- Students are taught respect towards teachers/paraprofessionals/staff members is unacceptable.
- Defiance is grounds for suspension.
- Students are taught to respect our School Home. Vandalism including marking on desks, walls, floors is unacceptable.
- Students are taught that they must attend and participate in all scheduled specialty classes (art, music, movement, yoga, etc.) “Skipping” classes is not acceptable.

Clear rules and expectations, as well as the reasons behind those rules and expectations, are always taught to mastery. If students choose to disregard or outwardly defy Treeside’s attempt to provide a safe environment for all, then the result will be a suspension from school. We have chosen this consequence in order to remove both the offenders and victims from an unsafe situation, and to teach the seriousness of the violation.

The suspension procedure has been repeatedly announced to the student body by Principal Lundgreen and is effective immediately. Behavior expectations have been taught since August 15, 2017. We are certain our students will comply with our efforts and enjoy a different and beautiful school experience. Please review these expectations with your children.

Approved:

### 03-120 Home School Student Test Participation

#### Purpose

The purpose of this policy is to set forth the responsibilities of Treeside Charter School in the event a home school student requests to participate in required state assessment testing.

#### Policy

A homeschool student may participate in required state testing at the School if each of the following conditions are met:

1. The student is a Utah resident as defined in Utah Code Ann. § 53A-2-201 and proof of residency has been provided to Treeside;
2. The student has satisfied the home schooling requirements of Utah Code Ann. § 53A-11-102 and a copy of the certificate from a local school board excusing the student from attendance at school during the applicable school year has been provided to Treeside; and
3. The request for the student to participate in required state assessment testing at Treeside is provided to the school at least thirty (30) days prior to the opening of the applicable state assessment window.
4. The parent or guardian of the student, or a responsible adult designated by the student’s parent or guardian, will remain at Treeside in a designated area while school

personnel administer and proctor the test. The parent or guardian of the student agree that they will not participate in the monitoring or proctoring of the student's required state assessment testing at Treeside.

Treeside will respond to a home school student's request to participate in required state assessment testing at Treeside in a timely manner. If the request is approved, Treeside will notify the student's parent or guardian of the date(s) and time(s) of the applicable required state assessment testing at Treeside in which the student may participate and any other information deemed relevant by Treeside.

Treeside may not require a homeschool student to pay a fee for participating in required state assessment testing that is not charged to traditional students.

A homeschool student or the student's parent or guardian may request from Treeside an annual schedule of required state assessment testing dates at Treeside, the location of the campus at which home school students may be tested, and a copy of Treeside's written policies for home school student participation in required state assessment testing at Treeside. Treeside will provide such requested information in a timely fashion. Treeside will comply with Utah Administrative Code R277-404 and the Standard Test Administration and Testing Ethics Policy described therein when administering required state assessment testing to its students and home school students who participate in required state assessment testing at Treeside in accordance with this policy and applicable law.

References: R277-604-4.

Approved: August 23, 2022

### 03-121 Alternative Language Policy

#### Purpose

Treeside Charter School is committed to providing a quality learning experience for all of its students, including those who have difficulty speaking, reading, writing, or understanding the English language. Treeside shall provide services consistent with the requirements in Utah Administrative Rule R277-716 for the teaching and evaluating of students who meet the definition of English Language Learner (ELL)/Limited English Proficient (LEP) students. The purpose of this policy is to outline the components of Treeside's program for students with limited English proficiency.

#### Definitions

"English Language Learner/Limited English Proficient (ELL/LEP)" means an individual:

- who has sufficient difficulty speaking, reading and writing or understanding the English language and whose difficulties may deny such individual the opportunity to learn successfully in classrooms where the language of instruction is English or which may deny the individual the opportunity to participate fully in society; or

- who was not born in the United States or whose native language is a language other than English and who comes from an environment where a language other than English is dominant; or
- who is an American Indian or Alaskan native or who is a native resident of the outlying areas and comes from an environment where a language other than English has had a significant impact on such individual's level of English language proficiency.

"Language acquisition instructional program" means an instructional program for students for the purpose of developing and attaining English proficiency, while meeting state academic content and achievement standards.

## Policy

### ALTERNATIVE LANGUAGE PROGRAM PLAN

Treeside shall develop an Alternative Language Program plan to include the following components, at a minimum:

- A method to identify students with language barriers that would qualify them for the program.
- An alternative language program budget plan, as appropriate if receiving Title III funding.
- A detailed plan for delivering student instruction to all students that meet ELL/LEP criteria.
- Alternative language assessments to determine the proficiency and program needs of students who have language barriers.
- Appropriate procedures for identifying ELL/LEP students who may have a disability.
- A method to validate the program's effectiveness.

### Parent Involvement and Notification

Treeside will notify parents who are not proficient in English of school-required activities. Treeside will provide information about optional school activities in the parents' preferred language to the extent practicable, upon request.

Treeside will provide interpretation and translation services for parents at registration, IEP meetings, SEOP meetings, parent-teacher conferences and student disciplinary meetings, upon request.

Treeside will provide annual notice to parents of students placed in language acquisition programs at the beginning of the school year or no later than 30 days after identification. If a child has been identified as requiring ALS services after the school year has started, parent notification shall take place within 14 days of the student's identification and placement. The required notice shall include:

- a) the student's level of English proficiency, how such level was assessed, and the status of the student's academic achievement;
- b) the methods of instruction proposed to increase language acquisition, including using both the student's native language and English if necessary;

- c) specifically, how the methods of instruction will help the child learn English and meet age-appropriate academic achievement standards for grade promotion and graduation;
- d) the specific exit requirements for the program including:
  - i) the expected rate of transition from the program into classrooms that are not tailored for LEP students and
  - ii) the expected graduation from secondary school(s) if funds appropriated consistent with this rule are used for secondary school students.

As long as Treeside generates less than \$10,000 from students learning English, it will form a consortium with other similar LEA's in accordance with R277-716 and submit all plans and reporting as required.

Reference: R277-716

Approved: January 2023

## 04 Administration and Operations

### 04-101 Religious Freedom Policy

#### **Purpose and Philosophy**

Treeside Charter School promotes mutual understanding and respect for the interests and rights of all individuals regarding their beliefs, values, and customs. Specifically, it is the school's purpose to have a policy that:

- Fosters knowledge and understanding about, and sensitivity toward, religious differences and the role of religion in a diverse, contemporary society;
- Allows student and employee religious expression and freedom of speech within the parameters of existing state and federal law;
- Supports a climate of academic freedom in which religious ideas and organizations can be discussed in an objective way, for their educational value, with emphasis on the impact of religions on history, literature, art, music, morality, and other key social institutions;
- Requires official neutrality on the part of teachers, administrators, other school employees, and volunteers regarding religious activity when acting in their official capacities;
- Promotes constructive dialogue between schools and community regarding religion; and
- Encourages educators and all members of the school community to engage in persistent efforts to eliminate prejudice, build trust, work toward consensus, and resolve disputes over religious issues in schools promptly, equitably, sensitively, and with civility at the local level.

#### **Policy**

It is school policy to comply with existing state and federal law regarding religion and religious expression in public schools. Specifically, it is School policy to: 1) allow students and employees to engage in expression of personal religious views or beliefs within the parameters of current law, and 2) maintain official neutrality regarding sectarian religious issues; the School will neither advance nor inhibit religion.

It is also School policy to take all reasonable steps to resolve disputes over religious issues in schools promptly, equitably, and with civility.

### **Student expression of personal religious beliefs or views**

Non-discrimination: Treeside Charter School will not forbid students acting on their own from expressing their personal religious views or beliefs solely because they are of a religious nature and will may not discriminate against private religious expression by students, but will instead give students the same right to engage in religious activity and discussion as they have to engage in other comparable activity.

Freedom to act: While the freedom to believe is absolute, the freedom to act on a belief is not. In order to claim a violation of the Free Exercise protections of the First Amendment and the this policy, a person must show that his or her actions 1) are motivated by a sincere religious belief, and 2) have been substantially burdened by school officials or the School.

Least restrictive means: If an individual can show that his or her actions are motivated by a sincere religious belief and have been substantially burdened by school officials or the School, school officials can still regulate the conduct if they have a compelling interest and pursue such interest in the manner least restrictive of the individual's religion.

Student religious expression during discretionary time: Free exercise of religious practices or freedom of speech by students during discretionary time shall not be denied unless the conduct or speech unreasonably interferes with the ability of school officials to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

1. Student conduct or speech of a personal religious nature that may not be prohibited unless it violates the standards above, includes, but is not limited to:
  - a. Reading the Bible or other scriptures;
  - b. Saying grace;
  - c. Praying with friends in cafeterias, hallways, around flagpoles, or at athletic contests and other extracurricular activities;
  - d. Discussing religious views with other students, or attempting to persuade peers about religious topics, as long as the persuasive speech does not constitute harassment

**Organized prayer groups and religious clubs:**

Students may organize prayer groups, religious clubs, and other gatherings before and after school to the same extent that students are permitted to organize other non curricular student activity groups and clubs. Such groups and clubs must be given the same access to school facilities for assembling as is given to other non curricular groups, without discrimination because of the religious content of their expressions.

**Student religious expression during instructional time:**

Students participating in school sponsored learning activities shall not be prohibited from expressing personal religious beliefs or be penalized for so doing, unless the expression unreasonably interferes with the ability of school officials to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

1. Student religious conduct or expression that may not be prohibited in homework, classroom discussions, presentations, assignments, or school sponsored activities, unless it violates the standards above, includes but is not limited to:
  - a. Submitting homework, artwork, or other assignments with religious content;
  - b. Giving class presentations with religious content that are relevant to the curriculum and matter being discussed;
  - c. Making religious remarks or asking questions about religion in the ordinary course of classroom discussion;
  - d. Asking questions of students or school employees regarding their religious beliefs or views.

Teachers and other school officials should evaluate homework and classroom work with religious content consistent with ordinary academic standards of substance and relevance, as well as other legitimate pedagogical concerns.

When responding to a student's question about an employee's personal religious beliefs or views, the employee must maintain official neutrality and be careful not to advocate or encourage acceptance of his/her religious belief or perspective (see section 8.2 of this policy).

**Religious clothing and apparel**

Because dress is a form of individual expression, any prohibition or regulation of religious clothing or apparel must be consistent with the school dress and uniform standard (including standards for "free dress days," done in the least restrictive manner possible to accomplish School and school objectives of maintaining a safe and orderly school environment.

School officials should also be sensitive and appropriately accommodate students who request not to wear certain gym clothes that they regard, on religious grounds, as immodest.

### **Moment of silence in classrooms**

In accordance with Utah law, teachers may provide for the observance of a period of silence in the classroom each school day. However, teachers and other school officials must maintain official neutrality by neither encouraging nor discouraging prayer nor other religious exercise during the moment of silence.

Under School policy teachers and other school officials may not organize, endorse, or encourage prayer exercises in the classroom. Teachers and other school officials must supervise during this time.

### **Extra-curricular activities**

Moment of silence: Students may elect to hold a moment of silence as part of graduation or other extracurricular ceremonies or activities. A moment of silence may only be initiated and conducted by students, and shall not be used as a forum for vocal prayer or other religious exercise, but rather as an opportunity for those in attendance to participate in a quiet moment according to the dictates of their own conscience. During a moment of silence and all other religious activities associated with graduation, school officials shall maintain official neutrality.

Prayers by non-students prohibited at athletic contests and other extra-curricular events: Consistent with the general policy on school-sanctioned prayers, it is School policy to prohibit prayers initiated or led by coaches, parents, clergy, or other non-students prior to, during, or after athletic contests and other extra-curricular events, Students may pray together at such events consistent with the guidance outlined in Section 5.1 of this policy. Coaches, administrators, and other school officials may be present during student prayers to supervise, but should in no way participate in or encourage prayer exercises. School officials should take steps to prevent any activity from being coercive or harassing.

### **Distribution of religious materials on school grounds**

Non-school sponsored organizations and non-students may only distribute literature or other materials in schools or on school grounds in accordance with reasonable time, place, and manner restrictions imposed by the school.

Students may distribute literature unrelated to school curriculum or activities only at reasonable times, places, and manners designated by the school.

Religious tracts, books, or literature may not be singled out for special regulation or prohibition based on content, but is subject to reasonable time, place and manner restrictions imposed by the schools on other non-school related literature.

## **Employee expression of personal religious beliefs**

Official neutrality: All employees of Treeside Charter School must maintain strict neutrality when acting in their official capacities. An employee's rights relating to voluntary religious practices and freedom of speech do not include proselytizing of any student regarding atheistic, agnostic, sectarian, religious, or denominational doctrine while the employee is acting in the employee's official capacity, nor may an employee attempt to use his or her position to influence a student regarding the student's religious beliefs or lack thereof.

Response to questions: If a student asks an employee about that employee's personal religious beliefs, the employee may choose not to respond out of professional respect for the student's freedom of conscience or personal beliefs. However, while acting in an official capacity, an employee may respond in an appropriate and restrained manner to a spontaneous question from a student regarding the employee's personal religious beliefs or perspectives. Because of the special position of trust held by school employees, employees may not advocate or encourage acceptance of specific religious beliefs or perspectives; but may, by exercising due caution, explain or define personal religious beliefs or perspectives.

Reasonable accommodation: It is School policy to reasonably accommodate an employee's or prospective employee's religious dress, observance or practice whenever such accommodation can be made without undue hardship on the conduct of the School's business.

## **Volunteers**

- The School prohibits discrimination on the basis of religion against any group or individual desiring to volunteer in Treeside Charter School.
- Volunteers must maintain strict neutrality regarding religion while performing volunteer work for the schools.
- Volunteers are prohibited from engaging in proselytizing activities or recruiting activities of any type on school grounds or in conjunction with any school activity, and must strictly follow the directions given them by school officials.
- Religious apparel is permissible if it is required by a person's religion, is part of the person's ordinary work dress and would not be disruptive of the school environment and does not contain a proselytizing message.
- Volunteers, including those from religious organizations, serving in the schools, and interacting directly with students on a regular basis, shall wear a School approved volunteer name tag containing the individual's first and last name, and shall sign a form acknowledging that they understand and will abide by the provisions of this policy.

- School officials are responsible to monitor the behavior and interactions of volunteers while they are serving in schools or participating in school activities. Volunteers who fail to comply with the provisions of this policy shall be asked to leave the school or activity. Ultimate responsibility for enforcement of this policy rests with the Director.

## **Religion in the curriculum**

Teaching about religion: Religious instruction is the responsibility of parents and religious institutions, but teaching about religion and beliefs of conscience is a legitimate and appropriate part of a complete academic education on the elementary and secondary levels.

Instructional practices: To ensure that the educational approach to religion is one of academic instruction, not of indoctrination, and that it does not unduly favor religion over non-religion, teachers and school officials shall adhere to the following guidelines:

- Study or presentations about religion or other beliefs of conscience must achieve academic educational objectives, and be presented in a balanced manner within the context of the approved curriculum.
- The school's approach to religion must be academic, not devotional.
- Students may be exposed to any and all religious views and beliefs of conscience, but they should not be coerced to accept any particular view or belief.
- The objective study of comparative religions is permissible, but no religious tent, belief, or denomination may be given inappropriate emphasis; the school may educate about all religions, but may not promote or denigrate any religion or belief of conscience.
- Students should be taught to understand a variety of beliefs, and to respect the rights of all people, including the rights of individuals or groups with whom the students may disagree. Teaching about religion and beliefs of conscience should emphasize the role of religion and beliefs of conscience in history and culture, and the importance of religious liberty as a cornerstone of a democratic society.

Privacy: In accordance with federal and state Family Educational Rights and Privacy laws, school officials shall not solicit private information or explanations from students about their personal religious affiliations, beliefs, or practices, without first obtaining proper parental consent.

## **Religious music**

Religious music in schools: Seasonally appropriate and sacred religious music may be performed in schools, if presented in a balanced, prudent, and objective manner.

- Music should be selected on the basis of its musical quality and educational value rather than its religious content.
- Music performances must achieve secular educational objectives, and be presented in a balanced manner within the context of the approved curriculum.
- Teachers should use good judgment and be especially sensitive to the feelings of students who might wish not to participate for religious reasons, and should explore all

reasonable alternatives in resolving a student's objection before offering or granting a waiver of participation.

Performances at religious services: No school employee or student may be required to attend or participate in any religious service, whether in an individual capacity or as a member of a performing group, regardless of where or when the service is held. No penalty may be assessed for failure to attend or perform in such an activity. Students may voluntarily attend and perform during a religious service as individuals or as members of a group, provided all arrangements are made by students or non-school adults.

Performances in church-owned facilities: Unless granted an appropriate waiver, students who are members of performing groups such as school choirs may be required to rehearse or otherwise perform in a church-owned or operated facility if the following conditions are met:

- The performance is not part of a religious service;
- The activity of which the performance is a part is neither intended to further a religious objective nor under the direction of a church official; and
- The activity is open to the general public.

