

Utah State Office of Education
Charter Application
For School Year 2013-2014

Weber State University
Charter Academy

Application Submitted by the Academy Board of Directors:
Jack L. Rasmussen, Dean, Moyes College of Education
Chloe D. Merrill, Associate Dean, Moyes College of Education
Carol VandenAkker, Secretary

REQUIRED INFORMATION

All information presented in this application becomes part of the charter agreement as defined in Board Rule R277-481 and may be used for accountability purposes throughout the term of the charter contract.

I. Charter School Information			
1. Name of proposed charter school: Weber State University Charter Academy (WSUCA)			
2. Name of applicant: Chloe D. Merrill, Ph.D., Associate Dean, Moyes College of Education			
3. Authorized agent: Jack L. Rasmussen, Ph.D., Dean, Moyes College of Education			
4. Mailing address: Weber State University Charter Academy, c/o Dr. Chloe D. Merrill, 1031 University Circle, Weber State University, Ogden, UT 84408-1301			
5. Phone number: 801-626-7110		6. Email address: cmerrill@weber.edu	
7. District(s) where proposed charter school is located in the Ogden School District but will be chartered as Weber State University – Institution Charter			
8. District contact(s) and date complete application submitted to district(s). (NOTE: repeat this statement for each district in which the school may be located.)			
Submitted to <u>Brad Smith</u> (person) who works at <u>Ogden School District</u>			
School District on <u>July 16, 2012</u> (date).			
9. Form of organization (check) <input checked="" type="checkbox"/> Nonprofit Corporation <input type="checkbox"/> Tribal entity <input type="checkbox"/> Other			
10. The governing body of a charter school is responsible for the policy decisions of the school. Please indicate the makeup of this body below. (Add lines as necessary)			
Name	Email	Type of Member (e.g., parent, business)	Position on Board (e.g., chair, secretary)
Jack L. Rasmussen	jrasmussen@weber.edu	Educator	Dean – Moyes College of Education/ Principal
Chloe D. Merrill	cmerrill@weber.edu	Educator	Associate Dean – Moyes College of Education/ Associate Principal
Carol VandenAkke	carolvandenakker@weber.edu	Educator	Secretary/Business Administration
11. Year school will start: 2013-2014		12. Number of instructional days: 180	

13. Grades served: Kindergarten (K)	14. Hours of instruction: 504
<p>15. Projected Enrollment (Complete growth model through the appropriate operational years):</p> <p>Operational Year 1: Total: <u>40</u> Grades K-6: <u>40</u>, Grades 7-8: <u>0</u>, Grades 9-12: <u>0</u></p> <p>Operational Year 2: Total: <u>44</u> Grades K-6: <u>44</u>, Grades 7-8: <u>0</u>, Grades 9-12: <u>0</u></p> <p>Operational Year 3: Total: <u>44</u> Grades K-6: <u>44</u>, Grades 7-8: <u>0</u>, Grades 9-12: <u>0</u></p> <p>Operational Year 4: Total: <u>44</u> Grades K-6: <u>44</u>, Grades 7-8: <u>0</u>, Grades 9-12: <u>0</u></p> <p>Operational Year 5: Total: <u>44</u> Grades K-6: <u>44</u>, Grades 7-8: <u>0</u>, Grades 9-12: <u>0</u></p> <p>Ultimate enrollment: Total: <u>44</u> Grades K-6: <u>44</u>, Grades 7-8: <u>0</u>, Grades 9-12: <u>0</u></p> <p>Does proposed grade configuration match resident district grade configuration?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	
16. Target percentage of students with an Individualized Education Plan: 10%	17. Target percentage of students identified as minority: 10%
<p>18. Target percentage of students qualifying for free or reduced lunch (i.e., economically disadvantaged): Although we will not be serving lunch, we will not exclude students who might be economically disadvantaged. Projected economically disadvantage student population might be 10 percent. No students will be excluded based on financial need.</p>	<p>19. Is this a conversion?</p> <p><input type="checkbox"/> Yes (include required signatures and proof of local board approval in Section 19)</p> <p><input checked="" type="checkbox"/> No</p>
<p>20. Does the charter school intend to participate in Utah Retirement System?</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> <p>This would depend on the people hired and what they work out with Human Resources</p>	<p>21. A charter school may apply to the State Board of Education for a waiver of any rule that inhibits or hinders the school from accomplishing its mission or educational goals set out in its charter. List any waiver requests here (i.e., Rule numbers. Provide details regarding the need for the waiver as Appendix I). N/A</p>

22. List persons whom you have designated as Founding Members of the school. Children of a Founding Member (an individual who has had a significant role in the development of a charter school application), children of an employee, and siblings of students currently attending the charter school are eligible for preferential enrollment under both State and Federal Charter School law. Also, identify the percentage of students eligible for preferential enrollment under the status of founder's child or employee child.

Jack L. Rasmussen
Chloe D. Merrill
Carol VandenAkker
Camie Bearden
Fran Butler
Claudia Eliason
Carole Haun
Jared Lisonbee
Jack Mayhew
Carrie Ota
Wei Qiu
Peggy Saunders
Paul Schvaneveldt
Sherrie West
Ray Wong

II. Assurances

The applicant charter school hereby assures and certifies to the Utah State Charter School Board and Utah State Board of Education that: Read and Check

- ✓ The charter school will make provision for such fiscal control, fund and program accounting procedures as may be necessary to assure proper disbursement and accounting for all funds, and will utilize fiscal procedures that are consistent with generally accepted standards of fiscal management.
- ✓ The charter school will not expend program funds for any education program, activity, or service related to sectarian instruction or religious worship.
- ✓ The charter school assures that resources will be available and a process established to develop a Student Education Plan/Student Education Occupation Plan (SEP/SEOP) for each student.
- ✓ The charter school will maintain an active parent/guardian involvement process including some formal mechanism for meaningful involvement in site-based decision making.
- ✓ The charter school will not charge tuition or fees, except those fees allowed by law. Governing Boards will adopt allowable fees annually in an open board meeting.
- ✓ A copy of the charter will be supplied to interested individuals or groups on request.
- ✓ The charter school will be fully accredited no later than its third year of operation.
- ✓ The charter school will acquire and maintain nonprofit corporate status.
- ✓ The charter school will acquire and maintain all required insurances, including General Liability Coverage for both Bodily Injury and Property Damage Liability at \$2 million per occurrence; perhaps, with an annual aggregate amount; Automobile Liability Coverage for Bodily Injury and Property Damage at \$2 million per occurrence including PIP coverage; Personal Injury / Civil Rights Coverage for claimed Constitutional violations and claimed violations of federal and state law at \$2 million per occurrence; Errors and Omission Coverage for, among other things, actions taken by directors and board members who govern the school at \$2 million per occurrence; Government Crime Policy including employee theft, faithful performance, and coverage for employee and officer bonds; Property Coverages - probably a standard all-risk property policy with possible endorsements for Business Interruption, Extra Expense and Tuition Fee coverage; Workers' Compensation Coverage at such amounts and limits as required by Utah law; and Treasurer's Bond. If coverage will be provided outside of State Risk Management, applicant provides a letter from the tentative insurer indicating a willingness to provide the coverage mentioned above and includes it in Section 19.
- ✓ The charter school will maintain accurate student transcripts.
- ✓ The charter school is nonsectarian in its programs, admission policies, and employment practices and all other operations.
- ✓ The charter school Principal/Director shall attend a one-day special education training class sponsored by the Utah State Office of Education prior to the first day of instruction and annually

thereafter.

- ✓ The governing board will name and provide email contact information for the following individuals prior to opening and at any time the school makes changes to these positions: Board Chair, Executive Director, Principal, Assistant Principal, Assessment Director, Special Education Director, Title IX Civil Rights Monitor Officer, Section 504 Coordinator, and Business Official.
- ✓ The charter school applicant certifies all information contained in this application is complete and accurate, realizing that any misrepresentation could result in disqualification from the charter application process or revocation after award. The charter school applicant understands that incomplete applications will not be considered.
- ✓ The charter school applicant acknowledges that it has read all Utah statutes regarding charter schools and that, if approved, it is subject to and will ensure compliance with all relevant federal, state and local laws and requirements. The charter school applicant acknowledges that, if approved to operate a charter school, it must execute a charter contract with the Utah State Charter School Board within twelve months of the date of approval of the charter by the Utah State Board of Education and must begin providing educational services within the timeframe outlined in the charter. Failure to do so may result in revocation of the charter approval and, if applicable, termination of the contract and revocation of the charter.

The authorized agent of the applicant charter school certifies that, to the best of his/her knowledge and belief, the data in this application are true and accurate, and that the applicant will comply with the assurances noted above if this application is approved. Therefore, this application for charter school status and funding is hereby submitted with the full approval and support of the governing body of the proposed charter school.

III. Signatures

WE, THE UNDERSIGNED, do hereby agree to the certifications contained in *Section II. Assurances* above.

Name of Authorized Agent Jack L. Rasmussen, Ph.D., Dean, Jerry and Vickie Moyes College of Education

Signature of Authorized Agent 

Name of Charter School Board Chair (if different than Authorized Agent) N/A

Signature of Charter School Board Chair (if different than Authorized Agent) N/A

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Section 1 - School Purpose and Goals

A. EXECUTIVE SUMMARY

Mission Statement

The mission of the WSU Charter Academy is to provide an educational learning center with an emphasis on student learning and family involvement; where WSU pre-service teachers may observe and practice cutting-edge, research-based educational practices; and where research on various aspects of education may be conducted.

The Weber State University Charter Academy (WSUCA) is focused on educating the whole child using developmentally appropriate and research supported curricula and instructional methods. The WSU Charter Academy will draw its students from the surrounding affiliated districts specifically Ogden School District and from the WSU student and faculty community. Conceptualized by a group of educators from the Moyes College of Education, the Charter Academy has a vision of faculty, students, and families working in concert to develop the capacities of the whole child – academically, socially, emotionally, and physically.

In today's educational climate precipitated by the perceived demands of test scores and accountability, many instructional programs in the surrounding community have become more narrowly defined, as observed by members of the founding committee. Most often as the key founders have observed instruction in kindergarten and beyond, developmentally appropriate practice has been abandoned in favor of unconnected, drill and practice methods that educators in the surrounding districts believe to be expedient to meet their district's expectations. With the lopsided attention to academic attainment, as measured by test scores, very little time is spent on other facets of development. The WSU Charter Academy founders believe that the goals of No Child Left Behind (NCLB) standards and accountability are compatible with developmentally appropriate practices and educating the whole child. The collective expertise of the committee includes child development, preK-12 and university teaching, administration, research; curriculum development, educational psychology, and instructional strategies; special education and English as a second language. These areas of expertise combine to enable the academic and accountability goals of NCLB to be attained in a developmentally appropriate educational program that attends to the academic, social, emotional, and physical needs of students – the whole child.

B. MISSION SPECIFIC GOALS

The Weber State University Charter Academy asserts three goals:

1. Maintaining a focus on children and families through educational, co-curricular, and extra-curricular programs;
2. Providing training in research informed practices for pre-service teachers through observation and mentored teaching opportunities;
3. Providing a research center through opportunities for University faculty, University students, and WSU Charter Academy faculty to study various educational aspects.

Goal 1:

This goal derives from the philosophy subscribed to in the educational programs at WSU Charter Academy, which is child-centered, developmentally appropriate, and oriented toward the development of the whole child. Individual students take precedence over programs, while maintaining standards of achievement. Issues in any area of development will be examined in light of student and family needs. This program believes that family support is integral to student success. The WSU Charter Academy recognizes that when parents participate at school, provide a positive attitude toward learning at home, and work in concert with educational personnel, students are more successful academically and socially. To that end, the educational program invites parent participation and will provide opportunities for family members/student caregivers to extend the school program into the home in appropriate ways. This may include classroom participation by adult family members in order to have models of appropriate practice; family nights at school focused on subject matter activities that family members and students may participate in together, providing ideas that may be used at home; formal learning opportunities for adult family members to learn about parenting, educational development, child development, or similar classes of interest.

Evidence of meeting Goal 1 will be found in matching the educational program components with principles set forth by the National Association for the Education of Young Children (NAEYC) for developmentally appropriate practice, produced annually; in student records documenting progress and program adjustments, reported annually; in school records of events and courses offered, with statistics on participation, reported annually; and in the parent participation log-book, detailing the number of hours parents spend in school and classroom activities, reported each semester.

Goal 2:

Providing training in research informed practices for pre-service teachers coincides with WSU Moyes College of Education's primary mission: to train teachers. The WSU Charter Academy will provide classrooms in which WSU pre-service teachers may observe the research-based practices they have heard and read about in coursework. Observation may take place directly in the classroom, from the observation booth attached to the classroom, or from videos made of classroom activities. Under close supervision, pre-service teachers may receive mentoring and direct opportunity to practice teaching under conditions that reflect what they have learned in their courses.

Evidence of meeting Goal 2 will be found in the number of students involved in observations or practice teaching; in the evaluation forms students complete during the observations; and in other assessments associated with assignments of pre-service teachers to the WSU Charter Academy. These evidences will be reported for each WSU academic term.

Goal 3:

Providing a facility at which educational research may be carried out. The WSU Charter Academy will provide a place in which university faculty, pre-service teachers, graduate students, and in-service teachers may research instruction and instructional programs, child development, curriculum design and assessment, etc. to further their individual knowledge and to add to the knowledge base of what works in the classroom.

Evidence for meeting Goal 3 will be found in the number of pre-service and graduate presentations, projects, and publications prepared, as well as in the number of presentations and publications university faculty produce. These evidences will be reported annually.

C. PURPOSE

The purposes of the WSU Charter Academy are threefold:

1. To meet community needs through increased parental choice with a family oriented, child-centered curriculum;
2. To improve student learning through a developmentally appropriate curriculum that includes high standards and expectations for learning as well as individual support; and
3. To study innovative teaching methods, measurement, and other components of education in order to contribute to the national and international body of research-based knowledge.

The WSU Charter Academy will meet the purpose of charter schools defined in Title 53A-1a-503.

<i>Indicator – Upholding mission and purpose</i>		
Measure	Metric	Board Goal
Developmentally Appropriate Practices	Percentage of program components meeting NAEYC standards	80% year one 90% there after
Utah Core Curriculum State Standards (CCSS)	Percent of children meeting Kindergarten standards in math and reading as documented by planned observational assessment and portfolio work samples	80% of children will meet each individual Core Curriculum State Standard
Parental participation	Percentage of families participating and the documented hours of participation	75% of families will participate 50% of families will participate at the 30 hours per year level
Training of pre-service teachers	Percentage of pre-service teachers' who will have had observations & participation within Kindergarten classroom	100% of Teacher Education Level I Students
Research opportunities for pre-service teachers, graduate students, and faculty members	Number of presentations, publications, and projects completed by the target groups	A minimum of 5 presentations, publications, and /or projects will be complete per year by the target populations

Improve student learning by:

- Setting goals and meeting them
- Developing a community of learners
- Ensuring decision making concerning students is grounded in the dignity of each student
- Offering developmentally appropriate curriculum and instruction
- Expecting homework to be either practice of what a student has been taught or an extension activity or project
- Provide access to technology and online resources including e-books, research, learning sites, online communities, tools for presentations, student targeted planning, tracking and assessment models and tools
- Student support through small group tutoring by teaching assistants, parents, and teachers

Innovative teaching methods

WSU Charter Academy will encourage innovative teaching methods through professional development and the mentoring program to motivate teachers as a community of learners. Professional development efforts will target the following three areas:

- Legal and Professional Obligations
- Instructional Practices and Curriculum
 - Increasing knowledge of content or subject and learning new teaching strategies or assessment procedures
- Student Development
 - Social, emotional, and physical growth of students, classroom management skills

Targeted professional development will meet the needs of the following recipients

- Grade levels, Departments, Special Education, Title 1 or vertical teams of teachers
- Teaching assistants
- Individual staff members – identified areas for growth
- Leadership – Board, administration, counselor, Case Management Team, Leadership Team

Teachers will be encouraged to share strategies, develop curriculum materials together, and support each other in the classroom. WSU Charter Academy professional development will focus on teaching practices that have a direct correlation to student success. The regular analysis of student outcome data and the adjustment of the instructional practices are key to an effective learning community. WSU Charter Academy teachers will use effective teaching methods and models of instruction, incorporating research-based innovations aligned with improved learning outcomes. Reeves (*The Learning Leader*, ASCD, 2006) warns that many education systems have reverted to large numbers of required statistical information systems and student data collection to monitor the effectiveness of teachers in the classroom. When in fact, teachers who possess the ability to look at current and relative data and implement daily practices to improve student learning are most successful.

Increase choice of learning opportunities for students

- Students will learn the process of identifying a problem, generating possible solutions, selecting the best solution and implementing problem solving throughout the curriculum

- Students will work collaboratively in cooperative learning groups. Cooperative learning groups will be used to develop peer interactions, leadership skills, and cooperation.
- All students will engage in service learning and develop a sense of civic responsibility through service experiences and reflection activities.
- Students will work in an environment where teachers may focus their time on teaching and learning and the parent organization will support activities.

References for Section 1C

Reeves, D. B. (2006). *The Learning Leader: How to Focus School Improvement for Better Results*. Alexandria, VA: Association for Supervision & Curriculum Development.

■ Section 2 – Student Population

A. TARGET POPULATION

Kindergarten students of parents who prefer developmentally appropriate practices (DAP) as defined by NAEYC along with the Common Core State Standards (CCSS) in education are the target population for this school. The majority of students would come from Ogden City and the greater Ogden area.

B. SPECIAL POPULATIONS

Students with special educational needs (i.e., English language learners, 504 eligible students, gifted & talented, economically disadvantaged, etc.) would be welcomed. Because this academy will have the support and resources of the WSU Moyes College of Education – specifically the Child and Family Studies and Teacher Education departments and faculties who are trained and licensed to support students in these populations – provisions and services will be readily available.

English as a Second Language (ESL): Often ESL students have educational experiences that challenge their individual educational development. Strategies to effectively instruct individual ESL students will be utilized. Cooperative learning, which will be implemented at WSU Charter Academy, is one such research-based strategy proven to increase the involvement of English language learners in classroom activities.

504 Eligible Students: WSU Charter Academy founders understand the requirements of Section 504 in the school setting and will ensure that all requirements of that law are obeyed, including accommodations which enable students to receive the benefits of this public school.

Health Care Plans (IHP): Individual Health Care Plans are written to address the health needs of specific students while they attend school. WSU Charter Academy's administration and staff will be responsible to follow the individual student's health care needs, including the services to accommodate health conditions of students within the IHP guidelines.

Economically Disadvantaged: Tracking and assistance will be evaluated for students and families for this group. Every effort will be made to coordinate with local agencies to assist these students and their families.

Gifted and Talented: Gifted means students who perform or show potential for performing at remarkably high levels of accomplishment when compared to others of their own age. These students' needs will be identified and supported at WSU Charter Academy (Delisle & Lewis, 2003).

Students under the Jurisdiction of the Court: WSU Charter Academy may enroll students who are in foster care, state custody, or involved in a juvenile court judgment or action. The administration will address any issues that arise concerning this group of students.

C. ADMISSION PROCEDURES/LOTTERY POLICY

The community will be notified of the charter academy opening via newspaper and other public media such as radio, Facebook, Spanish-language newspaper, etc., as well as flyers posted on community bulletin boards within a five-mile radius of the WSU Ogden campus.

In accordance with state and federal law, admission to WSU Charter Academy is not limited based on ethnicity, national origin, gender, religion, income level, creed, color, disabling condition, or proficiency in the English language. WSU Charter Academy recognizes and adheres to the right to a free public education for all children, which is supported by the Individuals with Disabilities Education Act (IDEA, 2004) and NCLB.

WSU Charter Academy shall give preference as allowed by law on the following basis:

- First Preference: to children of “Founders” (as defined in Appendix A);
- Second Preference: to children of “Teachers” (as defined in Appendix A) in the school/academy;
- Third Preference: to siblings of students presently enrolled in the school/academy; and
- Fourth Preference: to children of “Employees” (as defined in Appendix A) of the school/academy.

After the above-mentioned preferences have been granted, admission will be offered to any other students residing in Utah.

Lottery applications will be due by February 28, prior to the beginning of the upcoming school year. Verification of age must be attached to the registration packet (e.g. birth certificate). Lottery application must be for either the morning session or the afternoon session. No multiple lottery applications will be allowed. In the case of multiple birth siblings (twins, triplets, etc.) all names must be on a single application.

All students will be admitted based on an equal opportunity, lottery process as defined in the lottery policy (see Appendix A).

The first lottery will be held sometime in March 2013. Additional lotteries will be held on an as-needed-basis later in the spring and throughout the summer months for the upcoming school year.

Families will be notified via e-mail or phone of their child’s acceptance into the school. Families selected will be notified of the next steps in the registration process and what timeline they will need to follow.

D. STUDENT ATTENDANCE AND ENROLLMENT

Attendance is vital to the success of our students, and attendance will be tracked daily. A contact will be made to the home when a student is absent. Through on-going parental training sessions, parents will recognize the importance of school attendance for their child.

<i>Indicator - Student attendance and reenrollment</i>		
Measure	Metric	Board Goal
Student attendance rate	All students attending target number of days (167 school days)	90% of students attending target number of days
Within year enrollment rate	Percentage of students continuously enrolled throughout the year	80% of students continuously enrolled throughout the year
Year-to-year reenrollment rate	Percentage of students re-enrolled from one year to the next	Not applicable
Continuous reenrollment rate	Percentage of students continuously enrolled for all available years	Not applicable

References for Section 2B

Delisle, J. & Lewis, B. A. (2003). *How to Plan, Manage and Evaluate Programs for Gifted Youth K-12*. Minneapolis, MN: Free Spirit Publishing.

References for Section 2C

Individuals with Disabilities Education Improvement Act of 2004 (IDEA 2004). (2004).
<http://www2.ed.gov/policy/speced/guid/idea/idea2004.html>

■ Section 3 – Calendar and Bell Schedule

A. CALENDAR

It is assumed that a majority of the kindergarten students will be from the Ogden School District area; therefore, the calendar will be based on Ogden School District's 2013-2014 school calendar that has yet to be adopted. It will include the specific holidays. However, the following dates for specific activities will be added to, and may differ from, that calendar:

1. Board meetings will be held the first Tuesday of the month beginning in January, 2013. Meetings will be held beginning at 5 p.m. in the McKay Education Building.
2. Pre-kindergarten assessment will be completed for individual students held in accordance with the mandated testing set forth by USOE. See R277-419-8. Variances, part C. 4.
3. Post-kindergarten assessment will be held in accordance with the mandated testing window set forth by USOE. See R277-419-8. Variances, part C. 4.
4. Parent-teacher conferences/SEPs will be held in October, February, and May with each student's parents/guardian. Each conference cycle will be assigned one full school day. Parents or teachers, however, may request additional conferences as needed. See R277-419-8. Variances, part C. 2 and 3.

B. BELL SCHEDULE

Each group will meet for 180 days. Monday through Thursday each class will meet for 3 hours. On Friday, each class will meet for 2 hours. The morning kindergarten will meet from 8:45-11:45 a.m.; the afternoon kindergarten will meet from 12:30 to 3:30 p.m. Fridays will have the hours of 8:45-10:45 and 12:30-2:30, respectively. Instead of a recess period, students will have an outdoor learning experience most school days. This schedule allows for 504 school hours.

Section 4 – Market Analysis

A. LOCATION

This location will allow parents in the greater Ogden area to choose a school with a focus on developmentally appropriate practices and alignment with CCSS. The single-site location for the kindergarten will be on the campus of Weber State University in the McKay Education Building which currently houses the Melba S. Lehner Children's School (a pre-school for children ages 2-5). Specific space has been allocated and approved by campus facilities management and fire marshal. The current space is a children's classroom and a college classroom which will be modified to be a developmentally appropriate classroom for kindergarteners with an observation booth and toilet facilities. The cost to modify the existing rooms is between \$15,000 - \$20,000 at this time. The changes to the facilities would be:

- Move two walls in Room 111 to create observation booth
- Take out extra cabinets in Room 111 as needed for observation booth
- Move hall door further to east in Room 111
- Move hall door further east in Room 116
- Place children's enclosed toilet, sink, and drinking fountain in northeast corner
- Update or move the current teaching station which houses a visualizer, DVD/VCR, computers (pc and Mac), controls for the SmartBoard®
- Check and update all electrical work

According to the 2010 US census report, Ogden city had a population of 82,825 people with 28.8% being children under the age of 18. In the *Great Things Happening Report: 2011-2012*, published by the Ogden School District (http://www.ogdensd.org/brd_docs/AnnualReport.pdf), there were 7,427 elementary students in the district with approximately 1,000 of those students in kindergarten. The student ethnic population in Ogden School District is Hispanic/Latino at 47.60%, Caucasian at 47.29%, and the other 5.1% almost evenly divided among American Indian/Alaskan Native, Asian/Pacific Islander, Black, and multiple races. The school population in the district has held fairly steady for the past five years.

B. MARKET CONTEXT AND TRENDS

Ogden School District is a highly-impacted district with high percentage of minority students. The district has difficulty in meeting AYP in many of its schools. In an attempt to improve AYP, it has adopted more of a direct instruction model in most of its elementary schools; therefore, this kindergarten will provide an alternative instructional model to support the learning of all students. Currently, our charter kindergarten would have a total of no more than 44 students.

C. COMPETITIVE ADVANTAGE

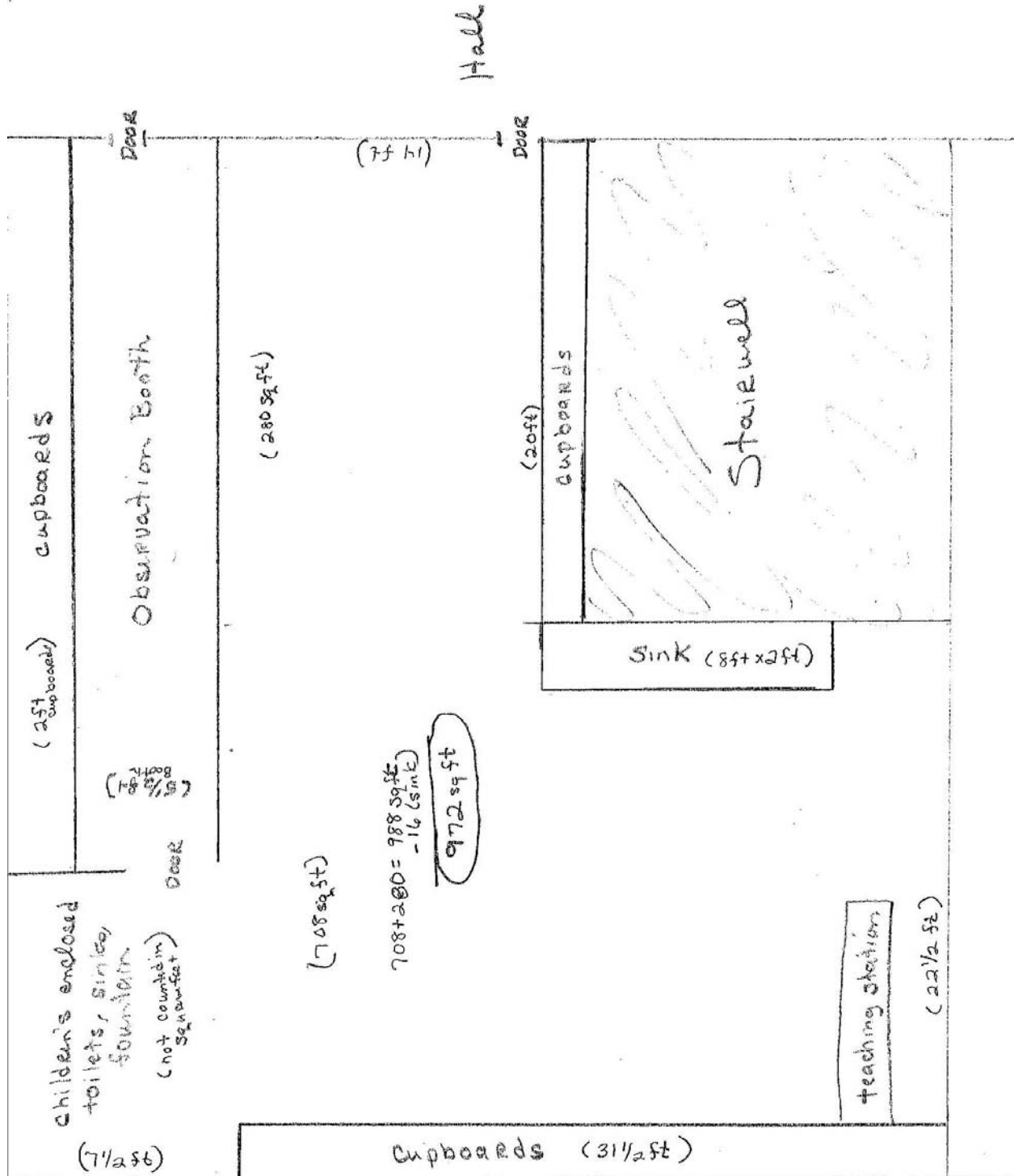
Our charter academy would be attractive to parents because of the focus on DAP and emphasis on CCSS with a small class size and a student to teacher ratio which would include a licensed teacher and at least one student teacher per session. Additionally, support in the classroom would

come from the faculty and staff members from both the Child and Family Studies and Teacher Education departments, many of whom still hold current teaching and administrative licenses.

D. OUTREACH

The community will be notified of the charter kindergarten opening via newspaper and other public media such as radio, Facebook, Spanish-language newspaper, etc. Posters will be placed on community bulletin boards (in many stores) within the five-mile radius of the charter kindergarten.

Room 111 + 116 Remodel plan



■ Section 5 – Capital Facilities Plan

A. BUILDING

The kindergarten will be housed in the Jerry & Vickie Moyes College of Education, rooms 111 & 116 (next to the Melba S. Lehner Children's School). Direct work with WSU Facilities Management will begin once approval for the WSU Charter Academy has been received. Remodeling of rooms 111 & 116 will then take place. Once complete, a total of 972 square feet will be used as the main classroom. An observation booth will be located on the east side of the room. Existing storage cupboards will be left for instructional materials. Children's enclosed toilets, sinks, and fountain will be installed (not contained in square footage). See Section 4 for remodeled floor plan.

Current Melba S. Lehner Children's School parking will be used for parents to drop off children. The outdoor educational experience will share space with the Children's School.

B. CONTINGENCY PLAN

To protect against failure to meet construction deadlines, close work with WSU Facilities Management will take place to assure no delays. Should the academy facility not be under construction by January 1, 2013, the Board will work with Facilities Management to evaluate implementation of its contingency plan for temporary facilities.

C. FACILITY FINANCING

WSU Charter Academy will explore all possible options to procure facility financing. Upon approval of WSU Charter Academy's application, the process of securing facility funding will begin by working closely with the Moyes College of Education Dean, an appointed representative by the Dean of the Moyes College of Education, WSU Administration and Facilities Management at all levels. Once facilities are remodeled, no other facility financing will be needed beyond maintenance, cleaning, and updating. This will be provided by the university.

■ Section 6 – Detailed Business Plan and Budget

Weber State University Charter Academy is committed to being fiscally responsible, and the board will model prudent fiscal education for their students by applying sound decision-making skills and developing stable savings and spending habits when developing and implementing the school budget. All final fiscal decisions will be made by the WSU Charter Academy Governing board.

As yearly budgets and budget projections are prepared, Weber State University Charter Academy will make sure that monies spent are aligned with the mission of the academy.

A. PLANNING YEAR

Weber State University Charter Academy plans on hiring a head teacher by March, 2013, if funding is available. The head teacher's salary is based on an annual amount of \$35,200.00. The head teacher will be working closely with the principal and associate principal on many start-up activities including but not limited to: purchasing curricular materials, books, and furniture, acquiring technology, and creating a Teacher Handbook, and a Parent and Student Handbook. The head teacher will have a computer and office space to accomplish this work. For the planning year, a salary of \$17,600 (line 16) plus benefits (line 25) for the head teacher has been budgeted. Benefits are listed separately and are included in the budget (see Appendix B). Secretarial help that will be needed during this time has been budgeted at \$4,500 (line 39) plus benefits (line 46). Office supplies have been computed at \$500.00 (line 48).

In an effort to guarantee that the school will be fully equipped on opening day, purchases of textbooks, technology equipment, classroom furniture, and classroom supplies will be purchased by the end of the planning year with delivery scheduled as soon as the room is ready for occupancy. Anticipated cost for these purchases – supplies and property – is \$30,000.00 (line 30 and 126).

Sources for funds will come from the University Discretionary Allocation. If these funds are not available we will apply for the charter school revolving loan.

B. OPERATIONAL YEARS 1-2

1. **Enrollment:** Weber State University Charter Academy is scheduled to open August, 2013. The school will open the first year with 40 students in grade kindergarten. In the second year of operations, enrollment will increase by 4 students to a total enrollment of 44 students in kindergarten. There will be two half-day kindergarten classes held with the 20 students in each class the first year, and 22 students per class the second year.
2. **Revenue:** In year one, Weber State University Charter Academy anticipates receiving \$113,680.00 (for 40 students) in State WPU funding programs and non-WPU programs. Funding projections are based on the actions of the 2012 Legislature without any increase

in the WPU for 2013-2014. The State WPU allocation would increase by 4 students for 2014-2015 school year (\$125,048 based on 2012 WPU money).

3. **Major Expenses:** It is anticipated the major expenses will come with remodeling of the designated classrooms, purchasing for textbooks, technology equipment, classroom furniture, and supplies. The other major expenses will be salaries of those employed in the school.
4. **Payroll & Benefits:** Projected payroll amounts are shown in the budget (see Appendix B).
5. **Audit and Controls:** Weber State University will be responsible to conduct an annual audit at the end of each fiscal year as required by Utah Code 53A-1a-507(4). The completion of this annual audit will be the responsibility of the Dean and Associate Dean of the Moyes College of Education in conjunction with Bursar's Office. The academy will submit required monthly financial reports along with any other required monthly reports. Audit and legal services will be provided by the University.
6. **Fundraising:** The school has not included any revenue derived from fundraising in the annual budgets that follow. In general, the Parent Teacher Organization (PTO) will coordinate fundraising for the direct benefit of the school. Any donations that are given directly to the school will be considered additional revenue for the school year and will be used in addition to, not in replacement of, regularly budgeted funds. Any restricted donations will be used in accordance to the donor's request. Any unrestricted donations will be used at the direction of the Dean of the Moyes College of Education.
7. **Budget Review:** The WSU charter academy governing board will review the budget at least monthly to assure financial stability. Examples of financial reports that will be submitted include: the Annual Financial Report and Annual Program Reports due October 1st of each year, and the Monthly Financial and Enrollment Summary reports covering the first year and each quarter for additional years, and the Negotiations Report. Weber State University Charter Academy will follow all necessary laws in regards to transparency and will certify at the end of each year that these requirements have been met.

C. CONTINGENCY BUDGET

Weber State University Charter Academy anticipates it will attain full enrollment by the beginning of the first and second years of operation. However, if full enrollment is not achieved, the academy has prepared a contingency budget based on 75% enrollment. The academy has determined the amount of non-contingency items (e.g. salaries, employee benefits, etc.) and contingency items (e.g. instructional supplies, textbooks, property, etc.) that would need to be removed from the contingency budget.

The academy's budget is in Appendix B.

Bursars Office at Weber State University did not feel that this form needed to be addressed because we are a State of Utah university.

<i>Indicator – Financial performance and sustainability</i>		
Measure	Metric	Board Goal
Current ratio	Current Assets/Current Liabilities	1.5
Revenue to expense ratio	Total Revenues/Total Expenses	1.1
Current assets to total annual operating expenses	Current Assets/(Total Annual Operating Expenses/365)	70
Adherence to Budget	(Budgeted Expenditure - Actual Expenditure)/Budgeted Expenditure	0.03

■ Section 7 – Fiscal Procedures

A. FISCAL PROCEDURES

The proposed WSU Charter Academy will comply with fiscal policies and procedures as outlined in the *Utah Administrative Code* as well as the *Weber State University Policies and Procedures Manual* (PPM).

Calendar of Budget Preparation

By July 1, the beginning of each fiscal year, a final budget of estimated income and expenditures for the Charter Academy will be prepared. The Academy Principal and the Business Administrator will be responsible for preparing the annual budget.

Budget Amendment Process

The School Governing Board will review and modify the budget annually. The Dean of the Moyes College of Education will approve and forward the budget to university administration. The President's Council and Board of Trustees at Weber State University will have final approval of the annual budget. The approved budget will be submitted in accordance with State of Utah fiscal guidelines. The Academy Principal and the Business Administrator will take whatever action is necessary during the fiscal year to keep expenditures and obligations within the approved budget.

Limits on Appropriations

Contingency budget is based on 75% of full enrollment in the proposed Charter Academy.

Budget Reports

The budget report will be in accordance with Generally Accepted Accounting Principles (GAAP), including Generally Accepted Governmental Auditing Standards. The Business Administrator will maintain supporting records in sufficient detail to prepare the school's financial reports, including: (1) annual financial statements for audits and the annual budget; (2) monthly reports including budget versus actual financial statements with explanations for significant variances, updates of cash flow projections, and monthly reports to the Utah State Office of Education; and (3) quarterly preparation of IRS Form 941 and payroll and tax returns (unless outsourced) and other reports upon request. The Principal shall be responsible for filling out and submitting budget reports to the Weber State University and the USOE as set forth in the Utah Charter School Act.