Visits to church-owned facilities: Unless granted an appropriate waiver, students may be required to visit church-owned facilities when religious services are not being conducted if the visit is intended solely for the purpose of pursuing permissible educational objective such as those relating to art, music, architecture or history.

## **Religious holidays**

No celebration: Religious and civic holiday such as Easter, Passover, Rosh Hashanah, Yom Kippur, Thanksgiving, Hanukkah, Christmas, Kwanzaa, and Ramadan, offer opportunities to teach about a variety of religious traditions and beliefs of conscience during the school year.

Other holidays: Activities and discussions related to cultural holidays such as Valentine's Day, St. Patrick's Day, and Halloween should be academic in nature. Because these holidays may be viewed by some parents as having religious connotations, requests for excusal in school activities associated with these holidays should be routinely granted.

Parties: Class parties associated with seasonal holidays are appropriate insofar as they are consistent with the approved curriculum. However, consistent with the School's goal of maximizing instructional time, such parties must not unduly interfere with regular academic activities.

Teaching about holidays: The significance of holidays, whether religious or secular, may be explained or discussed in an objective manner as part of regular classroom instruction or as questions from students arise, so as to promote a better understanding among all students.

## **Religious symbols**

During holidays: The display of religious symbols that are part of religious holidays is permitted as a teaching aid or resource, provided such symbols are displayed as an example of the cultural heritage of the holiday, and are temporary in nature. Such holidays include, but are not limited to: Christmas, Kwanzaa, Hanukkah, Ramadan, Easter, Passover, Valentine's Day, St. Patrick's Day, Thanksgiving, and Halloween.

Diversity of symbols: If any religious symbol is to be part of a display, the school will allow for other religious, cultural or ethnic symbols.

## **Waivers of participation**

Rights of individuals: While the School acknowledges its obligation to be sensitive and fair toward the personal rights and beliefs of all individuals, merely exposing students to ideas that may offend the religion does not amount to a substantial burden on their religious exercise. Furthermore, it is unconstitutional to allow one person's or one group's religion to determine the curriculum for all others. Consequently, it is School policy to accommodate the legitimate objections of individuals by granting waivers of participation when requested or when no other reasonable alternative is possible.

A parent, a legal guardian of a student may request a waiver of participation in any portion of the curriculum or school activity which the requesting party believes to be an infringement upon a right of conscience or the exercise of religious freedom in any of the following ways:

- It would require participation in a practice that would be offensive to or substantially burdensome on a religion;
- It would require participation in a practice forbidden by a religious belief or practice, or right of conscience; or
- It would bar participation in a practice required by a religious belief or practice, or right of conscience.

A claimed infringement must rise to a level of belief that the school requirement violates a superior duty which is more than personal preference.

A parent, guardian, or secondary student requesting a waiver of participation may also suggest an alternative to the school requirement or activity that requires reasonably equivalent performance by the student.

In responding to a request for a waiver, the school may:

- Waive participation by the student in the objectionable curriculum or activity, with no penalty;
- Provide a reasonable alternative as suggested by the parent or secondary student, or other reasonable alternative developed in consultation with the requesting party, that

will achieve the objectives of the portion of the curriculum or activity for which waiver is sought; or

- Deny the request.

A request for waiver shall not be denied unless school officials determine that requiring the participation of the student is the least restrictive means necessary to achieve a compelling school interest.

In responding to a request for waiver, the school shall not require a student to accept a substandard or educationally deficient alternative.

If any portion of any curriculum or activity is repeatedly alleged to interfere with the rights of conscience or exercise of religious freedom of students, parents or legal guardians, such curriculum or activity shall be evaluated by the school and School Curriculum Department to determine whether the educational objectives could be achieved by less intrusive means.

### **Released time for religious instruction**

General rule: Treeside Charter School may permit the release of students during school hours for attendance at religious classes taught by religious teachers on private property, but not on public school premises.

- Religious classes shall not be held in school buildings or on school property in any way that permits public money or property to be applied to, or that requires public employees to become entangled with, any religious worship, exercise, or instruction.
- Students shall attend released-time classes during the school day only upon the written request and permission of the student's parent or legal guardian.
- Because public schools have a legitimate interest in knowing where their students are during school hours, released-time personnel may transmit regular attendance reports to the public school. However, school personnel may not become entangled with released-time programs by gathering or compiling attendance reports from released-time programs.
- Teachers of released-time classes are not to be considered members of the school faculty or too participate as faculty members in any school function.
- Schedules of classes shall not include released-time classes. At the convenience of the school, registration forms may contain a space indicating "released-time" designation. Scheduling shall be done on forms and supplies furnished by the religious institution and by personnel employed or engaged by the institution and shall occur off school premises.
- Teachers, administrators, or other officials shall not request teachers of released-time classes to exercise functions or assume responsibilities for the public school program which would result in a commingling of the activities of the two institutions.
- School equipment or personnel shall not be used in any manner to assist in the conduct of released-time classes. No connection of bells, telephones, or other devices shall be

made between public school buildings and institutions offering religious instruction except as a convenience to the public school in the operation of its own program. When any connection of devices is permitted, the pro-rata costs shall be borne by the respective institutions.

- Institutions offering religious instruction shall be regarded as private schools completely separate and apart from Treeside Charter School.

Approved: July 18, 2018

## 04-102 Parent and Family Engagement Policy

Treeside Charter School regards parental involvement vital to the academic success of students. Parents are the initial teachers of their children and serve as partners with the school in helping their children achieve academic success.

Treeside Charter School will involve parents in the development of its academic plans.

- The district will invite two parents to participate in the development of the school plan for at-risk students. Information, including academic data, State and Federal allocations, personnel, and instructional strategies will be given to parent representatives two weeks prior to the meeting for review.
- Parents will review information, attend scheduled meetings and give input into the development of the plan.
- The Board will give final approval of the plan.

Treeside Charter School will involve parents in the process of school review and improvement.

- Share overall achievement data with parents.
- Invite input from parents regarding school academic goals.
- Discuss scientifically-based research instructional practices.
- Give direction in securing research-based curriculum materials that align with goals.

Treeside Charter School will provide coordination and technical assistance to promote quality parental involvement activities.

- Twice during the year, school leadership will include parental involvement discussions to maximize coordination and effective use of resources.
- Provide annual training to school administrators and teachers on effective parent involvement strategies.
- Schedule an annual parent involvement seminar to build effective parental involvement strategies.

Treeside Charter School will coordinate parental involvement strategies with other programs.

- Representatives from other programs will be encouraged to cosponsor the annual parent involvement seminar with Title I.
- Faculty and staff who have responsibility for overseeing parental involvement activities will meet at least twice a year to discuss plans and coordinate efforts.

Treeside Charter School will conduct an annual parental involvement evaluation.

- In the spring, local School Community Councils will be asked to provide feedback on the quality of involvement opportunities and provide input on how the school might improve support for parental involvement.
- Parents will be encouraged to complete a survey that will elicit feedback on current activities and request input for future efforts.
- At the beginning of the new school year, the school will provide a summary of the parental survey with its plans to address identified needs and recommendations.

Treeside Charter School will involve parents in a variety of school activities.

- The director will report annually on parental involvement in at-risk and other programs.
- In the annual training for administrators and teachers, the school will share identified successful parental involvement activities with volunteer committees.
- The Director will annually report to the board how used Title I funds were used to support effective parent involvement strategies.

Approved: July 18, 2018

## 04-103 Title I Compact

### PARENT/GUARDIAN RESPONSIBILITIES

I want my child to achieve therefore I will:

- Make certain my child attends school regularly and on time.
- See that my child is well-rested and has breakfast each day.
- Set aside a specific time and place for homework, assisting as necessary.
- Attend at least two conferences and communicate regularly with my child's teacher to ensure his/her academic success.
- Support the school and staff in maintaining proper discipline.
- Read with my child and let him /her see me read regularly.
- Encourage positive attitudes toward school. Volunteer in my child's classroom as appropriate.
- Review information and work sent home and respond as necessary.

### STUDENT RESPONSIBILITIES

It is important that I learn, therefore I will:

- Attend school regularly and on time.
- Complete assignments and homework.
- Bring homework and supplies to school each day.
- Work to the best of my ability.
- Work cooperatively with classmates, teachers and staff.
- Respect myself, other people, and my school.
- Follow all school rules.
- Accept responsibility for my own actions.

## TEACHER RESPONSIBILITIES

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

- Hold expectations high for all students, believing that all students can learn. Provide high-quality instruction in a supportive and non-threatening environment.
- Provide meaningful homework.
- Communicate regularly with my students and their families through conferences, notes, phone calls, etc.
- Provide opportunities for parents to assist in the classroom in meaningful ways and to observe classroom activities.

## DIRECTOR RESPONSIBILITIES

I support this compact therefore I will:

- Provide an equitable learning environment for all children.
- Encourage the staff to provide parents with information about the total school program.
- Encourage our staff to provide avenues for positive and meaningful parent involvement.
- Schedule annual parent-teacher conferences for parents of children to attend. Provide reasonable parent access to staff members.
- Provide a variety of opportunities for parents to volunteer in their child's classroom.
- If needed and reasonable, provide parents opportunities to observe classroom activities.

Approved: July 18, 2018

## 04-104 Disposal of Textbooks

Prior to the disposal of textbooks, Treeside Charter School shall:

- Notify LEAs of available textbooks and timelines for disposal of textbooks.
- Provide procedures for negotiating the exchange of the textbooks.

Approved July 18, 2018

## 04-105 Firearm Safety in School

Consistent with R277-611, Treeside Charter School's administration may allow volunteers to instruct students or community members in firearm safety, with prior notice to the board and parents and students. If such instruction is allowed, administration shall implement procedures consistent with R277-611 to ensure that materials and instructors are approved in advance consistent with rule.

Approved: July 18, 2018

## 04-106 Technology Security Policy

## **1. Purpose**

The purpose of this policy is to ensure the secure use and handling of all district data, computer systems and computer equipment by District (Treeside Charter School) students, patrons, and employees.

## **2. Policy**

### **2.1 Technology Security**

It is the policy of Treeside Charter School to support secure network systems in the district, including security for all personally identifiable information that is stored on paper or stored digitally on district- maintained computers and networks. This policy supports efforts to mitigate threats that may cause harm to the district, its students, or its employees.

The district will ensure reasonable efforts will be made to maintain network security. Data loss can be caused by human error, hardware malfunction, natural disaster, security breach, etc., and may not be preventable.

All persons who are granted access to the district network and other technology resources are expected to be careful and aware of suspicious communications and unauthorized use of district devices and the network. When an employee or other user becomes aware of suspicious activity, he/she is to immediately contact the Treeside Charter School's Information Security Officer with the relevant information.

This policy and procedure also covers third party vendors/contractors that contain or have access to Treeside Charter School critically sensitive data. All third party entities will be required to sign the Restriction on Use of Confidential Information Agreement before accessing our systems or receiving information.

It is the policy of Treeside Charter School to fully conform with all federal and state privacy and data governance laws. Including the Family Educational Rights and Privacy Act, 20 U.S. Code §1232g and 34 CFR Part 99 (hereinafter "FERPA"), the Government Records and Management Act U.C.A. §62G-2 (hereinafter "GRAMA"), U.C.A. §53A-1-1401 et seq and Utah Administrative Code R277-487.

Professional development for staff and students regarding the importance of network security and best practices are included in the procedures. The procedures associated with this policy are consistent with guidelines provided by cyber security professionals worldwide and in accordance with Utah Education Network and the Utah State Office of Education. Treeside Charter School supports the development, implementation and ongoing improvements for a robust security system of hardware and software that is designed to protect Treeside Charter School's data, users, and electronic assets.

## **3. Procedure**

### **3.1. Definitions:**

3.1.1. Access: Directly or indirectly use, attempt to use, instruct, communicate with, cause input to, cause output from, or otherwise make use of any resources of a computer, computer system, computer network, or any means of communication with any of them.

3.1.2. Authorization: Having the express or implied consent or permission of the owner, or of the person authorized by the owner to give consent or permission to access a computer, computer system, or computer network in a manner not exceeding the consent or permission.

3.1.3. Computer: Any electronic device or communication facility that stores, retrieves, processes, or transmits data.

3.1.4. Computer system: A set of related, connected or unconnected, devices, software, or other related computer equipment.

3.1.5. Computer network: The interconnection of communication or telecommunication lines between: computers; or computers and remote terminals; or the interconnection by wireless technology between: computers; or computers and remote terminals.

3.1.6. Computer property: Includes electronic impulses, electronically produced data, information, financial instruments, software, or programs, in either machine or human readable form, any other tangible or intangible item relating to a computer, computer system, computer network, and copies of any of them.

3.1.7. Confidential: Data, text, or computer property that is protected by a security system that clearly evidences that the owner or custodian intends that it not be available to others without the owner's or custodian's permission.

3.1.8. Encryption or encrypted data – The most effective way to achieve data security. To read an encrypted file, you must have access to a secret key or password that enables you to decrypt it.

3.1.9. Personally Identifiable Information (PII) - Any data that could potentially identify a specific individual. Any information that can be used to distinguish one person from another and can be used for de-anonymizing anonymous data can be considered Protected data

3.1.10. Security system: A computer, computer system, network, or computer property that has some form of access control technology implemented, such as encryption, password protection, other forced authentication, or access control designed to keep out unauthorized persons.

3.1.11. Sensitive data - Data that contains personally identifiable information.

3.1.12. System level – Access to the system that is considered full administrative access. Includes operating system access and hosted application access.

## **3.2. Security Responsibility**

3.2.1. Treeside Charter School shall appoint, in writing, an IT Security Officer (ISO) responsible for overseeing District-wide IT security, to include development of District policies and adherence to the standards defined in this document.

## **3.3. Training**

3.3.1 Treeside Charter School, led by the ISO, shall ensure that all District employees having access to sensitive information undergo annual IT security training which emphasizes their personal responsibility for protecting student and employee information. - Training resources will be provided to all District employees.

3.3.2. Treeside Charter School, led by the ISO, shall ensure that all students are informed of Cyber Security Awareness.

## **3.4. Physical Security**

### **3.4.1. Computer Security**

3.4.1.1. Treeside Charter School shall ensure that any user's computer must not be left unattended and unlocked, especially when logged into sensitive systems or data including student or employee information. Automatic log off, locks and password screen savers should be used to enforce this requirement.

3.4.1.2. Treeside Charter School shall ensure that all equipment that contains sensitive information will be secured to deter theft.

### **3.4.2. Server/Network Room Security**

3.4.2.1. Treeside Charter School shall ensure that server rooms and telecommunication rooms/closets are protected by appropriate access control which segregates and restricts access from general school or District office areas. Access control shall be enforced using either keys, electronic card readers, or similar method with only those IT or other staff members having access necessary to perform their job functions are allowed unescorted access.

3.4.2.2. Telecommunication rooms/closets may only remain unlocked or unsecured when because of building design it is impossible to do otherwise or due to environmental problems that require the door to be opened.

### **3.4.3. Contractor access**

3.4.3.1. Before any contractor is allowed access to any computer system, server room, or telecommunication room the contractor will need to present a company issued identification

card, and his/her access will need to be confirmed directly by the authorized employee who issued the service request or by Treeside Charter School's Technology Department.

### **3.5. Network Security**

3.5.1. Network perimeter controls will be implemented to regulate traffic moving between trusted internal (District) resources and external, untrusted (Internet) entities. All network transmission of sensitive data should enforce encryption where technologically feasible.

#### 3.5.2. Network Segmentation

3.5.2.1. Treeside Charter School shall ensure that all untrusted and public access computer networks are separated from main district computer networks and utilize security policies to ensure the integrity of those computer networks.

3.5.2.2. Treeside Charter School will utilize industry standards and current best practices to segment internal computer networks based on the data they contain. This will be done to prevent unauthorized users from accessing services unrelated to their job duties and minimize potential damage from other compromised systems.

#### 3.5.3. Wireless Networks

3.5.3.1. No wireless access point shall be installed on [Insert name of LEA here]'s computer network that does not conform with current network standards as defined by the Network Manager. Any exceptions to this must be approved directly in writing by the Information Security Officer.

3.5.3.2. Treeside Charter School shall scan for and remove or disable any rogue wireless devices on a regular basis.

3.5.3.3. All wireless access networks shall conform to current best practices and shall utilize at minimal WPA encryption for any connections. Open access networks are not permitted, except on a temporary basis for events when deemed necessary.

#### 3.5.4. Remote Access

3.5.4.1. Treeside Charter School shall ensure that any remote access with connectivity to the its internal network is achieved using the its centralized VPN service that is protected by multiple factor authentication systems. Any exception to this policy must be due to a service provider's technical requirements and must be approved by the Information Security Officer.

### **3.6. Access Control**

3.6.1. System and application access will be granted based upon the least amount of access to data and programs required by the user in accordance with a business need-to-have requirement.

### 3.6.2. Authentication

3.6.2.1. Treeside Charter School shall enforce strong password management for employees, students, and contractors.

#### 3.6.2.2. Password Creation

3.6.2.2.1. All server system-level passwords must conform to the Password Construction Guidelines posted on the Treeside Charter School Technology Website.