Appropriations in Excess of Estimated Revenue

The Academy Principal will have full authority, within the guidelines established for each budget year, over funds allocated according to the criteria for the basic budget to the college or other unit. This includes authority for designating the budget within the encompassed categories, transfers during the year, and carry-over to the ensuing year subject to an announced notification deadline.

The Business Administrator will be responsible to insure that adequate records of all funds received by the school are maintained by identifying the payer and the purpose for which the funds were received. All funds received will be deposited intact in a designated depository daily, whenever practicable, but not later than three days after receipt as required by Utah Code Annotated 51-4-2(2)(a).

Funds received from federal sources will be accounted for separately and may be deposited in a bank account with other University funds except where the terms of the contractual agreement require that a separate depository account be maintained.

Undistributed Reserves

A reserve fund shall be established and maintained each year as dictated by sound fiscal management. No transfer of the reserve fund may be made without the approval of the School Governing Board and signatures of the Board Chair and the Business Administrator. Requests for use of reserve funds shall be considered by the Governing Board according to the following priorities:

1. Emergencies
2. Revenue reductions
3. Unanticipated costs

All accounts shall be subject to audit at any time. Audits are performed by the internal auditor of Weber State University and by the external state auditor. The Office of the State Auditor will be requested to audit University accounts at least annually.

Repair and Replacement Reserve Funds

It is appropriate to set aside portions of unrestricted current funds for the renewal, replacement, or expansion of physical facilities and related equipment and systems – including data systems. The creation of these separate funds – known as repair and replacement reserve funds (R&R funds) – promote and support long-term planning for university and academy needs. R&R funds are to be established in the Plant Fund, designated for specific, legitimate university projects and should be maintained separately for each department or activity by using individual subsidiary accounts. R&R funds may be established by academic, auxiliary, and other support units of the university. R&R funds should be used only for extraordinary items or circumstances and not for ordinary repairs to equipment and buildings or purchases of minor office equipment and supplies. Such ordinary items should be paid for by current operating funds. Allocations from current unrestricted funds to R&R funds should generally be limited to one transfer per fiscal year. The transfers are to be permanent in nature. Prior to fiscal year end and after careful consideration of actual operating reserves, there may be one transfer of cash from unrestricted current funds to an established R&R fund. These allocations should be recorded as transfers. The minimum amount for such transfers is \$25,000. Annual requests to transfer funds to an R&R fund are subject to approval by the supervising vice president and the vice president for administrative services. A generalized schedule of plans or projects must be submitted to support the transfers no later than September 30th of the following fiscal year.

Emergency Expenditures

In accordance with the Utah Administrative Code R277-400-5, during an emergency, school children shall receive reasonably adequate educational services and supervision during school hours. The school shall, to the extent reasonably possible, provide educational services to children whose regular school program has been disrupted by an extended emergency.

If the Governing Board determines that an emergency exists, they may amend the budget and request the university controller to authorize an emergency expenditure.

Neither the chartering entity nor the state, including an agency of the state, is liable for the debts or financial obligations of the charter school or persons or entities that operate the charter school.

B. PURCHASING POLICIES & PROCEDURES (PP&P)

The proposed WSU Charter Academy adopts formal PP&P that comply with State of Utah procurement policies. In addition, it follows more stringent standards developed at Weber State University. Please see Appendix C for Weber State University's PPM on Procurement and Purchasing.

Note: The Utah Procurement Code was revised in the 2012 legislative session and the new code will take effect May 1, 2013. There is a second revision that will be proposed in the next legislative session in January, 2013. A third revision will be proposed in January, 2014. The new code is much more restrictive and carries with it criminal penalties for those who violate the law. These changes are very significant, and all Weber State University policies and procedures will be changing over the next few months to match the state procurement code.

The proposed Charter Academy will purchase only those items and services that are required to perform the school's mission. Purchases less than \$1,500 will be completed using the Weber State University Purchasing Card. Computers may not be purchased with purchasing cards. Small purchases of goods, services, and construction (non-construction less than \$20,000 and construction less than \$30,000) may be effected by the Purchasing Department on an informal basis, using either written or oral bids, or without bidding, when determined appropriate by the Director of Purchasing or his/her designee. Such operational procedures shall provide for obtaining adequate and reasonable competition, properly accounting for funds to facilitate auditing, and for timely procurement of low cost items.

For Architect-Engineer Services, procurement of items will be awarded only after advertised solicitation of sealed competitive bids or proposals. Bids and proposals shall be invited from the widest practical selection of firms with proven performance from whom, in the judgment of the Purchasing Department, the procurement needs of the University can be satisfied. From those responding to the advertisement, and any others who submit proposals during the year, an architect-engineer will be selected without competition for projects estimated to be under \$300,000 and when the fees for the architect-engineer services do not exceed \$30,000. For projects exceeding \$300,000 and when fees are anticipated to exceed \$30,000, three architects-engineers will be chosen and evaluated for any given project after the solicitation of formal

written proposals. Those anticipated to exceed \$50,000 will be ranked based on predetermined criteria that are selected by an evaluation committee established by Facilities Management.

Procurement requirements may not be artificially divided among two or more small purchase orders in order to avoid normal bidding procedures. Emergency purchases shall be limited to only such items necessary to address the emergency condition. A written determination stating the basis of the emergency procurement may be required by the Director of Purchasing to be attached to the requisition.

The proposed Charter Academy's facilities will be located on Weber State University campus and not subjected to a lease or contracts.

C. USOE SCHOOL FINANCE TRAINING

A Business Administrator will be appointed by the charter academy governing board. This person will attend USOE School Finance & Statistics trainings regarding Minimum School Program and financial reporting requirements prior to the beginning work for the charter academy, and on a continuing basis thereafter. This training is to ensure that the Business Administrator will use uniform budgeting, accounting, and auditing procedures and forms approved by the Utah State Board of Education and adopt consistent standards of fiscal management to be used by all charter schools.

At this point it is unknown whether a Business Administrator will be employed by or through Weber State University. Once that is clarified, the staff member or officer who is appointed Business Administrator will complete the USOE School Finance Training.

D. BUSINESS ADMINISTRATOR

Qualifications of the Business Administrator include:

- an earned bachelor's degree or higher from a regionally accredited college/university;
- experience of administering finances and purchasing in a school or similar setting;
- familiarity with the operation of the charter academy;
- familiarity with basic statistics/accounting procedures; and
- ability to use Microsoft Office tools, especially Excel.

Duties of the Business Administrator include:

- attend Governing Board meetings;
- be the custodian of all school funds after deposit in the academy's account by action of the board Treasurer;
- be responsible and accountable for all money received and disbursed;
- keep accurate records of all revenues received, their sources, dates availability, and federal and state allowable expenditures to ensure that funds are spent in line with rules of state and federal programs;
- prepare and submit to the board a written report each month of the charter academy's receipts and expenditures;

- use uniform budgeting, accounting, and auditing procedures and forms approved by the Utah State Board of Education, which shall be in accordance with generally accepted accounting principles or auditing standards and Title 63J, Chapter 1, *Utah Budgetary Procedures Act*, and consistent with generally accepted standards of fiscal management to be used by the school;
- prepare and submit to the board a detailed annual statement for the fiscal year ending June 30, of the revenue and expenditures, including beginning and ending fund balances;
- assist the principal in the preparation and submission of budget documents and statistical and fiscal reports required by law, the University, or the State Board of Education;
- ensure that adequate internal controls are in place to safeguard the charter academy's funds; and
- perform other duties as the board or principal may require.

■ Section 8 – Organizational Structure and Governing Body

The WSU Charter Academy Founding Board members have significant relevant experience that will contribute to the academy's success both during the start-up phase as well as after the academy is operational.

Effective Startup Boards

The startup board for the Weber State University Charter Academy includes faculty and professional staff members in the Jerry and Vickie Moyes College of Education from the departments of Child and Family Studies and Teacher Education. Many of these people currently hold a *Professional Educator License* in the state of Utah as teachers or administrators. Additionally, the board members have expertise in at least one of the following areas: early childhood education, child development, elementary education, special education, English as a second language, family studies, multicultural education, school administration, parental involvement, and budgeting.

The Board also has the expertise of others on campus who can give advice and supervision of other areas necessary to an academy. These areas include, but are not limited to: campus legal counsel, affirmative action office, accounting office, bursar's office, provost's office, facilities management office, the technology specialist in the college, associate dean of the Moyes College of Education, and the dean of the Moyes College of Education. The administrative structures are well delineated in the *Policies and Procedures Manual* for the University, and all faculty members, staff members, and administrators are legally and ethically bound to that manual.

Effective Governing Boards

Once the kindergarten has its charter and opens its doors to the first group of students, a Governing Board will provide oversight school's operations again under the requirements outlined in the Weber State University *Policies and Procedures Manual*. The Governing Board will have ten members: one faculty member from the Child and Family Studies Department, one faculty member from the Teacher Education Department, one faculty member from the Health Promotions/Human Performance Department, one faculty member from the College of Humanities, one special education faculty member, two parents (not from the same family), one community member, one university administrator, and one university student selected by the Dean of the Moyes College of Education. Because the kindergarten will only house two classes (one a.m. and one p.m.), the principal will be the Dean of the MCOE, or associate dean of the MCOE, or assigned from either the Child and Family Department or the Teacher Education Department until such time when a full-time principal is needed. The Governing Board will oversee the principal/Dean concerning the Charter Academy.

The initial year will have members that are appointed for 1, 2, and 3 year terms. When an individual's term is up most of these members will be replaced with 3 years term commitments. This will assure that the governing board has mixture of veteran and new members. Once the Board has been established, Board members will serve three years with a possibility of a second, three year term. The exception to this membership will be the university student and parent

members who will serve one year with a possibility of a one-year extension (a parent may serve only while his/her child is a student at the academy).

The Board must function within the rules and regulations set forth by the University. It will also have help from staff in departments and offices from across campus.

A. SCHOOL LEADERS

Information for each Founder can be found on the following pages. The Governing Board has yet to be selected.

B. NONPROFIT EXPERIENCE

Each member of the Founding Board is an educator in either the Child and Family Studies Department or the Teacher Education Department. Several have school leadership backgrounds as well as budgetary experience. Many have worked on boards of nonprofit organizations. Some have written and executed grants that have non-profit components. The Board also has the support of WSU's Accounting Services and Purchasing Departments. Because we are a state entity, all accounting and purchasing must follow state laws and University policies.

C. ARTICLES OF INCORPORATION

WSU Charter Academy will be part of the WSU system; therefore, this does not apply since WSU is a public university. See Higher Education Act, Statute 53B.

D. BYLAWS

WSU Charter Academy will be part of the WSU system; therefore, this does not apply since WSU is a public university. See Higher Education Act, Statute 53B.

<i>Indicator – Board performance & stewardship</i>		
Measure	Metric	Board Goal
Board member development	Percentage of board passing all available board training modules on the State Charter School Board website	100%
Regulatory and reporting compliance	Percentage of all required reports that are submitted to state agency complete, accurate, and on time	100%
Regulatory and reporting compliance	Articles of Incorporation, Board Bylaws, and Charter are all in agreement and the school's charter is not changed without proper amendment from chartering entity	100%

BACKGROUND INFORMATION SHEET

Name Jack Rasmussen

Role with School Principal

Expertise Bachelors in Education, Masters in Administration & Curriculum, Ph.D. in Educational Leadership in Curriculum & Instruction

Statement of Intent:

It is my intent to serve as Principal of the Weber State University Charter Academy. In conjunction with the Associate Principal, Chloe Merrill, it will be my job to ensure that a Board is properly constituted, that all pertinent State rules, regulations and bylaws are followed, and that personnel, facilities and budget are appropriately managed to provide a safe and effective kindergarten experience for the academy's students. It is my expectation that the combined training, knowledge, experience, and expertise of the faculty and staff involved in this endeavor will provide for a rich opportunity for the academy's students and a fertile ground for piloting new and effective approaches in educating kindergarten aged students in developmentally appropriate ways.

Not-for-Profit History:

I have over 20 years of combined administrative experience at two different universities with multiple programs. In addition to curriculum development, program planning, budgeting, scheduling, accreditation and human resource management, this has required work with affirmative action and the local community. These experiences have included working closely with committees, boards, community agencies, and public school districts. The following are examples of groups that I have either provided leadership for or been a member of:

President, Big Sky Council of Education Deans; Chair, University Course Fee Committee; Administrative Liaison, University Curriculum Committee; Chair, Student Success Alliance; President, Utah Council of Education Deans; Board Member, Center for Policy Studies & Educational Research; Chair, North Dakota Program Approval Advisory Council; Board Member, State of N.D., Educational Standards & Practices Board; President, North Dakota Association of Colleges for Teacher Education; Member, AACTE Advisory Council of State Representatives; Chair, MSU Diversity Committee; Member, NDUS (North Dakota University System) Council for Teacher Education; Member, MSU Diversity Task Force; Member, NDUS Task Force on Teacher Education; Member, WSU University Standing Committee on Diversity; Co-Chair, Teaching /Learning Sub-committee (WSU Committee on Diversity).

Employment History:

Public School Teacher – Bow Island Middle School – 1977-1982

Public School Teacher – Bassano Middle School – 1983

Public School Teacher – Cardston Junior High – 1984-1987

Teaching Assistant – Brigham Young University – 1987-1989

Assistant Professor – Northern Kentucky – 1989-1990

Assistant/Associate Professor – Weber State University – 1990-1996

Department Chair – Weber State University – 1992-1996

Dean, College of Education and Health Sciences – Minot State University – 1996-2002

Dean, College of Education – Weber State University – 2002-Current

I have had 35 years of experience teaching a variety of subjects and across multiple grade levels. University experience includes responsibility for teacher preparation at all grade levels as well as human resource management, facilities management and direct responsibility for budgets.

Education History:

Bachelors in Education, University of Lethbridge (1978)

Professional Diploma in Education, University of Lethbridge (1987)

Masters in Administration & Curriculum, Gonzaga University (1987)

Ph.D. in Educational Leadership in Curriculum & Instruction, Brigham Young University (1989)

I currently hold an Alberta Permanent K-12 Teaching License, and I have held a Utah Teaching License with an Administrative Endorsement.

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name Chloe D. Merrill, Ph.D., CPC, CFCS, CFLE

Role with school Associate Dean/Associate Principal, Founding Board Member Chair

Expertise Faculty member in Department of Child and Family Studies at Weber State University for the past 33 years, taught high school one year prior. Hold a current Level 3 Professional Educator License in Utah – License Areas are Career and Technical Education, Early Childhood Education (K-3), and Secondary Education (6-12) – Endorsements are Child Care, Designer Sewing/Fashion Design, and Family Consumer Sciences (CTE/General).

Statement of Intent:

I will be serving as Associate Principal of the Weber State University Charter Academy. It will be part of my responsibility to ensure that a Board is constituted, all State rules regulations and bylaws are followed, and that the kindergarten experience is effective for all individuals involved. Having a kindergarten on campus will support educational goals of developing professionals and also support community children and families.

Not-for-Profit History:

I have been active in several non-profit organizations throughout my career. I have served on the Board of Directors for two non-profit organizations – the American Association of Family and Consumer Sciences and the Nation Council on Family Relations. During my 33 years at Weber State University I have served 11 of those years a Chair of the Department of Child and Family Studies. I have experience in curriculum development, program planning, budgeting, and scheduling. I also work closely with a number of community non-profit organizations.

Employment History:

2009-Present	Department Chairperson
1995-Present	Tenured/Full Professor Department of Child and Family Studies Jerry and Vickie Moyes College of Education Weber State University Ogden, Utah

Primary teaching responsibility in the area of Family Studies. Also, teach two online courses over the Internet for the department. Teach early childhood and family studies classes. Also, instruct Marriage as an Interpersonal Process Online/Internet course. Advise students majoring in Early Childhood Education, Early Childhood, and Family Studies. Supervise practicum, directed reading, and field experience students in all areas.

1987-1995	Department Chairperson/Tenured/Full Professor
1988-1992	Tenured/Associate Professor Department of Child and Family Studies Weber State University Ogden, Utah

Perform administrative duties as the chairperson for the department. Taught early childhood and family studies classes. Supervise a variety of practicum, directed reading, and field experience

students. Advise and act as liaison between major universities in Utah and out-of-state, for all Early Childhood Education (PreK-3), Early Childhood (formerly Child Development), and Family Studies majors.

1993-2001 Adjunct Instructor
Department of Human Environments
College of Family Life
Utah State University
Logan, Utah

Taught Adult Education in Home Economics through Distance Education Library Services to various Satellites, Com-Net/Ed-Net sites throughout Utah.

1987-1988 Acting Department Chairperson
Tenured/Associate Professor
Department of Child and Family Studies
Weber State College
Ogden, Utah

Performed administrative duties as the chairperson for the department. Taught early childhood and family studies classes. Supervise a variety of practicum, directed reading and field experience students. Advised and acted as liaison between major universities in Utah and out-of-state, for all Early Childhood Education, Child Development, and Family Studies majors.

1983-1984 Doctoral Graduate Study
Department of Vocational Education
Colorado State University
Fort Collins, Colorado

On sabbatical leave from Weber State University. Assisted in instruction and supervision of student teachers for vocational home economics education and taught undergraduate vocational education courses.

1979-1983 Instructor
Department of Child and Family Studies
Weber State College
Ogden, Utah

Taught all textiles and clothing classes offered at Weber State College. Supervise all textiles and clothing practicum and reading students. Advise all textiles and clothing emphasis students. - Advise and act as liaison between major universities in Utah and out-of-state, for all Home Economics Education majors.

1978-1979 Instructor of Home Economics
Weber High School
Ogden, Utah

Taught courses in several home economics specializations such as Textiles and Yarns, Introduction to Sewing, Introduction to Food Specialty, and Home Management and Consumer Education. - Also advisor to the Warriorettes, Weber High School's drill team.

1977-1978 Graduate Teaching Assistant
Department of Home Economics and Consumer Education
Utah State University
Logan, Utah

Taught both theory and lab courses in Introduction to Textiles and Pattern Fitting and Design.
Reviewed current research in the area of textiles and clothing, and developed a need assessment within this area.

Education History:

Ph.D. 1984 Colorado State University, Fort Collins, Colorado
Vocational Education
Specialty Area in Teacher Education
Cognate Area in Human Resource Science

M.S. 1979 Utah State University, Logan, Utah
Home Economics and Consumer Education

B.S. 1977 Utah State University, Logan, Utah
Home Economics Education

A.S. 1976 College of Eastern Utah, Price, Utah

Currently hold a Level 3 Professional Educator License in Utah – License Areas are Career and Technical Education, Early Childhood Education (K-3), and Secondary Education (6-12) – Endorsements are Child Care, Designer Sewing/Fashion Design, and Family Consumer Sciences (CTE/General).

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name Carol VandenAkker

Role with school Business Administrator/Secretary, Founding Board Member/Secretary

Expertise Business Training/Education Experience

Statement of Intent:

Being an educator with 25 years in the classroom, I think that having the opportunity to work in a controlled kindergarten setting will be invaluable for WSU students. Children who will be attending the kindergarten will have a unique opportunity to work with not only excellent teachers but also pre-service teachers who are enthusiastic and well-trained. I feel fortunate to be involved in this endeavor, as both an educator and a member of the Child and Family Studies Department. I will be able to share my knowledge in both educational procedure and business practices to create an exciting atmosphere for all who are involved in the school.

Not-for-Profit History:

I have been able to work in public education for 37 years as a classroom teacher, district specialist, and secretary for a consortium of 6 school districts.

Employment History:

1972 – 1995 Business Education Teacher for Jordan School District
1995 – 2005 Career and Technical Education Specialist for Jordan School District
2008 – 2011 Secretary for Wasatch Front Consortium (Sponsored by Canyons, Granite, Jordan, Murray, Salt Lake City, and Tooele County School Districts Career and Technical Education)
2011 – Present Secretary for Child and Family Studies Department, Weber State University

Education History:

1972 B.S. Composite Major: Business Education/Office Administration
Weber State College
1984 M.S. Major: Business Education
Minor: Business Management
Emphasis: Organizational Behavior
Brigham Young University

BACKGROUND INFORMATION SHEET

Provide the following information on each founder, governing body member, and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary.*

Name Camie J. Bearden, M.Ed.

Role with school Founding Board Member

Expertise Supervising Teacher for Weber State University Lab School, which entails teaching of young children and training of student teachers and practicum students. Assistant Director of Administration.

Statement of Intent:

As a Supervising Teacher and trainer of student teachers at the Weber State University Lab School, I am in full support of creating a charter kindergarten at the University. Creating an educational environment that supports and encourages developmentally appropriate practices in the education field will provide meaningful experiences for teacher candidates. Candidates will leave with more applicable knowledge in their course of study.

Not-for-Profit History:

Have working in the Melba S. Lehner Children's Lab School at Weber State University since 1996.

Employment History:

Supervising Teacher –

Melba S. Lehner Children's Lab School, Weber State University 8/'96 to present

- Assess, plan and implement programs, instruction and curriculum for University students and a group of young children
- Train and supervise early childhood student teachers
- Train and supervise early childhood/education practicum students
- Educate young children
- Attend a variety of conferences and workshops
-

Assistant Director of Administration-

Melba S. Lehner Children's Lab School, Weber State University 7/'09 to present

- Assistant Director Duties-billing, collections, purchasing, budgets
- Supervise and mentor all other supervising teachers by providing orientation, instruction, training, evaluation, and ongoing support
- Recruitment, retention, and placement of children in the school.
- Awarded Hall Endowment to fund a summer program
- Act as Director while running the summer programs

Adjunct Faculty-

Child and Family Studies Department, Weber State University 5/'11 to present

- Teaching undergrad course

Education History:

M.Ed in Curriculum and Instruction – Weber State University, 2011

B. A. in Early Childhood Education and Elementary Education – Weber State University, 1997

Mild to Moderate Special Education Endorsement – Weber State University, 1997

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name: Frances M. Butler, Ed.D

Role with school: Founding Member

Expertise: Special Education, Strategies, Curriculum, and Assessment; Professor of Special Education, extensive experience teaching general and special education K-12

Statement of Intent:

As the Director of the Special Education Program at Weber State University, I am in full support of creating a charter kindergarten at the university. Our licensure program spans grades K-12, and the importance of early identification and intervention for children with learning problems cannot be overstated. This charter school will allow our pre-service special educators access to a quality environment in which to practice validated methods and to positively impact these young students.

Not-for-Profit History:

I am a former chairman of the board of trustees of Avatar, Inc., a non-profit organization serving adults with significant disabilities. My duties included setting policy, approving budgets, and hiring management-level individuals. In addition, I conducted regular meetings of all stakeholders, including parents, staff, administration, and clients.

Employment History:

My teaching experience spans all grades and ability levels across several states. I have worked extensively with children from minority groups and diverse backgrounds.

1999-	Weber State University, Assistant/Associate/ Professor of Teacher Education
1998-1999	University of Nevada, Las Vegas, Adjunct Instructor of Special Education
1996-1999	Clark County School District, Las Vegas. NV Special Education Teacher
1995-1996	Columbia City School District, Columbia MS Special Education Teacher
1994-1995	Jefferson Davis County School District, Prentiss, MS Special Education Teacher
1971-1974	Island Paradise School, Honolulu, HI Elementary Teacher
1968-1970	Berkeley Unified School District, Berkeley, CA Elementary Teacher

Education History:

Ed. D.	University of Nevada, Las Vegas	1999	Special Education
M. Ed.	University of Southern Mississippi	1996	Special Education
B. A.	University of California, Berkeley	1968	Anthropology/Humanities

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name Claudia F. Eliason, Ed.D.

Role with school Founding Board Member

Expertise Retired faculty member in Teacher Education at WSU, former faculty member in Early Childhood Education at USU, hold a current Level 3 Professional Educator License in Utah with an Early Childhood endorsement, former 1st grade teacher

Statement of Intent:

As a recently retired faculty member in Teacher Education (May 2012), I am committed to creating a charter kindergarten at Weber State University. In my career as an early childhood educator and teacher educator (25 years of experience), my philosophy of education for the kindergarten year is rooted in developmentally appropriate practice (DAP) which means that we strive to meet the individual and group needs of children and help each child meet achievable learning and social/emotional goals based on his/her culture, interests, abilities, and developmental progress. Working in all four of our Elementary Education levels at WSU, I have found that providing field work for our pre-service teachers in our surrounding schools is extremely beneficial. However, I often have dreamed of having a “lab school” in which our pre-service teachers can observe and work to gain an additional perspective. Having a DAP school with high involvement of professors in Child and Family Studies and Teacher Education programs as well as our pre-service teachers, would be an opportunity to build our current programs in this college and at the university as well as provide a high-quality educational experience for young children as they begin their education journey here. I have also co-authored an early childhood textbook published by Prentice Hall that is now in the 9th edition; the title is *A Practical Guide to Early Childhood Curriculum*.

Not-for-Profit History:

I have been active in several not-for-profit organizations throughout my career. Currently I am serving on the board of the Utah Council of the International Reading Association. While at USU an in the Department of Family and Child Development, I served on the Utah Board for the National Association of the Education of Young Children.

Employment History:

- | | |
|--|--------------|
| Assistant Professor to Professor - Teacher Education Department, WSU | 1996-2012 |
| • Director of Master of Education program | 7/06 to 7/11 |
| • Curriculum Director for the Department of Teacher Education | 7/02 to 5/06 |
| • Presented at many national, regional, state, and local conferences. For example: the International Reading Association, Association of Teacher Educators, Utah Association of Teacher Educators, Association for Childhood Education International, Utah Council for International Reading Association, etc. | |
| • Recently taught three training sessions on the implementation of the Common Core State Standards (CCSS) for faculty at Weber High School and also for faculty at Weber State University | |
| • Published three articles relating to reading in early childhood | |
| • Since 1975 have co-authored 9 editions of an early childhood curriculum text published with Prentice Hall. | |
| • Served as a member of the Steering Committee for the WSU Storytelling Festival for seven years and for two years as the chair of the committee. | 9/98 to 8/05 |

- Taught both undergraduate and graduate courses in Teacher Education
- Chaired and served on the master's project committees of over 50 students

Assistant Professor – Family and Child Development, Utah State University 9/68 to 7/75

- Taught undergraduate courses in FCD
- Head teacher in a 3-5 year old lab school (Child Development Lab) that included supervising and mentoring four student teachers each quarter.
- Served on Early Childhood Committee that developed USU's Early Childhood Program

Teacher, Salt Lake City School District 9/66-8/67

- First grade teacher at Whittier Elementary
- Summer Head Start Teacher

Education History:

B.S., Utah State University, Elementary Education 1967
Minors in Child Development and Language Arts

M.S., Utah State University, Child Development 1969

Ed.D., Brigham Young University, Educational Leadership 1996

BACKGROUND INFORMATION SHEET

Name Carole J. Haun

Role with school Currently Director of the Melba S. Lehner Children's School (Pre-Kindergarten). I will be retired when the school opens but happy to serve in an advisory capacity.

Expertise Early Childhood Curriculum and Instruction, Early Childhood Administration, Early Childhood Guidance

Statement of Intent:

I have a strong belief that young children have a right to a childhood and a right to access to knowledge and development that will help them become successful members of a democratic society. Although I believe that academics are very important and should be central in any educational system, I do not believe that the child is well served unless attention is paid to the whole child including all developmental domains. I have watched for years as research has supported the importance of working with the whole child, but teachers have not had the support necessary to put this into practice. I am committed to the success of this demonstration school that will provide a model in this area for curriculum that is well rounded and helps children meet their potential in all developmental areas.

Not-for-Profit History:

I have been the director of the Melba S. Lehner Children's school at Weber State University for a total of 38 years. I also served on board for the Ogden Area Community Action Head Start and the Family Support Center of Ogden. Our Children's School was a partnership school with Head Start while I was the director. I have also been a curriculum advisor for Head Start. I have served on several state Early Childhood Committees including Utah's Cross-Sector Early Childhood Professional Development Task Force; State Office of Child Care - Career Ladder Committee; State Early Childhood Curriculum Committee (Developed standards for Early Childhood programs); State Early Childhood Literacy Committee; State Early Childhood Text book Committee; Training and Career Development Task Force at Utah State Office of Child Care, etc.

Employment History:

1987-Present	Weber State University, Director Melba S. Lehner Children's School and Instructor of Child and Family Studies
1992-1995	Ogden City Schools, Consultant Summer Migrant Program
1978-1987	Weber State University, Teacher, Melba S. Lehner Children's School
1976-1982	Weber State University, Continuing Education, Child Care Training
1973-1976	Weber State University, Assistant Professor of Child and Family Studies and Director Melba S. Lehner Children's School.
1971-1973	University of Georgia, Staff Assistant, Education and Training of Day Care Personnel

1971-1971 Utah Migrant Council Summer Program, Day Care Director and Lead Teacher

1970-1971 Weber State University, Supervising Teacher and Lecturer

Education History:

M.S. University of Georgia 1973 Child Development

B.S. Weber State College 1970 Child Development

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Provide the following information on each founder, governing body member, and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary.*

Name Jared Lisonbee

Role with school Founding Board Member. Advisor.

Expertise Early childhood education and teacher training

Statement of Intent:

As an educator preparing college students to enter early education fields, I understand how invaluable positive experiences in a high-quality, supervised teaching environment are for solidifying teacher training. The Weber State University College of Education Charter School will provide an ideal setting for teacher training as well as a high-quality early learning option for the Ogden community. My role on the founding board is to contribute my background knowledge as a researcher in the areas of early education quality and teacher-child relationships along with my expertise in planning and guidance in early learning environments to the establishment and initial operation of the charter school.

Not-for-Profit History:

As an early childhood faculty member at Washington State University prior to coming to Weber State, I served as an advisor to the Washington State Department of Early Learning for establishing plans and recommended criteria for establishing a Quality Rating Improvement System (QRIS), prepared a report presented to the state legislature providing recommendations for conducting a program evaluation for state preschools, and served on an advisory board/steering committee on evaluation practices in kindergarten settings. This experience and expertise will be beneficial for establishing and guiding the functioning of the new charter kindergarten at Weber State University.

Employment History:

2011-Present Assistant Professor, Weber State University Department of Child and Family Studies
Responsibilities include instructing college students in early education preparation courses relating to guidance and planning in early learning settings, supervising undergraduate students in research activities

2005-2011 Assistant Professor, Washington State University Department of Human Development
Responsibilities included instructing college students in early education preparation courses, conducting research in early learning settings, and serving as an advisor to the university preschool

2004=2005 Instructor, Auburn University Department of Human Development and Family Studies
Responsibilities included instructing college students in early learning and parent education courses.

2002-2005 Director, Childcare Quality Enhancement Project, Auburn University

Responsibilities included managing the day-to-day operations of a large, federally funded research study on early education quality. These responsibilities included managing a large team of undergraduate and graduate researchers, coordinating with multiple public and private preschools and childcare centers, managing financial operations for the grant, and submitting reports to federal granting agencies.

1998-2002 Research and Teaching Assistant, Auburn University Department of Human Development and Family Studies

Responsibilities included assisting teaching early learning and parent education classes and conducting research with preschool children and their parents.

1996-1998 Research and Teaching Assistant, Brigham Young University Department of Family Studies and Human Development

Responsibilities included assisting teaching early learning and parent education classes and conducting research with preschool children and their parents.

Education History:

Using as much space as necessary below, please provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school.

Ph. D. Auburn University --Human Development and Family Studies -- 2004
Emphasis in Early Childhood with secondary emphasis in research methodology.

M.S. Brigham Young University -- Family Studies and Human Development--1998
Emphasis in early childhood education

B.S. Brigham Young University -- Psychology -- 1995

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BACKGROUND INFORMATION SHEET

Provide the following information on each founder, governing body member, and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary.*

Name John (Jack) C. Mayhew, Jr., Ph.D.

Role with school Founding Board Member

Expertise Utah Level 3 Professional Educator License in Special Education Mild-Moderate (K-12), Administrative/Supervisory (K-12), Secondary Education (6-12) Social Studies Composite; Teacher Educator

Statement of Intent:

Using as much space as necessary below, provide a personal statement regarding your role on the governing board, expertise you bring to the board, and commitment to this application as it has been written.

As Chair of the WSU Teacher Education Department, I am committed to providing an exemplary educational experience for the students in our charter kindergarten and for the preservice educators in our programs. As a special educator, I will ensure that all students with disabilities enrolled in the school receive a free and appropriate education in the least restrictive environment, and that all provisions of the Individuals with Disabilities Education Improvement Act of 2004(IDEA-04) are met.

Not-for-Profit History:

Using as much space as necessary below, please provide your nonprofit history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the operation and management of a nonprofit corporation, governing board experience, and background in group organization.

I served on the board of the American Council on Rural Special Education (ACRES) from 1999-06, and as chair of the program committee for the ACRES annual conference from 2000-06. I served as Utah Federation Council for Exceptional Children, VP, President-elect, President, Past-President from 2004-09. I served as faculty advisor to the WSU Student CEC Chapter from 2001-05. I also served on the Utah Chapter -- Division for Learning Disabilities (DLD) of CEC, President-Elect; President; Past-President from 2002-05. I was elected to the WSU Faculty Senate from 2004-07, and served on the WSU Faculty Senate Executive Board from 2005-07.

Employment History:

Using as much space as necessary below, please provide your employment history that supports your qualifications and relates your experiences to be considered sufficiently qualified to operate a charter school. Specifically address your qualifications and experiences as they relate to the development of academic programs, operations of a school or a small business, and background in financial management.

2007 – Present, Associate Professor, Department of Teacher Education, Weber State University

2001 – 2007, Assistant Professor, Department of Teacher Education, Weber State University

1993-2001, Clinical Instructor/Research Associate Mild/Moderate Disabilities/Distance Education Department of Special Education, University of Utah.

1991-1993, Graduate Assistant, Site-based Transdisciplinary Educational Partnerships (STEP) Project, University of Utah.

1990-93, Teacher for cross-categorical resource program, Wasatch Middle School, Wasatch School District, Heber City, Utah.

-- Special Education Department Chairperson (1991-1993)

-- Title I Coordinator (1991-1993)

Education History:

Using as much space as necessary below, please provide information on your educational training (including degrees earned, dates enrolled, and institutions) that supports your qualifications to be considered sufficiently qualified to operate a charter school.

Ph. D., University of Utah, 2001, Special Education. Emphases in Preservice Teacher Education, Distance Education, Service-Learning, and School Administration.

M.S., University of Utah, 1994 Special Education -- Mild/Moderate Disabilities

B.S., Plymouth State College of the University System of New Hampshire, 1976 (magna cum laude) Social Science Education

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name Carrie L. Ota

Role with school Founding Board Member

Expertise Early Care and Education; Child Development; Early Childhood Education

Statement of Intent:

As an assistant professor at Weber State University, having a charter kindergarten on campus would support our educational goals for our developing professionals and our overarching goals of supporting children and families.

Not-for-Profit History:

I have worked in a not-for-profit child care programs assigned to classroom and administrative roles.

I also worked for an innovative not-for-profit start-up in Texas. This organization was started with a \$3 million grant from the Dell Foundation to function as an umbrella entity working towards greater cohesiveness among family and child support programs community wide. The main goals of this program were to increase awareness and address issues that impact families such as quality, accessibility, and affordability of child care.

Employment History:

Assistant Professor

Weber State University (7/2011 – present)

Responsible for academic advising of students, participation in university committees and activities, and supervision of undergraduate work experiences and research projects.

- Plan lectures, including syllabus preparation, test construction, grade assessment, and supervision or lab/work experiences.
- Serve as co-chair of the Early Childhood/Early Childhood Education committee.
- Serve as the concurrent enrollment representative for the department.

ECE Program Consultant

The Children's Center (8/2010 – 8/2011)

Conduct on-site consultation and technical assistance supporting identified training topics or observe classrooms in early care and education programs.

- Conducted on-site training for caregivers emphasizing social-emotional development, positive guidance techniques and developmentally-appropriate practice.
- Provided consultation to program administrators to plan and assist in over-all quality improvement including use of professional development plans, state licensing standards, CDA competency standards, NAEYC accreditation criteria, Infant/Toddler Rating Scales (ITERS) or other measurement and improvement tools.

Graduate Studies/Graduate Instructor/Research Coordinator

Utah State University (7/2007 – 5/2010)

Responsible for the design, implementation, and evaluation for a university sponsored program aiming to increase high quality child care programs for faculty. Responsible for planning and facilitating undergraduate courses with an average of 90 students.

- Conducted dissertation data collection, program data collection, management and analysis.
- Distributed results through presentations, journal articles, and reports.
- Developed curriculum, assignments, and examinations.
- Mentored students to assist in academic and professional growth.
- Delivered courses in face-to-face only and blended formats.

Early Care and Education Trainer

Utah Child Care Resource and Referral (3/2006 - present)

Responsible for conducting a variety of trainings for early childhood providers focusing on infants, toddlers, and school-age children.

- Adjusted curriculum to meet individual needs as providers and adult learners.
- Presented specific child care topics.