#### 3.6.2.3. Password Protection

3.6.2.3.1. Passwords must not be shared with anyone. All passwords are to be treated as sensitive, Confidential information.

3.6.2.3.2. Passwords must not be inserted into email messages or other forms of electronic communication.

3.6.2.3.3. Passwords must not be revealed over the phone to anyone. 3.6.2.3.4. Do not reveal a password on questionnaires or security forms.

3.6.2.3.5. Do not hint at the format of a password (for example, "my family name").

3.6.2.3.6. Any user suspecting that his/her password may have been compromised must report the incident and change all passwords.

### 3.6.2. Authorization

3.6.2.1. Treeside Charter School shall ensure that user access shall be limited to only those specific access requirements necessary to perform their jobs. Where possible, segregation of duties will be utilized to control authorization access.

3.6.2.2. Treeside Charter School shall ensure that user access should be granted and/or terminated upon timely receipt, and management's approval, of a documented access request/termination.

### 3.6.3. Accounting

3.6.3.1. Treeside Charter School shall ensure that audit and log files are maintained for at least ninety days for all critical security-relevant events such as: invalid logon attempts, changes to

the security policy/ configuration, and failed attempts to access objects by unauthorized users, etc.

#### 3.6.4. Administrative Access Controls

3.6.4.1. Treeside Charter School shall limit IT administrator privileges (operating system, database, and applications) to the minimum number of staff required to perform these sensitive duties.

### 3.7. Incident Management

3.7.1. Monitoring and responding to IT related incidents will be designed to provide early notification of events and rapid response and recovery from internal or external network or system attacks.

### 3.8. Business Continuity

3.8.1. To ensure continuous critical IT services, IT will develop a business continuity/disaster recovery plan appropriate for the size and complexity of District IT operations.

3.8.2 Treeside Charter School] shall develop and deploy a district-wide business continuity plan which should include as a minimum:

- Backup Data: Procedures for performing routine daily/weekly/monthly backups and storing backup media at a secured location other than the server room or adjacent facilities. As a minimum, backup media must be stored off-site a reasonably safe distance from the primary server room.
- Secondary Locations: Identify a backup processing location, such as another School or District building.
- Emergency Procedures: Document a calling tree with emergency actions to include: recovery of backup data, restoration of processing at the secondary location, and generation of student and employee listings for ensuing a full head count of all.

### 3.9. Malicious Software

3.9.1. Server and workstation protection software will be deployed to identify and eradicate malicious software attacks such as viruses, spyware, and malware.

3.9.2 Treeside Charter School shall install, distribute, and maintain spyware and virus protection software on all district-owned equipment, i.e. servers, workstations, and laptops.

3.9.3. Treeside Charter School shall ensure that malicious software protection will include frequent update downloads (minimum weekly), frequent scanning (minimum weekly), and that malicious software protection is in active state (real time) on all operating servers/workstations.

3.9.4. Treeside Charter School shall ensure that all security-relevant software patches (workstations and servers) are applied within thirty days and critical patches shall be applied as soon as possible.

3.9.5. All computers must use Treeside Charter School approved anti-virus solution.

3.9.6. Any exceptions to section 3.9 must be approved by the Information Security Officer. 3.10. Internet Content Filtering

3.10.1. In accordance with Federal and State Law, Treeside Charter School shall filter internet traffic for content defined in law that is deemed harmful to minors.

3.10.2. Treeside Charter School acknowledges that technology based filters are not always effective at eliminating harmful content and due to this, Treeside Charter School uses a combination of technological means and supervisory means to protect students from harmful online content.

3.10.3. In the event that students take devices home, Treeside Charter School will provide a technology based filtering solution for those devices. However, Treeside Charter School will rely on parents to provide the supervision necessary to fully protect students from accessing harmful online content.

3.10.4. Students shall be supervised when accessing the internet and using district owned devices on school property.

### **3.11. Data Privacy**

3.11.1. Treeside Charter School considers the protection of the data it collects on students, employees and their families to be of the utmost importance.

3.11.2. Treeside Charter School protects student data in compliance with the Family Educational Rights and privacy Act, 20 U.S. Code §1232g and 34 CFR Part 99 ( "FERPA"), the Government Records and Management Act U.C.A. §62G-2 ( "GRAMA"), U.C.A. §53A-1-1401 et seq, 15 U.S. Code §§ 6501–6506 ("COPPA") and Utah Administrative Code R277-487 ("Student Data Protection Act").

3.11.3 Treeside Charter School shall ensure that employee records access shall be limited to only those individuals who have specific access requirements necessary to perform their jobs. Where possible, segregation of duties will be utilized to control authorization access.

### **3.13. Security Audit and Remediation**

3.13.1 Treeside Charter School] shall perform routine security and privacy audits in congruence with the Treeside Charter School Information Security Audit Plan.

3.13.2. Treeside Charter School administration shall develop remediation plans to address identified lapses that conforms with the Treeside Charter School's Information Security Remediation Plan Template.

3.14. Employee Disciplinary Actions shall be in accordance with applicable laws, regulations and District policies. Any employee found to be in violation may be subject to disciplinary action up to and including termination of employment with the Treeside Charter School.

### **Administrative Regulations Regarding Acceptable Use of Electronic Media and Equipment Policy**

#### **A. Acceptable Use**

Treeside Charter School's computers, electronic devices, networks, and Internet services are provided for educational purposes and research consistent with the school's educational mission, curriculum, and instructional goals.

All Board policies, school rules, and expectations concerning student conduct and communications apply when students are using computers or other electronic devices, whether the use is on or off school property. This includes communications affecting the school whether produced on school or private devices.

Students are also expected to comply with all specific instructions from school administrators, school staff, or volunteers when using the school's computers.

TCS computers remain under the control, custody, and supervision of the school at all times. Students have no expectation of privacy in their use of school computers, including email, stored files, and Internet access logs.

#### **B. Prohibited Uses**

Examples of unacceptable uses of school electronic devices that are expressly prohibited include, but are not limited to, the following:

Accessing or Posting Inappropriate Materials – Accessing, submitting, posting, publishing, forwarding, downloading, scanning or displaying defamatory, abusive, obscene, vulgar, sexually explicit, sexually suggestive, threatening, discriminatory, harassing and/or illegal materials or engaging in “cyber bullying;”

Illegal Activities – Using the school unit's computers, networks, and Internet services for any illegal activity or in violation of any Board policy or school rules. The school assumes no responsibility for illegal activities of students while using school computers; Violating Copyrights – Copying, downloading or sharing any type of copyrighted materials (including music or films) without the owner's permission. The school unit assumes no responsibility for copyright violations by students;

Copying Software – Copying or downloading software without the express authorization of the Technology Coordinator. Unauthorized copying of software is illegal and may subject the copier to substantial civil and criminal penalties. The school assumes no responsibility for illegal software copying by students;

Plagiarism – Representing as one’s own work any materials obtained on the Internet (such as term papers, articles, music, etc.). When Internet sources are used in student work, the author, publisher, and website must be identified;

- Non-School-Related Uses – Using the school’s computers, networks, and Internet services for any personal reasons not connected with the educational program or assignments;
- Misuse of Passwords/Unauthorized Access – Sharing passwords, using other users’ passwords, and accessing or using other users’ accounts;
- Malicious Use/Vandalism – Any malicious use, disruption or harm to the school’s computers, networks, and Internet services, including but not limited to hacking activities and creation/uploading of computer viruses; and
- Unauthorized Access to Blogs/Chat Rooms/Social Networking Sites – Accessing blogs, chat rooms or social networking sites to which student access is prohibited.
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### C. Consequences for Violation of Acceptable Use

Compliance with the school’s policies and rules concerning computer use is mandatory. Students who violate these policies and rules will be given the opportunity to respond to an alleged violation and a suitable consequence will be implemented by the director. The director shall have final authority based upon the circumstances of the particular case, the student’s prior disciplinary record, and any other relevant factors.

Violation of the acceptable use of TCS’s electronics and media may result in the following:

- In all situations, parents will be notified.
- Confiscation of TCS-owned devices even if such confiscation results in missing assignments, inability to participate in required assessments, or results in loss of credit or academic grades.
- Students will pay for loss or damage sustained to any TCS electronic devices used by or entrusted to the students.
- Confiscation of personal electronic devices that are used in violation of school or teacher directives, or that are a disruption to the learning process, until the end of class or until the parent or guardian can come and retrieve the item.
- Limitation, suspension, or revocation of any or all computer/electronic privileges.
- School disciplinary action including but not limited to school service, in-suspension, out of school suspension, expulsion, referral to law enforcement, and or legal action if so determined by the director.

Approved: September 2017

## 04-107 Vending and Competitive Food Sales Policy

This Policy establishes guidelines to govern the sales, placement, and contents of food and beverage items sold from student-vending machines and also foods sold outside the reimbursable meal service during the school day at Treeside. "Competitive foods" means all food and beverages, other than meals reimbursed under programs authorized by federal child nutrition laws available for sale to students on the school campus during the school day.

1. All vending machine agreements must be in written contract form and approved by the school board before a school may enter into any such agreement.
2. All vending-machine income must be used for the benefit of students and not be given to a for-profit entity.
3. A financial summary of vending machine sales, profits, and expenditures shall be given to the Board annually.
4. The Principal or designee shall monitor all foods and beverages made available in vending machines, student stores, and concession stands meets federal nutrition standards.
5. Fundraising food items may not meet the federal nutrition standards as long as:
  - a. Exempt fundraisers are held no more than three times per year.
  - b. Exempt fundraisers may not last more than 5 days
  - c. The school leader designates an individual to maintain records for the fundraiser.

References: Utah Rule R277-719

Approved: May 2022

## 04-108 Instructional and Library Materials Policy

### **Purpose:**

The purpose of Treeside's (hereafter The School) Instructional and Library Materials is to support the School's charter, mission, vision, goals, and curriculum.

The School's Board of Trustees believes that information literacy skills are the key to success in a competitive world. In accordance with that belief, the School encourages faculty, staff and students to develop and practice their information literacy skills through a variety of resources and an environment that encourages exploration and the open exchange of ideas and information. The School's primary goal for the library media program is to expand the intellectual world of our students through student-centered programs and curriculum that focus on real-world application.

### **Compliance**

The School will comply with state and federal law and Utah State Board of Education rule in connection with its library media program.

### **Intellectual Freedom**

In order to encourage the open exchange of information and ideas, the School's library book collection will provide unrestricted access to developmentally and age-appropriate materials that support the School's curricular goals as well as the personal interests of students.

### **Collection Access**

Information regarding Library Acquisitions and Collections:

- Information regarding the school library's collection is available upon request from the library personnel.

### **Materials Objectives**

The objectives of the School are to:

- Provide materials that will enrich and support curriculum, taking into consideration the varied interests, abilities, learning styles and maturity levels of the students served;
- Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and character development;
- Provide a background of information that will enable students to make intelligent judgments in their daily lives;
- Provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical reading and thinking;
- Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our national heritage and the world community;

### **Materials Selection and Acquisition**

#### Responsibility

Although the selection and acquisition process involves many members of the School community, administration, faculty, or parents/guardians, the responsibility for coordinating the selection and purchase of all types of school learning tools rests with the professional staff under the direction of the Director.

### **Selection Criteria**

Materials selected will be:

- Age appropriate for the emotional development, ability level, learning styles and intellectual development of the students for whom the materials are selected
- Accessible to students of varied abilities;
- Appropriate for students with special needs;
- Prioritized by, supportive of, and consistent with the Charter and state standards.
- High quality in terms of content and presentation;

- Representative of the most current available research on the topic;
- Extra care should be taken to provide materials that deliver a balanced viewpoint when dealing with material discussing sensitive issues such as religion, social theory or politics;
- Appropriate in format, durability and cost for intended use;
- Overall purpose and educational significance;
- Reputation and significance of author, producer, publisher;

#### Materials Selection Procedures:

Instructional and Library materials that are selected shall comply with Treeside Charter, applicable Utah state law, Utah State Board of Education rule (see code requirement links below) and also meet the Library Objectives and Selection Criteria stated in this Policy. Selection of all purchased or donated instructional and library materials shall be based on a combination of five or more of the following criteria:

- Contribution and relevance to the core standards; Teacher, parent, and student request;
- Factual content is accurate, and reliable;
- Timeliness and/or permanence;
- Favorable reviews, recommendations, and/or award nominees found in standard selection sources or from professional personnel;
- Contributes to a balanced perspective;
- Potential appeal and interest;
- Recreational reading needs of students;
- Artistic quality and literary style;
- Reputation and significance of author, producer, publisher; Uniqueness, diversity and/or heritage of the state, region or community;
- •Support of second language learners;
- Support of special needs students; and
- Merit of the work as a whole.

#### **Donated Material**

Treeside will only accept donations of books that are currently in the library collection. If a donated book is not in the current collection, the school can choose to review the book for inclusion in the collection at their discretion.

#### **Individual Material Opt-Out**

Treeside respects the individual values and beliefs of the families in our school community. Therefore, if a family finds a book or media item to be personally objectionable, they may submit a request for their child or children to be excused or restricted from the use of that item. If the book or media item in question is a part of school curriculum or instruction the teacher will provide an alternative course for the student/s to meet the instructional goal.

#### **Material Reconsideration**

If a parent/legal guardian of a current Treeside student, or an employee member finds a book or media item that they believe violates Utah state law they will need to follow the reconsideration process of instructional and library materials.

#### Materials Reconsideration Process:

1. Treeside's Director will organize a Library Instructional Materials Review Committee to consist of up to four staff members appointed by the Director and an equal number of parents chosen by the Director. The Director or Assistant Director will chair the committee.
2. Any parent/legal guardian of a current Treeside student, or employee may make a formal challenge to instructional and library materials by completing a request for Reconsideration of Instructional and Library Materials Form. Any challenge to the school instructional and library materials shall be submitted in writing to the Director using this form.
3. The Director shall call a committee meeting to review a submitted Reconsideration of Instructional and Library Materials Form. Each committee member shall receive a copy of the challenged material prior to the meeting, as well as the submitted Reconsideration of Instructional and Library Materials Form. Committee members shall review the challenged material and the request for change, prior to the committee meeting, which should occur within 60 school days of the challenge being received by the school.
4. The committee members shall discuss the challenged materials based on the Instructional and Library Materials policy. The committee shall determine by majority vote the disposition of the challenged material.
  - a. Options shall include:
    - i. Retain - If the challenged materials meets appropriate selection criteria and state code it shall remain in full circulation and Treeside will specify restrictions and rationale for retaining the Instructional or Library Materials
    - ii. Restricted - If the challenged materials meets appropriate sections criteria and state code but is not appropriate for all students, the committee shall restrict access to the material and Treeside will specify restrictions and rationale for restricting the Instructional or Library Materials or
    - iii. Remove - If the challenged material does not meet appropriate selection criteria or state code, it shall be removed from the school. Treeside will specify restrictions and rationale for removing the Instructional or Library materials.
5. The Director, or the Director's Designee, shall reply to the challenger explaining the decision of the committee within three (3) school days of the committee's decision. The challenger may appeal the decision of the committee, if they feel the Materials Reconsideration Process was not followed, to the Board of Trustees in writing within ten

(10) school days of receiving the committee's decision. If the challenger is still dissatisfied, they may appeal to the Utah State Board of Education.

References: R277-628, HB 374 Sensitive Materials in Schools

Adopted: September 20, 2022

## 05 Human Resources

### 05-101 Hiring Policy

Job openings at the Treeside Charter School will be in three different categories:

1. Administration
2. Licensed teachers
3. Support staff

#### Administration-

- Openings are posted in as wide a range as is practical. And should be posted for two weeks.
- A screening committee including Board members, staff, and parents should be assembled by invitation of the board.
- All applications are reviewed and qualified candidates are scheduled for interviews.
- Interviews are conducted by the screening committee.
- A minimum of two candidates are invited for a follow-up interview with the board.
- Hiring by the board- Salary is negotiable

#### Licensed teachers-

- Openings are posted in as wide a range as is practical and should be posted for two weeks.
- The administration should screen candidates with a preference given to charter-specific experience and eligibility for a Utah teaching license is a requirement.
- Interviews are conducted by a team including Administration, teachers (lead teacher and one other from the team) and support staff.
- A minimum of two candidates are invited to return for a follow-up interview with the administration and lead teacher and others invited.
- Hiring decision by the administration.
- Salary based on established schedule.

#### Support staff- all hourly positions

- Openings posted internally and within the community for at least two weeks.

- The administration should screen candidates with a preference given to charter-specific experience and a willingness to pursue training and licensure.
- Interviews conducted by the administration and supervising teacher with the lead teacher invited.( a minimum of three candidates).
- One or two candidates should be invited for a follow-up interview.
- Hiring decision is made by the administration.
- Salary is based on education and experience.