Graduate Studies/Graduate Assistant

Louisiana State University (12/2004 – 12/2005)

Responsible for assisting university professors with current research through examining previous studies, learning observation tools, and consolidating relevant information.

- Presented specific child development topics in undergraduate classes.
- Gathered original thesis data through field observation.
- Conducted research on varying child related issues.
- Assisted in the development of exams and quizzes for undergraduate courses.

Training Specialist/Coordinator

The Fund for Child Care Excellence - Austin, TX (5/2002 – 12/2004)

Responsible for the development, coordination and implementation of trainings for individuals entering or currently working in the Early Care and Education field.

- Delivered over 1,800 hours of class instruction for child care staff and 100 hours of specialized training for directors.
- Created a collection of digital materials and training units that have been used in classroom settings, conferences, and professional forums.
- Adapted teaching styles to different audiences.
- Established procedures to work with interpreters.
- Developed manuals, modules, evaluations, measurable testing tools, and conference materials.
- Collaborated with contracted organizations and partners.

Assistant Director

The Children's Courtyard - Pflugerville, TX (1/1999 – 5/2002)

Assumed responsibilities as acting director for the operation of the center in the absence of the director. Responsible for daily center operations in accordance with company policies and state licensing standards ensuring a safe, caring environment for children, parents, and staff.

- Respected client privacy and refrained from disclosure of confidential information.
- Ensured implementation of developmental program guidelines in each classroom to deliver services to 300 children.

- Systematized work schedules and duties.
- Supervised staff, conducted evaluations for staff members and made recommended salary increases.
- Managed recruitment to maximize the profitability of the operation.
- Interviewed, hired, and trained staff members.

Lead Teacher

The Children's Courtyard - Austin, TX (5/1998 – 12/1998)

Responsible for planning daily curriculum for children 18-24 months of age. Implementing activities that were developmentally appropriate and supported the growth of each child socially, emotionally, physically, and cognitively was a major part of the everyday routine.

- Recognized each individual's needs.
- Created and maintained positive working relationships with staff members.
- Encouraged open constructive participation from staff and families in the children's growth.
- Maintained continuous communication with parents and families.

Director Assistant/Head Teacher

Grand Avenue Daycare – Bozeman, MT (12/1997 – 4/1998)

Designed and implemented a new toddler program in collaboration with the director. I started the program by acting as lead teacher. I planned and implemented developmentally appropriate activities for the children two years old and up. I provided training for staff to ensure smooth transitions.

- Created community announcements to increase enrollment.
- Directed and carried out fundraising events for this non-profit center.

Education History:

- Ph.D. Family and Human Development; Early Care & Ed./Child Development
Utah State University – Logan, 2010.
- M.S. Human Ecology; Early Childhood Education
Louisiana State University – Baton Rouge, 2005.
- B.S. Health and Human Development; Child Development
Montana State University – Bozeman, 1997.

BACKGROUND INFORMATION SHEET

Name Wei Qiu, Ph.D.

Role with school Founding Board Member

Expertise Child Development, Early Childhood Teacher Education

Statement of Intent:

As a faculty member in the Early Childhood Education Program at Weber State University, I am in full support of having a charter kindergarten to serve needs of children and families in the community and to provide an on-campus practicum site for college students. The expertise which I bring to the board includes experience of being an Early Childhood Teacher Educator, understanding of child development theories and research, and application of best practices to the education of young children. As far as the Charter School Application is concerned, my primary role is to write Section 7 Fiscal Procedures and to help with Section 9 Program of Instruction.

Not-for-Profit History:

I do not have a lot of experience in operating or managing a non-profit organization. Currently I am a member of some national non-profit organizations including the National Association for the Education of Young Children (NAEYC), the Utah Association for the Education of Young Children (UAEYC), and the National Council on Family Relations (NCFR). I have also directed some research projects including an obesity prevention program and a family literacy project in the Ogden Head Start.

Employment History:

Weber State University	<i>Assistant Professor</i> Duties Performed: (1) teach undergraduate courses; (2) advise undergraduate students; (3) participate in academic governance; and (4) pursue scholarly activities.	7/2008-present
University of Delaware	<i>Teaching, Research, & Graduate Assistants</i> Duties Performed: (1) assist with instruction and design of undergraduate courses; (2) supervise early childhood education student practicum; (3) participate in research projects; (4) develop the department website	2/2002-12/2006
Fudan University Shanghai, China	<i>Assistant Professor; Lecturer</i> Duties Performed: (1) teach undergraduate courses; (2) serve as Undergraduate Student Affairs Administrator; (3) advise undergraduate students; and (4) pursue scholarly activities.	9/1997-6/2000

Nanjing University Nanjing, China	<i>Instructor</i> Duties Performed: Teach undergraduate courses.	9/1995-6/1996
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Education History:

University of Delaware	Human Development and Family Studies	Ph.D.	May 2008
University of Delaware	Human Development and Family Studies	M.S.	May 2005
Nanjing University	Applied Linguistics	M.A.	June 1997
Nanjing University	English	B.A.	June 1995

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name Peggy J. Saunders, Ph.D.

Role with school Founding Board Member

Expertise I have been an educator and administrator for 35 years. In that time I have had many experiences which inform my practice: elementary assistant principal, professional development specialist, currently hold a Level 3 Professional Educator License in Utah with endorsements including administrative/supervisory, 6-12 teaching license for English and political science, and ESL, and a teacher educator

Statement of Intent:

As the Director of the Master of Education Program at Weber State University, I am in full support of creating a charter kindergarten at the university. Creating an educational environment in which children can grow as human beings and learn the necessary knowledge and skills to compete in a global society while having teacher candidates and professors involved is important to me.

Not-for-Profit History:

I have served on the boards of several non-profit organizations including the International Society for Teacher Education (ISfTE), the Utah Association of Teacher Educators (UATE), and Cooperative Learning in Utah Education (CLUE). I have overseen the budgets in all three organizations as a board member or chair. I served as treasurer of CLUE in the late 1990s.

I have facilitated both a professional learning community among teachers at an elementary school in Davis School District and a community council at the same elementary school.

Employment History:

Associate Professor - Teacher Education Department, Weber State University 7/'10 to present

- Director of Master of Education program - 7/'11 to present
- Scholarship—paper accepted in *Journal of the International Society for Teacher Education* (went through two double-blind reviews because am currently the Associate Editor of the publication)
- Attended and presented papers at the past six seminars of the International Society for Teacher Education
- Service—WSU Faculty Senate, chair of faculty hiring committees, Student Teaching and Advisement Committee member, chaired over 50 master's projects

Assistant Professor - Teacher Education Department, Weber State University 6/'04 to 6/'10

- Taught undergrad and graduate courses
- Scholarship—paper published in *International Research in Teacher Education: Current Perspectives*, Armidale, Australia
- Committees—board of directors of Utah Association for Teacher Education, chair of many master's committees, co-convener of the International Society for Teacher Education seminar at WSU in June, 2009, served on Executive Committee of Faculty Senate ('07-'11)

Assistant Professor - Teacher Education Department, Southern Utah University 8/'02 to 6/'04

- Taught a variety undergrad and graduate courses (13 different courses)
- Supervised student teachers in most curricular areas/grade levels and administrative interns—K-12
- Served on committees—master's candidate committees (member & chair), University Curriculum Committee, & chaired College Recruitment & Retention Committee

Assistant Principal - Woods Cross Elementary School, Davis School District 7/'99 to 7/'02

- Assistant Principal Duties—discipline, safety issues, and special education local educational administrator (LEA)
- Student Council Advisor/Lifeskills Team Advisor
- Staff development liaison
- Testing Manager

Liaison - Davis School District/Weber State University 1/'96 to 6/'99

Adjunct Faculty - Teacher Education Department, Weber State University

- Taught a variety of classes
- Supervised student teachers—K-12, including most curricular areas
- Served on committees—Level 1, Level 3, and semester conversion

Specialist - Staff Development Department, Davis School District, Farmington, UT

- Oversaw budgets and guided various staff development programs
- Facilitated and taught various inservice classes
- Facilitated school strategic and discipline plans
- Member of the Design Team for the Student Success Alliance, a consortium of Weber State University and seven districts
- Served on the Research/Human Subjects Review Committee
- Monitored and supported site-based staff development programs within schools
- Supervised and mentored trainers and presenters
- Oversaw independent study applications and granted appropriate credit
- Provided a “voice” for public schools within a university setting

Teacher - English Department, Sunset Junior High School, Davis School District 8/'82 to 12/'95

- Department Chair
- Developed curriculum for eighth and ninth grade English
- Designed and introduced curriculum for two new courses
- Served on various school committees
- Served on district committees
- Coached Girls' Basketball and Co-Ed. Track

Teacher - Kaysville Junior High School, Davis School District, Kaysville, UT 8/'81 to 6/'82

Dormitory Counselor - Utah School for the Deaf, Ogden, UT 8/'77 to 6/'80

Education History:

Ph.D. University of Utah - Dept. of Educational Leadership and Policy – 2002

- Research interests: brain research, staff development, and organizational learning
- Allied field: neuroscience, worked on research at the Center for Advanced Medical Technologies - Jeffrey Lewine, Ph.D. - supervisor

M.Ed. Weber State University - Curriculum and Instruction – 1993

B.A. Weber State College - English and Political Science – 1977

Significant educational achievements:

ESL Endorsement - Davis School District, 2001

Utah Administrative/Supervisory Certification (K-12) - University of Utah, 1999

Utah Secondary Teaching Certificate - Weber State College, 1981

BACKGROUND INFORMATION SHEET

Provide the following information on each founder, governing body member, and any individuals responsible for the day-to-day operation of the school who have already been identified. Complete this form, do not include a resume. This page may be copied as many times as necessary.*

Name Paul Schvaneveldt

Role with school Board Member

Expertise Family and Parental Involvement, Latino Families

Statement of Intent:

I am a professor of Child and Family Studies and specialize in parental involvement in academic activities and Latino families and culture. I plan to be involved with the parental and family involvement aspect of the school. I am also the department chair of the department of Child and Family Studies, which is the department in which the charter school will be housed and I will collaborate with faculty and other administrators in operating the school

Not-for-Profit History:

I have been a university faculty member for over 13 years at public institutions. I have also been the executive director of the Idaho/Ecuador Partners of the America's branch of the Partners of the Americas. I have experience in directing the Weber State University Family Literacy Program, which is funded by foundations to provide family literacy mentoring and instruction to families who have children involved in Head Start.

Employment History:

Professor of Child and Family Studies, Weber State University, 2002 – present
Director, Weber State University Family Literacy Program, 2007 - present
Fulbright Scholar, US State Department, Ecuador 2009-2010

Education History:

1999 Ph.D., Human Development and Family Studies, University of North Carolina at Greensboro
1995, M.S. Family and Human Development, Utah State University
1992, B.S., Prelaw and Spanish, Utah State University

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name: Sherrie West

Role with school: Founder Board Member

Expertise: Assistant Director/Educational Specialist of the Melba Lehner Children's School lab school

Statement of Intent:

As an Assistant Director I am in full support of creating a charter kindergarten at the University. Creating an educational experience where young children gain knowledge and skills as they grow and learn and lay a foundation for lifelong learners, while having professors and others involved is important to me.

Not-for-Profit History:

- I have served on several Community Councils, as a parent and community member, at one elementary and two junior high schools in Davis School District.
- I have served as a PTA President for a junior high & an elementary school, and Safety Commissioner of the same junior high over a period of six years.
- I organized and mentored teachers in a summer program titled "Reading and Math for Fun" at the South Weber City recreation center.

Employment History:

Supervising Teacher-Melba Lehner Children's School - 1/83 to present

- Created and implemented lesson Plans for a class of 20 children
- Train Early Childhood pre-serviced teachers
- Develop curriculum for lab school
- Coordinating Teacher Mentor for Ogden Area Community Action Center
- Co-Author of two publications from Gryphon House: Sand and Water Play and Literacy Play
- Attend and presented at UAEYC, NAEYC, and several conferences across the State and Nation
- Created/revised Program Goals for lab school along with committee
- Created/revised Pre-Assessment tool for lab school along with committee
- Develop Lesson Plan tools along with committee
- Facilitated and taught in-service classes at lab school and Head Start
- Facilitated *Heads-up Reading*
- Implemented research projects: Children can learn science concepts as they play, Technology with Young Children and their learning and other research projects.

Assistant Director/Educational Specialist - 2009 to present

- Train supervising teachers on current practices in Curriculum and Early Childhood current issues.
- Write and received grant to run a summer program for the Lab school
- Assisted in running Summer Program in Melba Lehner Children's School
- Served on the Early Childhood Committee
- Served on committees to hire in Department

Instructor: Adjunct Teacher - 2009 to present

- Created and taught college course 4710 Advance Guidance and Planning
- Taught 2610 Guidance of Young Children

Owner and Director of South Weber Development School - 1987 to present

- Created a preschool curriculum and successful program for preschool children
- Taught and implemented curriculum to develop the whole child
- Train parents and teachers on current practices in Early Childhood Education

Education History:

<i>Master of Arts in Education</i>	University of Phoenix Layton, Utah <i>Curriculum and Instruction</i>	2008
<i>Bachelor of Science</i>	Weber State University Ogden, Utah <i>Early Childhood Major with an emphasis in Education</i> <i>Minor in Communication</i>	1984
<i>Associate of Science</i>	Snow College Ephraim, Utah <i>General Education degree</i> <i>with an emphasis in Child Development</i>	1978

*The information provided will be subject to verification by the board.

BACKGROUND INFORMATION SHEET

Name Raymond E. Wong, Ph.D.

Role with school Contributor to Proposal

Expertise Teacher Education

Statement of Intent:

Presumably my role will be rather minimal as I volunteered to write a portion of the proposal. I bring over 30 years of experience as a classroom teacher, inservice trainer, university professor, grant writer and evaluator, and concern for the development of future citizens of the US.

Not-for-Profit History:

During my time at Weber State University, I have worked for two federally funded programs: Desegregation Assistance Center and Upward Bound. Furthermore, I have served on boards of organizations that are NPOs.

Employment History:

1992-2010	Professor, Teacher Education, Weber State University
1990-1992	Adjunct Instructor, Teacher Education, Weber State University
1988-1990	Senior Educational Equity Specialist, Mountain West Educational Equity Center, WSU
1986-1988	Adjunct Instructor, Teacher Education, Weber State University
1984-1986	Director, Upward Bound Program, WSU
1982-1984	Educational Equity Specialist, Mountain West Desegregation Assistance Center, WSU
1980-1982	Assistant Housing Director, WSU
1978-1980	Graduate Assistant, Iowa State University
1974-1978	Social Studies Teacher/Counselor, Russell Community School, Russell, IA

Education History:

Ph.D.	Education, Iowa State University – 1978-1980, 1990-1992
M.A.	Counseling and Guidance, Northeast Missouri State University – 1973-1974
B.A.	Political Science, Temple University – 1966-1970

*The information provided will be subject to verification by the board.

NOTE CONCERNING AFFIDAVIT, DISCLOSURE, AND CONSENT FOR BACKGROUND CHECK

At the Founders meeting held on Monday, June 11, 2012, it was decided to change the name of the Weber State University Charter Kindergarten to the Weber State University Charter Academy. Many of the affidavits had already been notarized, but the Founding Board asks that these be accepted.

Most Founders are employees of Weber State University. However some will not have fingerprints on file with Human Resources. If the university determines that this is needed original documents are housed in the WSU Charter Academy office for processing.

Copies of the notarized documents have been delete from this document but can be viewed in the WSU Charter Academy office.

Minutes Founding Members
Planning Meeting for Charter Kindergarten

May 4, 2012

Attending: Camie Bearden, Marlies Burns, Fran Butler, Claudia Eliason, Carole Haun, Jared Lisonbee, Jack Mayhew, Chloe Merrill, Carrie Ota, Wei Qiu, Peggy Saunders, Paul Schvaneveldt, Sherrie West, Sue Womack

Training by Marlies Burns, Director of Charter Schools

- State uses rubrics to assess applications.
- Strong purposes should drive all of plans. Why should we be selected your school over others.
- The core should be very important.
- There should be only 3-5 individual school goals.
- Student population
 - General community can be targeted populations.
 - How serve special populations (all areas).
 - Talk about lottery--application process.
 - Every student should have equal opportunity to attend.
 - Make it a public event is suggested.
 - Celebrate.
 - Makes it more transparent.
 - Attendance expectations.
 - Enrollment targets.
 - Measurement for attendance: all students/all student membership (93-96%)
- Calendar and bell schedule
 - Meetings, testing windows, authorizer to see if you understand what is required.
 - Kindergarten required 450 hours as well as 180 days.
- Market analysis:
 - Talk about how your idea fits in your community.
 - School district numbers
 - Birth rate
 - Municipality data.
- Capital Facility
 - Detailed business plan and budget
 - Fiscal procedures done by WSU
- Budget contingency budget based on 75% of full enrollment. President's Council and Board of Trustee will be our approver.
- Governing Board will be determined by President's Council.
 - Include parents with professionals.

- Employees of school cannot be on board.
 - Have appointed and elected board members.
 - Ideal size between 7 and 9 individuals.
- Startup Board will be those attending this meeting.
- Comprehensive program of instruction: most detailed section.
 - Curriculum supports program.
 - Student assessment.
- Closure plan
 - What happens if school closes.
 - Records, students, appropriate absolution.
 - Use WSU 501c3.
 - Good plan works for any configuration of school.
- Dismissal/Expulsion: Look at expanded grades.
- Complaints: WSU policy.
- Parental Involvement
 - Cannot require.
 - Make sure every parent has a chance.
 - Committees are good way to involve parents.
- Employees
 - Expectation of teachers, administration, aides, etc.
 - Exempt from orderly termination act -- at will employees.
 - Can create own termination process. Will use WSU process.
- Evaluation: PREP system currently at WSU
-

Services:

- Education Service Provider
 - Contracted services,
 - Marlies has list of resources that they will share
- Extracurricular Activities
 - Prethink type of things interested in and what it might take.
- Would include extended care.
- Special Education
 - Address making sure policies and requirements of students.
 - Child Find in our own building -- responsible.
 - List those licensed as teacher of record.
 -

Committee Assignments: (Section to C. Merrill by June 5)

Purpose and Goals (3-5 -- must assess each one) -- Sue Womack & Carole Haun

Educational learning center (Purpose) (main goals)

1. focus on children and families
(Paul & Carrie)
2. training in research informed practices for pre-service teachers
3. research center

Community needs

Ogden School District
Teacher Training
Family enrichment
Providing parent choice -- family focus

Measures:
Family/parent involvement
Home activities
Discipline

of PST with access
Evaluation forms of each
Use of observation booth for rubric assessment
Planned observation/video recorded

undergraduate, graduate research articles/presentations/projects
faculty articles

Purpose:
Innovative teaching methods
Whole Child
Choice
Family Involvement
University students and faculty

Emphasis on reading and math
Social and Emotional -- whole child

Student Population: 8:45-11:45 and 12:30-3:30 -- Peggy & Claudia
Outdoor learning experiences. Total of 540 hours with 3 hours/session of instructional time -- teacher guided. Smart to follow Ogden City School District calendar.
Bingo balls for lottery. Make it a celebration.
Advertising
Facebook
Spanish-speaking publication
Head Start

Calendar & Bell: Peggy & Claudia

Market Analysis: Peggy & Claudia

Capital/Facilities Plans: Chloe & Carole

Detailed Business Plan and Budget: Chloe & Jared

Fiscal Procedures: WSU Policy Wei & Carol

Organizing and Governing Body – Peggy

Need Governing Board. Startup board is those meeting today. Governing Board should include: 1 TE Educator, 1 CHF Educator 1 Faculty @ large , 2 parents, 1 community representative 1 Special Ed representative, 1 university administrator, 1 CHF or TE student

Comprehensive Program of Instruction: Sherrie West, Carole Haun and Camie Bearden are lead, (Carrie Ota and Wei Qiu contribute) Sue Womack & Claudia Eliason will edit.

School Closure Plan: Jared Lisonbee

Dismissal & Suspension -- Sherrie West, Carole Haun and Camie Bearden

Positive behavior support included (pbis.org). Due process - Model on USOE Web site.

Complaints: Chloe Merrill

Parental Involvement: Paul Schvaneveldt & Carrie Ota

Employees: Chloe Merrill, Carol VandenAkker

Services: Jack Mayhew & Jack Rasmussen

Extracurricular events: Paul Schvaneveldt & Carrie Ota

Special Education: Fran Butler & Jack Mayhew

Additional Info: Chloe Merrill

Next meeting on June 11, 11 a.m. for 2 hours

Minutes
Founding Board Meeting for Weber State University Charter Academy
June 11, 2012

Attending:

Chloe Merrill, Ray Wong, Claudia Eliason, Carole Haun, Sherrie West, Wei Qiu, Carrie Ota, Jared Lisonbee, Paul Schvaneveldt, Jack Mayhew, Peggy Saunders, Fran Butler, Darcy Gregg

Agenda Items:

1. Name changed to “Weber State University Charter Academy”

Motion set by: Jack Mayhew

Seconded by: Jared Lisonbee

All in favor:

Chloe Merrill, Ray Wong, Claudia Eliason, Carole Haun, Sherrie West, Wei Qiu, Carrie Ota, Jared Lisonbee, Paul Schvaneveldt, Jack Mayhew, Peggy Saunders, Fran Butler

2. Go through the checklist of each section in the application to find out if the section looks okay. Have we met all the criteria?

Section 1: academically, or cognitively?

Section 2: developmentally appropriate practices (DAP) as defined by NAEYC

Section 3: it has to be half-day kindergarten

Section 4: the greater Ogden area

Section 8: parents will not serve three years

Section 17: add Special Education Policies and Procedures Manual to Appendix I

3. Motion was made by Fran Butler to send the application to the state after Chloe and Peggy have edited it.

Peggy seconded it.

All in favor:

Chloe Merrill, Ray Wong, Claudia Eliason, Carole Haun, Sherrie West, Wei Qiu, Carrie Ota, Jared Lisonbee, Jack Mayhew, Peggy Saunders, Fran Butler

Section 9 – Comprehensive Program of Instruction

A. EDUCATIONAL PROGRAM

The proposed program is committed to providing high-quality education for children and their families by using best practices derived from current child development theories and research. There will be a strong emphasis on the whole child, exploratory learning including both child-initiated and teacher-initiated activities, respect for children's ability to learn, and strong standards based expectations for children. The content and process will take into account all domains of development and learning (social and emotional, physical, and cognitive) and their interrelatedness (Copple & Bradekamp, 2009). The expectations in the cognitive area will include the Common Core State Standards (CCSS) for kindergarten math and language arts along with content area studies in science, social studies, healthy living, and the arts (CCSS, 2011). Although there will be an emphasis on literacy and math, both will be taught hand-in-hand with thinking about social issues, inquiry, problem solving, and setting goals as a community of learners. Oral language and communication skills will be encouraged.

A current program that uses these principles including the whole child approach, *HighScope*, has a forty year longitudinal study providing evidence of its effectiveness in the cognitive area and superiority in the social and emotional areas with preschool children (Schweinhart et al., 2005). Additional research supports the effectiveness of the *HighScope* model in the K-3 curriculum. (Schweinhart & Hohmann, 1992). According to the constructivist approach, children are capable of constructing knowledge on their own from an appropriate learning context. They learn best when they are challenged and provided with opportunities to practice their newly acquired skills (Piaget, 1952; Vygotsky, 1978). Another study supports the long range positive effects, as seen in sixth grade testing, of child-initiated early learning as opposed to an overly academic approach (Marcon, 2002).

The context of the program includes an indoor and outdoor classroom designed to encourage active learning. The classroom will be set up in centers but will also have the flexibility of being used for individual, small, and large group experiences. Fieldtrips, both actual and virtual, and visitors, under the supervision of the teacher(s), will be used frequently. Appropriate technology will be used to supplement instruction.

The program will be dependent on strong trusting relationships built between teacher and child, child and children, child and parent, parent and teacher, and school and family. This will result in a strong, caring, and democratic community. Teachers will guide children's behavior and learning using modeling, explicit instruction, feedback, a well-designed physical environment, high expectations, and the use of cognitive change strategies including positive behavioral support (Marion, 2011). Self-regulation, which is a core skill to teach as it affects all domains of behavior during early childhood, will be emphasized. (Shonkoff & Phillips, 2000)

The program will adopt a transformational curriculum model where the curriculum standards will affect the child, and the child will affect the continuing curriculum content, processes, and strategies (Bradekamp & Rosegrant, 1992). The program will be based on ongoing systematic assessment to inform the direction of the curriculum. Children's interests will also be used to

increase the likelihood of their strong involvement in activities to meet standards. This will be similar to the project approach in that the child's interest will be followed and used to teach concepts from the goals of the program (Helm & Katz, 2011).

Finally, the program takes into account the influences of the social and cultural contexts and demonstrates a strong respect for children's diverse abilities and backgrounds. Children are imbedded in and influenced by different levels of socio-cultural contexts (Bronfenbrenner, 1979). Culturally appropriate activities will be used in the curriculum to help children understand and appreciate who they are and to get ready for the increasingly global society. The target population of the program will include children who come with diverse backgrounds, interests, learning styles, prior experiences, unique needs, and varying abilities. Our home district is Ogden City School District. This will increase the possibility of many of our children coming from low-income homes. *HighScope* research was based on a low-income population.

B. SUPPLEMENTAL CURRICULUM

We are currently considering supplemental curriculums that will be based on children's current experiences, a strong hands-on learning approach, and that supports the Common Core State Standards in Math and Language Arts. In math we are considering *Everyday Math* and *Singapore Math*. In language arts we will consider using a core reading kindergarten program such as Houghton Mifflin *Reading* (2008) or Macmillan's *Treasures Reading* (2005).

C. METHODS OF INSTRUCTION

The program will be play-based (Jacobs & Crowley, 2010). The primary method of instruction will be active exploratory learning based on careful planning, using systematic assessment to meet objectives, and intentional teacher support and scaffolding to ensure that all children learn to their own capacity (Epstein, 2007). The active exploration will be both child-guided and teacher-guided (Epstein). We acknowledge that some children will need more teacher guidance and structured activity based on their strengths and IEPs to meet standards. Differentiated methods will be used to assure that all children, regardless of their needs, will have access to positive outcomes. A strong team of university faculty will assist the teachers in meeting these varying needs. A variety of instructional methods will be implemented and support all children's positive learning and development in all areas.

The children will be an important ingredient in determining the ongoing instruction. We will follow the model proposed by Developmentally Appropriate Practices taking into account age appropriateness based on current research and theoretical understanding; individual appropriateness based on assessment that is authentic and has a strong observational component; and culturally appropriate based on input from families and the community (Coppole & Bredekamp, 2009). Because the target population is wide, ongoing systematic assessment will be used to assure that all children are progressing and that the curriculum remains relevant to all participants

Learning centers, developed using both objectives and the children's interests, will be established to encourage children's engagement in standards and goal-based activities. These will be rotated,

but will remain as long as needed to assure that the learning goals are met. There will be both open centers for supplemental learning and accountability centers that require all children to participate. Additionally, large group times and activities where all children are required to participate, and smaller group experiences that require participation will be used.

The school will continually look at innovative new approaches that will strengthen the whole child in all domains of development. Each individual child will be evaluated to assure that they are being well served.

D. ELEMENTARY SCHOOLS (K-8)

We are starting with kindergarten so a strong portfolio system will be used for formative evaluations. This will be continually revisited as our program develops.

E. SECONDARY SCHOOLS (7-12)

N/A

F. SUPPORT FOR STANDARDS AND USE OF DATA

As mentioned above, the goals and objectives for cognitive learning will include a strong emphasis on meeting the Common Core State Standards in language and math and will continue to evolve as additional areas are included at the state level. This will be done while continuing to support growth in all developmental domains.

Authentic assessment with a strong emphasis on observation, with its various forms of recording and a portfolio system, will be central to the assessment that is used to drive ongoing curriculum. Where necessary more formal and standardized evaluations will be used to assure that all children are meeting standards and that the program is meeting its mission. Assessment of children's achievement will provide information to make sound decisions about teaching strategies and ongoing program improvements as well as to report to all audiences including the state, our board of directors, our funding sources, teachers, parents, and the children themselves.

Weber State University Charter Academy will use the Data Display, provided by the Utah State Office of Education at no cost to the school, to disaggregate and manipulate data to make placement decisions and assess student proficiency on the state standards and objectives. The director will be responsible to complete an annual report to the public concerning Weber State University Charter Academy student progress. End of level assessments, state assessment data, and teacher recommendation are three measures that may be used when placing students into instructional groups.

References for Section 9

- Bredenkamp, S. & Rosegrant, T. (Eds.). (1992). *Reaching potentials: Appropriate curriculum and assessment for young children*. Washington, DC: National Association for the Education of Young Children.
- Bronfenbrenner, U. (1979). *The ecology of human development*. Cambridge, MA: Harvard University Press.
- Common Core State Standards. (2011). www.corestandards.org
- Copple, C., & Bredenkamp, S. (Eds.). (2009). *Developmentally appropriate practice in early childhood programs* (3rd ed.). Washington, DC: National Association for the Education of Young Children.
- Epstein, A. (2007). *The intentional teacher*. Washington, DC: National Association for the Education of Young Children.
- Helm, J. H., & Katz, L. (2011). *Young investigators: The project approach in the early years* (2nd ed.). Washington, DC: National Association for the Education of Young Children.
- Jacobs, G., & Crowley, K. (2010). *Reaching standards and beyond in kindergarten*. California & Washington, DC: Corwin & National Association for the Education of Young Children (Joint publication).
- Marcon, R. A. (2002). Moving up the grades: Relationship between preschool model and later school success [electronic version]. *Early Childhood Research and Practice*, 4(1).
- Marion, M. C. (2011). *Guidance of Young Children* (8th ed.). New York: Pearson Education.
- Piaget, J. (1952). *The origins of intelligence in children*. New York: International Universities Press.
- Schweinhart, L. J., & Hohmann, C. F. (1992). The High/Scope K-3 curriculum: A new approach. *Principal*, 71(5), 16 & 18-19.
- Schweinhart, L. J., Montie, J., Xiang, Z., Barnett, W. S., Belfield, C. R., & Nores, M. (2005). *Lifetime effects: The HighScope Perry Preschool study through age 40*. (Monographs of the HighScope Educational Research Foundation, 14). Ypsilanti, MI: HighScope Press.
- Shonkoff, J. P., & Phillips, D. (2000). *From neurons to neighborhoods: The science of early childhood development*. Washington, DC: National Academy Press.

Utah State Office of Education. (2010). Utah state common core. Retrieved May 23, 2012, from <http://www.schools.utah.gov/core/>.

<i>Indicator - Student achievement level</i>		
Measure	Metric	Board Goal
Proficiency levels in English Language Arts	Percentage of students meeting Utah Core State Standards in English Language Arts	80% of students will meet each individual standard as demonstrated through multiple assessments including planned observational and work sample documentation in portfolio's
Proficiency levels in Mathematics	Percentage of students meeting Utah Core State Standards in Mathematics	80% of students will meet each individual standard as demonstrated through multiple assessments including planned observational and work sample documentation in portfolio's
Skills in the social and emotional, physical, and cognitive developmental areas	Percentage of students meeting the WSU Charter Academy criteria based on current developmental understanding	80% of students will meet each individual standard as demonstrated through multiple assessment including planned observational and work sample documentation in portfolio's

■ Section 10 – School Closure Plan

At the beginning of each academic year (following the first year of operation), the governing board of the Weber State University Charter Academy will conduct an annual assessment to evaluate the academy's success or failure at meeting the target objectives established for the charter academy in the areas of child and family education and support, teacher training, and research (see Section 1 of this proposal for goals and objectives). If, at any time after five years of continuous operation, the governing board has evidence that the academy has consistently failed to meet the goals and expectations set out in this Charter Agreement during the previous five year operating period, and efforts to make operational changes in order to meet missed goals identified in the annual self-evaluations of the academy have been unsuccessful, the advisory board may recommend to close the academy effective the following academic year. The governing board's decision to close the academy due to failure to meet objectives must be made by December of the prior academic year in order to give adequate time to assist families and academy employees to make academic decisions and arrangements for the following academic year.

Additionally, a decision to close the academy may result from a revocation of the academy's charter by the state's chartering agency due to clear failure to meet expectations for educational institutions outlined for educators in Utah. In the event that the decision is made to close the academy, the following academy closure contingency plan will be followed in accordance with the requirements outlined in section 53A-1a-510.5 of the Utah Administrative Code relating to charter schools.

A. IDENTIFICATION OF MISSING TARGETS/NOTIFICATION OF CLOSURE.

Within one business week of the decision to close the charter academy, written notification will be mailed to the administration of Weber State University (the chartering agency), the Utah State Charter School Board, the Utah State Board of Education, all parents of students attending the charter academy, any applicable creditors, other area charter schools serving kindergarten and elementary-age students, and the Ogden City School District. This notification will include information about the planned closure including the proposed date for the academy to cease academic operations.

B. STUDENT TRANSITION.

The academy administrators (primarily the Associate Dean of the College of Education) and academy staff will contact parents by phone and/or e-mail to discuss options regarding possible schools for the children to attend including public schools, other charter schools, and private schools in the area. School administrators and staff will assist parents in making the transition to other schools by coordinating with administrators and teachers in the new schools in which the children will be transitioning to facilitate the school adjustment and transition process of records and student information. Teachers and administrators will work with parents and children's new schools in order to make recommendations for class placement and any special academic support

needed by the students. Throughout the process, confidentiality of students' records will be maintained by working with parents to ensure that academic records are appropriately stored and transferred to the child's new academic institution. School administrators will follow up with parents and schools receiving transferring students at the beginning of the following academic year in order to ensure that enrollment transition has occurred appropriately.

C. EMPLOYEE TRANSITION.

In the event of the closure of the charter school, we will follow the policies and procedures relating to termination of employment outlined by Weber State University Human Resources. Employees will be notified in a timely manner regarding the school closure and will receive assistance and support for finding alternate employment according to Weber State University policies.

D. TRANSITION PERIOD.

Should a closure become necessary, the charter school will maintain operations throughout the academic year and then through a two-month transition period during the summer months using the operating reserves allocated for a closure contingency outlined in the business plan (see Section 6) to ensure student transitions into their new schools. During the final academic year and summer transition period, the Associate Dean of the College of Education or Academy Director with responsibilities for governing the charter school will serve as a contact point for parents and others with questions about the closure. The contact person will maintain regular office hours during this transition period to be available to parents and others during this transition to help facilitate the transition of students into other schools, and oversee record transfer and archival. Following the closure of the school, academic and school administrative and financial records will be stored in the administrative offices of the Weber State University Moyes College of Education where the records will be managed by existing college administrative staff with training in and understanding of state and federal regulations relating to the administration and management of academic and business records relating to the school.

E. RECORDS: ACADEMIC AND FINANCIAL RECORDS.

In the event of school closure, hard copies of students' attendance and academic records will be kept in secured filing cabinets in the administrative space operated by the Weber State University Moyes College of Education. Financial records relating to the operation of the school as well as employment records and inventory of assets will also be archived. Electronic records will be maintained in a password protected electronic computer file. Access to and protection of archived records will be maintained by the Associate Dean and/or administrative staff of the College of Education who are trained in federal and state guidelines for record storage and protection (following Utah Code 53A-1a-517).

F. FINANCIAL RESERVE: FINANCIAL AUDITS, ALLOCATION OF ASSETS AND FINANCIAL REPORTS.

A financial audit will be conducted within five business days of the decision to close. An inventory of all school assets will be made. Any assets with written conditions for appropriation will be dealt with according to the written agreements. All other assets will be returned to the chartering agency to be reallocated to other public education providers or to be liquidated at fair market value at the discretion of the chartering agency. Any contracts or service agreements not necessary for the transition to closure will be terminated. Following the transition period, a final financial audit will be conducted and all necessary records and documentation will be submitted to the state through Weber State University.

■ Section 11 – Dismissal Procedures and Suspension/Expulsion

Philosophically and operationally, one of the major tenets of the academy is the teaching of “taking responsibility for one’s actions and behaviors.” Toward that end, the academy staff will devote time, in and out of the classroom, to inculcate that perspective in students. Helping students to become aware of how their actions and behaviors can negatively impact others as well as themselves is crucial in the development of young children.

Therefore, inappropriate actions and behaviors, as defined by Utah Code 53A-11-904, are first addressed directly by the classroom teacher to the best of his/her ability. Helping the student to recognize the action/behavior is paramount. Then, helping the student to accept responsibility for that action/behavior follows. Finally, depending on the nature of the action/behavior, appropriate disposition will be determined and assessed. Such action taken by the teacher will be noted on appropriate forms for potentially future disposition.

Should these actions and behaviors persist, additional assistance by qualified professionals, e.g., counselors, will be employed. These professionals’ primary responsibility will be to work with the student in an in-depth context to develop acceptance and responsibility. Furthermore, parents/legal guardians will be notified and potentially included in the process.

Should the inappropriate action/behavior further persist, then, supervised in-school suspension will be the next step. The student will receive individualized instruction to continue academic learning and additional counseling will continue with the possibility of providing meaningful opportunities to re-integrate in the classroom.

Should it become necessary, the last step is mutual agreement between the school and the parents/legal guardians to withdraw the offending student from this particular learning environment.