General:

- For support staff and licensed teachers the administration may consider and make in-school transfers before opening the position.
- All hiring must be within the school's approved budget, except in cases where a law or rule requires the new position (i.e. mandated special education services).
- All applicants must comply with the Background Check Policy prior to beginning employment

Approved: July 18, 2018

## 05-102 Volunteers

Treeside Charter School recognizes that volunteers are a vital part of the success of our charter school. Volunteers are welcome and encouraged in all aspects of school operation to ensure that parents and the larger school community are connected to the school and to reduce the cost of labor at the school.

Volunteers shall sign an agreement that authorizes them to work at the school. That agreement shall include:

- A description of potential work
- Authorization for the school to perform a criminal background check (required for all volunteers that have significant unsupervised access to students)
- A statement of confidentiality requirements

School administration shall ensure that these agreements are kept on file for each volunteer, and shall ensure that a list of authorized volunteers is kept at the school at all times.

Administration shall ensure that all volunteers who perform work on behalf of the school are properly authorized.

### **Volunteer Scope of Work and Confidentiality and Property Acknowledgement**

Treeside Charter School recognizes that volunteers are a vital part of the success of our charter school. This Scope of Work and Confidentiality Acknowledgement outlines the work expectations and responsibilities for school volunteers, and explains the legal requirement of student confidentiality and the use of school property. Student records, employee records,

Treeside Charter School proprietary information and work products, as well as certain other information and property are protected by law and school policy.

The below named “Volunteer” is authorized to perform work on behalf of the school, including work with the Parent Organization. That work may include:

- Assisting teachers in classrooms
- Basic filing and routine office work
- Supervision of students at lunch and/or recess
- Assembling and moving equipment and furniture and supplies
- Assistance at school events
- Contacting Treeside Charter School employees, families, and vendors about school events, policies, and other information
- Receiving cash donations or payments for fundraising sale items
- Assisting in the school library under the direction of the library staff
- Marketing activities
- Technology, internet, or network activities
- Data management or access
- Other tasks as requested by teachers or school administration.

The below named “Volunteer” acknowledges that he or she understands that he or she may have access to or become aware of confidential information that is protected by law. Volunteer agrees that he or she will not disclose: any trade secrets, enrollment lists, drawings, designs, information regarding product development, marketing plans, sales plans, manufacturing plans, operating policies or manuals, business plans, financial records, or other financial, commercial, business, or any other information relating to Treeside Charter School or Treeside Charter School’s parties, including students, parents, employees, and contractors, collectively referred to as Confidential Information, to any third party. Volunteers may have the use and control of Treeside Charter School property, including supplies, equipment, records, use of the school facility, intellectual property, passwords, data, and any other Treeside Charter School property, tangible or intangible. Volunteer agrees to surrender any and all school property upon Treeside Charter School’s written or verbal request. Volunteer also consents to a criminal background check to be performed by the school, and will provide the following information to facilitate the process. Treeside Charter School will keep confidential all personal information obtained for this purpose.

_____	_____	_____
Last Name	First Name	Middle Name
_____	_____	
Social Security #	Date of Birth	
_____	_____	
Signature:	Date	

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## 05-103 Employee Leave

Certificated and salaried employees earn one day of paid time off (PTO) for each full calendar month worked during the school year (ten full days of PTO per year). Each employee is required to notify his or her supervisor in writing on School form(s) in advance of the dates of all requested paid time off (PTO) vacation or leave time desired to be taken. Additionally, employees are to inform the school director and business office of PTO taken and excessive lateness in arriving at work.

Employees who are the subject of disciplinary action and placed on paid or unpaid leave by the school as part of a disciplinary plan or during investigation periods are required to use all available PTO time starting immediately upon inception. In these circumstances, the School shall apply available PTO time to regular paychecks for employees on paid or unpaid leave until available PTO time is exhausted.

### **Holidays**

School holidays include federal or state holidays, fall, winter or spring breaks and other days designated as school holidays on the School's annual calendar. Part-time or hourly employees do not receive compensation on holidays of any kind. Administrative employees may be required to work holidays as determined by their supervisor or the school director and as outlined in Compensation Agreements. Operations, maintenance and custodial employees are required to work most school holidays and break periods.

### **Family and Medical Leave Act**

Eligible employees may take up to 12 weeks of unpaid leave within a 12-month period per the terms of the Family and Medical Leave Act of 1993 (FMLA). FMLA leave is a specified and approved leave granted by the School upon the formal written request of eligible employees. Ineligible employees granted other forms of leave for any reason are not granted approval for nor is their leave governed by or under the provisions of FMLA. Legally married couples (spouse and spouse) employed by the School may take a combined 12 weeks of FMLA leave. Eligible employees may request FMLA leave after 12 months and 1250 hours of employment service. Eligible employees must request FMLA leave with 30 days advance written notice except in times of unexpected leave. Employees may be required to submit a Statement from a Health Care Provider verifying the need for FMLA leave. Employees are required to use any and all available (accrued) PTO or other leave time before beginning leave under FMLA. Employees may have additional rights including rights for eligible relatives of certain military service personnel and should refer to the Family and Medical Leave Act of 1993 for additional information. Employees shall give 2 weeks advance notice before they plan to return to work.

Subject to the Plan Documents, terms and conditions of the various medical benefit plans, benefits will continue for the full period of FMLA leave. Employees who do not return to regular

employment with the School after an approved FMLA leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

### **Personal Leave of Absence**

Requests for personal leave without pay are considered individually and granted at the discretion of school administration. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for personal leave of absence. A request for personal leave of absence may be granted only if the employee is not eligible for any other type of leave. Employees who are granted personal leave are still responsible to pay the employee portion of any benefit programs in which they participate. Arrangements should be made with administration to coordinate the payment of premiums and other costs during leave periods when regular payroll withholding is not possible.

Teacher salaries (and salaries of other employees whose salary is spread over a longer period than their work schedule) who take unpaid leave (including FMLA leave) will be prorated proportionate to the number of days worked out of the scheduled days according to work schedules, and the final, prorated payment will be made on the regular pay day for the pay period that includes the date of the beginning of unpaid leave. When returning from leave, a new salary will be calculated proportionate to the number of work days remaining in the school year out of the total work days scheduled for the school year. The new salary shall be paid in equal installments over the regular paydays remaining in the school year.

All leaves (paid and unpaid) are granted for a specific period of time. An employee who foresees being unable or unwilling to return to work at the end of the leave period should apply for any other leave for which the employee is eligible, including an extension of the current leave. School reserves the right to terminate the employment of an employee who does not return to work at the end of an approved leave period.

Subject to the Plan Documents, terms and conditions of the various plans and upon School approval, medical benefit plans may continue for the full period of approved leave. Employees who do not return to employment with the School after an approved leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

### **Bereavement Leave**

A full-time employee of the School may request a leave of absence with pay for a maximum of three (3) consecutive working days upon the death of a member of his or her immediate family. Members of the immediate family are defined as: father, mother, spouse, child, sister, brother, grandmother, grandfather, father-in-law, or mother-in-law. Proof of death may be required.

### **Jury Duty**

Employees summoned for jury duty will be allowed the necessary time off from work to perform this civic responsibility. Employees must give School 15 days advance notice. School will

pay such employees the difference between their regular salary and any jury duty fees received for up to five days of jury duty per school year. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's jury duty service and compensation.

Employees or their supervisor may ask the court to excuse an employee from jury duty if an absence would cause serious operational difficulty for the school.

### **Witness Duty**

Employees who receive a subpoena to testify in court may be granted time off to serve as a witness for that purpose. Employees must give School 15 days advance notice. School will pay such employees regular wages if the case involves the School, and the employee is not plaintiff to the suit. Employees are not compensated if the case does not involve the school and will use PTO hours (if available) for this absence. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's witness duty service.

### **Association Leave**

Treeside Charter School employees shall not have paid leave for work on behalf of any employee association as defined in UCA 53A-3-425.

### **Voting Leave**

If an employee cannot vote because of scheduled work hours conflict with the hours of the polls, the employee is allowed up to two hours paid leave (at the regular rate) to vote in a state or federal election.

### **Military Duty**

Leaves for military service and reinstatement after performing military service will be provided in accordance with the requirements of law (as applicable to the School at the time the leave was granted only) as defined in the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who are absent from work in order to attend an annual encampment in a recognized reserve branch of the armed forces of the United States will receive an unpaid leave of absence of up to a maximum of two weeks per year. Employees must provide 30 days advance notice unless an emergency or classified situation dictates otherwise, upon which evidence must be provided to the School.

Subject to the law and the Plan Documents, terms and conditions of the various plans, medical benefit plans may continue for the full period of military leave. Employees who do not return to employment with the School after an approved military leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

## **Emergency Closings and Severe Weather**

In the event that the school closes due to severe weather conditions or another reason, employees will not be required to report to work. Full time salaried employees will be paid for that day and it will not be counted as a vacation day. Hourly and/or part-time employees will not be compensated on days when the school is closed due to severe weather or other conditions. Every effort will be made to contact employees in the event of closure due to weather directly and through local media.

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## **05-104 Substitute Teachers**

Treeside Charter School shall comply with R277-508 governing the employment of substitute teachers. Administration shall develop procedures to ensure:

- A substitute teacher may not serve in a teaching position for more than eight consecutive weeks in one academic year in either the same class or with the same group of students. Individuals serving in the same teaching position for longer than eight weeks shall hold an appropriate license or be replaced by a person with an appropriate license.
- Complies with Hiring Priorities of R277-508(4)
- Ensure that substitute teacher's license has not been revoked and has completed a criminal background check
- That teachers shall regularly have lesson plans available for substitute teachers in case of unforeseen absence
- That instructional classified employees may serve as substitutes within the school as needed

If Administration determines it is more efficient or appropriate to engage substitute teacher services through a third party contractor, procedures under R277-508(5)(A-C) shall be followed as if the substitute were Treeside Charter School's employee.

Approved: July 18, 2018

## **05-105 Gifts and Conflicts of Interest**

The School and its employees have a duty to avoid real, perceived or potential conflicts of interest. A conflict of interest is defined as an event or transaction where an employee is in a position to influence a decision or have business dealings on behalf of the School that might result in personal gain for the employee, one of his/her relatives. Examples of conflict of interest include, but are not limited to, accepting gifts of any value associated with procurement or other business dealings, requesting or granting favors, conducting undisclosed or undeclared business for personal gain. A conflict of interest for personal gain can result from situations

where you or a relative receives a bribe, gift, special consideration or kick-back as a result of a transaction involving the School.

School employees may not transact undisclosed business when a conflict of interest is present. Failure of an employee to declare a conflict of interest in writing to the School Director, business office and/or the Governing Board prior to business dealings where a conflict of interest is present may be subject to disciplinary action, up to and including termination of employment and may be subject to criminal prosecution. All School employees shall follow applicable laws or administrative rules associated with conflicts of interest.

Gifts from students or parents: Teachers or other staff may not solicit, but may accept minor gifts from students or parents that are given without expectation of or in return for special treatment or privileges for the parent or student.

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### 05-106 Employee Discipline

Treeside Charter School will attempt to deal constructively with employee performance problems and employee errors. The Director or designee will determine the disciplinary process in light of the facts and circumstances of each case. Depending upon the facts and circumstances, the discipline applied may include, among other things, oral or written warnings, probation, suspension without pay, or immediate termination of employment. Each situation will be considered in light of a variety of factors including, but not limited to, the seriousness of the situation, the employee's past conduct and length of service, and the nature of the employee's previous performance or incidents involving the employee. The school shall not use a guaranteed formal process for employee discipline and management and employees shall have no expectation of any particular disciplinary action or series of actions.

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### 05-107 Employee Travel

#### **Purpose & philosophy**

The purpose of this policy is to establish procedures for authorization of travel by Treeside Charter School employees, officials, or agents who may be required to travel in fulfilling their official duties or in attending seminars, conferences or other professional or educational activities benefitting Treeside Charter School.

#### **DEFINITIONS**

“Airfare” is defined as the costs incurred by a Treeside Charter School employee, official or agent to obtain common air carrier transportation services in order to participate in approved conferences or conduct Treeside Charter School business.

“Car rental” is defined as use of a non-personal, non-Treeside Charter School owned vehicle, for which a rental charge is imposed for use of the vehicle.

“Ground transfer” is defined as the costs related to transporting a traveler to and from airports or transportation terminals, whether by private or public carrier and the costs of parking private vehicles at transportation terminals.

“Hotel accommodation” is defined as the costs of providing overnight lodging incident to an approved travel event.

“Mileage reimbursement” is defined as the reimbursement for costs incurred by a Treeside Charter School traveler to transport themselves and/or others in a personal vehicle, other than a rental car or Treeside Charter School vehicle, to an approved conference or convention or to execute Treeside Charter School business.

“Per diem” is defined as a daily allowance paid to an employee, official or agent to cover expenses while working away from home.

“Registration” is defined as a fee paid or reimbursed by Treeside Charter School which registers an employee, official or agent to attend a conference or event sponsored by another private or public entity.

“Travel” is defined as using ground, sea or air transportation to attend a conference or convention or to execute Treeside Charter School business which is related to a traveler’s work assignment yet is outside the customary work routine and away from the regular work assignment prescribed by the traveler’s regular work assignment. Travel to such events may or may not require overnight lodging.

### **General policy information**

It is the general intent of the Board of Trustees to fund or reimburse employees, officials, or agents for actual travel expenses which are approved through the Treeside Charter School travel request process.

Travel expenses related to pre-allocated budget allowances will be reimbursed up to the amount of the budget allotment. Reimbursements enumerated in this policy are intended to pay for job- related employee, official or agent expenses only.

This policy applies to all employees, officials or agents travel to conferences, conventions and approved travel undertaken for execution of Treeside Charter School business.

Travelers are responsible for making their own travel arrangements and, in cases where air transportation is used, must secure a price quote from the State Travel Office and one other source for air travel. These quotes are to be forwarded to the Business Manager and Director along with a brochure detailing any conference registration fee amount, dates, location and other information incident to the conference.

This travel policy does not permit employees', officials', or agents' family members, friends or other travel companions to take trips which are funded or processed in anyway by Treeside Charter School funds. All travel expenses of family members, friends, or other travel companions must be paid directly from the personal financial resources of the employee, official or agent without being intermingled with Treeside Charter School financial transactions.

### **Payment of travel expenses**

Travel expenses are to be paid as follows:

Treeside Charter School Purchase/Credit Card: It is preferable that employees make their travel reservations and pay their travel expenses with their authorized purchase/credit card. Employees authorized to hold a purchase/credit card, may use their cards to make travel arrangements and pay travel expenses on behalf of other employees when those employees do not hold a purchase/purchase/credit card and the travel is approved by the Director.

If the traveler does not have a Treeside Charter School purchase/credit card and their supervisor will not travel with them or does not hold a purchase/credit card: At the time the travel request is submitted, the request should indicate that registration, airfare and hotel payments are to be paid by check to the traveler. Checks for registration and airfare will be issued as soon as the travel request is approved.

Reimbursement: Travelers may purchase pre-approved travel (including airfare, car rental, ground transfers, conference registration, etc.) using personal funds and submit for reimbursement using the regularly established reimbursement procedures for all other purchases. Reimbursement will not be made for travel that was not approved by the School Director through the travel request process.

### **Meals when Travelling**

Travelers may receive reimbursement for meals they purchase during approved travel according to the following schedule for travel that is more than 100 miles from Treeside Charter School's primary facility:

- If traveling between 6 and 10 AM, an allowance of \$8 for breakfast
- If traveling between 11 AM and 2 PM, an allowance of \$12 for lunch
- If traveling between 4PM and 8PM, an allowance of \$25 for dinner

Travelers will be reimbursed for actual expenses, including tax and gratuity, for meals when traveling during the entire time frame noted above up to the dollar limits listed. Travelers should exercise good judgment and keep meal expenses as low as reasonably possible. Meal

reimbursement will not be given for meals that are included in the registration or participation cost of any conference, meeting, or event associated with approved travel.

### **Meals Unrelated to Travel**

1. Beverages/Food Items
  - a. Supplies of coffee, water, soda, juice and similar items may be purchased and provided to School guests.
2. Appreciation Events
  - a. Administration may hold events during the year to show appreciation for employee and/or volunteer efforts. The cost of the event should be reasonable and may include guests or family members at Administration's discretion.
3. Retirement/Separation Functions
  - a. School may hold a reception for employees retiring or separating from the School (one per employee). Reasonable expenditures are permitted.
4. Holiday Functions
  - a. Holiday functions are permitted and may include guests or family members at the administration's discretion. The cost of such functions must be reasonable and may not be charged against any contract or grant fund or reimbursed overhead.
5. Board Meetings and Annual Retreat
  - a. Refreshments, meals, and beverages for board and staff meetings, retreats, and workshops are permissible. Meals may be provided to employees, board members, and the public when appropriate for the time and duration of the event.

### **Airfare**

When securing airfare rates, travel coordinators should always contact the Utah State Travel Office to obtain a price quote. State travel rates usually include travel insurance, and allow the traveler to change itineraries without penalties. Obtaining this price quote also provides the traveler a basis for judging the suitability of other rate quotes.

Air transportation is limited to air coach or tourist class. When special and reduced fares are available, they should be secured unless doing so will leave Treeside Charter School at risk because of the loss of insurance coverage or unduly open Treeside Charter School to the potential of financial damage.

### **Ground transfer allowance**

When air transportation is approved, a ground transfer allowance is provided for taxi or van service, and parking of personal vehicles at transportation terminals. Purchase/credit cards are not to be used to pay ground transfer expenses. Travelers should pay expenses as they occur and submit for reimbursement using the regular reimbursement request process.

### **Hotel accommodations**

Hotel accommodations are approved for the number of days a conference is in session, less one. One additional night of hotel accommodations is approved when an additional travel day is required prior to a conference. A second additional night of hotel accommodations is approved when an additional travel day is required after the conference concludes. Other additional days of hotel accommodations will be allowed only when approved in advance of the conference start by the funding budget director and the business administrator.

Travelers shall secure hotel accommodations at a daily rate which is reasonable for the area, and should consider other factors affecting overall travel cost, including distance from the hotel to the conference or event location, the availability of meals, shuttle or transfer service, etc.

A traveler may elect to stay with friends or relatives or use personal abodes, campers or trailers instead of staying in a hotel. When using these kinds of overnight accommodations, the traveler will request and receive approval for alternative lodging and associated expenses prior to approval of the travel request.

Hotel accommodations will be funded only once per conference. Hotel designation payments will not be paid when hotel accommodations are included as a portion of the conference fees. If a traveler receives a prepayment check for hotel expenses and they or another

Treeside Charter School employee, official or agent pays the charges with a Treeside Charter School purchase/credit card, the prepayment check amount must be refunded to Treeside Charter School.

Hotel expenses will not be paid by any Treeside Charter School entity for conferences which are less than 100 miles from Treeside Charter School's primary facility.

### **Mileage reimbursement**

#### Travel of Less Than 100 Miles

When travelers are approved through the Travel Request Process to drive personal vehicles to a conference or other event that is less than 100 miles from Treeside Charter School's primary facility, reimbursement is allowed for all round trip miles for each day the traveler is approved to attend the conference.

#### Travel of More Than 100 Miles

When travelers are approved through the Travel Request Process to drive personal vehicles to a conference which is more than 100 miles from Treeside Charter School's primary facility, the total mileage reimbursement will be an amount which will not exceed the cost of airfare, had it been available and used. When airfare is less than mileage reimbursement, travelers are encouraged to arrange air transportation.

Mileage is calculated from Treeside Charter School's primary facility or traveler's starting location, whichever is shorter, to the destination and back, using Google Maps or Mapquest as

verification. Reimbursement will be made using the following mileage calculations at \$.335 per mile.

### **Rental cars**

Rental cars are not allowed without prior approval from the School Director. All requests for rental cars must be included in Treeseide Charter School travel request.

When rental cars are approved, only actual documented expenses will be funded or reimbursed by Treeseide Charter School.

### **Excessive charges**

Treeseide Charter School will not fund any travel expenses which are unrelated to the approved travel purpose. Treeseide Charter School travelers will be required to reimburse Treeseide Charter School for travel charges which are unrelated to the travel purpose or which are determined to be excessive.

Approved: July 18, 2018

## 05-108 Employee Drug and Alcohol Policy

Treeseide Charter School shall maintain a drug-free workplace to establish, promote and maintain a safe and nurturing learning environment for students, staff, the board and volunteers. It is a violation of this policy for any employee, board member, critical contracted service provider, or volunteer to engage in the unlawful manufacture, dispensation, distribution, possession or use of a controlled substance on personal time, at the School, or on School events or activities, including being under the influence or impaired at the School, while engaging in School business on or off campus, or in any manner that violates state or federal drug statutes.

Unauthorized use or possession of alcohol at the School, including being under the influence or impaired by alcohol at the School, or while engaged in School events or business, either on or off campus is prohibited.

Employees using or possessing alcohol or illegal drugs on school property or while at work or who report to work under the influence of alcohol or illegal drugs will be subject to disciplinary action, up to and including immediate termination of employment.

All employees, board members, volunteers, critical contracted service providers and final candidates for highly sensitive positions are subject to drug and alcohol testing for illegal drugs or for establishing impairment and/or the use of alcohol while at work or at or on School events, meetings or activities. All persons may be subject to one or more of the following tests at any time:

- Reasonable Suspicion drug and/or alcohol testing.
- Post-Accident or Critical Incident drug and/or alcohol testing.

- Pre-Employment drug and/or alcohol testing applies to final candidates for highly sensitive positions, including all student transportation positions.
- Random drug and/or alcohol testing applies to employees in highly sensitive positions, including all student transportation positions.
- Return-to-Duty drug and/or alcohol testing for persons who have completed a treatment, counseling or education program.
- Follow-Up drug and/or alcohol testing is conducted on an unannounced basis and applies to any person who has previously failed a test for drugs and/or alcohol.

A drug and/or alcohol test may be administered (by a contracted Medical Review Officer (MRO) service provider) to employees, board members, volunteers, critical contracted service providers and final candidates for highly sensitive positions, including all student transportation positions once the applicant has received a conditional offer of employment.

A drug and/or alcohol test may be administered to a person when a supervisor or the director concludes that it is more likely than not the person has engaged in conduct that violates this policy, establishing Reasonable Suspicion of drug and/or alcohol use. This may be based on direct observation and/or the presence of physical symptoms, a pattern of abnormal or erratic behavior, a tip from a reliable and credible source or sources regarding a person's violation of this policy or that a person may have tampered with a previous drug and/or alcohol test.

The School may place employees tested under this policy on paid or unpaid administrative leave pending the results and review of the drug and/or alcohol test. Board members and volunteers may be temporarily relieved from service during testing periods.

Approved: July 18, 2018

### 05-109 Employee Computer Use

See separate Employee Computer Use Policy

### 05-110 Harassment Prevention

Treeside Charter School will maintain a work environment that nourishes respect for the dignity of each individual and affirms its commitment to provide a work environment free from intimidation and harassment. Abuse of the dignity of anyone through ethnic, racist or sexist slurs or through other derogatory or objectionable conduct is offensive employee behavior.

Sexual harassment is a form of sex discrimination, which includes gender-based harassment of a person of the same sex as the harasser. It is the express policy of the School that sexual harassment of employees or an applicant, by you or agents of the School, is unacceptable and will not be tolerated. Unwelcome or unwanted sexual advances, requests for favors or other visual, verbal or physical conduct will be deemed sexual harassment when:

- Submission to such conduct is explicitly or implicitly a condition of employment;
- Submission to or rejection of such conduct is used as the basis of employment decisions; and
- Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

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

- Any employee who believes he or she has been the subject of harassment should report the alleged act(s) promptly (within two working days) the school Director or designee, giving details as related to the complaint.
- Management or designee, upon receipt of the complaint, shall take immediate and appropriate steps to investigate the complaint. Confidentiality is mandatory to the maximum extent possible.
- Following the investigation of the complaint, the school Director or designee shall weigh the facts and determine the validity of the charge. If the complaint is determined to be valid, the offender(s) shall face immediate and appropriate disciplinary action based upon the severity of the charge. This may include written warning and / or suspension, and / or discharge. If the offender is a supervisor he / she may be demoted. If the complaint is found invalid, the complaining party may request Step 2 of the normal complaint procedure.

Administration shall develop procedures for handling cases of actual or alleged harassment, and include this policy and any related procedures and expectations in an Employee Handbook.

Approved: July 18, 2018

### 05-112 At-Will Employment Policy

Treeside Charter School does not offer tenured or guaranteed employment. The school employee/employer relationship is an at-will relationship and can be terminated by either party at any time, with or without cause, and with or without notice, including after any evaluation period. Any handbooks, manuals, policies and procedures (including this handbook) maintained by the school are not contractual in nature, and therefore may be waived, suspended, amended, deviated from or abolished at the sole discretion of the school at any time. Nothing in the policies of the school or any other School document or statement will be considered as creating continued or guaranteed employment or benefits. The school's policies are subject to change or amendment.

Approved: July 18, 2018

## 05-113 Employee Social Networking

In general, the School respects an employee's decision to use social networking, for example Facebook, LinkedIn, MySpace, Twitter, Web-based email accounts such as Gmail, Hotmail and Yahoo! mail and the like (Social Networking or Social Media) on personal time. Personal use of social media should be reserved for break times and meal periods.

Participating in social media provides public access by all members of the school family, including coworkers, School Administration, staff and families within the School community. Moreover, by utilizing social media via the School's electronic assets of technology, computers or internet access, employees are providing the School with access to their social media and therefore agree that an employee's actions to access social media from the School's electronic assets of technology, computers or internet access constitutes the employee's understanding that the employee has no expectation in privacy in the social media and consents that the School may access the employee's social media at the School's discretion and the School may review materials that may be resident on the social media, including passwords, text messages, tweets, email communications, other documents and pictures that are sent to employees or reviewed by employees on the social media.

Employees must exercise care to ensure that they are not viewed as representatives of the School and that they do not imply that they are speaking on behalf of the School. To the extent employees are posting comments to social media outside the scope of their employment responsibilities, including an online forum, such as a blog, employees may not include any client or School trade secret or confidential information and may not make any statements that would give the impression that the views they have expressed are the opinions of the School. Employees should refrain from posting derogatory information about the School or the School Community on any such sites and proceed with any grievances or complaints through the regular channels.

Treeside Charter School recognizes that participation in some forums or social networks might be important to the performance of an employee's job. For instance, an employee might find a helpful idea for academic lessons by consulting members of a news group devoted to education. Employees may not post to any online forums using any official School e-mail address or providing any School telephone number or extension. Employees may not utilize any of the School's logos, drawings, trademarks, copyrights or other images or photographs of the School or typically associated with the School in conjunction with such activities. Employee participation in such forums is a personal choice of the individual and all commentaries are authored by the individual and are not official statements of the School. Commentary made by employees on such forums must always reflect positively on the School.

Employees who maintain a presence on social media sites or services can be disciplined by the School, up to and including termination of employment if their social networking activities interfere with their ability to fulfill their role as an educator having care or custody over children, including being a role model to youth. While the School does not seek to prohibit an

individual from expressing their beliefs or opinions, or to interfere with an employee's personal life, a career choice as a role model with care or custody over children warrants a level of personal propriety and decency that if compromised publicly, may result in disciplinary action up to and including termination of employment with the School.

Employees of the School who participate in social networking personally may not "Friend" (or "friend" equivalent) students or former students who are minors. Employees, including teachers may not allow students to access their personal social network or social media profile, information or site. With the express written permission by the school Director, purposeful, professional, (exclusively educational) Educational Social Networking (ESN) sites or profiles may be established by Teachers for the use of students and school Administrators. Other School employees are not authorized to create ESN social media sites or profiles. Teachers shall only allow students to access ESN sites if the site is completely professional and only contains appropriate information for instructional purposes. Teachers shall "Friend" (or Friend equivalent) the school Director (and assigns) and/or Board members (Admin) and any other person in the School community desiring access and may not "Unfriend" (or Unfriend equivalent) Admin while they are employed at the School and the ESN site remains active. Teachers shall not disclose anyone's personal information, discuss or post photos of students, colleagues, Administration or the Board on social networking sites without the direct written permission of parents or legal guardians AND the school Director.

Approved: July 18, 2018

### 05-114 Employee Criminal Background Check Policy

The school shall:

- a) require the following individuals to submit to a nationwide criminal background check and ongoing monitoring as a condition for employment or appointment:
  - a. a non-licensed employee;
  - b. a contract employee;
  - c. a volunteer who will be given significant unsupervised access to a student in connection with the volunteer's assignment; and
  - d. a charter school governing board member;
- b) collect the following from an individual required to submit to a background check under Subsection (1)(a):
  - a. personal identifying information;
  - b. subject to this policy, a fee; and
  - c. consent for:
    - i. an initial fingerprint-based background check by the FBI and the bureau upon submission of the application; and
    - ii. retention of personal identifying information for ongoing monitoring through registration with the systems described in Section 53A-15-1505;
- c) submit the individual's personal identifying information to the bureau for:

- a. an initial fingerprint-based background check by the FBI and the bureau; and
- b. ongoing monitoring through registration with the systems described in Section 53A-15- 1505 if the results of the initial background check do not contain disqualifying criminal history information as determined by the LEA or qualifying private school in accordance with Section 53A-15-1506; and
- d) identify the appropriate privacy risk mitigation strategy that will be used to ensure that the school only receives notifications for individuals with whom the school maintains an authorizing relationship.

Approved: July 18, 2018

References: R277-316

### 05-115 E-Verify

Treeside Charter School shall verify that all employees are eligible for work in the United States through the E-Verify System.

Approved: July 18, 2018

### 05-116 Whistleblower Policy

#### **General**

Treeside Charter School's Code of Conduct ("Code") required trustees, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of Treeside Charter School, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations

#### **Reporting Responsibility**

It is the responsibility of all trustees, officers and employees to comply with the Code and to report violations or suspected violations in accordance with the Whistleblower Policy.

#### **No Retaliation**

No director, officer or employee who in good faith reports a violation of the Code shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within Treeside Charter School prior to seeking resolution outside Treeside Charter School.

#### **Reporting Violations**

The Code addresses Treeside Charter School's open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern.

However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code of Conduct to Treeside Charter School's Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or uncomfortable with

following Treeside Charter School's open door policy, individuals should contact Treeside Charter School's Compliance Officer directly.

### **Compliance Officer**

Treeside Charter School's Compliance Officer is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code and, at his discretion, shall advise the Executive Director and/or the audit committee. The Compliance Officer has direct access to the audit committee of the board of trustees and is required to report to the audit committee at least annually on compliance activity. Treeside Charter School's Compliance Officer is the chair of the audit committee.

### **Accounting and Auditing Matters**

The audit committee of the board of trustees shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the audit committee of any such complaint and work with the committee until the matter is resolved.

### **Acting in Good Faith**

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

### **Confidentiality**

Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

### **Handling of Reported Violations**

The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

Approved: July 18, 2018

### 05-117 Educational Services Outside of Educator's Regular Employment

Treeside Charter School's administration shall develop procedures for the sponsorship or specific non-sponsorship of extracurricular activities or opportunities for students consistent with the provisions of R277-107. Administration shall ensure that employees who participate in privately-provided activities at the school shall do so within the bounds of rule and law.

### 05-118 Employee Reporting of Arrests

Administration shall develop procedures, and shall include communication of such procedures in an Employee Handbook, requiring employees to report to Administration notice that any employee has been arrested, cited, or charged within two days of the event of any arrest, citation, or charge for whatever reason (other than minor traffic citations). The procedures shall comply with R277- 516-5.

After receiving such notification, Administration shall take appropriate action according to R277- 516, school policy, and school employment and discipline procedures.

Approved: July 18, 2018

### 05-119 Educator and Employee Evaluation Policy

Administration shall develop procedures, and shall include communication of such procedures in an Employee Handbook, regarding educator and other employee evaluations. The procedures shall ensure that:

- Educators and all employees are evaluated at least annually
- Evaluations are based on measurable data focused on outcomes.
- Outcomes and data are known to employees prior to beginning work and each evaluation period
- Outcomes are consistent with the goals in the school's charter and that the board may adopt from time to time
- Educator evaluations shall support teachers in the development of Effective Teaching Standards and support administrators in the development of Educational Leadership Standards, consistent with R277-530.

Approved: July 18, 2018

## 05-120 Breastfeeding Policy

In accordance with Utah Labor Code 34-49-202, Treeside shall allow employees to have reasonable breaks to breast feed or express milk for at least one year after giving birth. School administration will consult with the employee to determine the frequency and duration of breaks. Where possible, these shall run concurrent with any other break period already provided.

The location of these breaks will not be a bathroom or toilet stall, shall be maintained in a clean and sanitary condition, have an electrical outlet if needed, and shall provide privacy from the view of coworkers or the public.

Reference: Utah Code 34-49-203

Approved: May 2022

## 05-121 LEA-Specific Educator License Requirement

### Purpose

The Treeside Board of Trustees committed to compliance with Utah State Board of Education (USBE) rules outlining requirements and procedures for obtaining educator licenses required for employment as a licensed educator. The Treeside Board of Trustees also recognizes the license structure of an LEA- specific educator license to allow local Districts to determine specific license areas of concentration and endorsement in accordance with R277-301 (7). The Treeside Board of Trustees recognizes the requirements of content knowledge and pedagogical requirements for licensed educators, including required criminal background checks and ethics review. The Treeside Board authorizes the Director to establish administrative regulations consistent with this policy, subject to review and approval by the Board.

### Definitions

“Associate Educator License (USBE)” a license issued to an individual completing the requirements to receive a Professional Educator License. Individuals may be working as an intern, enrolled in a university program, enrolled in a career and technical education (CTE), or an Alternate Pathway to Professional Educator License (APPEL). The requirements of an associate educator license are outlined in R277-301-4. An associate educator license, license area, or endorsement is valid for three years.