Special Education Students

With special education students, the IEP will identify and define the appropriate remedies for the actions/behaviors occasioned by the identified disability(ies). Furthermore, the state of Utah has provided a set of guidelines that schools need to adhere when working with special education students (see <http://www.schools.utah.gov/sars/Laws,-State-Rules-and-Policies.aspx>) which we intend to follow.

It should be noted that if the action/behaviors of special education students are NOT the result of or caused by their disability(ies), the special education students will be accorded treatment and procedures applicable to all students in the school.

Students from Other Cultures

As there are possibilities of students who are recent immigrants to the United States and to the state of Utah, the staff will be mindful of potential cultural differences and variations in how

children and parents may act and behave. Furthermore, there may be need for English language learning assistance. Therefore, as students who are recent immigrants register, the staff should become aware and familiar with the families and their cultural and language expectations to determine what accommodations are necessary.

As with special education students, if the actions and behaviors of students who are immigrants are NOT occasioned by cultural and language differences/variations, the students will be accorded treatment and procedures applicable to all students in the school.

WSU Charter Kindergarten Suspension/Expulsion Policy is located in Appendix D.

■ Section 12 – Complaints

A & B. POLICY and TIMEFRAME

Weber State University Charter Academy places high value on courtesy, respect, and responsibility. Weber State University Charter Academy believes that both positive and negative feedback is important to the effectiveness of the school. Both types of feedback can help ensure that fair and equitable policies and procedures are in place, that academy employees are performing their jobs, and that the academy is functioning properly. The academy and its board will make every effort to collect, analyze, and respond to feedback from all stakeholders.

In order to obtain feedback, we encourage parents/guardians and staff to develop open and respectful lines of communication with each other for the benefit of the academy's students. However, we acknowledge that difficult situations will occasionally arise. If a parent/guardian, student, staff member, or other individual or group is not satisfied with a decision, policy or act, or believes that Weber State University Charter Academy has violated or is violating any rule or regulation, they may take the steps outlined in the sample Complaint Policy included as Appendix E.

Individuals with Disabilities Education Act (“IDEA”) Complaint Procedure

This section of Weber State University Charter Academy's complaint procedure is intended to ensure compliance with IDEA. Weber State University Charter Academy understands that students with disabilities and their parents/guardians, retain all rights under Part B of IDEA, Utah Code § 53A-15-301 through § 53A-15-305, and other applicable regulations.

IDEA Policy

Weber State University Charter Academy recognizes the importance of adhering to the necessary and proper procedures of resolving complaints that allege violations of Part B of IDEA, State Rules, or other applicable laws protecting disabled individuals. Weber State University Charter Academy will follow IDEA State regulations as stated in USOE Special Education and Guidelines and any other state rules protecting the rights of students with disabilities.

The USOE has adopted procedures for resolving complaints under Part B of the IDEA. All complaints must be in writing to the Director with a copy of the written complaint to the State Director of Special Education. The written complaint must include both a statement of the violation based on facts that have occurred not more than one (1) year prior to the date of the complaint when received by Weber State University Charter Academy including the signature and contact information of the complainant. An exception to this rule may exist because the violation is continuing or the complainant is requesting compensatory services for a violation that occurred not more than two years prior to the date the complaint is received by the academy.

Weber State University Charter Academy will work diligently to resolve the complaint within 30 calendar days (with a ten (10) calendar days extension in case of exceptional circumstances).

The school has incorporated two sections regarding complaints from the USOE-recommended template for charter schools to use in writing their Special Education Policies and Procedures. Weber State University Charter Academy will use this template in writing the academy's Special Education Policy and Procedure Manual. Those sections are as follows:

D. Procedural Safeguards Notice.

A copy of the Procedural Safeguards is given to the parent once a year at the annual IEP review, except that a copy also is given to the parent upon initial referral or parental request for evaluation, upon receipt of the first State complaint or due process complaint in that school year, and upon request by the parent at any time. X Charter School uses the USOE Procedural Safeguards Notice that is posted on the USOE website, www.schools.utah.gov. The special education teacher/case manager provides a brief explanation of the main provisions of the Procedural Safeguards to the parents at consent for evaluation, eligibility determination, and annual IEP meetings. This notice contains an explanation of the procedural safeguards related to independent educational evaluations, written prior notice, parental consent, access to educational records, opportunity to present and resolve complaints through State complaint or due process complaint procedures, opportunity for the Charter School to resolve the complaint, availability of mediation, student's placement during pendency of hearings, procedures for students placed in an interim alternative educational setting, requirements for unilateral placement of student in private schools at public expense, hearings on due process complaints, civil actions, attorney's fees. This notice is in language understandable to the parents.

F. Dispute Resolution.

Weber State University Charter Academy follows the Dispute Resolution requirements of the USBE SER described in IV.G-U as written. These include the procedures for State Complaints, Mediation, Due Process Complaints, Resolution Process, Due Process Hearings, Civil Actions, Attorney's Fees, and Student's Status during Proceedings.

Section 13 – Parental Involvement

A. OPPORTUNITIES

Research has demonstrated benefits for children, parents, teachers, and schools when parents are involved in the classroom. The school will incorporate Epstein's and colleagues (2007) model of parental involvement as a general framework for family and school interactions. These six levels of involvement include parenting, communicating, volunteering, learning at home, decision making, and collaborating with the community.

A Family Involvement Committee (FIC) that will be comprised of parents and other family members and an academy representative will be formed to oversee and coordinate activities. The committee will oversee the coordination of field trips, family literacy events, parental education activities, and volunteer activities in the school. The school views family involvement as having great value and want our families to be involved in the classroom and at home, but understand that 70% of school-age children have both parents in the workforce (Children's Defense Fund, 2010). To facilitate greater family involvement, the academy will allow for flexibility in time and place to enable family members to volunteer their talents and interests. Some potential activities include:

- A parent volunteer meeting will be scheduled at the beginning of each academy year.
- Parent surveys will be sent home for parents to list their desired ways to volunteer.
- Flexible parent volunteer opportunities will be provided at academy or at home.
- Parent volunteers may help with trips, indoor and outdoor classrooms, or other activities held throughout the year.
- Training for parents will be available as needed for parent volunteers.
- Parent and family coordinated field trip activities in the local community
- Parenting workshops on child guidance, discipline, academic involvement, dialogic reading strategies, and other relevant areas as needed.

The academy values parents to have a voice and participate in decision making within this academy by working together with educators to share their ideas and views, solve problems, and work toward a shared vision. The academy will provide opportunities for parents to act as leaders for other parents by representing their opinions, ideas, and concerns on behalf of children's learning and development. Additionally, these parent leaders can bring the information about academy decisions and policies back to the families. Many parents will have the opportunity to serve on various supporting committees of the academy. Among the tasks of the Governing Board will be to annually review parent involvement and academy policies and provide feedback and recommendations.

Measurement of family involvement will include the number of parents who volunteer in the academy, who serve on the family involvement committee and other committees/boards, who participate in fieldtrip activities, and who benefit from parenting and family literacy educational activities. Measures will include those developed by Bowen and Richman (2005).

References for Section 13A

Bowen, G. L., & Richman, J. M. (2005). *School success profile*. Chapel Hill, NC: Jordan Institute for Families, School of Social Work, The University of North Carolina at Chapel Hill.

Children's Defense Fund. (2010). Retrieved from <http://www.childrensdefense.org/child-research-data-publications/data/state-data-repository/children-in-the-states.html>

Epstein, J. L., Coates, L., Salinas, K. C., Sanders, M. G., & Simon, B. S. (1997). *School, family, and community partnerships: Your handbook for action*. Thousand Oaks, CA: Corwin Press.

B. NOTIFICATION

The Board will notify the school community of Board meetings via e-mail, on the school's website, on the annual calendar, and through agendas posted at the school building. Parents, teachers, students, and members of the community are welcome to attend Board meetings and voice their opinions. Families may e-mail comments or concerns to the Board and may contact individual Board members to discuss school issues.

C. VOLUNTEERING

Parent Volunteer Service and Committees

Parental involvement manifests itself at the highest level in volunteering, measured by when parents meet the request for 30 hours of volunteer service each year. Parents are encouraged to accept positions or assignments from the Director. Parents may also volunteer or be asked to establish committees under these organizations to enrich the life of the school. Committees will assist in coordinating the activity of parent volunteers in the school and will assist with other school functions such as fundraising, school events, and student recognition. The activities of committees will encompass duties that take place both during school hours and the evenings so that all parents have opportunities to participate.

Sharing Knowledge and Expertise

Weber State University Charter Academy recognizes that our parents will embody a great resource of knowledge and experience that can be extremely valuable to the school and that can be tapped in order to benefit the school's students. Parents with applicable experience or expertise may be invited to participate in presentations on topics that align with curriculum objectives, in virtual fieldtrips, or in other special events or presentations.

Student Award Celebrations

The administration will establish a means of regularly recognizing student achievement. Parents will be invited to the Academy for presentations associated with those awards.

■ Section 14 – Employees

The Academy will hire qualified administrators, teachers, and paraprofessionals.

A. ADMINISTRATORS

Hiring an Outstanding School Leader

Effective leadership has a profound effect on student learning (Bolman & Deal, 2002; Hargreaves & Fullan, 2012). The Weber State University Charter Academy will hire/appoint an academy leader who has demonstrated outstanding leadership ability. The Director must have the skills and character to lead, including strong communication skills, teamwork, analytical, organizational, technological and interpersonal skills. The Weber State University Charter Academy Board realizes that in today's global economy an academy leader must not only possess background knowledge in school organization, general curriculum, and leadership skills, but must assist staff in developing student abstract skills such as higher order thinking, critical thinking and problem solving and accessing skills in a technological world. The Academy Director is expected to develop practices that focus the academy community on student success.

The Director will be responsible to promote the effective involvement of parents and community. The Director will establish vehicles of communication between the academy and parents including parent-teacher conferences, academy and teacher websites, newsletters, meeting announcements, focus groups, and other protocols that establish staff reporting of student behavior and progress to parents. The Director will work with the PTO Board and others on academy events and the use of parent volunteers. The Leadership Team, under the direction of the Director, will establish procedures that affect the academy environment and coordinate various group functions in the academy where parents and staff work together. The Director will establish a yearly calendar and work closely with the Board and PTO President to establish an organized monthly calendar.

Director Qualifications

As Weber State University Charter Academy's educational leader and the individual responsible for the academy's day-to-day operation, the Director will be instrumental to the academy's success, and as such, must have a strong commitment to Weber State University Charter Academy's mission and focus because he/she will be held accountable for achieving that mission.

The Director must have effective leadership skills both with the academy's faculty and staff in order to create a working environment where the talents of the educators, both inservice and pre-service, can shine and produce great learning results as well as with the academy's students in order to create an effective learning environment where students are challenged and motivated to grow and develop as lifelong learners.

The Director will need to be able to implement the Board's policies and develop effective procedures for the various aspects of the academy's operations.

Weber State University Charter Academy will seek the following preferred qualifications when hiring a Director:

- Utah Administration License and/or master's degree or higher in education
- Multiple years of successful administrative experience with the ensuing skills, abilities, and knowledge
- Commitment to the mission, values, and goals of Weber State University Charter Academy
- Effective communication and relationship-building skills in order to work with key stakeholders, including Utah State Office of Education, Utah State Charter School Board, Weber State University Charter Academy Board of Directors, parents, parent committees, students, and the local community
- Ability to form productive relationships with students, families, and staff
- Ability to create fairly and effectively administer discipline and create a respectful learning environment among students
- Effective human resource skills
- Experience successfully hiring and managing staff
- Experience successfully supervising and evaluating staff
- Experience successfully motivating, rewarding, and providing targeted feedback and professional development
- Strong work ethic
- Experience administering a budget to promote a school vision
- Understanding of Core Curriculum State Standards requirements
- Understanding of Utah charter school and public education laws
- Understanding of federal special education laws
- Understanding of budget management
- Understanding of implementation of developmentally appropriate standards standards-based curriculum
- Understanding of Assessment

B. TEACHERS

In compliance with Weber State University hiring practices and in cooperation with Human Resources, the Director has the responsibility to hire teacher(s) who are able to produce the learning goals established by the Board. Weber State University Charter Academy will follow applicable standards established by the Utah State Office of Education. All of the academy's teachers, paraprofessionals, aides, and substitutes will be held to the appropriate standards for their positions. All Weber State University Charter Academy teachers will have received a bachelor's degree at an approved higher education institution and will hold an appropriate license with areas of concentration and endorsements as approved by the Utah State Office of Education (See R277-510, R277-520, and R277-524), or shall be on track to complete the Alternative Route to Licensure as provided in Rule R277-503.

Teachers will have an early childhood focus and be licensed as follows:

- Early childhood or elementary (grades K-3 or K-6) license
- Hold a valid level 1, 2, or 3 license from the State of Utah

Teachers who work with students with disabilities will also meet the qualifications as outlined in IDEA 2004 in addition to the qualifications outlined in NCLB.

The academy's teachers will either pass the Board-approved content test(s) or will satisfy Utah's HOUSSE requirements for assignments and obtain a Level 2 license with standard license area of concentration as outlined in R277-510-5.

Following these guidelines will ensure that Weber State University Charter Academy meets the requirements for highly qualified teachers under the *No Child Left Behind Act* by hiring teachers who have a current Utah educator's license and by assigning that teacher a position consistent with his or her educator's license.

C. PARAPROFESSIONALS

A *paraprofessional* is an individual who works under the supervision of a teacher or other licensed/certificated professional who has identified responsibilities in the classroom. Weber State University Charter Academy will follow state and federal guidelines in order to hire qualified paraprofessionals, including both instructional and classroom aides, for a program supported by Title I funds as outlined in R277-524.

This rule provides that:

- The individual shall have earned a secondary school diploma or a recognized equivalent; and
- The individual has completed at least two years (minimum of 48 semester hours) at an accredited higher education institution; or
- The individual has obtained an associates (or higher) degree from an accredited higher education institution; or
- The individual has satisfied a rigorous state or local assessment about the individual's knowledge of an ability to assist students in core courses under Federal Elementary and Secondary Education Act (ESEA); and
- The individual shall satisfactorily complete a criminal background check.

Plan for Non-Highly Qualified Teachers and Paraprofessionals

If the school hires a teacher or paraprofessional who is not highly qualified, the employee will work closely with the Director and/or Assistant Director to develop an individual plan that includes a timeline in which the employee will achieve highly qualified status in a timely manner. Highly qualified status must be obtained in no more than three years following initial hire. The plan will be submitted to the Utah State Office of Education for approval and will include the date for passing the appropriate Praxis test(s) and taking any additional college courses required to receive highly qualified status.

Substitute Teacher Qualifications

All Weber State University Charter Academy substitute teachers will have a minimum of a high school diploma or equivalent. The academy may give preference to applicants who have a bachelor's degree, master's degree, or current teaching license.

D. BACKGROUND CHECK

All Weber State University Charter Academy staff, including administrators, office staff, teachers, paraprofessionals, instructional aides, classroom aides, substitute teachers, parent volunteers, and community members who will spend any significant unsupervised time with students must receive a criminal background check prior to beginning service with the school as required by Utah Code 53A-1a-512.5. The Director is responsible for ensuring that all background checks are complete and maintained in the academy's employee files. The Director will review the results of all background checks that reveal offenses and determine whether the individual poses an unreasonable risk to the academy community. Background checks will be renewed periodically.

E. JOB DESCRIPTIONS

Director Job Description

Weber State University Charter Academy Director will be the academy's educational leader, and it will take the right individual to reach the academy's goals and realize the vision set forth in this charter application. A strong administrative team is indispensable to the academy's success.

Weber State University Charter Academy Director's job description may be as follows:

- Director shall perform those duties that are reasonable and customary for the position.
- Director is to serve the academy in his/her best capacity utilizing best efforts.
- Director shall carry out the philosophy and curriculum goals of the academy.
- Director shall administer the education program of the academy through strong instructional leadership and commitment to the academy's mission.
- Director shall create, develop, and implement curriculum for the academy.
- Director shall be responsible for the preparation of class and student schedules.
- Director shall coordinate fire drills and establish rules and procedures for emergency dismissal.
- Director shall adhere to the budget guidelines and effectively administer the budget established by the school's Board of Directors in order to ensure the financial health of the academy.
- Director shall supervise academy-sanctioned fundraising.
- Director shall ensure that the academy complies with all state and federal reporting and audit requirements.
- Director shall provide periodic academic reports on the accomplishments of the academy and make recommendations according to standards set forth by the Charter academy.

- Director shall supervise the preparation of registration materials and the registration and enrollment process.
- Director shall meet and interact with other administrators, students, parents, and representatives of community organizations to help promote the academy's goals.
- Director shall attend and demonstrate support for academy-sponsored events.
- Director shall take the lead in interviewing, hiring, disciplining, and discharging faculty.
- Director shall actively work with teachers to develop and maintain high curriculum standards, develop mission statements, and set performance goals and objectives.
- Director shall use the Weber State University PREP system for employee evaluation.
- Director shall hold periodic faculty/staff meetings as required.
- Director shall ensure that all teachers comply with required certifications.
- Director shall encourage faculty to attend seminars aimed at professional growth and maintenance of licenses and certifications.
- Director shall maintain a safe learning environment.
- Director shall monitor students' educational progress and maintain in the strictest of confidence all personal information regarding such students.
- Director shall ensure compliance with applicable laws and regulations.
- Director shall safeguard academy assets.
- Director shall perform all other duties customary to the position.

Teacher Job Description

Teacher(s) must

- Support the academy's mission, policies, curriculum, administration, and Board of Directors
- Develop lesson plans consistent with the academy's curriculum and provide effective instruction to students
- Represent the academy in a professional manner whenever conducting academy business and when the teacher would be viewed as representing the academy, whether teacher is on or off academy grounds
- Maintain a positive attitude
- Develop positive, productive relationships with students, parents, and administration
- Communicate effectively with students, parents, and administration
- Comply with policies and procedures and perform duties as set forth in the Weber State University Policy and Procedure Manual (PPM) and in accordance with the requirements of the Utah State Office of Education, and Weber State University Charter Academy
- Participate in workshops and other professional development activities
- Work effectively in teams and contribute to colleagues' success by sharing best practices, mentoring, modeling, discussing issues and challenges, and participating in professional development activities
- Maintain necessary licensure, certifications, and endorsements including highly qualified status
- Maintain a positive classroom environment

Paraprofessional Job Description

Paraprofessionals must

- Support the academy's mission, policies, curriculum, teachers, administration, and Board of Directors
- Perform instructional duties as requested by the Director, Assistant Director and teacher
- Assist the teacher by
 - Assisting with recordkeeping and entering student data
 - Stimulating student interest in and enthusiasm for the curriculum
 - Drilling and reinforcing concepts
 - Assisting students to locate additional learning resources
 - Answering student questions
 - Encouraging students
 - Assisting with classroom management
 - Evaluating students
- Act in a professional, respectful manner whenever conducting academy business whether on or off academy grounds
- Report concerns regarding students, parents, employees, and curriculum to the Director or designated person
- Perform duties in accordance with the Weber State University policies and procedures and in accordance with the Utah State Office of Education's requirements, and the Weber State University Charter Academy
- Perform additional duties, when needed, as prescribed by the Director and/or teacher

Business Administrator/Secretary Job Description

Weber State University Charter Academy will most likely employ a Business Administrator/Secretary. The Business Administrator/Secretary will provide clerical support and perform duties as assigned by the Director.

The Business Administrator/Secretary must have excellent organizational and communication skills in order to maintain the office's operations in a professional manner and present a professional and welcoming image to parents, students and community members who interact with the academy.

Business Administrator/Secretary must

- Support the academy's mission, policies, curriculum, administration, and Board of Directors
- Ensure that the front office presents a professional, welcoming image
- Assist with the Director's communications to staff and families, including e-mail messages and newsletters
- Supervise other office staff
- Oversee visitor check-in procedures
- Communicate professionally
- Receive and route incoming calls
- Take telephone messages for all staff

- Maintain a schedule of appointments and make arrangements for conferences, interviews, and special event needs
- Provide teacher support including absentee notification, parent mailings, and other duties as requested
- Maintain supply inventory for classroom, administrative, and custodial support
- Maintain necessary student and other academy records according to applicable laws and academy policy
- Work effectively in a team environment
- Assist with preparations for faculty, department, or educator team meetings
- Provide for timely agenda and handouts for meetings
- Model self-discipline and ethical behavior
- Perform other duties as requested by an administrator

F. EVALUATIONS

Weber State University Charter Academy will place an emphasis on using the Weber State University PREP system to evaluate employees. We will also work to ensure that all USOE employment evaluation requirements are met. The Board expects the Director to create a working environment where teachers feel comfortable seeking and receiving performance feedback, and where all employees consistently work towards improving the quality of their work and of the learning results for students that the academy desires.

G. EMPLOYMENT OF RELATIVES

Weber State University Charter Academy will follow all federal and state laws, including but not limited to Utah Code § 53A-1a-518, regarding the employment of relatives and conflicts of interest. The academy's proposed Employment of Relatives Policy and Conflict of Interest Policy are included in Appendix F.

H. TERMS AND CONDITIONS OF EMPLOYMENT

Weber State University Charter Academy will follow all Weber State University terms and conditions of employment and will work closely with the Human Resources Department. The Weber State University Charter Academy will also be in compliance with all State System of Public Education employment policies.

References for Section 14A

Bolman, L. G., & Deal, T. E. (2002). *Reframing the path to school leadership: A guide for teachers and principals*. Thousand Oaks, CA: Corwin Press, Inc.

Hargreaves, A., & Fullan, M. (2012). *Professional capital: Transforming teaching in every school*. New York: Teachers College Press and Toronto: Ontario Principals' Council.

■ Section 15 – Services

A. ADMINISTRATIVE

The WSU Charter Academy will be housed within the Jerry and Vickie Moyes College of Education. An instructional leader (director) will be appointed by, and report to, the Dean of the College or an appointed representative. The instructional leader will ensure compliance with WSU, USOE, NCLB, and IDEA requirements. She or he will also make recommendations to the Dean and Board of Trustees for all employee hiring, termination, and discipline issues. The instructional leader will oversee the completion of necessary state and federal reports and may assign these duties to faculty and/or staff.

The faculty and staff the Child and Family Studies and Teacher Education departments have extensive experience and expertise in education and child development. Therefore, it is anticipated that all or most of the following services will be provided by the faculty and staff: (a) curriculum development, (b) supervision and improvement of instruction, (c) interpretation of student and school progress and performance, (d) staff professional development, (e) counseling, (f) discipline, (g) student placement, (h) management of school equipment and supplies (i) preparation and completion of federal and state reports, (j) case management of IEPs, and (k) assistance and support to teachers.

In addition, the following services will be provided by the University: (a) employment issues and (b) responsibilities for operation and maintenance of the school plant.

B. BUDGET

Budget for provided services for personnel, education service providers, supplies, and materials is detailed in Section 6: Detailed Business Plan and Budget.

C. LIBRARY PLAN

The WSU Charter Academy will have access to the collections and resources of the Stewart Library. In addition, a collection of age-appropriate literature will be housed in the classroom for daily use by teachers and students. The following is a description of library resources:

Overview of Stewart Library's Collections & Services for the College of Education

The Stewart Library is accredited through Weber State University's (WSU) Northwest Commission on Colleges and Universities (NWCUE) accreditation process. An essential part of the mission of the Stewart Library is to support the teaching and research needs of WSU faculty, students, and staff. As such, a subject specialist with advanced degrees in library science and education is assigned to the College of Education. This individual, in collaboration with college faculty, is responsible for developing and managing the library's collections in this area and ensuring budget allocations are expended wisely. In addition to collection management, this

person provides personalized individual and classroom instruction for education students and faculty and works with the Melba S. Lehner Children's school to provide introductory lessons and tours of library facilities for young children.

Collection Management

The term *collection management* is used broadly to describe activities that include:

- Systematically assessing the library needs of the College of Education.
- Evaluating the strengths and weaknesses of current collections.
- Evaluating and carefully selecting new materials in all formats to support the teaching and research needs of faculty, students, and staff in the College of Education.
- Promoting and facilitating the use of library resources and services.

Collections for this area include the General Education Collection, Young People's Collection, and Curriculum Library.

Curriculum Library

The Curriculum Library contains sample textbooks, teachers' guides, and curriculum guides for elementary, middle, and high schools. This collection is used primarily by students in the WSU Teacher Education program and by some local school teachers. There are a total of 17,163 items in this collection in a variety of formats, including books, CDs, fastbacks, curriculum kits, oversized materials such as presentation books and activity cards, and pictures. Online selection aids are utilized in selecting resources that meet the core curriculum requirements for the State of Utah such as the RIMS database, which offers evaluation of materials based on the Utah's core curriculum standards. Faculty, staff, and student recommendations are also considered. This portion of the collection underwent extensive evaluation in 2010; duplicate materials were withdrawn and offered to public school districts.

Young People's Collection

The Young People's Collection contains children's literature, children's non-fiction, and children's reference sources. These materials are collected and housed for use by Teacher Education students and young children. The collection is arranged by the Dewey classification system. There are a total of 14,892 items in this collection. Various selection aids are utilized in selecting quality resources for the Young People's Collection; these include, but are not limited to, Junior Library Guild, Library Journal reviews, American Library Association award winners (including Caldecott and Newbery), New York Times best sellers for children's books, and standard lists and literature guides. Faculty, staff, and student recommendations are also considered.

General Education Collection

The General Education Collection includes over 20,000 items in the L call number range, which include a variety of formats such as government documents, books, CDs, DVDs, and eBooks. Various selection aids are utilized in selecting quality resources for the General Education

Collection; these include, but are not limited to, professional journal and newspaper reviews, professional association reviews, publisher catalogs, subject specific bibliographies, standard lists and literature guides. Faculty, staff, and student recommendations are also considered.

A. Budget Allocations

The library makes every effort to use its available resources as equitably and effectively as possible in developing its collections of information resources. Annual allocations are made to acquire library resources in support of the various academic disciplines and programs. The amount of the allocation may vary from year to year, depending upon the amount of funds available and the identified needs of the academic programs. In determining allocation amounts, a number of factors are taken into consideration, including:

- Strengths and weaknesses of the extant collection.
- Identified programmatic needs.
- Student/faculty use of information resources in the subject area.
- Publishing output and average cost of library resources in the subject area.
- Program level (graduate, undergraduate.)
- Number of faculty teaching in the discipline.
- Number of students and number of majors offered in the program.
- Current ongoing commitments (journals, standing orders, etc.)
- Gift monies and additional one-time funding are routinely used to supplement annual allocations.

B. General Criteria for the Evaluation & Selection of Library Materials

The library collects materials in all formats that support the curricular and faculty research interest of the university. The following criteria provide general guidelines in the selection of information resources for the library's collections:

- Appropriateness for and relevancy to the undergraduate and graduate programs offered at Weber State University is the primary criterion.
- Perceptions of need and evidence of demand for materials within a subject area.
- Strength/weakness of the collection in a particular subject area and the designated collecting level.
- Quality of the resource in content, format, and/or literary merit.
- Currency and timeliness of the material. Current publications are given priority. Efforts are made, however, to secure important retrospective materials, both in and out of print, as needed in specific disciplines.
- Language: Selections in English and those languages taught at WSU are given preference.
- Faculty/staff/student requests.
- Published reviews.

C. Weeding

Systematic weeding of the collection is an integral part of the collection management process and is a responsibility of the subject specialist, in collaboration with faculty. Ongoing evaluation of the library's collections normally results in the withdrawal of materials from those collections. Materials in the following categories are most often subject to systematic withdrawal:

- Materials containing obsolete or superseded information (e.g., superseded editions of encyclopedias, indexes and abstracts subsequently cumulate, outdated factual materials, preliminary reports).
- Worn, damaged, or badly marked items when readily available elsewhere through interlibrary loan or, if heavily used, through the purchase of replacement copies.
- Duplicate copies of rarely-used materials which had been duplicated for reserve use; duplicated due to strong, previously-current interests; and duplicated inadvertently.

II. Instruction & Research Assistance

Instruction and research assistance are provided to College of Education faculty and students, and to the Melba S. Lehner Children's school upon request. Sessions for faculty and students may include general instruction sessions on the use of the library or library resources or subject specific sessions on particular topic areas or for course assignments. Sessions for the Children's School may include story-times based on a theme, tours, and sessions that provide young children with an introduction to libraries and how to take care of books.

Classroom Children's Literature Collection

The National Association for the Education of Young Children (NAEYC) and the International Reading Association (IRA) issued a joint position paper on learning to read and write (NAEYC, 2009). This paper outlined several recommendations for supportive policies and resources that are essential in promoting excellent early literacy experiences. One of the recommendations is for "extensive literacy resources, including high-quality children's books, educational software, and other technology tools." Moreover, the paper states that "responding to young children's varied developmental levels, interests, and cultural and linguistic backgrounds require rich literacy resources." "Learning to Read and Write: Developmentally Appropriate Practices for Young Children," issued jointly by NAEYC and IRA in 1998 states that "increasing the volume of children's playful, stimulating experiences with good books is associated with accelerated growth in reading competence" (p. 11). They maintained that "studies have found that a minimum of five books per child is necessary to provide even the most basic print-rich environment" (p. 18).

To meet these standards, the initial budget for the classroom collection would target the purchase of 100 age-appropriate children's books (20 students/each session x 5 books = 100). Titles would be selected from the IRA's "Children's Choices" and "Teacher Choices" book lists, as well as from recommendations from the CFS and TED faculty and staff. The goal would be to expand the collection by approximately 20% each year over the next five years.

D. TECHNOLOGY PLAN

Charter School	WSU Charter Academy
Principal/Dean	Jack L. Rasmussen, Ph.D.
Associate Principal/Associate Dean	Chloe D. Merrill, Ph.D.
Technology Coordinator	Paul Dykman, M.Ed.

Plan Objectives

- The plan establishes clear goals and a realistic strategy for using telecommunications and information technology to improve education (e.g., library services, CBT, assessment, etc.).
- The plan has a professional development strategy to ensure that staff knows how to use these new technologies to improve education.
- The plan includes an assessment of the telecommunication services, hardware, software, and other services that will be needed to improve education.
- The plan provides a sufficient budget to acquire and maintain the hardware, software, professional development, and other services that will be needed to implement the strategy.

Description of Technology Plan

Goals and Strategy

The WSU Charter Academy is committed to providing high-quality education to children and their families by using best practices derived from current child development theories and research. A key component of the educational program is a strong emphasis on the whole child. Appropriate use of technology, following the NAEYC/Fred Rogers Center Guidelines detailed below, will support this mission. First tier technology support will be provided by the Moyes College of Education Technology Specialist. In addition, the WSU Computing Support Professional Staff will provide second tier support for the following services:

- Software
 - WSU licensed software availability
 - On campus installed through the network
 - Access from anywhere through the Virtual Lab
 - Install from software downloads in eWeber
- Security
 - Centralized managed desktop security
 - Device encryption
 - Compliance reporting
- Desktop
 - Providing standardized desktop configuration

- Windows
- Mac
- Consulting
 - Individual class or department projects or labs
 - Data recovery services (limited) and advice
 - Computer purchasing
 - Software purchasing

NAEYC and Fred Rogers Center Position Statement on Technology

A 2012 joint position statement developed by NAEYC and the Fred Rogers Center titled *Technology and Interactive Media as Tools in Early Childhood Programs Serving Children from Birth through Age 8* will inform the WSU Charter Academy's use of technology. The National Institute for Literacy (2008) equates "technology-handling" skills with the "book-handling" skills associated with early literacy development. "When combined with skillful teaching, high-quality interactive media provides a learning and creative advantage that can accelerate learning and narrow the achievement gap between children from low-income families and their more affluent peers" (NAEYC/FRC, 2012, p. 4). The following recommendations were identified to guide the appropriate use of technology and interactive media in early childhood programs (NAEYC/FRC, 2012, p. 11)

1. Select, use, integrate, and evaluate technology and interactive media tools in intentional and developmentally appropriate ways, giving careful attention to the appropriateness and quality of the content, the child's experience, and the opportunities for co-engagement.
2. Provide a balance of activities in programs for young children, recognizing that technology and interactive media can be valuable tools when used intentionally with children to extend and support active, hands-on, creative, and authentic engagement with those around them and their world.
3. Discourage the passive use of television, videos, DVDs, and other non-interactive technologies and media in early childhood programs.
4. Limit any use of technology and interactive media in programs for children younger than two to those that appropriately support responsive interactions between caregivers and children and that strengthen adult-child relationships.
5. Carefully consider the screen time recommendations from public health organizations for children birth through 5 when determining appropriate limits on technology and media use in early childhood settings. Screen time estimates should include time spent in front of a screen at the early childhood program and, with input from parents and families, at home and elsewhere.
6. Provide leadership in ensuring equitable access to technology and interactive media experiences for the children in their care and for parents and families.

Professional Development

Providing an academy with state-of-the-art technology does not guarantee that it will be used effectively. A critical component is on-going professional development and support for faculty and staff. The NAEYC and Fred Rogers Center (2012) stated that "to make informed decisions

regarding the intentional use of technology and interactive media in ways that support children's learning and development, early childhood teachers and staff need information and resources on the nature of these tools and the implications of their use with children" (p.5). As noted above, the Moyes College of Education Technology Specialist will be available to provide training and support. In addition, several faculty members in the Child and Family Studies and Teacher Education departments are skilled in developmentally appropriate use of various educational technologies. These individuals will provide training and support to the faculty and staff of the WSU Charter Academy as needed. Moreover, hiring criteria for WSU Charter Academy teachers will include demonstrated knowledge and skill in the developmentally appropriate use of technology.

Assessment of telecommunication services, hardware, software, and other services (Yr 1)

	Computer Lab	Classroom	Library	Admin. Office	Other Locations	Planned Future Acquisitions		
						Yr 2	Yr 3	Yr 4
Computers - List by type (e.g., laptop, desktop)								
A. < 4 yrs old	iMacs (5)	Mac desktop (1) Windows desktop (1)		Laptop (1)				
B. > 4 yrs old								
C.								
# of above computers that are Internet capable	5	2		1				
Peripheral Devices								
A. Printer/Scanner		1		1				
B. Digital visualizer (document camera)		1						

C. Assistive / adaptive devices	1 iMac with text-to-speech and high-contrast capability							
E. TVs (digital signal)		1						
E. DVD Players		1						
F. LCD Projectors		1						
G. Smart Board (interactive whiteboard)		1						
Network Equipment								
A. Hubs	WSU facility supported	WSU facility supported		WSU facility supported				
B. Routers	WSU facility supported	WSU facility supported		WSU facility supported				
C. Servers	WSU facility supported	WSU facility supported		WSU facility supported				
D.								
Total Classrooms		1						
Number of classrooms wired for internal connections		1						
Telecommunication Links								
A. Gigabit Ethernet	WSU facility supported	WSU facility supported		WSU facility supported				
B. Multiple T1s or T3								
C. Microwave								

Technology Budget

The Moyes College of Education is committed to providing and maintaining all of the hardware and software needed to enable the WSU Charter Academy to fulfill its mission, and to provide the needed professional development to ensure that technology is used in the most developmentally appropriate and effective ways. Computers are typically scheduled for replacement approximately every 3-4 years or sooner if necessary. Classroom technology is evaluated at least on a yearly basis by the College Technology Specialist, and repairs or replacement is done based on that evaluation. When a problem is noted during the year, repair or replacement typically occurs within 24 hours of notice to the Technology Specialist. The Moyes College of Education will allocate \$2500.00 annually for technology maintenance, replacement, software acquisition, and professional development.

Policies Governing the Acceptable Use of Technology

The NAEYC and Fred Rogers Center (2012) identified “digital citizenship” as an important part of digital literacy for young children, and stated that: “Young children need to develop knowledge of and experiences with technology and media tools, to differentiate between appropriate and inappropriate uses, and to begin to understand the consequences of inappropriate uses” (p. 10). The WSU Charter Academy will use the “best practices” recommendations from the Utah State Office of Education as the basis for its social media policy (refer to Appendix G).

All Weber State University faculty, staff, and students are required to follow the WSU Acceptable Use and Social Media Policy (see Appendix G). This Acceptable Use Policy reflects the University’s mission, provides guidance for using IT Resources, and protects the University, users, and property (PPM 10-2).

WSU Charter Academy will also comply with Utah Code 53A-3-422 Internet and online access policy required, that states that state funds may not be provided to any local school board that provides access to the Internet or an online service unless the local school board adopts and enforces a policy to restrict access to Internet

F. EDUCATIONAL SERVICE PROVIDERS

It is anticipated that all or most educational services will be provided directly by the faculty and staff of the Child and Family Studies and Teacher Education departments. However, any service contracted through outside educational service providers must adhere to the following policy stated in the WSU Policies and Procedures Manual (PPM 5-25a-e). For a detailed explanation of the purchasing policies and procedures, refer to section 7 of this application on fiscal procedures.