1. The general requirements include:
  - a. completion of a criminal background check;
  - b. completion of an ethics review within one calendar year of application; and
  - c. one of the following:
    - i. a bachelor’s degree or higher from a regionally credited institution;
    - ii. current enrollment in a university Board-approved educator program that will result in a bachelor’s degree or higher from a regionally credited institution; or

- iii. skill certification in a specific CTE area.
2. An educator with an associate educator license may upgrade to a professional educator license at any time prior to expiration of the associate educator license if the educator meets all the requirements of R277-301-5.

“Professional Educator License (USBE)”: A license issued to an individual who has demonstrated all of the State established competencies to be an educator. The requirements for a professional educator license are outlined in R277-301-5. A professional educator license, license area, or endorsement is valid for five (5) years.

1. The general requirements for a professional educator license include:
  - a. all general requirements for an associate educator license under R277- 301-4.
  - b. completion of a bachelor’s degree or higher from a regionally accredited institution; or skill certification in a specific CTE area; and
  - c. one of the following;
    - i. a recommendation from a USBE Board-approved educator preparation program; or
    - ii. a standard educator license in the area issued by a licensing jurisdiction outside of Utah that is currently valid or is renewable consistent with Section 53E-6-307.

“Local Education Agency (LEA)-specific Educator License”: An individual, approved by the Board of Education who has met locally defined competencies to be an educator, and approved by LEA application to USBE.

“License Areas of Concentration”: means a designation on a license of the specific educational setting or role for which the individual is qualified, to include the following:

1. Early Childhood;
2. Elementary;
3. Secondary;
4. Educational Leadership;
5. Career and Technical Education or “CTE”;
6. School Counselor; G. School Psychologist; H. Special Education;
7. Preschool Special Education; J. Deaf Education;
8. Speech-Language Pathologist; L. Speech-Language Technician; M. School Social Worker;  
and
9. Communication Disorders.

“Endorsement” means a designation on a License Area of Concentration earned through demonstrating required competencies established by the State Superintendent of Public Instruction that qualifies the individual to: provide instruction in a specific content area; or apply a specific set of skills in an education setting.

“Mentor” A trained educator who holds a professional educator license, and shall where possible:

1. perform substantially the same duties as the mentored educator with release time work as a mentor; or
2. be assigned as an instructional coach or equivalent position. C. pass the USBE mentor training modules.

### Treeside LEA Specific Educator License Policy

#### Local Education Agency (LEA)-specific Educator License

1. The general requirements for an LEA-specific Educator License include:
  - A. completion of a criminal background check and clearance in accordance with R277-214;
  - B. completion of an educator ethics review as described in R277-500 within one calendar year of the application;
  - C. completion of a bachelor's degree or higher from a regionally accredited college or university; and/or demonstrated content knowledge and pedagogical requirements by:
    - i. successfully passing an assessment; or
    - ii. by demonstrated experience.
2. Approval: An application for an LEA-specific Educator License must receive approval by the Board of Education in a public meeting no more than 60 days prior to the LEA application to USBE.
  - A. The request for approval must include the rationale for the appointment of an LEA-Specific license.

#### License and Endorsement Areas

1. An LEA-specific Educator License, is limited to the following license areas:
  - I. Early Childhood,
  - II. Elementary,
  - III. Secondary,
  - IV. Career and Technical Education or "CTE",
  - V. Speech-Language Pathologist,
  - VI. Speech-Language Technician,
  - VII. School Social Worker, Communication Disorders,
  - VIII. Educational Leadership,
  - IX. Special Education,
  - X. Deaf Education, and
  - XI. School Counselor.

#### LEA-Specific Educator License Requirement

1. An LEA-specific Endorsement includes all USBE Endorsement areas.

2. An LEA-specific Educator License/Endorsement is valid three years in accordance with the LEA application to the USBE.
3. In accordance with R277-301 (7) an LEA-specific Educator License is valid only at Treeside and expires immediately upon employment separation.

#### LEA- specific Educator Training, Mentoring, and Support

1. Within the first year of employment, the educator must complete the following training:
  - i. educator ethics;
  - ii. classroom management and instruction;
  - iii. basic special education law and instruction; and
2. Utah Effective Teaching Standards described in R277-530. II. The educator must participate in the Mentoring Program.
3. Treeside shall provide at least a three-year mentoring program by a trained mentor educator who:
  - a. holds a professional educator license and where possible;
  - b. performs substantially the same duties as the educator with release time to work as a mentor; or
  - c. is assigned as an instructional coach or equivalent position.
  - d. The assigned mentor shall assist the educator to meet the Utah Effective Educator Standards established in Rule R277-530, but may not serve as an evaluator of the educator.
  - e. The mentoring program shall include:
    - i. A formal Professional Learning Plan and support in meeting the requirements of a professional license area; and
    - ii. On-going training on educator ethics and special education.

#### Notification of LEA-Specific Educator License

- a. Treeside Academy shall post LEA-specific Educator Licenses, license areas, or endorsements on each school's website. The post shall include:
  1. A disclosure of the fact that the school employs LEA-specific educator licenses, license areas, or endorsements;
  2. The percentage of the types of licenses, licenses areas, and endorsements held by educators employed in the school based on the employees' FTE in the Comprehensive Administration of Credentials for Teachers in Utah Schools (CACTUS); and
  3. A link to the Utah Educator Look-up tool.

Reference:: Utah Admin. Code R277-301. Educator Licensing

Approved: Sept 29, 2021

Revised: Sept 20, 2022

## 05-122 Educator-Created Classroom Materials

Education materials developed with school funds are owned by the school. They shall require attribution to the school. They shall be shared under a “CC BY license”. The School Board will allow materials to be shared with third parties and will set the cost of the materials on a case by case basis. The materials developed with school funds, which are public funds, are to be made available without charge to other Utah public school educators. The school board reserves the right to review and approve materials developed by employees on contract time. Any income from materials belongs to the school and not individual educators. Educators retain the rights to any materials developed during non-school compensated time.

References: R277-120-4

Approved: January 2023

## 06 Instruction

### 06-101 Standardized Test Administration Policy

#### **Purpose & philosophy**

To ensure that student progress is accurately measured through standardized achievement tests, the Board of Trustees recognizes the school’s responsibility to implement standardized testing procedures in accordance with state and federal laws. Information from such student standardized testing may be used by the school and teachers as an additional tool to plan, measure, and evaluate the effectiveness of the educational program.

#### **Guidelines and procedures**

It shall be the responsibility of the School Director to establish specific guidelines and procedures which personnel shall follow when administering standardized student tests, in accordance with state and federal laws.

- a) It is the responsibility of all educators to take all reasonable steps to ensure that standardized tests reflect the ability, knowledge, aptitude, or basic skills of each individual student taking standardized tests.
- b) All teachers and administrators shall be provided in-service training concerning these guidelines and procedures; including teacher responsibility for test security and proper professional practices each school year.
- c) The school shall administer mandated tests in compliance with established school and USOE calendars.

#### **Security**

It shall be the responsibility of the school director to oversee the security of all testing materials while at the school.

- a) All test booklets, administration manuals, and answer sheets shall be secured before and after the test administration.
- b) No copies of test booklets or answer sheets shall be made.
- c) All test materials shall be secure in a central location before and after the testing window. Access to the secured materials shall be restricted to authorized personnel.
- d) The confidentiality of tests, testing materials, and answer sheets shall be maintained by all school personnel.

### **Standardized testing protocol**

School personnel shall conduct test preparation, test administration, and the return of all secure test materials in strict accordance with this policy, administrative procedure, Utah Board of Education rules, and state application of federal requirements for funding.

- a) All standardized tests shall be conducted without any reference materials being made available to students unless the publisher of the test specifies otherwise.
- b) School personnel shall not:
  - a. provide students directly or indirectly with specific questions, answers, or the subject matter of any specific item in any standardized test prior to administration;
  - b. copy, print, or make any facsimile of testing material prior to test administration without express permission of the specific test publisher, including the Utah State Office of Education (USOE);
  - c. alter, change or amend any student answer sheet or other standardized test materials at any time in such a way as to alter the student's intended response;
  - d. use any prior form of any standardized test in test preparation without express permission of the test publisher , including USOE;
  - e. violate any specific test administration procedure or guidelines specified in the test administration manual;
  - f. knowingly and intentionally do anything that would inappropriately affect the security, validity, or reliability of standardized test scores of any individual student, class, or school.

### **Assessment results**

- a) Results of an individual student's standardized tests shall be shared with the student and parent/guardian.
- b) Results of an individual student's standardized tests shall not be considered in determining a student's academic grade for the appropriate course or grade.

### **Students with disabilities**

All students with disabilities shall participate in standardized testing as outlined in USOE Testing Policy "Requirement for Participation of Utah Student with Special Needs in the Utah Performance Assessment System for Students (U-PASS)."

Approved: July 18, 2018

## 06-102 Health and human Sexuality Education

Treeside Charter School shall require all newly hired or newly assigned educators with responsibility for any aspect of human sexuality instruction to attend state-sponsored professional development outlining the human sexuality curriculum and the criteria for human sexuality instruction in any courses offered at the school.

The school shall provide training consistent with R277-474-5A at least once during every three years of employment for Utah educators.

The Administration shall convene a curriculum materials review committees (committee) as follows:

- a) The committee shall be organized consistent with R277-474-1B.
- b) The committee shall review and approve all guest speakers and guest presenters and their respective materials relating to human sexuality instruction in any course and maturation education prior to their presentations.
- c) The committee shall not authorize the use of any human sexuality instructional program or maturation education program not previously approved by the Board, approved consistent with R277- 474-6, or approved under Section 53A-13-101(1)(c)(ii).
- d) Administration shall report educators who willfully violate the provisions of this rule to the Commission for investigation and possible discipline.
- e) The school shall use the common parental notification form or a form that satisfies all criteria of the law and Board rules, and comply with timelines approved by the Board.
- f) Administration shall develop a logging and tracking system of parental and community complaints and comments resulting from student participation in human sexuality instruction, to include the disposition of the complaints, and provide that information to the USOE upon request.

If a student is exempted from course material required by the Board-approved Core Curriculum, the parent shall take responsibility, in cooperation with the teacher and the school, for the student learning the required course material consistent with Sections 53A-13-101.2(1), (2) and (3).

Any materials that are used in Human Sexuality instruction shall comply with the criteria of Section 53A-13-101(1)(c)(iii) and:

- a) shall be medically accurate as defined in R277-474-1G.
- b) shall be available for reasonable review opportunities to parents/guardians of students prior to consideration for adoption.
- c) shall be approved by the board.

The school shall comply with the reporting requirement of Section 53A- 13-101(1)(c)(iii)(D). The report shall include:

- a) a copy of the human sexuality instructional materials and maturation education materials not approved by the Instructional Materials Commission that the local board or local charter board seeks to adopt;
- b) documentation of the materials' adoption in a public board meeting;
- c) documentation that the materials or program meets the medically accurate criteria of R277-474- 1G;
- d) documentation of the recommendation of the materials by the committee; and
- e) The board's adoption process for human sexuality instructional materials and maturation education materials shall be available for review annually.

Approved: July 18, 2018

### 06-103 Comprehensive Counseling Policy

Treeside Charter School shall comply with provisions of R277-462. Administration shall develop procedures to ensure that the school offers a Comprehensive Counseling and Guidance Program that:

- Meets the criteria for comprehensive counseling in R277-462(3)
- Meets the criteria for College and Career readiness in R277-462(4)
- Meets student to counselor ratios in R277-462(5)
- Appropriately uses funds consistent with R277-462(6)
- Makes all reports necessary and required under R277-462(7)

Approved: July 18, 2018

### 06-104 Media Use in Classrooms

The Board recognizes that videos and multimedia presentations can be an important part of classroom instruction, adding variety and helping students see ideas and concepts in several ways. The board also recognizes that the best way for students to learn is to have information presented in several ways guided by excellent teachers and supplemented with student-completed exercises that apply concepts taught. The board therefore adopts the following policy relating to the use of videos in class.

Videos and other multimedia should be used sparingly and must be approved by administration prior to being shown to students. Administration will ensure that videos are appropriate for the age of the audience, short, relevant to the subject and specific lesson taught, and connected to a student-completed exercise. Permission slips must be signed by parents for any video that is not intended as exclusively educational.

Approved: July 18, 2018

### 06-105 Student Education Plan

Administration shall develop, in consultation with school personnel, parents, and school community, procedures to ensure effective implementation of student education plans/student education occupation plans (SEPs/SEOPs) consistent with Section 53A-1a-106(2)(b).

Approved: July 18, 2018

### 06-106 Classroom Supplies Appropriation

Treeside Charter School shall comply with R277-459 regarding the use and distribution of legislative appropriations for the purchase of classroom supplies and shall develop procedures consistent with law and rule.

Approved: July 18, 2018

### 06-107 Patriotic Education

It is the policy of Treeside that patriotic education shall be included and primarily taught in the social studies curricula of all grades. However, all educators share the responsibility for patriotic education

Students shall be taught the history of the flag, etiquette, as well as customs pertaining to the display and use of the flag. School staff is encouraged to enhance our patriotic heritage through appropriate observances on or near days of historic significance.

The Pledge of Allegiance to the flag shall be recited by students at least once a day at the beginning of the school day and when directed by state code.

Parents and students shall be informed by posting a notice in a conspicuous place that students have the right not to participate in reciting the pledge. A student shall be exempted from reciting the pledge upon written request from the student's parent or legal guardian.

American flags will be displayed in each classroom.

References: 53G-10-304, 53G-10-302, 53G-10-204, R277-475

Adopted: October 2022

## 07 Finances

## 07-101 Staffing, Committees & Responsibilities

The school shall have the following:

### Positions:

- A board of trustees, in which they may have a treasurer as one of the trustee positions.
- Business Manager (Red Apple representative)
- Director or Principal (Head Administrator)
- Office Staff (school personnel)
- Payroll Clerk and an Accounting Clerk (Red Apple employees)

### Committees:

Finance committee – this is a board committee made up of the head administrator, business manager and interested/key board members (often the treasurer and possibly the board president or chair). Purpose of the committee is to review the budget and forecast vs actual expenses on a monthly basis and discuss the business of the school. The board members on the committee should feel comfortable making recommendations and approving revised budgets from the detail and discussion in the committee meetings.

Audit committee – The audit committee should not have anyone on the committee that would be a part of the annual financial audit, i.e. the head administrator and business manager. Typically, the committee would be made up of 2 or 3 board members (but can include non-board members). The purpose of the audit committee is to select the annual audit firm, review the audit and be aware of the fiscal health and investment and obligations of the school (some of this crosses over with the finance committee. The Audit committee should be big picture and general, where the finance committee covers each decision and allocation as well as big picture).

Other Ad-Hoc committees as needed (Hiring committee, benefits committee, compensation committee, etc.)

### Responsibilities:

Office staff – to fill out requisition forms, make approved purchases, record all donations & fees, take deposits to the bank, submit all documentation to Business Office. Designee is second approver of bills in bill.com to assist with accuracy in amount, account, grant tracking.

Payroll Clerk – process all pay checks, payroll taxes, quarterly and annual filings (including W2s, W4s, W3s, etc), assist with new hire benefit enrollment and all deductions and additions to pay checks. Reconcile benefit bills periodically. Scan in all documentation.

Accounting Clerk – process all bills and non-payroll related payments, record all deposits, reconcile all accounts (including P-card/Visa/Debit charges) each month. Sync bill.com with accounting system each week.

Business Manager – Oversee all business operations, first approver of all bills in bill.com, checks for correct amount, account, grant tracking and approval by the head administrator. Create, update and maintain budget and forecast. May create agenda for finance committee meeting. Attend board meetings and present financial/budget reports. Advise school in business matters.

Head Administrator – Approve all ‘requested purchases’ and new contracts and agreements. This is done with the paper requisition form before bill.com. Optional 3rd approver in bill.com. Reviews and approves all payrolls. Reviews all purchases. Makes final recommendations to the board of trustees for budget category amounts and total budget. Is responsible with the help of the business manager to stay within the board approved major categories of the budget (100s, 200s, through 800s).

Approved: 2017

### 07-102 Capitalization Threshold Policy

All items purchased for a \$1,000 or more that have a useful life more than one year will be capitalized and depreciated on the school’s full accrual annual financial statements.

#### Approval Levels

- Head Administrator – will approve all purchases \$4,999 and below.
- Finance committee – will approve purchases \$5,000 to \$14,999.
- Full board – will approve purchases \$15,000 and above.
- Full board – will approve all annual and multi-year service contracts and agreements.

Approved: 2017

### 07-103 Fiscal Controls Policy

The business manager will be responsible for reviewing and ensuring submission of all financial reports to the USBE, state auditor’s office, and any other required entities. These reports include but are not limited to:

1. Transparency website filings:
  - a. Quarterly revenue and expenditure detail
  - b. Annual payroll and benefit report
  - c. Annual construction and acquisition reporting
2. UPEFS filings:
  - a. Final annual budget

- b. Initial annual budget
  - c. AFR & APR actuals annual reports
  - d. Indirect cost filing
  - e. Deferred revenue filing
3. Utah Money Management Council report
4. Annual budget to the state auditor's office
5. Annual audit to the state auditor's office
6. 990 IRS information return & extension if needed
7. Utah.Grants budgets, reimbursements & documentation
8. Sales tax reimbursements (monthly)
9. SAMS and DUNS number and CAGE registration and annual re-registration
10. Financial pieces of CRDC federal education mandatory survey
11. Grant mandatory surveys
12. Final expenditures to the School Land Trust website
13. EMMA and other monthly, quarterly and annual filings (if/when the school has a revenue bond for their facility)
  - a. Possible quarterly filings for facility lease

Approved: 2017

## 07-104 Cash Receipts Policy

### PURPOSE

To establish the School's policy for the handling of all cash receipts, to include currency, coin, checks, ACH transactions, and credit card transactions.

### SCOPE

This policy applies to all the School administration, licensed educators, staff, students, organizations, and individuals that handle cash receipts or accept payment in any form on behalf of the School. The scope includes all activities at the School and in all locations where the School activities and public funds are collected.

### SEGREGATION OF DUTIES

Wherever possible, duties such as collecting funds, maintaining documentation, preparing deposits and reconciling records should be segregated among different individuals. When segregation of duties is not possible due to the small size and limited staffing of the School, compensating controls such as management supervision and review of cash receipting records by independent parties should be implemented.

### DEFINITION

“Public funds” 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 charter schools or other public bodies [Utah Code 51-7-3(26)].

#### POLICY FOR CASH RECEIPTS

1. The school will comply with all applicable state and federal laws.
2. All receipting of funds at the School shall be done at the front office. No receipting is to be done in other locations, such as the classroom. Employees shall instruct payers to take all cash, checks, and credit card transactions to the front office for receipt. When a school event requires the collection of funds off site or the office is closed, the same policies and procedures will be followed at the event.
3. School employees will not open bank accounts, outside of the control of the School, for the receipting or expending of public funds associated with school-sponsored activities. The Head Administrator must approve all checking and savings accounts used at the School.
4. All funds shall be kept in a secure location controlled by the front office staff until they can be deposited in the School’s approved fiduciary institution. Funds should be deposited daily or at least within three days after receipt, in compliance with Utah Code 51-4-2(2) (a). Non front office employees should never hold funds in any location for any reason.
5. If the front office staff has left for the day or funds are receipted on the weekends, administrators should be available to lock cash receipts or cash boxes in the School’s office until the next business day. Cash receipts should not be taken home by employees or volunteers.
6. All checks should be made payable to the School. Checks should not be made payable to an employee, a specific department, or a program.
7. Appropriate internal controls and segregation of duties should be implemented for all cash activity. Cash should always be verified. Where verification is difficult, cash should be counted by two individuals.
8. All funds (cash, checks, credit card payments, etc.) received must be receipted and recorded in The School’s accounting records. All transactions are recorded in the accounting records by the accounting clerk who is not allowed to receive deposits.
9. Documents should be available, and should demonstrate that proper cash controls are in place (signatures for approval, tally sheets, reconciliations, copies of all checks, carbon

or other method of receipt book with one copy going to the payee and one copy retained by the school, etc.).

10. Under no circumstances are disbursements to be made directly from cash receipts (i.e., for purchases, reimbursements, refunds, or to cash personal checks).
11. All payments of fees shall correspond with the approved fee schedule, as required by Board Administrative Rule 277-407.
12. Periodic and unscheduled audits or reviews should be performed for all cash activity.
13. All activities involving cash must be supervised by a School employee or authorized volunteer to ensure adequate controls are in place. Training should be given to those involved in handling cash.

#### PETTY CASH/CHANGE FUNDS POLICY

1. Petty cash and change funds must be authorized by the School's front office.
2. All petty cash and change funds will be reflected on the School's accounting records and reconciled periodically.
3. These funds should not exceed the amount designated by the School's finance committee.
4. All petty cash funds and change funds should be kept locked, in a secure location.
5. Checks may not be made payable to "cash" or "bearer" and cashed by the School or school employees to create change funds or petty cash funds outside of the approved petty cash and change fund accounts.
6. Reimbursements to petty cash accounts will be made only when supported by receipts and approved by the head administrator.
7. Expenditures should not be paid out of change funds. Change funds will be included in all tally forms or on deposit count sheets, and accounted for with each use.
8. Funds are subject to unannounced counts by the School personnel at any time.

Approved: 2017

#### 07-105 Cash Disbursements Policy

#### PURPOSE

The purpose of this policy is to establish policy and procedure governing the initiation, authorization, and review of all expenditures of the school.

## SCOPE

These policies, guidelines, and procedures are applicable without exception to all funds owned or administered by the School. All expenditures of the School are to be consistent with applicable state and federal laws and regulations; any restrictions, rules, or regulations placed on the use of the funds by donors and granting agencies; and prudent management practices. In addition, all expenditures must be reasonable and necessary for carrying out the programs and activities of the School and are to be documented in a way which clearly substantiates such reasonableness and necessity. This policy applies to all School administration, licensed educators, staff, students, organizations, and individuals that initiate, authorize, or process cash disbursements on behalf of the school. The scope includes all activities at the school and in all locations where School activities and public funds are expended. It is expected that in all dealings, School employees will act in an ethical manner that is consistent with the school's code of ethics, the Utah Educators' Standards, the Public Officers' and Employees' Ethics Act, and State procurement law in as much as these apply and are binding on charter schools.

## SEGREGATION OF DUTIES

Wherever possible, duties such as custody of purchase cards and blank checks, initiating expenditures, approving expenditures, maintaining documentation, issuing checks and reconciling records should be segregated among different individuals. When segregation of duties is not possible due to the small size and limited staffing of School, compensating controls such as management supervision and review of cash disbursement records by independent parties should be implemented.

## DEFINITIONS

1. "Public funds" 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 LEAs or other public bodies [Utah Code 51-7-3(26)].
2. "Small purchase" is the procurement of goods or services for which the total cost is less than \$50,000.

## GENERAL POLICIES

1. All checks or check stock, credit/purchase cards, access to bank accounts and statements, etc. shall be secured and controlled by accounting and administrative personnel.
2. Expenditure transactions must be approved by the head administrator and a board member if over a set threshold. This threshold will be set by the finance committee and

communicated to the board of directors. All expenditures of any kind will be reviewed by the head administrator, these include but are not limited to:

- a. Checks
  - b. Credit/Debit card purchases (including the state P-card 'purchasing card')
  - c. Transfers
  - d. Payroll documentation
  - e. Journal entries
3. All expenditures made using cash, checks, credit/purchase cards, electronic fund transfers, etc. shall be recorded in the School's accounting records.
  4. Checks should be made payable to specified payees and never to "cash" or "bearer."
  5. All disbursement activity shall be substantiated by supporting documents. Documents should be available, and should demonstrate that proper disbursement controls are in place (signatures for approval, purchase orders, receipts, invoices, bids or quotes, reimbursement forms, travel forms, journal entries, reconciliations, etc.).
    - a. Quotes shall contain the following information:
      - i. Date received or dates that the quoted price is valid, delivery date
      - ii. Company name, address
      - iii. Each item, description or specifications, unit, total price, and quantity listed
      - iv. Shipping and freight charges
    - b. Quotes may be obtained and documented by printing pages from a website; however, all of the quote elements must be documented. Better prices are usually obtained by contacting vendors directly. Telephone quotes must be documented and include all quote elements.
  6. Bank and Bond statements shall be reviewed and signed by the board treasurer. All accounts will be reconciled in a timely manner.
  7. Expenditures will follow the guidelines outlined in the State Procurement Code (Utah Code 63G-6a) and federal purchasing laws, as they apply and are binding on charter schools.
  8. Contracts must follow the guidelines outlined in the State Procurement Code, specifically regarding the length of multi-year contracts [Utah Code 63G-6a-1204(7)], as applicable to charter schools.
  9. Construction and improvements must comply with the provisions of the State Procurement Code (Utah Code 63G-6a), the Utah State Board of Administrative Rules, and Title IX, as applicable to charter schools.

10. Purchases of goods or services with School funds for personal use or personal gain are strictly prohibited; see the Utah Public Officers' and Employees' Ethics Act (Utah Code 67-16).
11. Multi-year contracts must comply with Utah Code 63G-6a-1204, as applicable to charter schools.
12. Construction and improvements must comply with the provisions in Utah Code 63G-6a.

Approved: 2017

### 07-106 Procurement Policy

School's procurement policy shall be followed for all qualifying purchases of goods or services. The procurement policy consists of the following:

1. Small Purchases
  - a. The "individual procurement threshold" for School is \$1,000. This is the maximum amount that School can expend to obtain a single item/service from one vendor at one time without requiring competitive purchasing (Utah Code 63G-6a-408).
  - b. The "single procurement aggregate threshold" for School is \$5,000. This is the maximum amount that School can expend to obtain multiple procurement items/services from one vendor at one time. This includes any combination of individual procurement items costing less than \$1,001 purchased from one vendor at one time, not to exceed in total \$5,000 (Utah Code 63G-6a-408).
  - c. When using Federal funds Treeside will obtain USBE approval for any purchase of equipment over \$5,000, as long as USBE requires this practice.
  - d. The "annual cumulative threshold" for School is \$50,000. This is the maximum total annual amount that School can expend to obtain procurement item(s) from the same vendor during the fiscal year (July 1—June 30). If a purchase exceeds \$50,000, it is not considered a small purchase and shall be processed through a bidding process or a request for proposal (RFP) process (Utah Code 63G-6a-408 and R33-3).
  - e. Professional services, such as architectural, engineering, accounting, legal, or consulting services less than \$100,001 shall be acquired using a competitive bidding or RFP process, or by selecting a provider from an approved potential vendor list created using an invitation for bids or an RFP under provisions in Utah Code 63G-6a-403 and 404.
2. Reoccurring Purchase Over Annual Cumulative Threshold
  - a. If purchases from the same vendor are ongoing, continuous, and regularly scheduled, and exceed the annual cumulative threshold of \$50,000 during the fiscal year, a contract shall be utilized if feasible [Utah Code 63G-6a-408(6)].

### 3. Artificially Dividing a Purchase

- a. Utah Code 63G-6a-408 makes it unlawful to intentionally divide a procurement purchase into one or more smaller purchases to divide an invoice or purchase order into two or more invoices or purchase orders, or to make smaller purchases over a period of time.
  - i. This means that intentionally splitting a purchase of similar items that would typically be purchased at the same time from the same vendor to avoid requiring competitive quotes is unlawful (e.g., uniforms, club or athletic equipment, textbook orders, etc.). This includes dividing the purchases or invoices over a period of time, or making separate purchases over a period of time. Purchase splitting often occurs when making purchases on a purchase card. Employees should not split invoices to stay under daily purchase limits on purchase cards or the established purchasing thresholds.
  - ii. It may be determined after an order is placed or received that a large enough quantity was not ordered or the correct sizes were not obtained, and that additional items must be ordered. If this occurs, the employee initiating the purchase must include a written explanation of the purpose of the purchase and justification as to why it is not considered splitting a purchase. This should be retained with the vendor invoice.
  - iii. Penalties for violating this statute are outlined in Utah Code 63G-6a-2305 and 2306. Penalties range from a class B misdemeanor to a second degree felony, depending on the total value of the divided procurements.

### 4. Hospitality Gifts, Gratuities, Kickbacks, or Position and Influence

- a. "Contract administrator" means a person who administers a current contract, on behalf of School, including making payments relating to the contract, ensuring compliance with the contract, auditing a contractor in relation to the contract, or enforcing the contract (Utah Code 63G-6a-2304.5).
- b. "Interested person" is a person interested in any way in the sale of a procurement item or insurance to School (Utah Code 63G-6a-2304.5).
- c. "Procurement participant" means a person involved in:
  - i. Administering, conducting, or making decisions regarding a standard procurement process.
  - ii. Making a recommendation regarding award of a contract or regarding a decision to obtain a procurement item for a particular person.
  - iii. Evaluating a quote, bid, or response.
  - iv. Awarding a contract or otherwise making a decision to obtain a procurement item from a particular person (Utah Code 63G-6a-2304.5).
- d. "Hospitality gift" means a promotional or hospitality item, including, a pen, pencil, stationery, toy, pin, trinket, snack, nonalcoholic beverage, or appetizer. This does not include money, a meal, a ticket, admittance to an event, entertainment for which a charge is normally made, travel, or lodging (Utah Code 63G-6a-2304.5).

- i. Utah Code 63G-6a-2304.5 states that the total value of all hospitality gifts given, offered, or promised to, or received or accepted by the “procurement participant” or “contract administrator” in relation to a particular procurement or contract must be less than \$10; the total value of all hospitality gifts given, offered or promised to, or received or accepted by, the “procurement participant” or “contract administrator” from any one person, vendor, bidder, responder, or contractor in a fiscal year must be less than \$50.
      - ii. Any hospitality gift exceeding the \$10 and \$50 threshold is considered a gratuity, and the provisions below apply.
    - e. “Gratuity” means anything of value, including money, a loan at an interest rate below the market value or with terms that are more advantageous to the person receiving the loan than terms offered generally on the market, an award, employment, admission to an event, a meal, lodging, travel, or entertainment for which a charge is normally made (Utah Code 63G-6a-2304.5).
      - i. Utah Code 63G-6a-2304.5 makes it unlawful:
        - 1. For an “interested person” to give, offer, or promise to give a gratuity to a “procurement participant” or an individual the person knows is a family member of the procurement participant.
        - 2. For a “procurement participant” to ask, receive, offer to receive, accept, or ask for a promise to receive a gratuity from an “interested person.”
        - 3. For a contractor to give a gratuity to a “contract administrator” of the contractor’s contract or an individual the contractor knows is a family member of a “contract administrator” of the contractor’s contract.
        - 4. For a “contract administrator” of a contract to ask, receive, offer to receive, accept, or ask for a promise to receive, for the “contract administrator” or a family member of a “contract administrator,” a gratuity from a contractor for that contract.
      - ii. Penalties for violating this statute are established in Utah Code 63G-6a-2304.5 and 2306. School will adhere to these penalties and report violations to the attorney general’s office as required by statute.
      - iii. Interested person and contractors: penalties range from a class B misdemeanor to a second degree felony.
      - iv. Procurement participant and contract administrator: penalties range from a class B misdemeanor to a second degree felony and make employees subject to disciplinary action up to and including dismissal from employment.
    - f. “Kickback” means a gratuity given in exchange for favorable treatment in a pending procurement or the administration of a contract (Utah Code 63G-6a-2304.5).
      - i. Utah Code 63G-6a-2304.5 makes it unlawful:

1. For a person to give, offer, or promise to give a “kickback” to a “procurement participant” or to another person for the benefit of a “procurement participant.”
  2. For a “procurement participant” to ask, receive, offer to receive, accept or ask for a promise to receive a kickback for the “procurement participant” or for another person.
  3. For a person to give a kickback to a “contract administrator,” or to another person for the benefit of a “contract administrator.”
  4. For a “contract administrator” to ask, receive, offer to receive, accept, or ask for a promise to receive a kickback for the “contract administrator” or for another person.
- ii. Penalties for violating this statute are established in Utah Code 63G-6a-2304.5 and 2306. School will adhere to these penalties and report violations to the attorney general’s office, as required by statute.
    1. Person and contractors: penalties range from a class B misdemeanor to a second degree felony.
  - iii. Procurement participant and contract administrator: penalties range from a class B misdemeanor to a second degree felony and individuals are subject to disciplinary action up to and including dismissal from employment.
- g. “Position or Influence” Utah Code 63G-6a-2304.5 makes it unlawful for a “procurement participant” to use the “procurement participant’s” position or influence to obtain a personal benefit for the “procurement participant,” or for a family member of the “procurement participant,” from an “interested person.”
    - i. Penalties for violating this statute are established in Utah Code 63G-6a-2304.5 and 2306. SCHOOL will adhere to these penalties and report violations to the attorney general’s office, as required by statute.
      1. Interested person: penalties range from a class B misdemeanor to a second degree felony.
      2. Procurement participant: penalties range from a class B misdemeanor to a second degree felony and individuals are subject to disciplinary action up to and including dismissal from employment.

Approved: 2017  
Revised: January 2023

## 07-107 Donations, Gifts and Sponsorships Policy

### PURPOSE

The purpose of this policy is to establish School policy and procedure governing the acceptance, valuation, and recognition of all types of donations, gifts, and sponsorships for School. This

policy is intended to create practices that adequately safeguard public funds, provide for accountability, and ensure compliance with all state and federal laws.

School encourages and supports community and business partnerships that enhance and supplement the public education system. School is committed to work effectively with donors and sponsors to provide donation receipts, as required by law, and to facilitate the donor's charitable intent to the extent that the intent of the donation is in harmony with School goals and the law, and is appropriately approved.

School is ultimately responsible for the accounting, custody, expenditure, and allocation of all monies, including those that are obtained through donations, gifts, and sponsorships. School is accountable for and must comply with all federal and state laws and rules, regardless of the source of funds.