References for Section 15

International Reading Association and the National Association for the Education of Young Children (1998). Learning to read and write: Developmentally appropriate practices for young children. A joint position statement of the International Reading Association and

the National Association for the Education of Young Children. Retrieved from the www on May 30, 2012: <http://www.naeyc.org/positionstatements>

National Association for the Education of Young Children (2009). NAEYC and IRA: Where we stand on learning to read and write. Position Statement. Washington, DC: Author. Retrieved from the www on May 30, 2012: <http://www.naeyc.org/files/naeyc/file/positions/WSSSLearningToReadAndWriteEnglish.pdf>

National Association for the Education of Young Children and the Fred Rogers Center for Early Learning and Children's Media at Saint Vincent College (2012). Technology and interactive media as tools in early childhood programs serving children from birth through age 8. Position Statement. Washington, DC: Author. Retrieved from the www on May 30, 2012: <http://www.naeyc.org/content/technology-and-young-children>

National Institute for Literacy (2008). *Developing Early Literacy: Report of the National Early Literacy Panel. A Scientific Synthesis of Early Literacy Development and Implications for Intervention*. T. Shanahan, Cahir. Louisville, KY: National Center for Family Literacy.

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Section 16 – Extra-Curricular Activities

A. POLICIES

Extra-curricular activities will be chosen that align with our mission and vision statement. These extra-curricular activities will be selected based on available funding, student interest, and the academy's mission and vision.

Agreement with District

Weber State University Charter Academy does not plan to have an agreement with the local school district.

See Appendix H.

■ Section 17 – Special Education

A. SERVICE and PLACEMENT

Weber State University Charter Academy (WSUCA) will not discriminate on the basis of disability or need for special education services. Once a student on an IEP is selected through the nondiscriminatory lottery admissions process, an IEP Team meeting will be convened to make appropriate programmatic and placement decisions for the student. WSUCA will operate 2 half-day kindergarten classes with a maximum of 20 students in each class the first year and 22 students in subsequent years. To the maximum extent possible, students with IEPs will be served in the least restrictive environment, which is the general education classroom. Necessary and appropriate accommodations, special education, and related services will be delivered in compliance with the IEPs of all IDEA-eligible students (USBE-SER III). If necessary, pull-out services such as speech-language therapy, occupational therapy, or physical therapy will be provided on an itinerant basis by qualified professionals contracted through local LEAs (Ogden City Schools or Weber School District). In the event that a more restrictive environment is required, i.e., special class, special school, home or hospital instruction, WSUCA will arrange services with a neighboring LEA, private school, or hospital (USBE-SER III.Qd to meet the individual needs of each student with disabilities (regardless of severity of disability).

B. QUALIFIED STAFF

Dr. Natalie Allen Williams, Associate Professor of Teacher Education, will serve as Case Manager for all students identified with a disability who require an IEP. Dr. Williams is currently in the process of renewing her Level 3 Utah Professional Educator License in Special Education K-12 with endorsement in Severe Disabilities and Pre-School Special Education, Birth to Age 5. In addition, Drs. Fran Butler, Melina Alexander, and Jack Mayhew are full-time faculty members in Special Education and will serve as consultants as needed. They will provide ongoing training to ensure that all WSUCA faculty and staff are adequately prepared to carry out IDEA requirements (i.e., IDEA 2004, USBE-SER.) Administrators and business managers will receive training through the USOE regarding allowable uses of restricted IDEA and State special education funds (EDGAR, OMB A-13¹³, and USBE-SER IX and X) and ensure that adequate documentation is maintained to support the use of those restricted funds. WSUCA will contract with local LEAs (Ogden City Schools or Weber School District) to provide qualified staff and/or contract providers to ensure the provision of a free appropriate public education (FAPE), special education and related services, as needed, based upon current and possible population growth (USBE-SER IX.F.)

C. POLICIES

The Weber State University Charter Academy Special Education Policies and Procedures Manual is aligned with IX.A.-IX.B and is attached to this application in Appendix I.

D. CHILD FIND

The WSUCA Special Education Policies and Procedures manual contains detailed child find procedures including all components required in USBE-SER II.A (e.g. ongoing training on child find responsibilities for all academy staff, the process for responding to new referrals quickly, conducting evaluations that address all areas of need, and ensuring that initial evaluations are completed within the 45-school day timeline). WSUCA maintains a list of qualified and USOE approved school psychologists who are available on contract to conduct and complete evaluations in a timely manner (USBE-SER II.).

E. SPECIAL EDUCATION RECORDS

The WSUCA Special Education Policies and Procedure Manual details how special education records will be maintained, accessed, transferred, and requested in a timely, secure, confidential environment and manner, in alignment with USBE-SER IV.X and FERPA. All Special Education records will be kept in a locked cabinet in the office of the WSUCA Principal or other designated person, along with a record of access. At least annually, before the scheduled annual IEP, the WSUCA case manager will thoroughly review each child's records. If an error or discrepancy is found, the parents will be contacted within one week to schedule a meeting to address the error. If the error is deemed to be a violation of FAPE, immediate action will be taken to ensure FAPE is provided immediately, with comparable special education services until the IEP is either accepted or a new IEP developed (USBE-SER III.C.). In the event that the parent requests a record is inaccurate or misleading or violates the privacy or other rights of the student, the parent will notify WSUCA in writing. The IEP team, which includes the parents, will meet to decide if the records should be amended. The parents will be notified in writing of the decision of the IEP team and any subsequent action. A record of the meeting and discussion will be placed in the student's file.

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Section 18 – Additional Information

No additional information is needed or available at this time.

Appendix A – Charter Academy Lottery Policy

PURPOSE

In compliance with Utah Code 53A-1a-506.5(2) and Utah Administrative Code R277-472-5 the Weber State University Charter Academy (the “Academy”) has established an official admission procedure for accepting applications for enrollment at the Academy. This Policy provides appropriate procedures to be followed in the enrollment and lottery process and is made in compliance with governing laws, rules, regulations, and guidelines.

POLICY

Admission to Weber State University Charter Academy will not be made and preference in admission will not be given on any basis that violates governing laws, rules, and regulations, including IDEA 2004 and civil rights laws.

Notice of the opportunity to submit a lottery application and procedures for enrollment at the School will be published on the Academy’s Internet website beginning no later than sixty (60) days before the Academy’s initial open enrollment period. The Academy’s website will also provide the following enrollment information: (1) a description of the procedures for applying for admission to the Academy; (2) the opening date or the Academy’s calendar; and (3) a description of how a student may transfer from the Academy to another charter school or district school.

Lottery applications for enrollment at the Academy will be made electronically. If the Academy receives more applications for a grade than there are available seats in that grade, the Academy will accept students through a random lottery system, except that the Academy may give preference in its lottery to certain categories of students as permitted by applicable law. This preferential status shall be given in the following order and to the following categories of students:

- First Preference: to children of “Founders” (as defined below);
- Second Preference: to children of “Teachers” (as defined below) of the Academy;
- Third Preference: to siblings of students presently enrolled in the Academy; and
- Fourth Preference: to children of “Employees” (as defined below) of the Academy.

A “Teacher” is defined as a licensed employee working in a teaching capacity for more than $\frac{3}{4}$ of the school day.

An “Employee” is defined as an individual employed by Weber State University Charter Academy who works more than 20 hours per week for the School. “Employee” does not include contractors or subcontractors.

A “Founder” is defined as an individual who plays a significant role in the development of the school as determined and approved by the Academy’s board of directors. Notwithstanding, no student shall be given priority notice or guaranteed admission to the Academy. No more than 5% of the total student population will be enrolled as a result of priority based on Founder or

employment status of the student's parent(s). Students selected through the random lottery will receive written notice from the Academy within five (5) business days offering admission to the Academy. The offer of admission will include, among other things, a deadline for accepting the offer. Failure to timely accept an offer of admission will permit the Academy to offer admission to another student identified through the lottery.

Prospective Founders must commit to provide at least sixty (60) volunteer hours before the opening of the Academy and an additional thirty (30) hours during the move-in phase in fall 2013 to the development of the academy as determined by the Board. Founder status will not be conferred based on donations made to the Academy. Individuals who fail to meet these requirements can have their Founder Status revoked. Each Founder and each employee is allotted preferential enrollment for one (1) child.

Lottery applications will be due by February 28, prior to the beginning of the upcoming school year. Verification of age must be attached to the registration packet (e.g. birth certificate). Lottery application must be for either the morning session or the afternoon session. Lottery is locked after the closing date. No multiple lottery applications will be allowed. In the case of multiple birth siblings (twins, triplets, etc.) all names must be on a single application.

The initial lottery of Weber State University Charter Academy will be held during the first part of March, 2013. Subsequent lotteries will be conducted from time to time as needed until the targeted enrollment numbers are met. In subsequent years, the first lottery will be held in March of each year, following which, additional lotteries will be conducted from time to time as needed until the targeted enrollment numbers are met in the given year. The Academy may, at the discretion of the Academy's Director, continue to enroll students from the lottery throughout the school year to fill vacant seats when students withdraw as permitted by applicable law.

Using bingo balls with a matched list of students to specific numbers (multiple birth students will have the same number), the lottery will take place in a public forum. No preferential treatment, guaranteed admission, or denial of any student will be permitted other than age requirement for the beginning of the school year (age 5 by September 1). All students and their parents who have applied will be invited to the forum, but attendance is not mandatory. This forum will originally take place on the Ogden campus of Weber State University.

Appendix B – Budget Form

	A	B	C	D	E	F
1	Charter School Name: Weber State University Charter Academy			Fiscal Year: 2013-2014		
2	Revenue			Planning Year		
3	Total Revenue From Local Sources (1000)			\$0		
4	Total Revenue from State Sources (3000)			\$0		
5	Restricted Federal Through State			\$0		
6	Total Revenue from Federal Sources (4000)			\$0		
7	Private Grants & Donations :			\$0		
8	Source(s) <i>(specify)</i> University Discretionary Allocation			\$100,000		
9	Loans:					
10	Commercial			\$0		
11	Contributions and Donations from Private Sources			\$0		
12	Other <i>(specify)</i>			\$0		
13	Total Revenue from Other Sources (5000)			\$100,000		
14	Total Revenue			\$100,000		
15	Expenditures			Number:	Salary or Cost	Total
16	131	Salaries - Teachers		1.00	\$17,600	\$17,600
17	132	Salaries - Substitute Teachers				\$0
18	161	Salaries - Teacher Aides and Paraprofessionals				\$0
19	100	Salaries - All Other				\$0
20		Total Salaries (100)				\$17,600
21	210	Retirement		1.00	\$2,500	\$2,500
22	220	Social Security		1.00	\$1,346	\$1,346
23	240	Insurance (Health/Dental/Life)		1.00	\$4,820	\$4,820
24	200	Other Benefits <i>(specify)</i>		1.00	\$176	\$176
25		Total Benefits (200)				\$8,842
26	300	Purchased Professional and Technical Services				\$0
27	600	Instructional Supplies		1.00	\$18,000	\$18,000
28	641	Textbooks				\$0
29		Total Supplies (600)				\$18,000
30	700	Property (Instructional Equipment) (700)		1.00	\$10,000	\$10,000
31	800	Other Objects				\$0
32	810	Dues and Fees				\$0
33		Total Other Objects (800)				\$10,000
34	Total Instruction (1000)			\$64,442		
35	141	Salaries - Attendance and Social Work Personnel				\$0
36	142	Salaries - Guidance Personnel				\$0
37	143	Salaries - Health Services Personnel				\$0
38	144	Salaries - Psychological Personnel				\$0
39	152	Salaries - Secretarial and Clerical		1.00	\$4,500	\$4,500
40	100	Salaries - All Other				\$0
41		Total Salaries (100)				\$4,500
42	210	Retirement		1.00	\$844	\$844
43	220	Social Security		1.00	\$344	\$344
44	240	Insurance (Health/Dental/Life)		1.00	\$2,410	\$2,410
45	200	Other Benefits		1.00	\$45	\$45
46		Total Benefits (200)				\$3,643
47	300	Purchased Professional and Technical Services				\$0
48	600	Supplies		1.00	\$500	\$500

	A	B	C	D	E	F
49	700	Property				\$0
50	800	Other Objects				\$0
51	810	Dues and Fees				\$0
52		Total Other Objects (800)				\$0
53		Total Student Support Services (2100)				\$8,643
54	145	Salaries - Media Personnel - Certified				\$0
55	162	Salaries - Media Personnel - Noncertified				\$0
56	100	Salaries - All Other				\$0
57		Total Salaries (100)				\$0
58	210	Retirement				\$0
59	220	Social Security				\$0
60	240	Insurance (Health/Dental/Life)				\$0
61	200	Other Benefits				\$0
62		Total Benefits (200)				\$0
63	300	Purchased Professional and Technical Services				\$0
64	600	Supplies				\$0
65	644	Library Books				\$0
66	650	Periodicals				\$0
67	660	Audio Visual Materials				\$0
68		Total Supplies (600)				\$0
69	700	Property				\$0
70	800	Other Objects				\$0
71	810	Dues and Fees				\$0
72		Total Other Objects (800)				\$0
73		Total Instructional Staff Support Services (2200)				\$0
74	121	Salaries - Principals and Assistants				\$0
75	152	Salaries - Secretarial and Clerical				\$0
76	100	Salaries - All Other				\$0
77		Total Salaries (100)				\$0
78	210	Retirement				\$0
79	220	Social Security				\$0
80	240	Insurance (Health/Dental/Life)				\$0
81	200	Other Benefits				\$0
82		Total Benefits (200)				\$0
83	300	Purchased Professional and Technical Services				\$0
84	600	Supplies				\$0
85	700	Property				\$0
86	800	Other Objects				\$0
87	810	Dues and Fees				\$0
88		Total Other Objects (800)				\$0
89		Total School Administration (2400)				\$0
90	100	Salaries				\$0
91	210	Retirement				\$0
92	220	Social Security				\$0
93	240	Insurance (Health/Dental/Life)				\$0
94	200	Other Benefits				\$0
95		Total Benefits (200)				\$0

	A	B	C			
96	300	Purchased Professional and Technical Services				\$0
97	400	Purchased Property Services				\$0
98	460	Construction and Remodeling				\$0
99		Total Property (400)				\$0
100	500	Other Purchased Services				\$0
101	600	Supplies				\$0
102	700	Property				\$0
103	800	Other Objects				\$0
104	810	Dues and Fees				\$0
105		Total Other Objects (800)				\$0
106	Total Operation & Maintenance of Facilities (2600)					\$0
107	100	Salaries				\$0
108	210	Retirement				\$0
109	220	Social Security				\$0
110	240	Insurance (Health/Dental/Life)				\$0
111	200	Other Benefits				\$0
112		Total Benefits (200)				\$0
113	300	Purchased Professional and Technical Services				\$0
114	400	Purchased Property Services				\$0
115	460	Construction and Remodeling				\$0
116		Total Property (400)				\$0
117	500	Other Purchased Services				\$0
118	600	Supplies - New Buildings				\$0
119	641	Textbooks - New Buildings				\$0
120	644	Library Books-New Libraries				\$0
121		Total Supplies (600)				\$0
122	710	Land and Improvements				\$0
123	720	Buildings				\$0
124	731	Machinery				\$0
125	732	School Buses				\$0
126	733	Furniture and Fixtures	1.00	\$20,000	\$20,000	
127	734	Technology Equipment				\$0
128	735	Non-Bus Vehicles				\$0
129	739	Other Equipment				\$0
130		Total Property (700)				\$20,000
131	800	Other Objects (<i>Specify</i>)				\$0
132	Total Building Acquisition & Instruction (4300)					\$20,000

	A	B	C	D	E	F
133	1000	Total Local				\$0
134	3000	Total State				\$0
135	4000	Total Federal				\$0
136	TOTAL REVENUES					\$0
137	100	Salaries				\$22,100
138	200	Employee Benefits				\$12,485
139	300	Purchased Professional and Technical Services				\$0
140	400	Purchased Property Services				\$0
141	500	Other Purchased Services				\$0
142	600	Supplies				\$18,500
143	700	Property				\$30,000
144	800	Other Objects				\$10,000
145	TOTAL EXPENDITURES					\$93,085
146	Excess or Deficiency of Revenues over Expenditures					-\$93,085
147	Other Sources of Funding (5000)					\$100,000
148	Net Asset Balance (Fund Balance)					\$6,915
149	Reserves as Percentage of Total Revenue					#DIV/0!
150	Percentage of Funding Contributed to Reserve Balance					#DIV/0!
151	Necessary Closure Fund					\$1,667

	A	B	C	D	E	F	G	H	I
1	Charter School Name: Weber State University Charter Academy			Fiscal Year: 2014-2015					
2	First Operational Year			100% Enrollment			75% Enrollment		
3	Number of Students:		40 Total (20 morning; 20 afternoon)			40			30
4	Grade Configuration: Kindergarten (1/2 day 2 sessions)					K			K
5	Revenue								
6	Child Nutrition Program (CNP) and Lunchroom Sales					\$0			\$0
7	Student Activities					\$0			\$0
8	Other					\$0			\$0
9	Total Revenue From Local Sources (100%)					\$0			\$0
10	Total Revenue from State Sources (300%)					\$113,690			\$85,240
11	Lunch and Breakfast Reimbursement					\$0			\$0
12	Donated Commodities (CNP)					\$0			\$0
13	Restricted Federal Through State					\$0			\$0
14	Programs for the Disabled (IDEA)					\$0			\$0
15	No Child Left Behind (NCLB)					\$0			\$0
16	Total Revenue from Federal Sources (400%)					\$0			\$0
17	Private Grants & Donations:					\$0			\$0
18			Source(s) (specify)			\$0			\$0
19	Loans:					\$0			\$0
20			Commercial			\$0			\$0
21			Contributions and Donations from Private Sources			\$0			\$0
22			Other (specify)			\$0			\$0
23	Total Revenue from Other Sources (500%)					\$0			\$0
24	Total Revenue					\$113,690			\$0
25	Expenditures			Number	Salary or Cost	Total	Number	Salary or Cost	Total
26	131	Salaries - Teachers		1.00	\$35,200	\$35,200	1.00	\$35,200	\$35,200
27	132	Salaries - Substitute Teachers				\$0			\$0
28	161	Salaries - Teacher Aides and Paraprofessionals				\$0			\$0
29	100	Salaries - All Other				\$0			\$0
30		Total Salaries (100)				\$35,200			\$35,200
31	210	Retirement		1.00	\$5,000	\$5,000	1.00	\$5,000	\$5,000
32	220	Social Security		1.00	\$2,693	\$2,693	1.00	\$2,693	\$2,693
33	240	Insurance (Health/Dental/Life)		1.00	\$5,060	\$5,060	1.00	\$5,060	\$5,060
34	200	Other Benefits (specify)		1.00	\$352	\$352	1.00	\$352	\$352
35		Total Benefits (200)				\$13,105			\$13,105
36	300	Purchased Professional and Technical Services				\$0			\$0
37	600	Instructional Supplies		1.00	\$20,000	\$20,000	1.00	\$15,000	\$15,000
38	641	Textbooks				\$0			\$0
39		Total Supplies (600)				\$20,000			\$15,000
40	700	Total Property (Instructional Equipment) (700)		1.00	\$5,000	\$5,000	1.00	\$5,000	\$5,000
41	800	Other Objects				\$0			\$0
42	810	Dues and Fees		2.00	\$500	\$1,000	2.00	\$500	\$1,000
43		Total Other Objects (800)				\$1,000			\$1,000
44	Total Instruction (1000)					\$73,305			\$69,305
45	141	Salaries - Attendance and Social Work Personnel				\$0			\$0
46	142	Salaries - Guidance Personnel				\$0			\$0
47	143	Salaries - Health Services Personnel				\$0			\$0
48	144	Salaries - Psychological Personnel				\$0			\$0
49	152	Salaries - Secretarial and Clerical		1.00	\$18,000	\$18,000	1.00	\$18,000	\$18,000
50	100	Salaries - All Other				\$0			\$0
51		Total Salaries (100)				\$18,000			\$18,000
52	210	Retirement		1.00	\$3,377	\$3,377	1.00	\$3,377	\$3,377
53	220	Social Security		1.00	\$1,377	\$1,377	1.00	\$1,377	\$1,377
54	240	Insurance (Health/Dental/Life)		1.00	\$5,060	\$5,060	1.00	\$5,060	\$5,060
55	200	Other Benefits		1.00	\$180	\$180	1.00	\$180	\$180
56		Total Benefits (200)				\$9,994			\$9,994
57	300	Purchased Professional and Technical Services				\$0			\$0
58	600	Supplies		1.00	\$500	\$500	1.00	\$500	\$500
59	700	Property				\$0			\$0
60	800	Other Objects				\$0			\$0
61	810	Dues and Fees				\$0			\$0
62		Total Other Objects (800)				\$0			\$0
63	Total Student Support Services (2100)					\$28,494			\$28,494
64	145	Salaries - Media Personnel - Certified				\$0			\$0
65	162	Salaries - Media Personnel - Noncertified				\$0			\$0
66	100	Salaries - All Other				\$0			\$0

	A	B	C	D	E	F	G	H	
67		Total Salaries (100)				\$0			\$0
68	210	Retirement				\$0			\$0
69	220	Social Security				\$0			\$0
70	240	Insurance (Health/Dental/Life)				\$0			\$0
71	200	Other Benefits				\$0			\$0
72		Total Benefits (200)				\$0			\$0
73	300	Purchased Professional and Technical Services				\$0			\$0
74	600	Supplies				\$0			\$0
75	644	Library Books				\$0			\$0
76	650	Periodicals				\$0			\$0
77	660	Audio Visual Materials				\$0			\$0
78		Total Supplies (600)				\$0			\$0
79	700	Property				\$0			\$0
80	800	Other Objects				\$0			\$0
81	810	Dues and Fees				\$0			\$0
82		Total Other Objects (800)				\$0			\$0
83	Total Instructional Staff Support Services (2200)					\$0			\$0
84	121	Salaries - Principals and Assistants				\$0			\$0
85	152	Salaries - Secretarial and Clerical		1		\$0			\$0
86	100	Salaries - All Other				\$0			\$0
87		Total Salaries (100)				\$0			\$0
88	210	Retirement				\$0			\$0
89	220	Social Security				\$0			\$0
90	240	Insurance (Health/Dental/Life)				\$0			\$0
91	200	Other Benefits				\$0			\$0
92		Total Benefits (200)				\$0			\$0
93	300	Purchased Professional and Technical Services				\$0			\$0
94	600	Supplies				\$0			\$0
95	700	Property				\$0			\$0
96	800	Other Objects				\$0			\$0
97	810	Dues and Fees		2	\$500	\$1,000	2.00	\$500	\$1,000
98		Total Other Objects (800)				\$1,000			\$1,000
99	Total School Administration (2400)					\$1,000			\$2,000
100	100	Salaries				\$0			\$0
101	210	Retirement				\$0			\$0
102	220	Social Security				\$0			\$0
103	240	Insurance (Health/Dental/Life)				\$0			\$0
104	200	Other Benefits				\$0			\$0
105		Total Benefits (200)				\$0			\$0
106	300	Purchased Professional and Technical Services				\$0			\$0
107	400	Purchased Property Services				\$0			\$0
108	460	Construction and Remodeling				\$0			\$0
109		Total Property (400)				\$0			\$0
110	500	Other Purchased Services				\$0			\$0
111	600	Supplies				\$0			\$0
112	700	Property				\$0			\$0
113	800	Other Objects				\$0			\$0
114	810	Dues and Fees				\$0			\$0
115		Total Other Objects (800)				\$0			\$0
116	Total Operation & Maintenance of Facilities (2500)					\$0			\$0
117	100	Salaries				\$0			\$0
118	210	Retirement				\$0			\$0
119	220	Social Security				\$0			\$0
120	240	Insurance (Health/Dental/Life)				\$0			\$0
121	200	Other Benefits				\$0			\$0
122		Total Benefits (200)				\$0			\$0
123	300	Purchased Professional and Technical Services				\$0			\$0
124	600	Non-Food Supplies				\$0			\$0
125	630	Food				\$0			\$0
126		Total Supplies (600)				\$0			\$0
127	700	Property				\$0			\$0
128	780	Depreciation - Kitchen Equipment Depreciation				\$0			\$0
129		Total Property (700)				\$0			\$0
130	800	Other Objects (Specify)				\$0			\$0
131	Total Food Services (3100)					\$0			\$0

132	100	Salaries			\$0			\$0
133	210	Retirement			\$0			\$0
134	220	Social Security			\$0			\$0
135	240	Insurance (Health/Dental/Life)			\$0			\$0
136	200	Other Benefits			\$0			\$0
137		Total Benefits (200)			\$0			\$0
138	300	Purchased Professional and Technical Services			\$0			\$0
139	400	Purchased Property Services			\$0			\$0
140	460	Construction and Remodeling			\$0			\$0
141		Total Property (400)			\$0			\$0
142	500	Other Purchased Services			\$0			\$0
143	600	Supplies - New Buildings			\$0			\$0
144	641	Textbooks - New Buildings			\$0			\$0
145	644	Library Books - New Libraries			\$0			\$0
146		Total Supplies (600)			\$0			\$0
147	710	Land and Improvements			\$0			\$0
148	720	Buildings			\$0			\$0
149	731	Machinery			\$0			\$0
150	732	School Buses			\$0			\$0
151	733	Furniture and Fixtures	1.00	\$1,000	\$1,000	1.00	\$1,000	\$1,000
152	734	Technology Equipment			\$0			\$0
153	735	Non-Bus Vehicles			\$0			\$0
154	739	Other Equipment			\$0			\$0
155		Total Property (700)			\$1,000			\$1,000
156	800	Other Objects (<i>Specify</i>)			\$0			\$0
157		Total Building Acquisition & Construction (4500)			\$1,000			\$1,000
158	830	Interest			\$0			\$0
159	840	Redemption of Principal			\$0			\$0
160		Total other financing sources (uses) and other items			\$0			\$0
161								
162	1000	Total Local			\$0			\$0
163	3000	Total State			\$113,680			\$85,260
164	4000	Total Federal			\$0			\$0
165		TOTAL REVENUES			\$113,680			\$85,260
166	100	Salaries			\$53,200			\$53,200
167	200	Employee Benefits			\$23,099			\$23,099
168	300	Purchased Professional and Technical Services			\$0			\$0
169	400	Purchased Property Services			\$0			\$0
170	500	Other Purchased Services			\$0			\$0
171	600	Supplies			\$20,500			\$15,500
172	700	Property			\$6,000			\$6,000
173	800	Other Objects			\$2,000			\$2,000
174		TOTAL EXPENDITURES			\$104,799			\$89,799
175		Excess or Deficiency of Revenues over Expenditures			\$8,881			-\$14,539
176		Other Sources of Funding (5000)			\$0			\$0
177		Net Asset Balance (Fund Balance)			\$8,881			-\$14,539
178		Reserves as Percentage of Total Revenue			8%			-17%
179		Percentage of Funding Contributed to Reserve Balance			0.078122801			-17%
180		Necessary Closure Fund			\$333			\$333

	A	B	C	D	E	F	G	H	I
1	Charter School Name: Weber State University Charter Academy			Fiscal Year: 2015-2016					
2	Second Operational Year			100% Enrollment			75% Enrollment		
3	Number of Students: 44 total (22 morning; 22 afternoon)			44			33		
4	Grade Configuration: Kindergarten (1/2 day 2 sessions)								
5	Revenue								
6	Child Nutrition Program (CNP) and Lunchroom Sales			\$0			\$0		
7	Student Activities			\$0			\$0		
8	Other			\$0			\$0		
9	Total Revenue from Local Sources (1000)			\$0			\$0		
10	Total Revenue from State Sources (3000)			\$125,048			\$93,786		
11	Lunch and Breakfast Reimbursement			\$0			\$0		
12	Donated Commodities (CNP)			\$0			\$0		
13	Restricted Federal Through State			\$0			\$0		
14	Programs for the Disabled (IDEA)			\$0			\$0		
15	No Child Left Behind (NCLB)			\$0			\$0		
16	Total Revenue from Federal Sources (4000)			\$0			\$0		
17	Private Grants & Donations:			\$0			\$0		
18	Source(s) (specify)			\$0			\$0		
19	Loans:			\$0			\$0		
20	Commercial			\$0			\$0		
21	Contributions and Donations from Private Sources			\$0			\$0		
22	Other (specify)			\$0			\$0		
23	Total Revenue from Other Sources (5000)			\$0			\$0		
24	Total Revenue			\$125,048			\$93,786		
25	Expenditures			Number	Salary or Cost	Total	Number	Salary or Cost	Total
26	131	Salaries - Teachers		1.00	\$36,000	\$36,000	1.00	\$36,000	\$36,000
27	132	Salaries - Substitute Teachers				\$0			\$0
28	161	Salaries - Teacher Aides and Paraprofessionals				\$0			\$0
29	100	Salaries - All Other				\$0			\$0
30		Total Salaries (100)				\$36,000			\$36,000
31	210	Retirement		1.00	\$5,112	\$5,112	1.00	\$5,112	\$5,112
32	220	Social Security		1.00	\$2,754	\$2,754	1.00	\$2,754	\$2,754
33	240	Insurance (Health/Dental/Life)		1.00	\$5,315	\$5,315	1.00	\$5,315	\$5,315
34	200	Other Benefits (specify)		1.00	\$360	\$360	1.00	\$360	\$360
35		Total Benefits (200)				\$13,541			\$13,541
36	300	Purchased Professional and Technical Services				\$0			\$0
37	600	Instructional Supplies		1.00	\$22,000	\$22,000	1.00	\$16,500	\$16,500
38	641	Textbooks				\$0			\$0
39		Total Supplies (600)				\$22,000			\$16,500
40	700	Total Property (Instructional Equipment) (700)				\$0			\$0
41	800	Other Objects				\$0			\$0
42	810	Dues and Fees				\$0			\$0
43		Total Other Objects (800)				\$0			\$0
44	Total Instruction (1000)			\$71,541			\$66,041		
45	141	Salaries - Attendance and Social Work Personnel				\$0			\$0
46	142	Salaries - Guidance Personnel				\$0			\$0
47	143	Salaries - Health Services Personnel				\$0			\$0
48	144	Salaries - Psychological Personnel				\$0			\$0
49	152	Salaries - Secretarial and Clerical		1.00	\$18,400	\$18,400	1.00	\$18,400	\$18,400
50	100	Salaries - All Other				\$0			\$0
51		Total Salaries (100)				\$18,400			\$18,400
52	210	Retirement		1.00	\$3,452	\$3,452	1.00	\$3,452	\$3,452
53	220	Social Security		1.00	\$1,408	\$1,408	1.00	\$1,408	\$1,408
54	240	Insurance (Health/Dental/Life)		1.00	\$5,315	\$5,315	1.00	\$5,315	\$5,315
55	200	Other Benefits		1.00	\$184	\$184	1.00	\$184	\$184
56		Total Benefits (200)				\$10,359			\$10,359
57	300	Purchased Professional and Technical Services				\$0			\$0
58	600	Supplies		1.00	\$500	\$500	1.00	\$500	\$500
59	700	Property				\$0			\$0
60	800	Other Objects				\$0			\$0
61	810	Dues and Fees				\$0			\$0
62		Total Other Objects (800)				\$0			\$0
63	Total Student Support Services (2100)			\$29,259			\$29,259		
64	145	Salaries - Media Personnel - Certified				\$0			\$0
65	162	Salaries - Media Personnel - Noncertified				\$0			\$0
66	100	Salaries - All Other				\$0			\$0
67		Total Salaries (100)				\$0			\$0
68	210	Retirement				\$0			\$0
69	220	Social Security				\$0			\$0

	A	B	C	D	E	F	G	H	
70	240	Insurance (Health/Dental/Life)				\$0			\$0
71	200	Other Benefits				\$0			\$0
72		Total Benefits (200)				\$0			\$0
73	300	Purchased Professional and Technical Services				\$0			\$0
74	600	Supplies				\$0			\$0
75	644	Library Books				\$0			\$0
76	650	Periodicals				\$0			\$0
77	660	Audio Visual Materials				\$0			\$0
78		Total Supplies (600)				\$0			\$0
79	700	Property				\$0			\$0
80	800	Other Objects				\$0			\$0
81	810	Dues and Fees				\$0			\$0
82		Total Other Objects (800)				\$0			\$0
83		Total Instructional Staff Support Services (2100)				\$0			\$0
84	121	Salaries - Principals and Assistants				\$0			\$0
85	152	Salaries - Secretarial and Clerical				\$0			\$0
86	100	Salaries - All Other				\$0			\$0
87		Total Salaries (100)				\$0			\$0
88	210	Retirement				\$0			\$0
89	220	Social Security				\$0			\$0
90	240	Insurance (Health/Dental/Life)				\$0			\$0
91	200	Other Benefits				\$0			\$0
92		Total Benefits (200)				\$0			\$0
93	300	Purchased Professional and Technical Services				\$0			\$0
94	600	Supplies				\$0			\$0
95	700	Property				\$0			\$0
96	800	Other Objects				\$0			\$0
97	810	Dues and Fees				\$0			\$0
98		Total Other Objects (800)				\$0			\$0
99		Total School Administration (2400)				\$0			\$0
100	100	Salaries				\$0			\$0
101	210	Retirement				\$0			\$0
102	220	Social Security				\$0			\$0
103	240	Insurance (Health/Dental/Life)				\$0			\$0
104	200	Other Benefits				\$0			\$0
105		Total Benefits (200)				\$0			\$0
106	300	Purchased Professional and Technical Services				\$0			\$0
107	400	Purchased Property Services				\$0			\$0
108	460	Construction and Remodeling				\$0			\$0
109		Total Property (400)				\$0			\$0
110	500	Other Purchased Services				\$0			\$0
111	600	Supplies				\$0			\$0
112	700	Property				\$0			\$0
113	800	Other Objects				\$0			\$0
114	810	Dues and Fees		2.00	\$500	\$1,000	2.00	\$500	\$1,000
115		Total Other Objects (800)				\$1,000			\$1,000
116		Total Operation & Maintenance of Facilities (2600)				\$1,000			\$1,000
117	100	Salaries				\$0			\$0
118	210	Retirement				\$0			\$0
119	220	Social Security				\$0			\$0
120	240	Insurance (Health/Dental/Life)				\$0			\$0
121	200	Other Benefits				\$0			\$0
122		Total Benefits (200)				\$0			\$0
123	300	Purchased Professional and Technical Services				\$0			\$0
124	600	Non-Food Supplies				\$0			\$0
125	630	Food				\$0			\$0
126		Total Supplies (600)				\$0			\$0
127	700	Property				\$0			\$0
128	780	Depreciation - Kitchen Equipment Depreciation				\$0			\$0
129		Total Property (700)				\$0			\$0
130	800	Other Objects (Specify)				\$0			\$0
131		Total Food Services (3100)				\$0			\$0
132	100	Salaries				\$0			\$0
133	210	Retirement				\$0			\$0
134	220	Social Security				\$0			\$0
135	240	Insurance (Health/Dental/Life)				\$0			\$0
136	200	Other Benefits				\$0			\$0
137		Total Benefits (200)				\$0			\$0

138	300	Purchased Professional and Technical Services				\$0			\$0
139	400	Purchased Property Services				\$0			\$0
140	460	Construction and Remodeling				\$0			\$0
141		Total Property (400)				\$0			\$0
142	500	Other Purchased Services				\$0			\$0
143	600	Supplies - New Buildings				\$0			\$0
144	641	Textbooks - New Buildings				\$0			\$0
145	644	Library Books - New Libraries				\$0			\$0
146		Total Supplies (600)				\$0			\$0
147	710	Land and Improvements				\$0			\$0
148	720	Buildings				\$0			\$0
149	731	Machinery				\$0			\$0
150	732	School Buses				\$0			\$0
151	733	Furniture and Fixtures	1.00	\$1,000	\$1,000	1.00	\$1,000	\$1,000	
152	734	Technology Equipment			\$0				\$0
153	735	Non-Bus Vehicles			\$0				\$0
154	739	Other Equipment			\$0				\$0
155		Total Property (700)			\$1,000				\$1,000
156	800	Other Objects (Specify)			\$0				\$0
157	Total Building Acquisition & Instruction (4500)					\$1,000			\$1,000
158	830	Interest			\$0				\$0
159	840	Redemption of Principal			\$0				\$0
160	Total other financing sources (uses) and other items					\$0			\$0
161									
162	1000	Total Local				\$0			\$0
163	3000	Total State				\$125,048			\$93,786
164	4000	Total Federal				\$0			\$0
165	TOTAL REVENUES					\$125,048			\$93,786
166	100	Salaries				\$54,400			\$54,400
167	200	Employee Benefits				\$23,900			\$23,900
168	300	Purchased Professional and Technical Services				\$0			\$0
169	400	Purchased Property Services				\$0			\$0
170	500	Other Purchased Services				\$0			\$0
171	600	Supplies				\$22,500			\$17,000
172	700	Property				\$1,000			\$1,000
173	800	Other Objects				\$1,000			\$1,000
174	TOTAL EXPENDITURES					\$102,800			\$97,300
175	Excess or Deficiency of Revenues over Expenditures					\$22,248			-\$3,514
176	Other Sources of Funding (5000)					\$0			\$0
177	Net Asset Balance (Fund Balance)					\$22,248			-\$3,514
178	Reserves as Percentage of Total Revenue					18%			-4%
179	Percentage of Funding Contributed to Reserve Balance					0.17791568			-4%
180	Necessary Closure Fund					\$167			\$167

Appendix C – Purchasing Policies and Procedures

University Procurement/General

No. 5-25a	Rev. 07-10-01	Date 2-23-83
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I. PURPOSE

To set forth general purchasing policies and responsibilities of the University, Weber State University subscribes to and is governed by the Utah Procurement Code.

The following rules and regulations have been developed by Weber State University as required by and to supplement the Utah Procurement Code Section 63-56-2 Utah Code Annotated, 1953. These rules and regulations are subject to all applicable state laws.

The Utah Procurement Code and these rules and regulations apply to all monies expended by the University, whether state appropriated, federally appropriated or received in the form of a gift, grant or contract.

It is the intent of Weber State University to actively pursue cooperative buying arrangements with other public procurement units for supplies and services where advantage to Weber State University may result. The terms of such arrangements shall be negotiated with cooperating parties on a contract-by contract basis. Weber State University may participate in contract negotiations, specification preparation, contract administration or any other function of such cooperative contracting.

II. REFERENCES

Utah Procurement Code, 1953 Utah Code Annotated, SS63-56-1 et. seq. [PPM 5-25b \(http://www.weber.edu/ppm/Policies/5-25b_RequisitionPrep.html\)](http://www.weber.edu/ppm/Policies/5-25b_RequisitionPrep.html), Requisition Preparation and Processing [PPM 5-25d \(http://www.weber.edu/ppm/Policies/5-25d_RestrictedPurchase.html\)](http://www.weber.edu/ppm/Policies/5-25d_RestrictedPurchase.html), Restricted Purchases and Special Procurement [PPM 5-25h \(http://www.weber.edu/ppm/Policies/5-25h_ProcurementEmployeeInterest.html\)](http://www.weber.edu/ppm/Policies/5-25h_ProcurementEmployeeInterest.html), Procurement From a Vendor in Which University Employee Has An Interest [PPM 5-25i \(http://www.weber.edu/ppm/Policies/5-25i_PurchasingCards.html\)](http://www.weber.edu/ppm/Policies/5-25i_PurchasingCards.html) Purchasing Cards [PPM 5-32 \(http://www.weber.edu/ppm/Policies/5-32_Travel.html\)](http://www.weber.edu/ppm/Policies/5-32_Travel.html) Travel

III. DEFINITIONS

The following terms shall have the same meaning as in the Utah Procurement Code as adapted to Weber State University:

A. Architect-Engineer Services

Those professional services within the scope of the practice of architecture as defined in section 58-3-6, or professional engineering as defined in section 58-22-2, Utah Code Annotated, 1953.

B. Business

Any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.

C. Change Order

A written order signed by the procurement officer, directing the contractor to suspend work or make changes, which the appropriate clauses of the contract authorize the procurement officer to order without the consent of the contractor or any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity or other provision of any contract accomplished by mutual action of the parties to the contract.

D. Construction

The process of building, renovating or demolishing any University structure or building, major development or landscaping of University real property. It does not include the routine operation, repair or maintenance of existing structures, building or real property.

E. Contract

Any University agreement for the procurement or disposal of supplies, services or construction.

F. Grant

The furnishing by the state or by any other public or private source of assistance, whether financial or otherwise, to any person to support a program authorized by law. It does not include an award whose primary purpose is to procure an end product, whether in the form of supplies, services or construction; a contract resulting from such an award is not a grant but a procurement contract.

G. Invitation for Bids

All documents, whether attached or incorporated by reference utilized for soliciting bids.

H. Person

Any business, individual, union, committee, club, other organization or group of individuals not including a state agency or local public procurement unit.

I. Procurement

Buying, purchasing, renting, leasing or otherwise acquiring any supplies, services, or construction. Procurement also includes all functions that pertain to the obtaining of any

supply, service or construction including description of requirements, selection and solicitation of sources, preparation and award of a contract and all phases of contract administration.

J. Procurement Officer

The director of purchasing or any person duly authorized by him/her to enter into and administer contracts and make written determinations with respect thereto. It also includes an authorized representative acting within the limits of authority.

K. Purchase Description

The words used in solicitation to describe the supplies, services or construction to be purchased and includes specifications attached to or made a part of the solicitation.

L. Request for Proposals

All documents, whether attached or incorporated by reference, utilized for soliciting proposals.

M. Responsible Bidder or Offer or

A person who has the capability in all respects to perform fully the contract requirements and who has the integrity and reliability which will assure good faith performance.

N. Responsive Bidder

A person who has submitted a bid which conforms in all material respects to the invitation for bids.

O. Services

The furnishing of labor, time or effort by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. It does not include employment agreements or collective bargaining agreements.

P. Specification

Any description of the physical or functional characteristics or of the nature of a supply, service or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction item for delivery.

Q. Supplies

All property, including but not limited to equipment, materials, printing and leases of real property excluding land or a permanent interest in land.

R. Surplus Supplies

Any supplies that are no longer needed for University use. It includes expendable supplies, scrap materials and non-expendable supplies that have completed their useful life cycle.

IV. POLICY

A. Purchasing Department Responsibilities

1. The Purchasing Department is responsible for the procurement of all supplies and services required by Weber State University and all its departments and auxiliaries except for (a) purchases specifically exempted under paragraph B, below and (b) procurement relating to building construction and architect-engineer services obtained by the Utah Department of Facilities Construction and Management.
2. The Purchasing Department shall establish operating procedures with which to locate and ensure adequate and continuing sources of supply consistent with legal, budgetary and delivery requirements of using departments; to provide the necessary assistance to acquire such supplies and services on a timely and economical basis; to assure compliance with all applicable state, federal and University regulations during the procurement process; and to provide assistance, consultation and advice regarding all procurement needs of the University.
3. In discharging its responsibilities, the Purchasing Department may do the following:
 - a. Initiate, conduct and conclude negotiations for the purchase of goods and services for the University
 - b. Obligate the University for the purchase of goods and services
 - c. Recommend changes in quality, quantity or kind of material requisitioned and to suggest appropriate alternatives
 - d. Fill requisitions with items of equal usability and quality that are currently available in the inventories of the University
4. The selection of suppliers in accordance with legal requirements is the responsibility of the Purchasing Department. However, suggestions by departments will be considered whenever they are competitive with other sources.

B. Exceptions

By virtue of their special needs and the roles they fill at the University, the following operating units are authorized to solicit bids and award purchase orders without going through the Purchasing Department:

1. Stewart Library (books and periodicals only)
2. University Bookstore (items for resale only)
3. Telecommunications Department (for installation of telecommunication equipment)

C. Limitations and Restrictions on Procurement

1. The University is prohibited from making purchases of personal items for university employees or students.
2. The University may not purchase goods or services from University personnel or from business firms in which University personnel serve as officers or directors or hold a substantial financial interest unless special procedures are followed to avoid a violation of the Utah Public Officers' and Employee's Ethics Act. (See PPM 5-25 (http://www.weber.edu/ppm/Policies/5-25_UnivProcurement_TOC.html))
3. Unless specifically approved in writing by the director of Purchasing or his/her authorized representative, purchasing orders or commitments for procurement by university employees are not binding on the University. Individuals who do not comply with University policy when placing procurement orders may become personally liable to the vendor for the contract price. (See also PPM 5-4a (http://www.weber.edu/ppm/Policies/54a_ContractDisbursing.html) , Contract and/or Disbursing Officers).

C. Procedures

1. Purchases made under federal contracts and grants during the final weeks prior to the end of the contract period may be disallowed. (See PPM 5-25b (http://www.weber.edu/ppm/Policies/5-25b_RequisitionPrep.html) , IV, B)
2. Advance payments may not be made, except to specified government agencies, vendors with minimum prepayment requirements and in certain other cases as determined appropriate by the Director of Purchasing.
3. Any departmental correspondence relating to acquisition of goods or services must be processed through the Purchasing Department in order to avoid any unnecessary confusion or delay in the procurement process.
4. University commitment to affirmative action extends to all aspects of its affairs, including the purchasing function. As a vital part of this commitment, emphasis will be placed on locating and encouraging minority business enterprises to participate as suppliers of University procurement needs on a continuing and mutually satisfactory basis, subject to applicable legal requirements and limitations. The Purchasing Department will utilize procedures that ensure maximum practicable opportunity for small and socially disadvantaged enterprises to participate in meeting the procurement needs of the University on a reasonable competitive basis consistent with the ability of such vendors to supply those needs.
5. Gifts of supplies, equipment or materials (other than samples) furnished without charge to the University may be accepted but must be reported to the University

Development Office to assure that the gift is recorded and an appropriate acknowledgement provided to the donor. Donated equipment should also be reported to the Property Management Department to assure that the items are properly inventoried.

6. Information is available for inspection in the Purchasing Department relative to legal and contractual remedies available to the University, or vendors contracting business with the University, suspension of bidding privileges, vendor debarment procedures, waiver of immunity, claims procedures and other legal provisions binding upon the University under the Utah Procurement Code, 1953 Utah Code Annotated SS63-56-45 to 63-56-50 and 6356-59 to 63-56-63.
7. Questions regarding existing orders, vendors, product availability or other procurement problems should be directed to the Purchasing Department. Reports of delays and suggestions for improvement of the purchasing process should be directed to the Director of Purchasing.

Requisition Preparation and Processing

No. 5-25b	Rev. 10-14-03	Date 2-23-83
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I. PURPOSE

To set forth requirements and instructions for preparing and processing requisitions.

II. REFERENCES

Utah Procurement Code, 1953 Utah Code Annotated, SS63-56-22 PPM 5-25a (http://www.weber.edu/ppm/Policies/5-25a_UnivProcurementGeneral.html) , University Procurement PPM 5-25d, (http://www.weber.edu/ppm/Policies/5-25d_RestrictedPurchase.html) Restricted Purchases and Special Procurement

III. DEFINITION

Requisition

A form used to initiate the procurement of supplies and services. Requisitions are not purchase orders and shall not be used or represented as such.

IV. POLICY

A. Use of Requisitions

1. Except as provided in paragraph 2 below, a requisition must be submitted to initiate the procurement of supplies and services by the Purchasing Department.

NOTE: University operating units that are authorized to engage in direct procurement without going through the Purchasing Department are listed in PPM 5-25a (http://www.weber.edu/ppm/Policies/5-25a_UnivProcurementGeneral.html) , IV.

2. Items or services not requiring a requisition include the following:
 - a. Petty cash purchases
 - b. Purchases from other campus service centers, such as printing, bookstore (non-capital items), etc.
 - c. Travel by University employees
 - d. Purchases with university purchasing cards
3. Needs which are of an urgent nature may be placed by telephone call to the Purchasing Department. Telephone request must be followed up by a written requisition.
4. Drawing accounts are not allowed unless approved by the Purchasing Department. They may not be used to purchase capital equipment items.

5. It is improper under state law to divide or split procurement transactions into small units that are artificially devised to avoid the bidding requirements and other procedures applicable to larger unit transactions. (See 1953 Utah Code Annotated SS63-56-22)

B. Requisitions for Purchases Charged to Restricted Grants and Contracts will not be processed after the contract or grant has terminated.

C. Each requisition must include as a minimum the following information:

1. An accurate description for every article listed, including catalog numbers, size, color, etc.
2. Delivery instructions as appropriate
3. Possible sources of supply, if known
4. Appropriate signature or electronic approval:
 - a. This signature, i.e., Vice President, Dean, Department chair, grantee or gift fund manager, etc.; shall be assumed to verify that funds are available and that the expenditure is in the best interests of the University and in compliance with activities or projects under his/her purview
 - b. Immediate supervisor level signatures are required on supporting documentation for:
 - (1) Registration and membership fees
 - (2) Entertainment requests
 - c. Supporting documentation for reimbursements to individuals for legitimate university expenses must be reviewed by immediate supervisor and signed by appropriate vice president.

Small Purchases and Emergency Procurement

No. 5-25c	Rev. 03-30-09	Date 2-23-83
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I. PURPOSE

To establish policy for small purchases and for handling procurement requirements in emergency conditions.

II. REFERENCES

1953 Utah Code Annotated SS63-56-22 PPM 5-25a
(http://www.weber.edu/ppm/Policies/5-25a_UnivProcurementGeneral.html) , University Procurement Appendix I - Small Purchases

III. DEFINITIONS

A. Small Purchase

The procurement of supplies or services as defined in Appendix I.

B. Emergency

A condition that threatens public health, welfare or safety, arising from natural forces (e.g. fire, wind, flood, storm, earthquake, epidemic or other natural disasters); from riot, unlawful assembly or mob violence; or from hostile acts of a public enemy.

C. Petty Cash

The procurement of supplies or services made with personal funds as defined in PPM 5-11 (http://www.weber.edu/ppm/Policies/5-11_PettyCash.html) , Schedule I.

IV. POLICIES

A. Small Purchases

1. Informal Procurement

Small purchases of goods, services and construction may be effected by the Purchasing Department on an informal basis, using either written or oral bids, or without bidding, when determined appropriate by the Director of Purchasing or his/her designee.

2. Splitting of Purchases Is a Violation of State Statute

Procurement requirements may not be artificially divided among two or more small purchase orders in order to avoid normal bidding procedures.

B. Emergency Procurement

Emergency purchases shall be limited to only such items necessary to address the emergency condition. A written determination stating the basis of the emergency procurement may be required by the Director of Purchasing to be attached to the requisition.

APPENDIX I
SMALL PURCHASES

1. Small Purchases (non-construction less than \$20,000 and construction less than \$30,000). The Director of Purchasing shall adopt operational procedures for the procurement of small purchases. Such operational procedures shall provide for obtaining adequate and reasonable competition, properly accounting for funds to facilitate auditing, and for timely procurement of low cost items.

2. Small Purchases of Services of Professionals, Providers, and Consultants.

a. If the expected cost for services of professionals, providers and consultants is less than \$20,000 or \$30,000 in the case of construction; the operational procedures referenced above will be used.

b. For Architect-Engineer Services see PPM 25e (http://www.weber.edu/ppm/Policies/5-25e_SolicitationBids.html) , Appendix I..

3. Purchases less than \$1,500 using the university purchasing card. Computers may not be purchased with purchasing cards.

Restricted Purchases and Special Procurement

No. 5-25d	Rev. 10-14-03	Date 2-23-83
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I. PURPOSE

To set forth University policies including prohibitions, special approvals, limitations and restrictions governing the procurement of supplies and services.

II. REFERENCES

PPM 5-25a (http://www.weber.edu/ppm/Policies/5-25a_UnivProcurementGeneral.html) , University Procurement PPM 5-25b (http://www.weber.edu/ppm/Policies/5-25b_RequisitionPrep.html) , Requisition Preparation and Processing PPM 5-25g (http://www.weber.edu/ppm/Policies/5-25g_Receiving.html) , Receiving

III. POLICY

A. Prohibited Acquisitions

1. The Purchasing Department will not make personal purchases for any employee or student.
2. With the exception of authorized holders of university purchasing cards, all University purchases must be made by authorized Purchasing Department personnel. Orders placed by employees or students directly with vendors will not be recognized as University obligations and responsibility for payment will be that of the individual who placed the order.
3. The use of University funds to acquire supplies or services for personal use is prohibited.
4. Alcoholic beverages shall not be acquired with state appropriated University funds.

B. Acquisitions That Require Special Approvals

1. Repairs to personal property damaged while its owner is engaged in University business may not be procured unless the requisition bears the authorizing signature/s. (See Section 5-4b)
2. Organizational or association memberships may be procured by either university purchasing cards or requisitions. When by:
 - a. Requisition, the backup and/or supporting documentation is to be signed by the immediate supervisor (department chair, dean or vice president). (See Section 5-25b IV C. 5)
 - b. University purchasing card, the supervisor's signing of the cardholder's monthly statement will serve as approval for the membership.
3. Material for remodeling or renovation of buildings (including carpeting) requires approval of Facilities Management.
4. Coin-operated vending equipment requires approval of Student Life/Business Services.
5. Printing, Duplicating and Photocopying Equipment

Printing equipment may be acquired for use by departments only after coordinating with and evaluation by the Director of Printing Services.

C. Acquisitions Funded by Grants, Contracts and Other Fund Sources

Acquisitions funded by other than state appropriated monies shall be subject to the same purchasing policies and procedures as those funded by state appropriated funds.

D. Acquisitions Subject to Special Limitations or Procedures

1. Narcotics and Controlled Substances, Radioactive Materials and Radiation Generating Equipment, and Select Agents and Toxins

- a. Acquisitions of narcotic and controlled substances must be approved by the Radiation and Controlled Substances Compliance and Safety Committee.
- b. Acquisitions of radioactive material require prior approval of the Radiation Safety Officer.
- c. Acquisitions of select agents and toxins require prior approval of the Bio Safety Committee.
- d. Requisitions for narcotics and controlled substances, radioactive materials and radiation generating equipment, and select agents and toxins must be initiated by the WSU Office of Environmental Health and Safety only.

2. Tax-free Alcohol

- a. Tax-free alcohol must be obtained from Science Stores to be used only for:
 - (1) Preserving specimens
 - (2) Experimental, research and laboratory work for scientific purposes
 - (3) Preparation of laboratory solutions
- b. The use of tax-free alcohol for purposes other than defined in paragraph (a) is prohibited and violation is subject to federal law.

3. Import Items

All matters pertaining to import items, customs, etc. will be handled by the Purchasing Department.

E. Acquisition of Government Property

1. Surplus University Property Surplus University property is available through Property Control.
2. Property available through the Utah State Agency for Surplus Property (USASP)
 - a. USASP property is available for purchase by any University department.
 - b. The Purchasing Department maintains a list of authorized Weber State University representatives. Inclusion of any interested employee on this list is encouraged. A phone call to Purchasing will accomplish the addition of a name to the authorized list.
 - c. Property may be inspected at the USASP facility in Salt Lake City.

- d. All property selected by authorized representatives will be picked up by a designated person.
- e. A standard requisition form is required to facilitate payment of selected items. Requisitions must be sent to the Purchasing Department which will arrange for items to be picked up at the USASP facility.

3. Excess Federal Property

Excess federal government property may be available at little or no cost for use on federal government contracts or grants. Excess federal government property is normally obtainable at little or no cost other than transportation charges. A standard requisition is required to pay transportation costs. (See PPM 4-27 (http://www.weber.edu/ppm/Policies/4-27_OfficeSponsoredProj.html))

Solicitation of Bids, Proposals and the Award of Procurement Contracts

No. 5-25e	Rev.10-14-03	Date 2-23-83
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I. PURPOSE

To establish policy and procedures for the solicitation of bids and proposals and award of University procurement contracts consistent with the provisions of the Utah Procurement Code.

II. REFERENCES

- Utah Procurement Code, 1953 Utah Code Annotated, SS63-56-1 et. seq.
- PPM 3-36 (http://www.weber.edu/ppm/Policies/3-36_ConflictInterest.html) , B, 3 and 5, Conflict of Interest
- PPM 5-25a (http://www.weber.edu/ppm/Policies/5-25a_UnivProcurementGeneral.html) , University Procurement
- PPM 5-25c (http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html) , Small Purchases and Emergency Procurement
- Appendix I, this section, Architect-Engineer Services, Limits and Process
- Appendix II, this section, Public Advertising of Bid and Proposal Solicitations

III. POLICY

A. Competitive Bidding

1. Except as otherwise provided in this policy, procurement of items, the amount of which exceeds the publicly advertised dollar limit (see Appendix II), will be awarded only after advertised solicitation of sealed competitive bids or proposals.
2. Bids and proposals shall be invited from the widest practical selection of firms with proven performance, from whom, in the judgment of the Purchasing Department, the procurement needs of the University can be satisfied.
3. Procurement of items, the amount of which qualify it as a "Small Purchase," shall be processed pursuant to PPM 5-25c (http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html) .

B. Specifications

1. The Purchasing Department is responsible for preparation, issuance, revision, maintenance and monitoring of specifications for supplies, services and construction required by the University. In the preparation of specifications, the director of Purchasing may obtain the advice and assistance of requisitioning departments as needed and, in connection with construction contracts, shall request such advice and assistance from the Assistant VP of Facilities Management.
2. All specifications shall seek to promote overall economy and best use of the purposes intended, shall encourage competition when applicable in satisfying University needs and shall not be unduly restrictive.
3. Subject to the non-restrictive policy stated in paragraph 2, specifications and/or requests for bids or proposals may designate a brand name "or equal" as a means to identify the performance or other specific requirements of a procurement. When so used, the salient

features of the named brand that must be met by bidders/offerors shall be clearly specified.

4. An individual who has participated in the preparation of a specification shall not be eligible to participate in or receive a contract award for any University procurement using such specification. Exceptions to this rule may be granted by the vice president for Administrative Services or his/her designee upon recommendation of the director of Purchasing if (a) an exception is justified by the existence of emergency conditions (see Section E, 3 below), (b) there is only one practicable source of supply for the contract requirements (see Section E, 2 below) or © it is not practicable or advantageous to the University to deny an award to the individual or to a bidder/supplier with which that individual is associated. Such exception shall be in writing and shall be attached to the bidding documents.

C. Bidding Procedures

1. The director of Purchasing is responsible for assuring that all bidding procedures are in compliance with the requirements of the Utah Procurement Code and University policies.
2. Public notice of invitations to bid shall be given a reasonable time prior to the date for opening of bids. Such notice shall include publication in a newspaper of general circulation.
3. Bids shall be opened publicly in the presence of one or more witnesses at the time and place designated in the invitation for bids. All bidding documents shall be available for public inspection.
4. Correction or withdrawal of inadvertently erroneous bids prior to the date for opening of bids shall be allowed provided requests for correction or withdrawal shall be received at the Purchasing Department prior to the date and time for opening of bids and provided such requests are in writing and clearly labeled.
5. Correction or withdrawal of inadvertently erroneous bids after the opening of the bids, based on such bid mistakes, cannot be made except by authorization of the vice president for Administrative Services or his/her designee. Requests for such action must be made in writing accompanied by full documentation of the facts leading to the presentation of the erroneous bid. The decision to permit the correction or withdrawal of a bid or to cancel an award or contract based on an alleged bid mistake shall be in writing, with a statement of reasons. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the University or fair competition will be permitted.
6. When due to lack of information it is considered impractical to prepare a purchase description or specification to support an award based on price, an invitation for bids may be issued requesting the submission of unpriced offers. This is to be followed by an invitation for bids limited to those bidders whose offers have been qualified under the criteria set forth in the first solicitation.
7. An invitation for bids, a request for proposals or other solicitation may be canceled, or any or all bids or proposals may be rejected, in whole or in part, under the following conditions:
 - a. When the need for items as requested on the bid, proposal or other solicitation no longer exists
 - b. When a bid or bids are received after the specified due date and/or time

- c. When it is in the best interests of the University whether for budgetary reasons or other good and sufficient reasons to terminate the entire transaction
- d. When a bid is not responsive to the requirements of the specification
- e. When a bid proposes an unacceptable alternate item

D. Requests for Proposals

1. The use of competitive sealed proposals for a particular procurement contract or for particular types of recurring procurement contracts shall be entered into when advantageous to the University.
2. The director of Purchasing is responsible for the preparation, issuance, giving of notice, opening, registering, evaluating, negotiating and awarding of contracts pursuant to requests for proposals. This is providing that all such proceedings shall be in conformity with the Utah Procurement Code and, in order to assure maximum practicable competition, shall be subject to the applicable time limitations and other procedures specified in Section III, C above relating to competitive bidding.
3. Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the University, taking into consideration price and the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation.

E. Exceptions/Procurement Without Competition

1. Small purchases

[Small purchases shall be processed in accordance with PPM 5-25c \(http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html\) .](http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html)

2. Sole Source Contracts

A contract may be awarded for a supply, service or construction item without competitive bidding when the director of Purchasing, with the approval of the vice president for Administrative Services or his/her designee, determine in writing that there is only one practicable source for the requisitioned item.

3. Emergency Procurement

When emergency conditions exist that create a threat to public health, welfare or safety, procurement without full competition may be authorized pursuant to PPM 5-25c (http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html) , IV, B.

F. Pre-Qualification

When determined to be necessary or appropriate by the Purchasing Department, prospective suppliers may be prequalified for particular types of supplies, services and construction. Solicitation mailing lists of potential contractors shall include but shall not be limited to prequalified suppliers.

G. Contractual Terms

1. Any contractual terms permitted by law may be used for University procurement purposes, as the best interests of the University may require, except that the use of a cost-plus-a-percentage of cost contract is prohibited.
2. The director of Purchasing is responsible for assuring compliance with procedural requirements of the Utah Procurement Code applicable to the terms and provisions of procurement contracts including requirements that specified determinations be made as a condition precedent to the inclusion or modification of specified contractual provisions (see Utah Code Annotated SS63-56-32, 63-56-40) or the use of change orders (see Utah Code Annotated SS63-56-41).
3. When the best interests of the University so require, the director of Purchasing may include in University procurement contracts any or all contract clauses, so far as relevant, that are authorized by the Utah Procurement Code (Utah Code Annotated SS63-56-40 to 63-56-41) with respect to adjustments in price, time of performance, scope of contract work, variations between estimated and actual quantities, site conditions, remedies and other contract provisions.
4. The Purchasing Department shall develop, modify and maintain a file of standard contract clauses to be used in University procurement contracts pursuant to paragraph 3 above and such clauses shall be deemed incorporated herein by reference. The director of Purchasing may modify any such clause for inclusion in any particular contract upon written determination that such variation will promote the interest of the University or encourage fair and open competition provided that notice of any such material variation must be given in invitation to bid or request for proposals.

H. Procurement of Construction Work

1. Construction contracts will be entered into with responsible licensed contractors subject to the provisions of the Utah Procurement Code. (See Utah Code Annotated SS63-56-36 to 63-56-39) For the purpose of this provision, the term "construction" has the same meaning as in the Utah Procurement Code, Utah Code Annotated SS65-56-5(4) and includes remodeling, renovation and landscaping.
2. Construction and remodeling contracts, the amount of which qualify them as "Small Purchases," shall be processed pursuant to PPM 5-25c (http://www.weber.edu/ppm/Policies/525c_SmallPurchaseEmergency.html) .
3. Bid Security
 - a. Bid security in amount equal to at least five percent (5%) of the amount of the bid shall be required, unless waived, for competitive sealed bidding for construction contracts the amount of which exceeds that of a "Small Purchase" pursuant to PPM 5-25c (http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html) . Bid security shall be a bond provided by a surety company authorized to do business in this state, the equivalent in cash or any other form satisfactory to the University and consistent with the Utah Procurement Code.

b. When a bidder fails to comply with the requirement for bid security set forth in the invitation for bids, the bid shall be rejected unless the director of Purchasing determines in writing that the failure to comply with the security requirements is non-substantial.

4. Performance and Payment Bonding

a. When a construction contract is awarded and performance and payment bonding is stipulated in the bid solicitation, performance and payment bonds or other evidence satisfactory to the University must be delivered to the University and shall be binding on the parties upon the execution of the contract subject to the provisions of the Utah Procurement Code. (See Utah Code Annotated SS63-56-39.)

b. The form of the performance and payment bonds shall be substantially the same as provided in rules and regulations applicable to construction contracts awarded by the Utah Department of Facilities, Construction and Management (DFCM).

c. When in the best interest of the University, the director of Purchasing may require performance and payment bonds on small contracts or may waive the requirement for such bonds.

d. When a bidder fails to comply with the requirement of a performance or payment bond, the bid shall be rejected unless the director of Purchasing determines in writing that such bonding is deemed unnecessary for the protection of Weber State University.

I. Architect-Engineering Services

(See Appendix I for limits and process)

1. It is the policy of Weber State University to announce on an annual basis requirements for architect-engineer services and to negotiate contracts for architect-engineering services on the basis of demonstrated competence and qualification for the type of services required at fair and reasonable prices. This paragraph does not affect the authority of and does not apply to procedures undertaken by the University to obtain the services of architects or engineers in the capacity of employees.
2. In the procurement of architect-engineer services, the Assistant VP of Facilities Management shall encourage firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data responsive to published criteria approved by the director. A selection committee for architect-engineer services contracts appointed by the Assistant VP of Facilities Management or his/her designee, shall evaluate current statements of qualifications and performance data on file together with those that may be submitted by other firms in response to the announcement of a proposed contract. The selection committee shall where feasible consider not less than three firms and shall select therefrom, based upon the established criteria, not less than three of the firms deemed to be the most highly qualified to provide the services required.

3. The Purchasing Department shall award a contract to a qualified firm at compensation which the selection committee determines to be fair and reasonable to the University after taking into account the estimated value, scope, complexity and professional nature of the services to be rendered. Should Purchasing be unable to agree to a satisfactory contract with the firm first selected, at a price determined to be fair and reasonable to the University, discussions with that firm shall be formally terminated and discussions shall then be undertaken with a second qualified firm. Failing accord with the second firm, discussion shall be formally terminated and discussions shall then be undertaken with a third qualified firm. Should agreement not be reached or should the University be unable to award a contract at a fair and reasonable price with any of the selected firms, Purchasing, upon recommendation of the committee, shall undertake discussions with additional firms until an agreement is reached.

APPENDIX I

PROCUREMENT OF ARCHITECT-ENGINEER SERVICES, LIMITS AND PROCESS

1. Under the provisions of the State Procurement Code and Purchasing Policy for the State of Utah and the University, advertisement for architect-engineer services should be made once a year to allow for letters of interest to be submitted to the University. The Purchasing Department should be involved in process of soliciting these letters of interest.
2. From those responding to the advertisement, and any others that submit proposals during the year, an architect-engineer will be selected without competition for projects estimated to be under \$300,000 and when the fees for the architect-engineer services do not exceed \$30,000.
3. For projects exceeding \$300,000 and when fees are anticipated to exceed \$30,000, three architects-engineers will be chosen and evaluated for any given project after the solicitation of formal written proposals. Those anticipated to exceed \$50,000 must also be publicly advertised. The architect-engineers responding to the RFP will be ranked based on predetermined criteria which are selected by an evaluation committee established by Facilities Management.
 - a. A proposal which includes fees will be requested from the top rated firm.
 - b. If the prospective architect-engineer can perform the work as requested and the fee is acceptable, a purchase order can be awarded to the architect-engineer. If a reasonable agreement cannot be made with the selected architect-engineer, then a proposal will be requested from the next architect-engineer on the list. The third architect engineer on the list will be asked to provide a proposal if the second's proposal is not acceptable.
 - c. Facilities Management must send a copy of all documentation involved in the selection of an architect-engineer to the Purchasing Department before a purchase order can be issued. These documents should include: (1) a copy of the RFP; (2) a copy of the architect/consultant's proposal; (3) a copy of the decision matrix used in selecting the three firms; and (4) a conflict of interest form signed by each member of the selection committee stating that they have no connection with the architect/consultant.

APPENDIX II
PUBLIC ADVERTISING OF BID AND PROPOSAL SOLICITATIONS

Any solicitations for bids and/or proposals where the expected cost may be \$50,000 or more must be publicly advertised.

Lease or Rental of Property for University Use

No. 5-25f	Rev. 10-14-97	Date 2-23-83
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I. PURPOSE

To outline University policy regarding the lease or rental of property for University use.

II. REFERENCES

1953 Utah Code Annotated, SS 63-56-1 et. seq.

PPM 5-25c (http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html)
, Small Purchases and Emergency Procurement

III. POLICY

A. Leases of Real Property

1. No lease or rental of real property, including any interest in land, buildings, office space, laboratory space, storage space or water or mineral rights, may be entered into or will be binding upon the University unless the provisions of this policy and procedure are satisfied.
2. Any request for leasing or for the extension or renewal of a lease of real property for University purposes must be submitted and processed as follows:
 - a. A written request shall be submitted by the requesting department chair, principal investigator, director or other officer through the direct line of administrative authority to the cognizant vice president. This request must include or be accompanied by the following information:
 - (1) A description of the real property proposed to be leased or of its general location and character
 - (2) An explanation of the need for such space
 - (3) A detailed factual justification for entering into the lease
 - (4) A proposed lease agreement (a standard lease form used by landlord may be acceptable) which includes, among other things, the following:
 - (a) Term of lease
 - (b) Monthly rental
 - (c) Responsibility for utilities, maintenance, snow removal, custodial, grounds care, etc.
 - (d) Parking arrangements
 - (e) Responsibility for structural and roof maintenance and repairs
 - (f) Responsibility for insurance of structure, operation and general liability insurance

- (g) Responsibility for property taxes, other taxes and assessments and ownership of any improvements made
- b. Upon approval by the cognizant vice president of any lease or extension or the renewal of any lease the cognizant vice president shall forward to the vice president for Administrative Services for review and evaluation the following information:
 - (1) The initial request for lease of space with additional information required under section
 - (a) above
 - (2) A letter of approval from the cognizant vice president including the proposed source of funding for lease costs
 - (3) The proposed lease agreement
 - (4) A letter from the requesting party addressing the adequacies of power supplies, air handling equipment and general physical structure and floor plan; estimated costs of any modifications or remodeling necessary to meet user needs should also be included indicating sources of funding for any such modification or remodeling
 - (5) A letter from the Associate VP for Facilities Services or designee commenting upon and making recommendations relative to the proposed lease and the availability of space in existing facilities to meet the described need in a timely manner
- c. If the vice president for Administrative Services, after review and evaluation of the request and supporting justification and documentation, approves the proposed lease, appropriate implementing steps shall be undertaken pursuant to subsection d below. If the vice president for Administrative Services concludes that the proposed lease is not in the best interest of the University, he/she shall discuss the reasons for that conclusion with the vice president who originally approved the request. If the two vice presidents are unable to agree on the disposition of the request, it shall be submitted to the president for a decision. The request to lease space must reach the vice president for Administrative Services at least 30 days before the commencement of the proposed lease term.
- d. Any lease duly authorized under subsection c above shall be negotiated and executed under the direction of the vice president for Administrative Services in accordance with applicable requirements of the Utah Procurement Code, 1953 Utah Code Annotated SS63-56-1 et. seq., as amended and implementing University regulations. After approval as to form by the attorney general, the lease may be signed by the vice president for Administrative Services or designee for and on behalf of the University and thereafter shall be binding on the University.
- e. The vice president for Administrative Services may prescribe forms and operating instructions relative to leases of real property as may be necessary or appropriate to carry out the purposes of this policy and procedures statement.

B. Leases of Equipment or Other Types of Property

1. Lease agreements relating to equipment or other types of personal property and for which the total of all lease payments to be made from University funds during any fiscal year included in whole or in part within the stated term of the lease (exclusive of any extension) does not exceed the amount of a "Small Purchase" may be entered into by the Purchasing Department pursuant to PPM 5-25c (http://www.weber.edu/ppm/Policies/5-25c_SmallPurchaseEmergency.html) . Departments other than the Purchasing Department are not authorized to enter into such lease agreements.

2. Requests for lease agreements relating to equipment or other types of personal property and providing for total payments of more than the amount of a "Small Purchase" during any fiscal year included in whole or in part within the stated terms of the lease must be submitted and processed as follows:

a. All such requests, together with the written approval of the cognizant vice president, shall be forwarded to the Purchasing Department.

b. A written statement must accompany the request setting forth the following information:

(1) The need for the equipment, together with a declaration that after reasonable investigation the requesting officer has determined that similar equipment or equipment of equivalent capability is not currently available for use elsewhere within the University

(2) Justification for the proposed lease, including a comparison of lease costs with purchase costs and stating the estimated interest cost associated with leasing, calculated on a simple interest basis

(3) Alternate methods of financing, other than leasing, which have been investigated and the relative merits of such methods

c. After evaluating the requests, the director of Purchasing will forward it to the vice president for Administrative Services together with his/her comments and recommendations. If the vice president for Administrative Services concludes that the proposed lease is in the best interests of the University, implementing steps shall be taken pursuant to subsection d below. If the vice president for Administrative Services concludes that the proposed lease is not in the best interests of the University, he/she shall discuss the reasons for that conclusion with the vice president who originally approved the request. If the two vice presidents are unable to agree on the disposition of the request, it shall be submitted to the president for a decision.

d. Any lease of equipment or other personal property duly authorized under subsection c above shall be negotiated and executed under the direction of the vice president for Administrative Services in accordance with applicable requirements of the Utah Procurement Code, 1953 Utah Code Annotated SS63-56-1 et. seq., as amended, and implementing University regulations.

C. General Provisions Relating to Leases

1. All leases for which payments are or may be made in whole or in part from funds controlled by the University, including funds derived from federal grants and contracts, shall include the following clause: It is understood and agreed that this agreement does not obligate lessee to make any payments hereunder except from funds currently available for the purpose, or from time to time appropriated to lessee by the Utah State Legislature, or allocated by the federal government in the form of grants or contracts for such purpose. This agreement shall not in any way be construed to create a general obligation of the state or federal government nor to impose any obligation upon either the state, the federal government or the lessee not authorized by law.
2. Unless an exception is specifically authorized by the president on recommendation of a vice president, long-term (one year or longer) leases to own or lease purchase plans are not permitted as substitutes for capital equipment purchases made with general funds provided through regular academic and administrative operating budgets. When funded through federal grants or contracts, acquisition of capital equipment through lease purchase plans requires the prior written approval of the funding agency, the vice president for Administrative Services, and the cognizant dean or vice president.
3. Requests for renewals and extension of leases that provide for total payments of more than the amount of a "Small Purchase" during any fiscal year included in whole or in part within the stated term of the lease shall be submitted and reviewed by the vice president for Administrative Services in the same manner and under the same standards as the original lease request.
4. The vice president for Administrative Services shall maintain a complete file of all real property leases entered into by the University. The Purchasing Department shall maintain a file of all leases of other property.
5. University operating units other than the Purchasing Department are not authorized to enter into leases of real or personal property unless express prior authorization to do so is given in writing by the vice president for Administrative Services.