The board also desires to protect students, parents, teachers, and school administrators from over-commercialization and restrictions or requirements that are coercive, distracting, or disruptive to the education processes, threatening to the health and welfare of students, or lacking in educational merit. School reserves the right to decline, restrict, or redirect donations, gifts, and sponsorships.

## SCOPE

This policy applies to all School administrators, licensed educators, staff members, students, organizations, volunteers, and individuals who receive, authorize, accept, value, or record donations, gifts, or sponsorships for School. It is expected that in all dealings, School and school employees will act ethically, consistent with School's ethics training, the Utah Educators' Standards (R277-515), the Public Officers' and Employees' Ethics Act (Utah Code 67-16), and State procurement law (Utah Code 63G-6a), in any ways that these are applicable and binding to charter schools.

## GENERAL POLICY STATEMENTS

1. "Public funds" 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 charter schools [Utah Code 51-7-3(26)]. All monies received through donations, gifts, or sponsorships are considered public funds.
2. All funds, property, or goods donated become public funds and the property of School, and should be used for the purpose for which they were donated and in accordance with State and School policies.
3. School 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, of which apply and are binding on charter schools.

4. The collection of funds or assets associated with donations, gifts, or sponsorships will comply with School cash receipting policies. The expenditure of any public funds associated with donations, gifts, or sponsorships will comply with School cash disbursement policies.
5. 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 School upon delivery.
6. School employees must comply with School procurement policies and procedures, including complying with obtaining competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.
7. Donations and gifts shall be accounted for at an individual contribution level.
8. Donations, gifts, and sponsorships shall be directed to School. Donations, gifts, and sponsorships shall not be directed at specific School employees, individual students, vendors, or brand name goods or services.
9. Donated funds shall not compensate public employees, directly or indirectly.
10. 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 Business Manager.
11. 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.
12. Donations, gifts, and sponsorships given by vendors to specific programs (e.g., drama, sports teams) or School employees shall be evaluated for compliance with Utah Code 63G-6a-2304.5, "Gratuities, Kickbacks, Unlawful use of position or influence." 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. School 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.
13. Donations and gifts over \$250 will be provided with an acknowledgment of the contribution from School for IRS purposes. The acknowledgment will be in the form of a receipt.

Approved: 2017

## 07-108 Fundraising Policy

### PURPOSE

The purpose of this policy is to establish School policy governing the initiation, authorization, and review of all fundraising activities of School. This policy is intended to create practices that adequately safeguard public funds, provide for accountability, and ensure compliance with state and federal laws.

School encourages community and business partnerships that enhance and supplement the public education system. School also desires to protect students, parents, teachers, and school administrators from over-commercialization and fundraising efforts that are coercive and disruptive to the education processes, threatening to the health and welfare of students, or lacking in educational merit.

## SCOPE

This policy applies to all School administrators, licensed educators, staff members, students, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for school-sponsored events.

It is expected that in all dealings, School and school employees will act ethically and consistent with the School's ethics training, the Utah Educators Standards, the Public Officers' and Employees' Ethics Act, and State procurement law, as is applicable and required for charter schools.

## POLICY STATEMENTS FOR FUNDRAISING ACTIVITIES

1. "Public funds" are money, funds, and accounts, regardless of the source from which the funds are derived, that are owned, held, or administered by the state or any of its political subdivisions, including School (**Utah Code 53G-7-704**).
2. Fundraising is permitted within School to allow School to raise additional funds to supplement school-sponsored academic and co-curricular programs.
3. **"School-sponsored" means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by School that support School 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 a/an school employee.**
  - b. **Uses 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.**
4. School is committed to principles of gender equity and compliance with Title IX guidance. School commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles. School reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. Fundraising opportunities should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.

5. 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.
6. Principals, consistent with School policy, have the responsibility to waive fees, if appropriate. Individual teachers, coaches, advisors, etc. do not have the authority to waive board-approved fees.
7. All monies raised through fundraisers for school-sponsored activities are considered public funds. School is ultimately responsible for the expenditure and allocation of all monies collected and expended through student, school organized fundraising.
8. The collection of money associated with fundraisers for school-sponsored activities will comply with School cash receipting policies.
9. The expenditure of any public funds associated with fundraisers for school-sponsored activities will comply with School cash disbursement policies.
10. Properly approved school-sponsored activities may:
  - a. Use the school’s name, facilities, and equipment.
  - b. Utilize School employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
  - c. Be insured under School’s general liability insurance policy.
  - d. Provide additional compensation or stipends for SCHOOL employees with the approval of the executive director or immediate supervisor.
11. School-sponsored activities must comply with all fee approval and fee waiver provisions established in Utah Code and Utah State Board of Education rules.
12. Authorization and supervision of fundraising for school-sponsored activities:
  - a. Fundraising at School shall be approved prior to the activity, by the Executive Director supervised by LEA employee(s) designated by the Executive Director.
  - b. Donations from individuals or organizations will follow School’s gift and donation policy.
  - c. The sale of banners, advertising, signs, or other promotional material that will be displayed on school property must be approved by the executive director before the items are initiated or printed, and must meet community standards. Partisan or political advertising and advertising for products that are prohibited by law for sale or use by minors, such as alcohol, tobacco, or other substances that are known to endanger the health and well-being of students, are prohibited.
  - d. All fundraising projects for construction, maintenance, facilities renovation or improvement and other capital equipment purchases must be approved by the Executive Director and the School board.

## GENERAL FUNDRAISING STANDARDS

1. School reserves the right to prohibit, restrict or limit any fundraising activities.
2. 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.
3. 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.
4. 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 School employee or volunteer.
5. 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.
6. Door-to-door sales are prohibited for all students in elementary and middle schools.
7. Approval may be denied for fundraising activities that would expose the school or School to risk of financial loss or liability if the activity is not successful.
8. Fundraising activities shall be age appropriate, and shall maintain the highest standards of ethical responsibility and integrity.
9. 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.
10. 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.
11. 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.

## EMPLOYEE RELATIONSHIPS & DISCLOSURE

1. Participation in Private or Non-School-Sponsored Events
  - a. LEA employees:
    - i. May participate in a private but public education-related activity, such as LDS seminary graduation and firesides, extracurricular travel, etc.
    - ii. Must ensure that personal participation in activities is separate and distinguishable from the employee's public employment, official job title, or job duties.
    - iii. May not contact students in School using education records or information obtained through public employment unless the records or information are available to the general public.
    - iv. May not use school time to discuss, promote, or prepare for a private or non-school-sponsored activity.
    - v. 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.
    - vi. May use school or student publications available to the general public to advertise and promote the private or non-school-sponsored activity.
    - vii. May not require private or non-school-sponsored activities for credit or participation in school programs.
    - viii. 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.
2. School employees may purchase advertising space to promote private or non-school sponsored events in the same manner as the general public. School 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.)
3. School employees may engage in outside employment with a private entity or other separate organizations that does not interfere with School duties or job functions.
4. Parental notification is required if School students are recruited to participate in these activities.
5. School employees may not set up bank accounts for activities or fundraisers associated with School responsibilities or job functions.

6. School employees may not direct fees or fundraiser proceeds from school-sponsored activities to outside entities.
7. School employees may not direct operating expenditures to outside funding sources or groups to avoid School procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).

School employees must comply with School procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other in.

**Approved: May 25, 2023**

### 07-110 Time and Effort Policy

The School acknowledges that the School will take federal grant funds and will comply in all necessary measures accordingly.

Time and Effort documentation of time spent by employees working within federal grants will be created and certified monthly (multiple funding sources) or semi-annually (all in one federal funding source) by signature and date of the employee working in the grant and the supervisor of the employee.

For employees who work in other areas of the school in addition to a particular federal grant, all hours of the employee will be included on the multiple programs state PAR form. If the employee only worked in one federal grant than the single federal program state form will be used.

#### **Charter School Purchasing Threshold Procedure Policy:**

Purchasing Threshold

Procedure

Form(s) Required

Approval Needed

Up to \$1000 (for a single item)

- Select best source after two or three documented phone or written bids. Decision heavily, if not exclusively price- driven.
- Requisition or Check Request Form.
- Signature of requestor and immediate supervisor (if not pre-authorized).

\$1,001-\$5,000(for a single item)

- Select best source after two or three written competitive quotes. Decision heavily price-driven.
- Requisition or Check Request Form.

- Requestor, immediate supervisor or director and business manager\*.

#### \$5,001-\$10,000

- Select the best source after two or three competitive written quotes. Decision is price-driven, considering overall value (lead-time, warranty, delivery, etc.)
- Requisition or Check Request Form.
- Requestor, immediate supervisor, director and business manager\*.

#### \$10,001-\$50,000

- Select the best source after three competitive written quotes. Decision is price-driven, considering overall value (lead-time, warranty, delivery, etc.)
- A Requisition, Check Request and/or Purchase Order (possibly with a signed vendor quote), Contract.
- Requestor, immediate supervisor, director, Board and business manager\*.

#### \$50,001 and greater

- Competitive bidding, ITB, RFP-type process per Code. Select best source. Decision is price-driven, considering overall value (warranty, delivery, experience, etc.)
- A Requisition, Check Request and/or Purchase Order (possibly with a signed vendor quote), Contract.
- Requestor, immediate supervisor, director, Board and business manager\*.

#### Small construction projects up to \$25,000

- Select best source after two or three written bids. Decision heavily, if not exclusively price-driven.
- A Requisition, Check Request and/or Purchase Order (likely with a signed vendor quote), Contract.
- Signature of requestor, supervisor and Director or Board (if not pre-authorized per policy).
- Small construction projects greater than \$25,001 up to \$100,000
- Select best source after two or three written bids. Decision is price-driven, considering overall value (warranty, delivery, experience, references, insurance, etc.)
- A Requisition, Check Request and/or Purchase Order (likely with a signed quote), a Contract highly recommended.
- Requestor, immediate supervisor, director, Board and business manager\*.

#### Professional services up to \$100,000.

#### and Small construction projects up to \$2,500,000

- Competitive bidding, SOIQ (architect) or RFP-type process. Select best source after documented proposals. Decision is price-driven, considering overall value (warranty, delivery, experience, references, insurance, etc.)
- Possibly a Requisition or Check Request Form from requestor. Contract authorized and signed by the Board, filed in the business office.
- Requestor, immediate supervisor, director, Board and business manager\*.

- Professional services greater than \$100,001.
- Large construction projects greater than \$2,500,001
- Competitive bidding, SOIQ, ITB, RFP-type process. Select best source after documented proposals. Decision is price- driven, considering overall value (warranty, delivery, experience, references, insurance, etc.)
- Possibly a Requisition or Check Request Form from requestor. Contract authorized and signed by the Board, filed in the business office.
- Requestor, immediate supervisor, director, Board and business manager\*.
- \*Approval is required in writing except for the business manager, who does not have authorization to approve purchases other than to confirm availability of budget funds.
- For additional information, please see the Procurement Notes on next page and UCA 63G-6s and Administrative Rule R33-3

#### Charter School Purchasing Threshold Procedure Thresholds

1. The “individual procurement threshold” for the LEA is \$1,000. This is the maximum amount that the LEA can expend to obtain a single item/service from one vendor at one time without requiring competitive purchasing.
2. The “single procurement aggregate threshold” for the LEA is \$5,000. This is the maximum amount that the LEA can expend to obtain any combination of individual procurement items/services costing less than \$1,001 from one vendor at one time up to \$5,000, without requiring competitive purchasing.
3. The “annual cumulative threshold” for the LEA is \$50,000. This is the maximum total annual amount that the LEA can expend to obtain individual procurement item(s) costing less than \$1,001 purchased from the same vendor during the fiscal year (July 1 – June 30) not to exceed \$50,000. If a purchase exceeds \$50,000, it is not considered a small purchase and shall be processed through a bidding process or a request for proposal (RFP) process

#### Purchases Requiring Quotes

1. For procurement item(s) costing between \$1,001 and \$5,000, obtain a minimum of two competitive quotes that include minimum specifications and shall purchase the procurement item from the responsible vendor offering the lowest quote that meets the specifications.
2. For procurement item(s) costing between \$5,001 and \$50,000, obtain a minimum of two competitive quotes that include minimum specifications and shall purchase the procurement item from the responsible vendor offering the lowest quote that meets the specification.
3. For procurement item(s) costing over \$50,000, conduct an invitation for bids or other procurement process outlined in the Utah Procurement Code.

## Professional Services

1. Professional services over between 50,000 and 100,000 need a minimum of two competitive quotes.
2. Professional services, over \$100,000 shall be acquired using a competitive bidding or RFP process, or by selecting a provider from an approved potential vendor list created using an invitation for bids or an RFP.

## Small Construction Projects

1. Costing less than \$25,001 may be procured by direct award without seeking competitive bids or quotes after documenting that all applicable building code approvals, licensing requirements, permitting and other construction related requirements are met.
2. Costing between \$25,001 and \$100,000 may be procured by obtaining a minimum of two (2) competitive bids or quotes that include minimum specifications and be awarded to the contractor with the lowest bid or quote that meets the specification after documenting that the requirements are met from (1).
3. Costing more than \$100,000 require an IFB or RFP procurement process. Large construction projects over 2.5 million must follow the requirements contained in Utah Code 53A-20.

## Prohibition Against Artificial Division of Procurements and Invoices

The Utah Procurement Code states that it is unlawful for a person to intentionally or knowingly divide a procurement into one or more smaller procurements with the intent to make a purchase:

1. qualify as a small purchase if, before dividing the procurement, it would not have qualified as a small purchase; or
2. meet a threshold established by rule if, before dividing the procurement, it would not have met the threshold

A prohibited division of a purchase includes any of the following with the intent or knowledge described below:

1. making two or more separate purchases;
2. dividing an invoice or purchase order into two or more invoices or purchase orders; or (c) making smaller purchases over a period of time.
3. A person who engages in the conduct above is guilty of:
  - a. a second degree felony, if the value of the procurement before being divided is \$1,000,000 or more;

- b. a third degree felony, if the value of the procurement before being divided is \$250,000 or more but less than \$1,000,000; (c) a class A misdemeanor, if the value of the procurement before being divided is \$100,000 or more but less than \$250,000; or (d) a class B misdemeanor, if the value of the procurement before being divided is less than \$100,000.

Sources: Utah Code 63G-6a-408 (Procurement Code), Administrative Code R33-3-3 (Purchasing Source Selection and Contract Rule)

## 07-111 Compensation Policy

### Purpose:

The purpose of this policy is to define the roles between Director and Board of Trustees in determining employee compensation. Employee compensation makes up a large portion of the school's budget, directly affects the performance of the school, and creates long term financial commitments. Because of the importance of these matters, roles should be clearly defined.

### Policy:

It is the responsibility of the Director to ensure that funds are available for any compensation within the specified major category and that the entire budget has been to maintain a sound budget.

### New Positions:

New positions within the school must first receive approval to be added from the Board of Trustees. Compensation for new positions will be determined jointly between the Director and Board of Trustees and should fall within the suggested salary schedule. Funding streams to fund new positions should be ongoing and not for a limited time.

### New Employees:

Compensation for new employees hired for existing positions will be determined based on previous compensation for the position, employee qualifications, experience and the suggested salary schedule. The Director will determine new employee compensation based on the above criteria and should fall within the suggested salary schedule. Any new employee compensation more than 5% above the suggested salary schedule will require approval from the Finance Committee.

### Existing Employees:

Raises or stipends for existing employees are determined by the Director based on employee performance, the suggested salary schedule, and budget available for compensation. Any raise in excess of 5% over one year, with or without duty changes will require approval from the Finance Committee.

### Salary Schedule:

Changes the suggested salary schedule will require approval from the Finance Committee.

Approved: February 15, 2022

### Treeside Salary Schedule

#### Teachers

Base salary (bachelor's degree, no experience, associate license): up to \$40,000 / year.

Master's degree: up to + \$2000

Experience up to + \$1000 for each year of completed service to Treeside

Professional license up to + \$2000

Stipends as appropriate for additional responsibilities.

#### Assistants

Base wage: up to \$15 / hour

Experience: up to + \$1 / hour for each year of completed service to Treeside

Additional specialty (Special education or interventionist) up to + \$2 / hour

Approved: February 15, 2022

### 07-112 Trust Land Policy

Treeside Charter School will use their governing board as their Charter Trust Land Council if the governing board has a two-person majority of parents or grandparents with children currently enrolled at the school.

If the governing board does not meet the requirement, they will convene a Charter Trust Land Council in accordance with this policy and applicable laws. Each Council will have either 6 or 7 members, as determined by the Executive Director. Each Council must have a two-person majority of elected parents or guardians of students attending the school.

The Executive Director will serve on the Council and may identify and select the other nonparent/guardian member of the Council from the faculty and staff.

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

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

The Council will operate in accordance with applicable laws in the development and submission of the school's plan, including but not limited to compliance with the Utah Open and Public Meeting Act. The plan must be consistent with and supportive of the school's charter and mission.

References: R277-477-3, R277-491-4, 53G-7-1203

Approved: August 23, 2022