Receiving

No. 5-25g	Rev. 10-14-97	Date 2-23-83
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I. PURPOSE

To outline procedures and responsibilities for the receipt of materials and supplies and processing of damage and other contractual claims arising from purchasing transactions.

II. POLICY

A. The Receiving Department is responsible for the receipt and distribution of all materials ordered for delivery through central receiving.

B. After receiving and inspecting purchased materials, the Receiving Department will transport such items to the appropriate delivery point and obtain appropriate signatures.

C. The Receiving Department will inspect all shipments for obvious damage, irregularities or other discrepancies. However, the requisitioning department is ultimately responsible for the acceptance of the merchandise and should take the following steps upon discovery of any damages, irregularities, non-conformity with specifications or other discrepancies.

1. Notification of damage should be given immediately to the Receiving Department with the following information:

- a. Vendor name and purchase order number
- b. Date received
- c. Item or items damaged or affected by discrepancies, irregularities or non-conformity with specifications together with a detailed description thereof
- d. Condition of parcel upon receipt
- e. Location of parcel

2. Departments must report any damaged shipment to the Receiving Department not more than 10 (ten) days after receipt of the shipment to allow time for the preparation and filing of a claim.

3. All damaged materials should be preserved in the condition in which received and must be kept in the original shipping containers until instructions for disposal are received from the Receiving Department.

D. It is the responsibility of the Receiving Department to arrange the filing of all claims for damaged materials.

E. The return of any supplies or materials to the vendor, whether due to damage, misshipment or other reasons, should be arranged through the Receiving Department.

Procurement From Vendor in which University Employee has an Interest

No. 5-25h	Rev. 10-14-97	Date 2-23-83
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I. PURPOSE

To outline University policy and procedures relating to procurement of supplies, services and construction from a business firm in which a University officer or employee has an interest.

II. REFERENCES

- Utah Public Officers' and Employees' Ethics Act, 1953 Utah Code Annotated, SS67-16-1 et. seq.
- Utah Procurement Code, 1953 Utah Code Annotated, SS63-56-1 et. seq.
- PPM 3-36 (http://www.weber.edu/ppm/Policies/3-36_ConflictInterest.html) , Conflicts of Interest
- PPM 5-25a (http://www.weber.edu/ppm/Policies/5-25a_UnivProcurementGeneral.html) , University Procurement

III. DEFINITIONS

A. Business Entity

A sole proprietorship, partnership, association, joint venture, corporation, firm, trust, foundation or other organization or entity used in carrying on commercial business activities for profit-making purposes.

B. Compensation

Anything of economic value however designated which is paid, loaned, granted, given, donated or transferred to any person or business entity for or in consideration of personal services, materials, property or any other thing whatsoever.

C. Substantial Interest

The ownership, either legally or equitably, by an individual, his/her spouse or his/her minor children, of at least ten percent of the outstanding capital stock of a corporation or ten percent interest in any other business entity; or

The holding of a position in a business entity as an officer, director or employee.

D. Transaction

A formal or informal contract or agreement, express or implied, to which the University is a party that involves any transfer of consideration or payment of compensation.

E. University Officer or Employee

A person permanently employed by the University on full- or part-time basis; this does not include members of the Board of Trustees or of any other advisory commission, board or committee serving on a part-time basis.

IV. POLICY

A. It is the policy of the University to comply fully with all applicable provisions of the Utah Public Officers' and Employees' Ethics Act. (See PPM 3-36 (http://www.weber.edu/ppm/Policies/3-36_ConflictInterest.html)) The statements of detailed policies and procedures set forth herein are intended to provide notice to the University community of the requirements of that Act as applied to the procurement of supplies, services and construction pursuant to the Utah Procurement Code, as amended, and related University regulations. (See PPM 5-25a to 525i inclusive)

B. Scope

1. The policies and procedures set forth herein apply to all transactions (including small purchases and emergency procurement transactions -- see PPM 5-25c (http://www.weber.edu/ppm/Policies/525c_SmallPurchaseEmergency.html)) to which the University, or any department or operating unit of the University, is or may be a party without regard for the amount of consideration to be paid thereunder or the source of funding.
2. For the purpose of applying the policies and procedures herein set forth, any reference to "director of Purchasing" shall be construed to mean University director of Purchasing or, when appropriate, the responsible officer of any University department or operating unit that is authorized to engage in contracting or procurement activities without going through the Purchasing Department. (See PPM 5-25a (http://www.weber.edu/ppm/Policies/5-25a_UnivProcurementGeneral.html) , IV, B)

C. Prohibitions

1. A University officer or employee is forbidden to participate in his/her official capacity with respect to any transaction between the University and a business entity in which the officer or employee has a substantial interest.

2. A University officer or employee is forbidden to receive compensation (in addition to regularly budgeted salary or wages for services to the University) as a result of, or in connection with, any transaction between the University and a business entity in which the officer or employee has a substantial interest.

V. PROCEDURES

A. Duty of Disclosure

It is the duty of every University officer or employee to disclose to his/her immediate supervisor and to the University director of Purchasing the existence of a substantial interest which he/she has in any business entity which the officer or employee knows or has reason to believe may submit a bid or sealed proposal for, or otherwise seek to enter into, a transaction with the University.

B. Procurement Procedure

1. The Purchasing Department shall process requisitions in accordance with established University procurement procedures and shall attempt to secure bids or proposals from, and to negotiate with, qualified vendors including vendors in which the existence of a substantial interest on the part of a University officer or employee has been disclosed or otherwise called to the attention of the purchasing agent.

2. All bids and proposals and the proposed terms and conditions of all negotiated agreements shall be subjected to technical and price evaluation in accordance with established University procurement criteria and procedures, provided, however, that the director of Purchasing and all other personnel involved in the evaluation and award process must take appropriate steps to assure that there is no participation therein, direct or indirect, by any University officer or employee who is known to have a substantial interest in any business entity whose bid or proposal is under consideration.

3. If the director of Purchasing determines that in the best interest of the University and in accordance with established criteria the proposed procurement contract should be awarded or entered into with a business entity in which a University officer or employee is known to have a substantial interest, the following steps must be taken before the contract is executed:

a. If the proposed contract price will be paid in whole or in part with funds derived from a federal contract or grant, the proposed contract must be submitted to the office of Grants & Contracts together with a statement of the circumstances and a request that any required waivers be obtained from the cognizant federal officers or agencies permitting the contract to be entered into as proposed. In such

cases the contract may not be executed on behalf of the University until the director of Purchasing has received a written memorandum indicating that the requested waivers have been granted.

b. In all cases, the director of Purchasing must request and receive from the University officer or employee who has a substantial interest in the business entity designated as a party of the proposed contract a duly executed affidavit in substantially the following form:

I, (name) , hereby declare that in my official capacity, I have not participated in, and that I have not and will not receive compensation (other than my regularly budgeted salary or wages from the University) as a result of, or in connection with, proposed contract (or purchase order) number .

(date) (signature)

C. Remedies

If any transaction is entered into in violation of the policies and procedures set forth herein:

1. The officer or employee who violated the prohibitions specified in section IV, C or who knowingly executed and submitted a false affidavit when requested under section V, B, 3, b shall be subject to appropriate disciplinary action including possible dismissal from University employment as provided in the Utah Public Officers' and Employees' Ethics Act.
2. The University shall have the right to rescind or nullify any contract or subcontract entered into in respect to such transaction or subcontract entered into in respect to such transaction without returning any part of the consideration that may have been received by the University pursuant thereto.

Purchasing Cards

No. 5-25i	Rev. 03-06-07	Date 2-23-83
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I. PURPOSE

To outline the policies for the Purchasing Card program, which allows individuals to have a credit card issued to them for the purpose of making purchases in behalf of Weber State University. The University is responsible for paying the issuing financial institution for purchases made using purchasing cards.

II. REFERENCES

- Policy and Procedure 5-11, Reimbursement for Petty Cash Purchases (http://www.weber.edu/ppm/Policies/511_PettyCash.html)
- Policy and Procedure 5-25d, Restricted Purchases and Special Procurement (http://www.weber.edu/ppm/Policies/5-25d_RestrictedPurchase.html)
- Policy and Procedure 5-25h (http://www.weber.edu/ppm/Policies/5-25h_ProcurementEmployeeInterest.html) and 3-36 (http://www.weber.edu/ppm/Policies/3-36_ConflictInterest.html) , Procurement from a Vendor In which a University Employee has an Interest /Conflict of Interest
- Policy and Procedure 5-25e, Solicitation of Bids, Proposals, etc./Procurement Contracts (http://www.weber.edu/ppm/Policies/5-25e_SolicitationBids.html)

IV. DEFINITIONS

A. Cardholder - A person to whom a University Purchasing Card has been issued.

B. Default Account - The accounting code assigned to a cardholder. All charges made with a purchasing card will be posted into that card's default account by the issuing financial institution unless the purchase is reallocated.

C. Issuing Financial Institution - The financial institution with whom the University has currently contracted for the purchasing cards.

D. Purchasing Card - A credit card issued to an individual employee of Weber State University for the purpose of making authorized purchases on its behalf. The University is responsible to make payments for all charges made using properly issued purchasing cards.

E. Purchasing Card User's Guide ("Guide") - The document that contains instructions and guidelines for the use of the purchasing card.

F. Reconciler - The person assigned to review a cardholder's monthly statement and paper work for completeness. He/She may review more than one cardholder's account at

the discretion of the Responsible Person. A reconciler may or may not be a cardholder. A cardholder can not be His/Her own reconciler.

G. Responsible Person ("RP") - The person to whom the cardholder reports related to transactions made with the purchasing card.

IV. POLICY

A. Background

A major purpose of the purchasing card program is to reduce the amount of paperwork incurred when making certain types of purchases for the University. This reduces costs in many ways including reduction of the number of purchase orders and checks that must be printed and issued, and reducing the number of invoices that must be matched and paid.

B. Description of Responsibilities

1. The Director of Purchasing, or his/her designee, is responsible for contracting with an issuing financial institution to support this program.
2. The Purchasing Card Program Coordinator, and/or their assistant(s) are responsible for:
 - a. Updating the University's information with the issuing financial institution when necessary (such as updating the list of signers that are authorized to approve limit increases, new applications, etc.).
 - b. Training cardholders and reconcilers.
 - c. Obtaining and verifying appropriate authorization signatures and completed application forms for each purchasing card that is requested.
 - d. Continually updating the Guide, Program Policies and Procedures, and obtaining appropriate approvals for all changes from all entities affected.
 - e. Assisting cardholders, reconcilers and others as necessary with problem resolution.
 - f. Serving as the primary liaison with the issuing financial institution, Administrative Computing, suppliers, using departments and any other parties that are involved in the program.
 - g. Responsible for designing all forms and other documents that are used, and for obtaining appropriate approvals for these as necessary, such as from Internal Audit and/or the Director of Purchasing.
 - h. Responsible for notifying the director of Purchasing, Internal Audit, and appropriate supervisor of the cardholder of violations or fraudulent card use.
 - i. Maintaining the following documents:
 - Properly signed application forms
 - Memos listing approved exceptions to any limitations (approved by the Director of Purchasing)
 - Copies of forms submitted to the issuing financial institution
 - j. Preparing and sending management reports to the Director of Purchasing, Internal Audit and others as needed.

- k. Providing assistance to companies that may not currently accept purchasing cards to get signed up with their respective financial institutions.
 - l. Assisting suppliers and using departments with problem resolution on specific transactions.
3. The Accounting Services Department is responsible for:
- a. Managing the electronic flow of transaction information from the issuing financial institution to the University's accounting system, including feeding the detailed transactions to the on-line review/reallocation system on a daily basis whenever possible.
 - b. Ensuring that the monthly electronic payment to the issuing financial institution balances with the daily transaction records.
4. The Responsible Person ("RP", refer to definition) for the default account that is assigned to a purchasing card is responsible for:
- a. Selecting appropriate individuals within their department to receive purchasing cards
(i.e. those with the responsibility of making the purchases and those who are backups for that function). The Department Head must also approve each person selected to be a cardholder (a space for his/her signature is included on the application form).
 - b. Establishing processes within their department or area to support the purchasing card

system.
 - c. Notifying the Program Coordinator or his/her assistant(s) promptly of any known or suspected inappropriate or fraudulent use of a purchasing card.
 - d. Taking appropriate disciplinary measures with cardholders under their supervision who inappropriately or fraudulently use their purchasing cards (refer to section IV - E).
 - e. Reviewing, approving and signing the monthly statement for each cardholder under him/her in a timely manner. The signing of the monthly statement is a certification that the purchases are appropriate and in compliance with university policy.
 - f. Never requesting or directing a cardholder or reconciler to make a purchase or reallocation which violates any portion of the policy and procedures, the Guide, or any other relevant rules, regulations or guidelines.
5. The Reconciler is responsible for:
- a. Maintaining the following documentation for four (4) years in their office and/or in archives in a manner that allows for efficient retrieval for auditing purposes:
 - Logs, receipts and telephone order records.
 - Monthly cardholder statements that have been signed by the cardholder and the default account's RP.

- b. Reviewing transactions on a regular basis and reallocating charges to appropriate and allowable accounting codes as necessary.
- c. Notifying the Program Coordinator or his/her assistant(s) promptly of any known or suspected inappropriate or fraudulent use of a purchasing card.
- d. Acting as a liaison between the Program Coordinator and his/her assistant(s) as needed by forwarding information to each cardholder upon request.
- e. Never requesting or directing a cardholder to make a purchase which violates any portion of the policy and procedures, the Guide, or any other relevant rules, regulations or guidelines.
- f. Being up-to-date with the current version of the Guide.

6. The Cardholder is responsible for:

- a. Using the purchasing card in accordance with all pertinent policies, procedures, guidelines, etc. and insuring that purchases are in the best interest of Weber State University.
- b. Promptly submitting monthly statements along with supporting documentation, such as receipts, telephone order records, transaction logs, and any reallocation information to the reconciler.
- c. Being up-to-date with the current version of the Guide, and promptly requesting a new copy if theirs is lost.
- d. Insuring that sales tax is not charged at the time of purchase, or requesting a credit promptly from the supplier, if sales tax is included in error.
- e. Willingly surrendering the card upon termination of employment, or upon change in employment that no longer includes the purchasing function, or upon request from the Program Coordinator, Internal Audit, or from their supervisor.
- f. Notifying the Program Coordinator promptly of any known or suspected inappropriate or fraudulent use or loss of a purchasing card.
- g. Promptly reporting to the Program Coordinator (confidentially, if necessary) any request or direction by his/her supervisor(s) to use the card in an unallowed or fraudulent manner.

C. Responsible Person/Cardholder Relationships

- 1. There shall not be a reciprocal approval-of-statement relationships between a cardholder and a responsible person. The responsible person must always be higher in the organizational unit than the cardholder.
- 2. All cardholder/responsible person relationships are subject to review and approval of Division Heads or Deans and the Purchasing Department.
- 3. If due to unique circumstances, a responsible person that meets the above criteria cannot be identified, the cardholder's purchasing activity will be subject to audit at least annually.

D. Management Reports

The Program Coordinator and/or assistant(s) are responsible for generating and distributing monthly, quarterly and annual management reports to the director of

Purchasing, and others as needed, in a timely manner to facilitate the continuous review of the program. The reports which can be generated are maintained by the Program Coordinator and may, from time to time, be updated as software capabilities allow and as circumstances require.

E. Purchasing Card User's Guide

1. The Guide is written and maintained on the Purchasing Department website by the Program Coordinator. The current Guide and any appendixes are incorporated into this policy by this reference. Notification of all changes to the Guide will be forwarded in a timely manner to each cardholder, reconciler and other pertinent individuals and departments, such as Internal Audit.
2. The purpose of the policies and procedures listed in this section are to outline items that are not referenced in the Guide. The Guide includes:
 - a. Name of the currently contracted issuing financial institution.
 - b. Phone numbers for customer service for the issuing financial institution and for the University.
 - c. Instructions for keeping the purchasing card secure while in the cardholder's possession.
 - d. Information and form regarding the University's sales tax exemption status.
 - e. Detailed list of limitations on all cards and on each individual card.
 - f. General purchasing guidelines.
 - g. Forms and instructions regarding the handling of disputed transactions.
 - h. Instructions regarding the relevant accounting and reallocation procedures.

F. Inappropriate or Fraudulent Use of Purchasing Cards

In the event that a purchasing card is used inappropriately or fraudulently, the procedures described below must be followed:

1. The Program Coordinator will be notified promptly, who will in turn notify in writing the director of Purchasing, Internal Audit and the cardholder's appropriate supervisor.
2. If it appears that the misuse was intentional or fraudulent, an audit and/or investigation will be conducted to determine the full extent of misuse or fraud. During the audit or investigation the cardholder's card will be temporarily deactivated. (See Appendix I for audit and/or investigation process.)
3. The cardholder will be disciplined in one or more of the following ways:
 - A letter of reprimand in the employee's personnel file.
 - Requiring reimbursement from a cardholder.
 - Temporary or permanent loss of the purchasing card.
 - Termination of employment.

G. Canceling a Purchasing Card

1. Reasons for canceling a Purchasing Card
 - a. Voluntary termination
 - b. Involuntary termination

- c. Transferring to position or department which no longer requires use of purchasing card
- d. Disciplinary action

2. Process for canceling

- a. Voluntary termination: The Cardholder must surrender their purchasing card to the Program Coordinator or/assistant at time of termination.
- b. Involuntary termination or transferring to a department which no longer requires use of card: The Cardholder's Supervisor must 1) Take possession of the cardholder's purchasing card and 2) Return the card to the Program Coordinator with written notice that the card should be canceled.
- c. Disciplinary Action
 - (1) Permanent - same as b. above.
 - (2) Temporary - Program Coordinator or assistant will deactivate the card for the specified probationary period and only reactivate with written request of supervisor.
- d. The Program Coordinator must 1) Wait an appropriate time for all purchases that were made with the card to be processed by merchants (approximately 4 days) and 2) Submit a form to the issuing financial institution to cancel.

H. Employee Transfers

- 1. If a cardholder is transferred to a new position within the department or another department and will still need to make purchases using a purchasing card, the same card should be used. The Cardholder's Supervisor or his/her designee, must promptly notify the Program Coordinator if there are changes to be made (such as the cardholder's address, default account, etc.).
- 2. If a cardholder is transferring to a new position within the department, but will not have the same supervisor, and/or will no longer be purchasing items for the department the card must be retrieved and canceled as described in section IV - F2.

I. Certification Training

- 1. All cardholders and reconcilers shall take web-based training periodically and be certified by Purchasing. Cardholders who fail to re-certify will have their cards deactivated. If a reconciler fails to re-certify, they and the cardholders for whom they reconcile will have their cards deactivated.
- 2. All responsible persons shall take web-based training periodically and be certified by Purchasing. Failure to do so will result in their card and the cards of those whom they supervise being deactivated restricting purchases and travel.

APPENDIX I WSU PURCHASING CARD PROGRAM

Process To Follow In The Event of Suspected Credit Card Intentional Misuse or Fraud

- 1. Upon the first notice of suspected credit card abuse, the Department should IMMEDIATELY advise Purchasing and Internal Audit.
- 2. Purchasing will have Internal Audit initiate and coordinate an investigation of the suspected credit card abuse. As soon as practicable, Internal Audit will furnish a

preliminary status report to the cognizant Vice President, with copies to the Director of Purchasing & Support Services, Assistant Vice President of Human Resources, University Legal Counsel, and the College or Department.

3. The employee shall be given an opportunity to respond to the allegations described in the preliminary report.
4. The College or Department shall consult with Human Resources and University Counsel regarding the interview with the employee regarding the allegations and the employee's leave status pending the outcome of the investigation. Human Resources shall assist the College or Department in the preparation of appropriate paperwork, if any.
5. Following the interview with the employee and completion of the investigation, Purchasing shall issue a final written report to the cognizant Vice President and Assistant Vice President of Human Resources, with copies to University Counsel and the College or Department.
6. University Counsel shall consult with Purchasing, Internal Audit, Assistant Vice President of Human Resources, and University Police regarding a recommended disciplinary course of action for the employee and possible referral of the case for criminal investigation and prosecution.
7. The Assistant Vice President of Human Resources shall forward a copy of the final Internal Audit report along with a recommendation for disciplinary action to the cognizant Vice President. Employee disciplinary action shall be determined on an individual, case by case basis.
8. Human Resources will prepare the necessary and appropriate paperwork related to the recommended disciplinary action in consultation with University Counsel.

Stores

No. 5-26	Date 8-17-77	Date
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I. GENERAL

Stores provides a stocking facility to meet the usual, ongoing needs of the campus community. Frequently used items are carried in Stores' stock so that faculty and staff can draw upon them for their departmental needs.

A basic stock of desks, chairs, file cabinets, storage cabinets and typewriters are also carried in stock.

II. PROCEDURE

A. Purchase requisitions for Stores items may be taken directly to Stores for filling.

B. Stores will bill the respective departments with a fund invoice through the Computer Center.

Surplus Property

No. 5-27	Rev. 09-11-07	Date 8-17-77
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I. PURPOSE

To outline Weber State University policy for declaring property of the University "Surplus Property" and for disposal of property when it has been so declared.

II. REFERENCES

- PPM 4-27 (http://www.weber.edu/ppm/Policies/4-27_OfficeSponsoredProj.html) , Property Acquired Through Government Grants or Contracts
- PPM 5-28 (http://www.weber.edu/ppm/Policies/5-28_FixedAssetAcct.html) , Fixed Asset Accounting

III. DEFINITIONS

A. Property

Equipment, material or supplies purchased with any funds administered by Weber State University, including property donated by individuals, corporations or government agencies.

B. Surplus Property

Property no longer useful to the department and/or the University.

C. Redistribution

The transfer of property from one department to another.

IV. POLICY

A. Surplus property will be redistributed or disposed of in a manner to maximize return to Weber State University.

B. A department may sell property to another department at a mutually agreed upon price by means of an interdepartmental billing. Property Control must be notified of such transfers by the transferring department.

Property surplus to a department's needs is declared surplus by the person responsible for the property. Any department declaring surplus property must do so by notifying Property Control.

Property Control will investigate possible redistribution of the declared surplus property to other potential campus users and will retain the property for ten (10) days before the property is offered for public sale. In cases where redistribution to

another campus user takes place, Property Control will transfer the property and make appropriate entries in the fixed asset system of the University. Property that cannot be redistributed to other campus users will be stored, sold or disposed of by Property Control to serve the best interest of Weber State University in accordance with Utah State law. Property Control will be responsible for selling or disposing of all University surplus property. When requested, proceeds from the sale will be returned to the originating department if the sale is over \$100 after full costs of disposal are recovered. Property Control can work cooperatively with a department to conduct a sale at the department site.

C. Disposal of Weber State's surplus property must be through sealed bidding, public auction or at a fixed price determined by Property Control (sold on a first come-first served basis). Selling prices may also be determined by the declaring department in concert with Property Control. A minimum acceptable sale price may be established for surplus property.

D. Upon request, Property Control will arrange for pick up of declared surplus property. Property Control cannot pick up property exceeding the weight and dimensions that two people can reasonably handle. Large items and hard-to-handle materials may require special handling. When special arrangements must be made, Property Control will determine whether to dispose of said materials at the site or make special arrangements to deliver the materials to the Surplus Property Warehouse. Property Control will determine if additional help is needed from either Facilities Management or outside movers. Any moving costs will be the responsibility of the selling department.

E. All surplus property sold directly to departments or to the general public will be on an "AS IS" basis void of any warranties.

F. Surplus property may also be contributed to other state, county, city or non-profit organizations.

Fixed Asset Accounting

No. 5-28	Rev. 09-11-07	Date 8-17-77
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I. PURPOSE

To outline Weber State University policy for establishing accountability for the fixed assets of the University consistent with State Board of Regents' Policy R561-3.

II. REFERENCE

- PPM 4-27 (http://www.weber.edu/ppm/Policies/4-27_OfficeSponsoredProj.html) , Property Acquired Through Government Grants or Contracts
- PPM 5-27 (http://www.weber.edu/ppm/Policies/5-27_SurplusProperty.html) , Surplus Property

III. DEFINITIONS

A. Fixed Assets

Land, equipment, buildings, improvements, infrastructure, library books, works of art and construction work in progress.

B. Land

The real property or acreage owned by the University, valued at acquisition cost plus expenses incurred in preparing the land for use.

C. Equipment

Items owned by the University with an acquisition cost as shown in Schedule "A," attached, and with a life expectancy of five years or more. Acquisition cost to include full cost of purchase plus freight and handling charges. Equipment items have their own identity and are not attached permanently to any building.

D. Buildings

The physical structures housing persons or property of the University. Buildings include items of equipment permanently attached.

E. Land Improvements

Items such as sidewalks, parking lots, retaining walls, fences and landscaping, which represent substantial value.

F. Infrastructure

A set of interconnected structural elements that provide the framework supporting an entire structure and includes items such as roads, tunnels, bridges, network systems, and utilities.

G. Construction Work in Progress

Uncompleted buildings or infrastructure and building and land improvements in the process of completion.

IV. POLICY

A. Equipment

Equipment is capitalized and inventoried on the books of Weber State University based on full acquisition cost including freight and handling (per Schedule "A" attached) if the equipment has a useful life as reflected in the State of Utah Useful Life Table (FIACCT 09-09.01).

Equipment inventoried at time of acquisition will remain on the inventory even if acquisition cost is less than current minimum value established by Schedule "A." The following types of equipment, with acquisition cost below Schedule "A" values, will also be inventoried at zero value to reduce the risk of pilferage and comply with federal laws:

- Art objects
- Firearms While no value will be listed for this equipment, departments have the same responsibility for controlling and maintaining these equipment items as they do regularly capitalized equipment.
- Equipment items not inventoried regardless of acquisition cost include the following:
 - Items made of glass, cloth, plastic and rubber products unless included above
 - Consumable items materially altered by use
 - Replacement parts which do not have a separate identity or utility apart from other pieces of equipment
 - Items permanently attached to buildings
 - Items rented or otherwise not owned (not to include equipment lease-purchased)
- Equipment of low unit value and supply items will be included in "Building Contents" for insurance purposes.
- Transfer of equipment from one campus location to another cannot be made without the approval of the department head or director, who has inventory responsibility. Property Control must also be notified of any transfer of equipment by email, written memo or Fax.

B. Land, Buildings, Infrastructure, and Improvements

Land, buildings, infrastructure, and improvements are capitalized and inventoried on the books of Weber State based on acquisition cost (per Schedule "A," attached).

C. Repair and replacement items are not capitalized as they replace existing components to maintain the function or utility of the facility, and do not change the value of the facility materially.

D. Assignment of equipment is made on a departmental basis. The chair or director of the department is the property custodian and is responsible for the care and maintenance of the equipment and to verify the equipment inventory at least annually.

University equipment shall not be removed from campus without written approval of the immediate supervisor. Department records must be maintained which record the authorization for removal and location of equipment not located on campus.

E. Surplus property may be contributed to other state, county, city or non-profit organizations. All requests for donation of surplus property must be directed to Property Control. Donations of surplus property must be approved in writing by the Associate Vice President for Financial Services. A written request for donation must be forwarded to Property Control when property is intended to be donated to off-campus organizations.

FIXED ASSETS SCHEDULE "A" April 4, 2011

All fixed assets will be capitalized according to the values defined in State Board of Regents' policy R561-3. Additionally, all equipment with an acquisition cost between \$1,500 and \$4,999 will be inventoried for tracking purposes.

Mail Service

No. 5-30	Rev. 2-2-88	Date 8-17-77
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I. GENERAL

The Mail Service is established to distribute incoming mail, collect and process outgoing mail and collect and distribute interdepartmental mail. The handling of personal mail is done as a convenience by Mail Service. Mail Service is not a branch of the U.S. Post Office. The U.S. Postal Service considers incoming mail to have been delivered to the addressee when it is delivered to Mail Service, and outgoing mail becomes U.S. Mail upon delivery by Mail Service to the U.S. Post Office. Mail Service may provide other services for the convenience of students, faculty and staff to the extent that they can be performed without additional material cost, obligation or responsibility to the University.

II. POLICY

A. Off-Campus Mail

1. Due to the nature of mail-handling equipment, envelopes should not be sealed. Exceptions include the following:
 - a. Envelopes containing checks
 - b. Envelopes larger than letter size will be closed and sealed
 - c. Other sealed envelopes may be challenged by the mail clerks unless an explanation is attached
2. University envelopes only will be allowed to pass through the postage meter.
3. All University envelopes and letterhead will indicate the department mail code as part of the zip code.
4. The University heading on the envelopes shall not be covered or crossed out.
5. A return address other than that of the University will not be accepted.
6. University envelopes will not be used for personal mail.
7. University envelopes will not be affixed with U.S. postage.
8. All mail referred to in items 5-7 above will be sent to the responsible supervisor/administrator for appropriate action.

B. Bulk Mailings

Weber State University has a special, non-profit mailing permit which allows departments to send large mailings at a lower rate. Only operating units of the University will be allowed to use the University's bulk mail permit.

C. Campus Mail

Where appropriate, campus mail should be put in standard campus mail envelopes or clearly identified. Campus mailings exceeding 50 pieces must be sorted by mail codes. Bulk memos, flyers and handouts being distributed to faculty, staff and departments must be University business and not addressed to individuals.

D. Private and Personal Mail

All personal mail must be sealed and the proper postage affixed.

E. Charges and Billing

Each department is charged for postage by mail code. Charges are billed through the FRS system the first of each month.

F. Personnel and Department Changes

To implement any changes, additions, deletions or transfers of personnel, a memo signed and dated indicating the change must be sent to the supervisor of the Mail Service.

G. Cash Transactions

Stamps may be purchased only at the window of the Mail Service. Money is not to be affixed to personal mail. Petty cash slips will not be accepted for postage. Personal checks cannot be accepted at the Mail Service.

III. PROCEDURE

Please obtain a copy of the current Weber State University Mail Service Procedures Booklet from the Mail Service.

Food Services

No. 5-30a	Rev. 3-10-98	Date 3-14-84
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I. AUTHORITY

The preparation and distribution of food products on the campus of Weber State is the responsibility of the company or companies that the institution contracts with to provide its manual and vending food service. This company(s) shall have the exclusive right to provide all commercial food services on the Weber State University campus except as specified in this policy.

All Weber State University food preparation and handling equipment is assigned to the food service company for appropriate use and maintenance. Certain cooking facilities such as those in the Department of Child and Family Studies and the apartment-style housing owned by the institution are not the responsibility of the food service company, but are required to operate in a non-commercial manner. They are restricted from being used for the purpose of preparing food products that are sold in competition with the food service company.

Any exceptions to this policy, unless specified below, must be approved in advance by the company's director of Food Service and the dean of Student Life or his/her designee.

II. SPECIFIC APPLICATION

A. Retail Snack Sales

All retail snack sales (candy, chips, etc.) shall be the right of the food service company except for those sold at the Union Building information desks and those sold at the Weber State University Bookstore.

B. Vending and Concessions

No vending machines, other food product sales devices or food concessions may be located or operated on the campus without authorization from the company's director of Food Service and the dean of Student Life or his/her designee. The use of coffee machines and refrigerators is authorized as long as they are used in a non-vending, non-commercial fashion.

C. Catering

All contracted catering of food products that takes place on the campus shall be provided by the food service company.

D. "Pot Luck" Events

"Pot Luck" or similar parties for employees or students are authorized as long as all of the following conditions are met:

1. Food products are provided and/or prepared by employees or students from personal, rather than institutional resources
2. Weber State kitchen or food handling facilities are not utilized
3. No food products are sold, either directly or indirectly, such as an admission charge or "donation" at events where such food is served

E. Fund Raising Activities Involving Food Products

WSUSA registered student organizations are authorized to have one (1) fundraising activity on campus involving food products per quarter provided that the following conditions are met:

1. Food is prepared for sale by volunteers (i.e., bake sales) or pre-packaged food is purchased for resale (i.e., candy bar sales)
2. The sale is approved and supervised by the appropriate professional staff person from the Department of Student Activities
3. All temporary business permits and food handling requirements are obtained and are approved by the company's director of Food Service at least 48 hours prior to the event

F. Minor Refreshments for University Events

Food purchases for refreshments at on campus events by WSUSA registered student organizations and Weber State University departments are authorized provided that the total food value does not exceed the petty cash limit and provided that the following conditions are met:

1. All temporary business permits and food handling requirements are obtained and are approved by the company's director of Food Service 48 hours prior to the event
2. WSUSA and student activities follow the guidelines for petty cash as outlined in the WSUSA Policy and Procedure Manual
3. All other departments adhere to Weber State University petty cash policy and procedures

III. Invoices for Food Services Provided to Departments

Invoices for Food Services provided by the company or private vendors to Weber State University departments will only be paid when account-coded and signed by a representative of the department being charged.

Appendix D – Suspension/Expulsion Policy

Purpose

The purpose of Weber State University Charter Academy's (School) Suspension and Expulsion Policy is to help students take responsibility for their actions and develop self-discipline. The Academy hopes to create a safe, orderly and respectful learning environment.

It is the Academy's policy to promote a safe and orderly school environment for all students and employees. Accordingly, the Academy holds all students, employees, and other adults to the highest standards of behavior on school property and during school-sponsored activities. Criminal acts or disruptive behavior of any kind will not be tolerated, and any individual who engages in such activity will be subject to disciplinary action, criminal prosecution, or both.

Policy

1. Definitions

- (A) Suspension – Suspension is a temporary removal of a student from school and school-sponsored activities for a period of up to one (1) year. Students who are suspended may, to the extent feasible and at the Director's discretion, have access to homework, tests, and other schoolwork through a home study program but will not be allowed to attend classes or participate in any school activities during the period of suspension.
- (B) Expulsion – Expulsion means the formal process of dismissing a student from school. Recognizing that students who commit violent or disruptive acts may pose safety problems, the Academy will work with parents to provide alternative educational placement and programs for the student where appropriate and feasible. However, the Director retains the authority to exclude the student from all programs or activities for the period of expulsion.
- (C) Change of Placement – A "change of placement" for a student with a disability occurs if (a) the removal is for more than ten (10) consecutive school days or (b) the student is subjected to a series of removals that constitute a pattern because they total more than ten (10) school days in a school year or because of factors such as the length of each removal, the total amount of time the student is removed, and the proximity of the removals to one another. Any "change of placement" requires compliance with the procedures outlined below.

2. Grounds for Suspension or Expulsion

- (A) A student may be suspended from school for any of the following reasons:

- (i) frequent, flagrant, or willful disobedience, defiance of proper authority, or disruptive behavior, including, but not limited to: fighting; gang activity; noncompliance with school dress code; harassment, including sexual, racial, or religious harassment; the use of foul, profane, vulgar or abusive language; or other unreasonable and substantial disruption of a class, activity, or other function of the Academy;
 - (ii) willful destruction or defacing of school property;
 - (iii) behavior that poses an immediate and significant threat to the welfare, safety, or morals of other students or school personnel or to the operation of the school;
 - (iv) possession, distribution, control, use, sale, or arranging for the sale of an alcoholic beverage as defined in Utah Code Ann. § 32A-1-105;
 - (v) possession, distribution, control, use, sale, or arranging for the sale of cigars, cigarettes, electronic cigarettes, or tobacco, as defined by Utah Code Ann. § 76-10-101;
 - (vi) possession, distribution, control, use, sale, or arranging for the sale of contraband, including but not limited to real, look-alike or pretend weapons, fireworks, matches, lighters, alcohol, tobacco, mace, pepper spray, laser pointers, pornography, illegal drugs and controlled substances, drug paraphernalia, or any other material or item that has caused or will imminently cause substantial disruption to school operations;
 - (vii) inappropriate use or possession of electronic devices in class or in any other way that substantially disrupts the educational environment;
 - (viii) any criminal activity;
 - (ix) any serious violation involving weapons, drugs, or the use of force that threatens harm or causes harm to the school or school property, to a person associated with the school, or property associated with any such person, regardless of where it occurs; or
 - (x) bullying or hazing as defined in Utah Code Ann. § 53A-11a-102 and/or the School's Bullying and Hazing Policy.
- (B) A student may be expelled from school for any violation listed under Section 4(A) of this policy if the violation is serious or persistent.
- (C) A student shall be suspended or expelled from school for the following reasons:

- (i) any serious violation affecting another student or a staff member, or any serious violation occurring in a school building, in or on school property, or in conjunction with any school-sponsored activity, including:
 - (1) the possession, control, or actual or threatened use of a real weapon, explosive, or noxious or flammable material;
 - (2) the actual or threatened use of a lookalike weapon with intent to intimidate another person or to disrupt normal School activities; or
 - (3) the sale, control, or distribution of a drug or controlled substance as defined in Utah Code Ann. § 58-37-2, an imitation controlled Ann. § 58-37b-2, or drug paraphernalia as defined in Utah Code Ann. § 58-37a-3; or
 - (ii) the commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor.
- (D) Any student who commits an act for which mandatory suspension or expulsion is provided above, using a real or lookalike weapon, explosive, or noxious or flammable material shall be expelled from all school programs and activities for a period of not less than one (1) year, subject to the following:
- (i) Within forty-five (45) days after the expulsion, the student shall appear before the Case Management Team (“CMT”), which shall be comprised of the Director and selected teacher (s), selected support staff and when appropriate, a parent or legal guardian; and
 - (ii) The CMT shall determine:
 - (1) what conditions must be met by the student and the student's parent for the student to return to school;
 - (2) if the student should be placed on probation in a regular school setting consistent with Utah Code Ann. § 53A-11-907, and what conditions must be met by the student in order to ensure the safety of students and faculty at the school; and
 - (3) if it would be in the best interest of both the school and the student to modify the expulsion term to less than a year giving highest priority to providing a safe school environment for all students.
 - (iii) For purposes of this policy, the term "firearm", "explosive", and "noxious or flammable material" include but are not limited to: guns, starter pistols, cap guns, bombs, bullets

and ammunition, gasoline or other flammable liquids, mace, pepper spray, matches, and lighters.

- (iv) Students with Disabilities under IDEA and Section 504 – However, whenever a student receiving special education and related services under the Individuals with Disabilities Education Act (“IDEA”) or Section 504 of the Rehabilitation Act is determined to have carried a weapon to school or a school-sponsored activity, the procedures outlined below must be followed.

(E) A student shall be suspended or expelled from the school for any of the following reasons:

- (i) use, control, possession, distribution, sale, or arranging for the sale of an illegal drug or controlled substance (which includes alcohol), an imitation controlled substance, or drug paraphernalia in a school building, in a school vehicle, on school property, or in conjunction with any school-sponsored activity.
- (ii) misuse or abuse, distribution, sale or arranging for the sale of prescription medication at school or a school-sponsored activity.
- (iii) misuse or abuse of over-the-counter remedies, or sharing, distribution, sale, or arranging for the sale of over-the-counter remedies. A student may possess and use over-the-counter remedies at school only in amounts not to exceed the recommended daily dose including, but not limited to: aspirin, ibuprofen, Tylenol (acetaminophen), cough drops, allergy medication, cough syrup, and mouthwash.
- (iv) Students with Disabilities under IDEA and Section 504 – Whenever a student receiving special education and related services under IDEA knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school-sponsored activity, the procedures outlined below must be followed.
- (v) Drug Testing
 - (1) Any student who is reasonably suspected of using, possessing or distributing drugs in violation of this policy may be subject to a drug test for cause, arranged and paid for by the school.
 - (2) Any student who has been suspended or expelled for a violation of this section may be required to provide a clean drug test and evidence of completion of drug assessment and/or drug counseling programs as a condition of readmission to school. Testing and

counseling required as a condition of readmission rather than for the purpose of providing justification for the initial suspension or expulsion shall be arranged and paid for by the student's parent or guardian.

- (3) Students who refuse to submit to required drug testing and counseling programs or to cooperate with school officials with respect to the sharing of appropriate information, may be expelled from the school.
- (4) Any student who is suspended or expelled for violation of this section may be subject to random drug testing, at any time and for any reason, for a period of one year from the date of offense. If the student tests positive, he/she may be expelled from all school programs or activities. Any student who refuses consent for random drug testing under these conditions shall be expelled from all school programs or activities.

(F) Gangs

- (i) For purposes of this policy, "gang" means any ongoing organization, association or group of three or more persons, whether formal or informal, having as one its primary activities the commission of criminal acts, which has a unique name or identifiable signs, symbols, or marks, and whose members individually or collectively engage in criminal or violent behavior to persons or property, or who create an unreasonable and substantial disruption or risk of disruption of a class, activity, program, or other function of a school.
- (ii) Gang Activity and Apparel Prohibited – Students who engage in any form of gang activity on or about school property, or at any school-sponsored activity may be suspended or expelled under the terms of this policy. For the purposes of this policy, "gang activities" include, but are not limited to any of the following.
 - (1) Wearing, possessing, using, distributing, displaying, or selling any clothing, jewelry, apparel, emblems, badges, tattoos or manner of grooming, accessories, symbols, signs, or other thing which is evidence of membership in or affiliation with any gang;
 - (2) Committing any act or omission or using any speech, either verbal or nonverbal, (flashing signs, gestures, handshakes, etc.) that demonstrates membership in or a affiliation with a gang;
 - (3) Soliciting others for membership in a gang;

- (4) Requesting any person to pay for "protection", claiming "turf", or otherwise intimidating, bullying, retaliating against, threatening, or harassing any person;
 - (5) Possessing a weapon, controlled substances, drug paraphernalia, or other contraband;
 - (6) Committing any illegal act;
 - (7) Encouraging or inciting another person to act with physical violence upon any other person or cause damage to property.
- (iii) Confiscation of Gang Items – Subject to the search and seizure provisions of this policy, gang paraphernalia, apparel, or weapons may be confiscated by school officials at any time.
 - (iv) Consultation with Law Enforcement Authorities – School officials shall consult with local law enforcement authorities and gang detectives whenever they have questions regarding gang-related clothing, apparel, or other gang activity.

3. Due Process Procedures

(A) Authority to Suspend or Expel

- (i) Authority to Suspend for Ten (10) School Days or Less for Regular Education Students – The Director has the authority to suspend a regular education student for up to ten (10) school days. In considering whether to suspend a student, the Director shall consider all relevant factors, including but not limited to, the severity of the offense, the student age, disability, academic status and disciplinary record, parental capabilities, and community resources.
- (ii) Authority to Suspend and Duration of Suspension for Students with Disabilities – The Director has the authority to suspend a student with disabilities (504 or IDEA) for not more than ten (10) consecutive school days, and additional removals of not more than ten (10) total school days in that same school year for separate incidents of misconduct as long as those removals do not constitute a pattern resulting in a change of placement. The Academy need not provide services during periods of removal of ten (10) days cumulative or less if services are not provided to a student without disabilities who has been similarly suspended.
- (iii) Authority to Suspend for Longer than Ten (10) Days or Expel for Regular Education Students – Subject to the requirements for due process set forth

below, the Director may suspend a regular education student for longer than ten (10) days or expel a regular education student. Expulsions shall be reviewed by the CMT and the conclusions reported to the Board at least once each year if the parent/guardian of the expelled student has expressed a desire for the student to return to the school.

- (1) Parental Responsibility – If a student is suspended for a period longer than ten (10) days or expelled, the student's parent or legal guardian is responsible for undertaking an alternative education plan that will ensure that the student's education continues during the period of expulsion. The parent or guardian shall work with designated school officials to determine how the student's education will continue through private education paid for by the parents, an alternative program offered by the local school district, or other alternatives which will reasonably meet the educational needs of the student. Costs of educational services which are not provided by the Academy are the responsibility of the student's parent or guardian. The Academy shall contact the parent or guardian of each student under age 16 who has been expelled from all Academy programs and services at least once a month to determine the student's progress if the parent/guardian of the expelled student has expressed a desire for the student to return to the school.
- (iv) Authority to Institute Change of Placement for Student with Disabilities – Where the student is receiving special education services or accommodations on the basis of disability under IDEA, 504, or ADA, procedures outlined in the State of Utah Special Education Rules shall be followed, including prior written notice to parents or guardians regarding their procedural due process rights, before any long-term disciplinary action or change of placement takes place.
- (B) Due Process for Suspensions of Ten (10) Days or Less – The following procedure shall apply to all students facing suspension of ten (10) school days or less:
 - (i) The Director shall notify the student's custodial parent or guardian of the following without delay: that the student has been suspended, the grounds for the suspension, the period of time for which the student is suspended, and the time and place for the parent or guardian to meet with the Director to review the suspension.
 - (ii) The Director shall also notify the non-custodial parent, if requested in writing, of the suspension. However, this requirement does not apply to the portion of Academy records which would disclose any information protected under a court order. The custodial parent is responsible to provide the school a certified copy of any applicable court order.

- (iii) The Director shall document the charges, evidence, and action taken.
- (iv) The student shall be requested to present his/her version of the incident in writing. Students with disabilities or young students who are unable to write their own statements shall be accommodated through the use of tape recorder, scribe, etc.
- (v) If the student denies the charges, the student shall be provided with an explanation of the evidence and an opportunity to present his/her version of the incident to the Director.
- (vi) In general, the notice and informal conference shall precede the student's removal from the school.
- (vii) If, in the judgment of the Director, notice is not possible because the student poses a danger to a person or property or an ongoing threat of disrupting the academic process, he/she may be removed immediately. However, in such cases, the necessary notice and hearing shall follow as soon as possible.

(C) Due Process for Suspensions of More than Ten (10) Days and Expulsions

- (i) If the Director believes that a student should be suspended for more than ten (10) days or expelled, the Director may make the initial decision and shall meet with the student's parent or guardian to discuss the charges against the student and the proposed discipline within five (5) school days after the suspension or expulsion began. If requested in writing, the Director shall also notify the non-custodial parent of the suspension or expulsion as outlined in this policy.
- (ii) Notice to Student and Parent/Guardian – During the meeting required in this policy, the Director shall provide the student's parent or guardian with written notice that includes all of the following elements (or, if the student's parent or guardian refuses to meet, the Director shall send the notice by certified mail, return receipt requested, to the student's parent or legal guardian within ten (10) school days after the suspension or expulsion began):
 - (1) a description of the alleged violation(s) or reason(s) giving rise to disciplinary action;
 - (2) the penalty being imposed (duration of suspension or expulsion);

- (3) a statement that a due process hearing may be requested by providing the Director with written notice within ten (10) school days of the parent or guardian's receipt of the notice;
 - (4) a statement that, if a due process hearing is requested, the Board, even if less than a quorum is present but a minimum of four members, will conduct the hearing;
 - (5) a statement that the suspension or expulsion is taking effect immediately and will continue for the stated period unless a due process hearing is requested in a timely manner and the Board determines otherwise;
 - (6) the mailing date of the notice;
 - (7) a statement that, if a hearing is not requested within ten (10) school days after receipt of the notice, the Director's decision to suspend or expel the student will be final, and the parent's right to oppose the decision will be waived.
- (iii) Hearing Procedures – If a Due Process Hearing is requested in response to the notice sent pursuant to this policy, the following procedures shall apply:
- (1) After receipt of the request, the School shall schedule a hearing as soon as possible but not later than ten (10) school days following receipt of the request unless the student's parent or guardian agrees otherwise.
 - (2) A written Hearing Notice shall be sent to the parent or guardian informing the parent or guardian that the Due Process Hearing will be conducted before the Board and of the following information:
 - (a) the date, place, and time of the hearing;
 - (b) the circumstances, evidence, and issues to be discussed at the hearing;
 - (c) the right of all parties to cross-examine witnesses subject to the Board chairman's determination that this right should be limited to protect student witnesses from retaliation, ostracism or reprisal; and
 - (d) the right of all parties to examine all relevant records.

- (3) The Board shall conduct the Due Process Hearing on the record and shall:
 - (a) ensure that a written record of the Hearing is made, a copy of which shall be provided to all parties upon request, with the cost borne by the Academy;
 - (b) consider all relevant evidence presented at the Hearing;
 - (c) allow the right to cross-examination of witnesses, unless the Board chairman determines that this right should be limited to protect student witnesses from ostracism, retaliation, or reprisal;
 - (d) allow all parties a fair opportunity to present relevant evidence; and
 - (e) issue a written decision including findings of fact and conclusions.

(iv) Hearing Rules – Formal Rules of Evidence do not apply to the Due Process Hearing, and no discovery is permitted. However, the following rules will apply:

- (1) parties may have access to information contained in the Academy's files to the extent permitted by law;
- (2) hearings shall be closed to the press and the public;
- (3) documents, testimony, or other evidence submitted by the parties after the hearing will not be considered by the Board; and
- (4) the Board may excuse witnesses or parties or suspend or terminate a hearing if persons involved in the hearing are abusive, disorderly, disruptive, or if they refuse to abide by the rules and orders of the Board.

4. Procedures for Students with Disabilities

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

(i) Required Services

- (1) 504 and ADA Students – When a determination is made that the conduct of a 504 or ADA student (but not a student who is disabled under IDEA) is not a manifestation of the student's disability, the student shall be subject to the same disciplinary consequences as regular education students, up to and including expulsion from school without educational services. (See OSEP memorandum of April 26, 1995.)
- (2) IDEA – A school need not provide services during periods of removal to a student with a disability under IDEA who has been removed from his or her current placement for ten (10) school days or less in that school year if services are not provided to a student without disabilities who has been similarly removed.

If a student with a disability under IDEA has been removed from his or her current placement for more than ten (10) school days in the same school year, for the remainder of the removals, the school shall provide services to the extent necessary to enable the student to progress in the general curriculum and appropriately advance toward achieving the goals set out in the student's IEP. School personnel, in consultation with the student's special education teacher, determine the extent to which services are necessary to enable the student to appropriately progress in the general curriculum and advance toward achieving the goals set out in the student's IEP.

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

- or
- (i) The student carries a weapon to school or to a school-sponsored activity;
 - (ii) The student knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school-sponsored activity.

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

- (i) Determines that Academy officials have demonstrated by substantial evidence that maintaining the current placement of a student is substantially likely to result in injury to the student or others;
 - (ii) Considers the appropriateness of the student's current placement;
 - (iii) Considers whether Academy officials have made reasonable efforts to minimize the risk of harm in the student's current placement, including the use of supplementary aids and services; and
 - (iv) Determines that the interim alternative educational setting being recommended by Academy officials (1) has been selected so as to enable the student to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the student's current IEP, that will enable the student to meet the goals set out in that IEP: and (2) includes services and modifications designed to address the behavior at issue so that it does not recur.
- (D) Parental Notice – As soon as a decision is made by Academy officials to remove a student with a disability from his/her current placement for more than ten (10) school days, the student's parents must be notified of that decision and of all procedural safeguards outlined by law and school policy.
- (E) IEP Meetings for Manifestation Determination
 - (i) Immediately, if possible, but in no case later than ten (10) school days after the date on which the decision is made to remove the student from the current placement, a review must be conducted of the relationship between the student's disability and the behavior subject to the disciplinary action.
 - (ii) The manifestation review must be conducted by the student's IEP team and other qualified school personnel.
 - (iii) In conducting the manifestation review, the IEP team may determine that the behavior of the student was not a manifestation of student's disability only if the IEP team:
 - (1) First considers, in terms of behavior subject to disciplinary action, all relevant information, including:
 - (a) Evaluation and diagnostic results, including the results or other relevant information supplied by the parents of the student;

- (b) Observations of the student; and
 - (c) The student's IEP and placement; and
 - (2) Then determines whether:
 - (a) The conduct in question was caused by or had a direct and substantial relationship to the child's disability; or
 - (b) The conduct in question was the direct result of the Academy's failure to implement the student's IEP.
 - (iv) If the IEP team determines that either of the standards above was met, the behavior must be considered a manifestation of the student's disability.
 - (v) Determination that Behavior was not Manifestation of Disability – If the result of the manifestation review is a determination that the behavior of a student with a disability was not a manifestation of the student's disability, the relevant disciplinary procedures applicable to students without disabilities may be applied to the student in the same manner in which they would be applied to students without disabilities, except that a free appropriate public education must still be made available to the student if the student is suspended or expelled from school.
 - (vi) Determination that Behavior was Manifestation of Disability - If the result of the manifestation review is a determination that the behavior of a student with a disability was a manifestation of the student's disability, the student must remain in or be returned to the prior placement.
- (F) IEP Meetings for Functional Behavioral Assessments
- (i) Post-Discipline Functional Behavioral Assessments – If School officials have not conducted a functional behavioral assessment and implemented a behavioral intervention plan for the student before the behavior that results in a removal from School for longer than ten (10) school days or a change of placement to an interim alternative educational setting, School officials shall convene an IEP meeting to develop an assessment plan and appropriate behavioral interventions to address that behavior.
 - (ii) Pre-Discipline Behavioral Intervention Plans – If the student already has a behavioral intervention plan, the IEP team shall review the plan and modify it, as necessary, to address the behavior.
- (G) Placement During Appeals and Stay Put

- (i) If a parent requests a due process hearing to challenge the interim alternative educational setting or the manifestation determination, the student must remain subject to the disciplinary action pending the decision of the hearing officer or until the expiration of the forty-five (45) day period, whichever occurs first, unless the parent and school officials agree otherwise.
 - (ii) If a student is placed in an interim alternative educational setting and school personnel propose to change the student's placement after expiration of the interim alternative placement, during the pendency of any proceeding to challenge the proposed change in placement the student must remain in the current placement (the student's placement prior to the interim alternative education setting), unless school officials succeed in getting an order through an expedited hearing as described above.
- 5. Alternatives to Expulsion for Frequent or Flagrant Disruptive Behavior – A continuum of intervention strategies shall be available to help students whose behavior in school repeatedly falls short of reasonable expectations. Prior to suspending a student for more than ten (10) days or expelling a student for repeated acts of willful disobedience, defiance of authority, or disruptive behavior which are not so extreme or violent that immediate removal is warranted, good faith efforts shall be made to implement a remedial discipline plan to allow the student to remain in the Academy.
 - (A) Before referring the student for long term suspension, expulsion or change of placement under this section, school staff should demonstrate that they have attempted some or all of the following interventions:
 - (i) Talking with the student;
 - (ii) Class schedule adjustment;
 - (iii) Phone contact with the parent or legal guardian;
 - (iv) Informal parent/student conferences;
 - (v) Behavioral contracts;
 - (vi) After-school make-up time;
 - (vii) Short-term in-school suspension (ISS); (viii) Short-term at-home suspensions;
 - (ix) Appropriate evaluation;
 - (x) Home study;

- (xi) Alternative programs;
 - (xii) Law enforcement assistance as appropriate.
- (B) As part of a remedial discipline plan for a student, the school may require the student's parent or guardian, with the consent of the student's teachers, to attend class with the student for a period of time specified by a designated school official. If the parent or guardian does not agree or fails to attend class with the student, the student shall be suspended in accordance with the provisions of this policy.

6. Additional Safe Schools Measures

- (A) Physical Restraint – An Academy employee may, when acting within the scope of employment, use and apply physical restraint or force as may be reasonable and necessary under the following circumstances:
- (i) To protect any person from physical injury;
 - (ii) To take possession of a weapon, other dangerous objects, or controlled substances in the possession of a student;
 - (iii) To restrain or remove a student from a situation when that student is violent or disruptive, or is a danger to him/herself or others, or
 - (iv) To protect property from serious damage.
 - (v) When an employee exercises physical restraint on a student, the employee shall write a report outlining the incident and the reasons for the use of physical restraint within three (3) days following the incident. This report shall be filed with the Director, who then is responsible for sending a copy of the report to the Board. The original of the report shall be kept in the employee's file.
- (B) Corporal Punishment – School employees may not inflict or cause the infliction of corporal punishment upon a student.
- (C) After-School Detention
- (i) Teachers and other school officials shall make reasonable attempts to notify a parent or legal guardian before detaining a student after school.
 - (ii) If detention is necessary for the student's health or safety, an exception may be made to the notice requirement.

7. Extracurricular Activities – Participation in interscholastic athletics and other extracurricular activities is not a constitutionally protected civil right. Therefore, students who are suspended or expelled may lose the privilege of participation during the period of suspension/expulsion and may not be allowed to invoke due process procedures to challenge the denial of extracurricular participation.
8. Re-Admission of Expelled Students – A student who is expelled from the Academy can only be re-admitted to the school through the school's standard lottery procedures. A student may be denied admission to the school if he or she was expelled from the school or any other school during the preceding 12 months.
9. Searches of Person or Property – Given the school's custodial and tutelary responsibility for children, and the Board's intent to preserve a safe environment for all students and staff, the Board recognizes that Academy officials must have the authority to conduct reasonable searches of students and student property. Academy officials engaging in searches of students and property shall abide by the following guidelines:
 - (A) General Guidelines for Searches of Person or Property
 - (i) Student Lockers – Students have no right or expectation of privacy in school lockers. While lockers are under the joint control of students and the school, lockers are solely school property and may be searched at any time by school officials with or without cause. Once a locker is opened for search, any search of student belongings contained within the locker must comply with the guidelines for searches of personal belongings.
 - (ii) Searches of Students and Student Property – Searches of a student's person, personal property (coats, hats, backpacks, book bags, purses, wallets, notebooks, gym bags, etc.) may be conducted whenever the student's conduct creates a reasonable suspicion that a particular school rule or law has been violated and that the search is reasonably related to the suspicion and not excessively intrusive in light of the age and sex of the student and nature of the infraction. Circumstances warranting a search include those in which school officials have a reasonable suspicion that the student or student property is concealing items including but not limited to weapons, drugs, alcohol, tobacco, unsafe contraband, pornography, pagers or lost/stolen/misplaced items.
 - (B) Searches of Personal Belongings – Personal belongings may be searched by school officials whenever school officials have a reasonable suspicion to believe a student is concealing evidence of a policy violation or criminal activity and the items being searched are capable of concealing such evidence. The student may be asked to open personal belongings and to turn over personal property for search by a school official. All searches of student property by school officials shall be witnessed by an objective third party (such as another teacher, or police officer) to observe that the search is not excessively intrusive. All contraband discovered in a search by school officials shall be immediately confiscated and

turned over to law enforcement officers if school officials have reason to believe the contraband is related to the commission of a criminal act.

- (C) Searches of Person – School officials shall make sure the search meets the following guidelines:
- (i) The search shall be conducted in a private area of the school by a school official of the same sex as the student being searched;
 - (ii) The search shall be observed by an objective third party of the same sex as the student being searched (i.e., Director, teacher, police officer);
 - (iii) School officials may ask the student to remove his/her hat, coat, shoes and socks, turn pockets inside out, and roll up sleeves to see if the student is hiding contraband;
 - (iv) Under no circumstances may school officials require students to remove any other items of clothing or touch students in any way during the search.
 - (v) If this limited search does not turn up suspected contraband and school officials have reasonable suspicion that the student is concealing contraband in his/her inner clothing (i.e., hiding drugs, weapons or other contraband underneath shirts, pants or underwear), law enforcement officers shall be summoned immediately to conduct further search and investigation.
- (D) Documentation of Searches – School officials shall thoroughly document the details of any search conducted of a student's property or person. Documentation shall be made at the time of the search, or as soon as possible thereafter, and shall include the following:
- (i) The time, place and date of the search;
 - (ii) The reasonable suspicion giving rise to the search (what did School officials suspect to find during the search);
 - (iii) The name and title of individuals conducting and observing the search;
 - (iv) A statement about evidence that was found or not found as a result of the search;
 - (v) A statement about who took possession of contraband (i.e., police, school, etc.);
 - (vi) Information regarding the attempts of School officials to notify parents about the search.

10. Training

- (A) All new employees shall receive information about this policy at new employee orientation. All other employees shall be provided information on a regular basis regarding this policy and the Academy's commitment to a safe and orderly school environment.
- (B) Employees who have specific responsibilities for investigating and resolving safe schools violations shall receive yearly training on this policy and related legal developments.
- (C) The Director shall be responsible for informing students, parents, and staff of the terms of this policy including the procedures outlined for investigation and resolution of violations.

Appendix E – School Complaint Policy

Purpose

Weber State University Charter Academy places high value on courtesy, respect and responsibility. The Academy recognizes that occasionally stakeholders of the school will encounter difficult situations. This policy sets forth the steps that parents, staff members, and other stakeholders should follow in addressing complaints involving the school.

Policy

- (1) The individual should discuss the complaint with the person that has direct responsibility for the problem.
 - (a) Within one (1) week, take the complaint directly to the staff member involved (for violations of law or issues with school-wide policies, the Director would be the appropriate staff member) to resolve the problem through discussion.
 - (b) Weber State University Charter Academy is committed to using communication to work out problems; therefore, the two parties involved may request mediation from the staff member's immediate supervisor if direct communication fails or would be inappropriate.
 - (c) If the aggrieved person is not satisfied, the person should move to step 2 within one (1) week.
- (2) Discuss the complaint with the staff member's immediate supervisor.
 - (a) If the two parties involved cannot reach a solution, then the issue should be taken to the staff member's immediate supervisor for discussion and possible mediation.
 - (b) If the original complaint was with the Director and discussion (as mentioned in step 1) has not worked, move directly to step 3.
 - (c) This process should be followed through the chain of command until the complaint has been discussed with the Director.
 - (d) If the complaint has not been satisfactorily addressed after talking with the Director, move to step 3. This should occur no later than one (1) month from the original complaint.

- (3) Submit the complaint in writing to the Director.
 - (a) The Director may speak to all parties involved and will try to resolve the issue through discussions with those people. Otherwise, within two (2) weeks, the Director will give a written decision concerning the complaint, giving the reasons for the decision.
 - (b) If the Director's written decision is unsatisfactory, move to step 4 within one (1) week of when the decision was received.
- (4) Submit the complaint in writing to the President of the Board of Directors.
 - (a) Upon receiving the written complaint, the Board President will request copies of all written communications from Step 3.
 - (b) The Board President will convene a complaint review committee consisting of Board members (with no fewer than 3 board members) that will meet within ten (10) working days to discuss the issues. Those involved in the complaint will have a right to attend the meeting.
 - (c) The complaint review committee will decide on the matter by majority vote and will respond in writing to the person issuing the complaint and the Director no later than thirty (30) days from the receipt of the complaint.
 - (d) If the complaint review committee is unable to reach a decision and/or the complaint is of such a nature that it is not appropriate for the Board of Directors to address or addressing the issue might interfere with the normal functions of the school, then the committee may refuse to address the complaint or may bring this matter to the full board for consideration if appropriate. The Board will review the complaint at the next scheduled Board meeting after receipt of the request. The Board's decision shall be final and shall be made within ten (10) working days of the hearing.

Exceptions to Procedural Steps

Weber State University Charter Academy recognizes that there may be circumstances where it would be inappropriate to resolve a problem as prescribed above. Therefore, the following exceptions are instances where some of the steps above may be bypassed to seek a resolution by the next higher authority: (1) The complaint or problem involves a known or suspected violation of the law; (2) The complaint or problem is clearly not within the authority of the staff member's supervisor to resolve; or (3) The complaint falls under the scope of IDEA, Utah Code Ann. §§ 53A-15-301 through 53A-15-305, or other rules or regulations protecting disabled individuals.

Appendix F – Conflict of Interest and Employment of Relations Policy

Employment of Relatives

No. 3-6	Rev. 1-19-83	Date 8-17-77
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I. PURPOSE

To outline the University's policy toward employment of relatives and to minimize the negative impact on productivity and job satisfaction created by nepotism or the perception of nepotism.

II. DEFINITION

Immediate Family

For the purpose of this policy immediate family is defined as fathers, mothers, husbands, wives, sons, daughters, brothers, sisters, uncles, aunts, nieces, nephews, first cousins, fathers-in-law, mothers-in-law, brothers-in-law, sisters-in-law, daughters-in-law or sons-in-law.

III. POLICY

A. University policy prohibits any individual holding a position for which payment is made from funds administered by the University to employ, appoint or vote for the appointment of members of his/her immediate family, in or to any position or employment, when the salary, wages, pay or compensation of such appointee is to be paid out of such funds. Subordinate supervisors may not hire the immediate family of their superiors, neither may supervisors employ two individuals of the same "immediate family" to positions for which the supervisor is responsible.

B. Exceptions to this policy require signature approval of the supervising vice president. If the exception pertains to a member of a vice president's immediate family, the exception must be approved by the president. Special consideration will be given in the case of tandem teams of faculty personnel involving husband/wife combinations where the employment of both offers a unique academic program advantage.

When exceptions are requested, a written request must be submitted to the supervising vice president explaining the family relationship and the reasons for the exception. This memo, with the vice president's approving signature, must accompany the payroll action request form used to implement the appointment. At the time an exception is granted, a clear, written understanding must be reached as to how salary changes will be implemented, how evaluations and promotions will be handled and how general supervision will be accomplished.

D. In the event a pre-existing relationship is discovered or a new family relationship develops among employees, a clear, written understanding must be reached as to how salary changes will be implemented, how evaluations and promotions will be handled and how general supervision will be accomplished.

Staff Employee Grievances (with provision for certain hourly employees)

No. 3.31	Rev. 11-18-98	Date 8-17-77
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I. PURPOSE

To ensure fair treatment for non-faculty staff members who seek to resolve work-related grievances.

II. REFERENCES

- [PPM 3-32](#), Discrimination Complaint
- [PPM 3-14](#), Hourly Employment (Non-Teaching Personnel)
- [PPM 3-2](#), Personnel Definitions

III. DEFINITIONS

A. Staff Member

A classified or professional employee in a non-faculty position who receives compensation for work or services from funds controlled by the institution, regardless of the source of the funds, the duties of the position, the amount of compensation paid or the percent of time worked.

B. Employment Grievance

A grievance concerning interpretation or application of personnel policies or practices, working conditions, employee-supervisor relationships, termination or non-retention or other personnel matters. Grievances filed under this policy are to relate to non-faculty employment. Staff members who hold tenure from previous faculty employment may choose to file grievance under Section 9 of the Policy and Procedures Manual if the personnel action in question affects that tenure status. If the personnel action in question does not affect the tenure status, it will be regarded as a "staff" issue and will be dealt with under PPM 3-31. In the case of a Section 9 grievance, no action will be taken under PPM 3-31.

C. Final and Binding Decision

A final administrative decision. The complainant cannot take the matter any further administratively.

D. Final and Binding Decision-Maker

The president of Weber State University.

E. Immediate or First-Level Supervisor or Supervision

The lowest level of exempt salaried supervision of the employee as defined in the Fair Labor Standards Act and Department of Labor regulations.

F. Office of Human Resource Administration

That office or individual charged with the administration and record maintenance of personnel matters, or such other person as may be specially designated by the institution president to administer the grievance procedures of this policy.

G. Personnel Relations Committee

A committee established by institutional policy with membership from the staff, administration and faculty as a cross section of the college or University community. Such members are to be selected for their objectivity and fairness in personnel matters and will serve staggered terms. Where possible, a chair is selected who has knowledge of general employment practices, with perhaps a background in business, law or social work.

IV. POLICY

A. Problems or complaints involving a claim of discrimination on the basis of race, color, national origin, religion, sex, age, handicap or veteran's status are processed through the provisions of PPM 3-32.

B. Staff members should first attempt to resolve employment grievances through informal discussions with their immediate supervision. A staff member may contact the Office of Human Resources administration to assist in the informal resolution of the problem. Employees may not be subjected to intimidation or reprisal for assertion of the employment grievance.

1. A staff member may be accompanied by a friend, fellow employee or relative during informal discussions of an employment grievance.

2. If a staff member insists on representation in the informal process by an employee organization representative, legal counsel or other similar professional, the institution may either proceed with the meeting between the staff member, such representative and the first level supervision, or determine that the parties should proceed directly with the formal employment grievance review process.

C. A formal employment grievance review process is available to all staff members who are not satisfied with the results of an informal discussion. A staff member has the right to be accompanied by another employee or a person of his or her choice during the formal grievance process. Employees may not be subjected to intimidation or reprisal for initiating a formal grievance review.

D. Staff members still within the initial 90-day probationary period and hourly wage employees and hourly student employees have access to the employment grievance policy up to and including formal Step 2 in V, B, 2 above. The Step 2 solution becomes the final binding decision for such employees.

E. The Office of Human Resources administration serves in an advisory capacity with respect to procedural questions which may be asserted by either the complainant or the supervisor. The Personnel representative designated by the Office of Human Resources administration monitors

the employment grievance procedure and gives particular attention to the avoidance of unreasonable delays at each level of the process.

F. If any steps provided for in V, B, 2 above. are impractical for any reason, the Office of Human Resources administration, normally after consultation with the staff member, may prescribe an alternative process which, to the maximum practicable degree, assures to the aggrieved staff member the fair and adequate consideration of the problem or complaint provided, however, that a staff member's right to a hearing before the Personnel Relations Committee is not denied nor abridged.

G. Reasonable time off with pay during scheduled working hours are provided to the employee, the employee's representative, or any witnesses called to give information, for time spent participating in proceedings leading to resolution of the complaint. Time spent by the employee or representative in such activities outside scheduled working hours is non-compensable. Neither time-off with pay nor compensation is provided for time or money spent in preparation for such proceedings.

H. A proposed resolution of a complaint that involves an exception to an applicable institutional policy or regulation requires the prior approval of the supervising vice president.

I. Time limits provided for the conduct of the grievance procedure are guidelines and may be extended by (1) mutual agreement between the Office of Human Resources administration and the aggrieved employee or (2) extraordinary circumstances that make it inadvisable or impossible to meet the time limits. Time limits stated refer to normal work days.

V. PROCEDURE

A. Informal Review

1. All persons involved in an employment grievance should attempt to resolve their differences in an informal manner at the lowest level of supervision.
2. To facilitate the informal settlement of the grievance, staff members and supervisors are encouraged to discuss with the Office of Human Resources administration, on an informal basis, any employment problems or questions pertaining to personnel policy and practice.
3. The complaint should be presented orally by the staff member to his or her immediate supervisor within twenty (20) days of the event of action prompting the grievance. If the matter cannot be prudently discussed or resolved with the immediate supervisor, an exception to this procedure may be approved by the Office of Human Resources administration.

B. Formal Review

1. A formal complaint is filed in writing by a staff member when the issue cannot be resolved through informal discussions.

2. The following steps, procedures and time limits shall be observed by the aggrieved staff member and by administrative personnel in processing a formal review of the complaint:

Step 1

The immediate supervisor has seven (7) days from the last informal review or discussion with the aggrieved staff member to reach a mutually satisfactory agreement. If by that time a mutually satisfactory agreement cannot be reached, then the aggrieved staff member may refer the grievance, including the remedy sought, to the next level of supervision by putting it in writing and delivering it to the appropriate office within an additional seven (7) days. The second-level supervisor should normally schedule a meeting in which the staff member and first level supervisor are present. The second-level supervisor conducts the meeting in a manner deemed beneficial in determining the facts. Both the employee and supervisor should be allowed to bring witnesses on their behalf if so desired. The employee and first-level supervision should bring forth all known material facts relevant to the events or occurrences complained of. A written decision by the second-level supervisor is given to the aggrieved staff member within seven (7) days of receipt of the written grievance or the Step 1 meeting, if one is held. Copies of the written grievance with the remedy sought, and the decision are forwarded to the Office of Human Resources administration.

Step 2

If the second-level supervisor's decision resulting from Step 1 is not satisfactory to the aggrieved staff member, he or she personally reviews the case, within seven (7) days of receipt of such decision, with the Office of Human Resources administration or with the person specially designated by the institution president to hear Step 2 employment grievances.

The Office of Human Resources administration or the person designated by the institution president to hear Step 2 employment grievances within seven (7) days of the personal review with the aggrieved employee, prepares a written summary of the issues, and a proposed solution.

This is the final and binding decision for a grievance of a part-time, temporary or probationary staff member. The solution is deemed acceptable by the staff member and his or her supervisor unless written notice to the contrary is received by the Office of Human Resources administration in accordance with Step 3 procedures.

Step 3

If the staff member or other party to the grievance is not satisfied with the solution proposed as per Step 2, the dissatisfied party respond to the Office of Human Resources administration in writing within seven (7) days, setting forth the reasons why the proposed solution is not acceptable. The Office of Human Resources administration, within three (3) days, refers the case to the Personnel Relations Committee chair. The Personnel Relations Committee schedules hearings on the case within a reasonable time, generally twenty (20) days except in unusual circumstances. Each party to the complaint is notified, has the right to be accompanied at the hearings by a person of his or her choice in an advisory capacity, has the right to hear the presentations of the other parties and the right to be heard by the Committee.

A Committee member is excused from participation in any grievance deliberation where he or she may be influenced by personal relationships with the parties, by bias concerning the circumstances giving rise to the complaint, or by any other material influence which would

appear to inhibit the member's ability to render an unbiased judgment. The chair shall decide on any questions regarding a Committee member's participation.

Within twenty (20) days after the conclusion of the hearing, the Committee submits a written report of its findings and recommendations to the final and binding decision-maker. The final decision-maker may refer the grievance back to the Personnel Relations Committee if he/she feels that the Committee needs to consider additional factors. In such a circumstance, the Committee has an additional (7) days to submit a written report of its findings and recommendations to the final and binding decision-maker.

Step 4

The final and binding decision-maker reviews the written report and the findings and recommendations of the Committee. Based upon such review and without conducting further hearings, he or she, within ten (10) days informs all parties of the final decision.

Discrimination and Harassment

No. 3-32	Rev. 12-23-98	Date 8-17-77
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PREAMBLE

Weber State University is committed to providing an environment free from harassment and other forms of discrimination based upon race, color, ethnic background, national origin, religion, creed, age, lack of American citizenship, disability, status of veteran of the Vietnam era, sexual orientation or preference or gender, including sexual/gender harassment. Such an environment is a necessary part of a healthy learning and working atmosphere because such discrimination undermines the sense of human dignity and sense of belonging of all people in the environment.

Discrimination and harassment are prohibited by Titles IV, VI and VII of the 1964 Civil Rights Act and Title IX of the Education Amendments of 1972. They are also prohibited by the Utah Anti-Discrimination Act. In addition, various other constitutional provisions, statutes and common law causes of action prohibit such discriminatory conduct. It is the policy of the University to enforce these laws among its students and employees.

Conflicts between the sometimes competing values of anti-discrimination and freedom of speech require a delicate balancing of interests. Constitutionally protected speech and traditional notions of academic freedom are valued in higher education. These ideals help to create the stimulating and challenging learning environment which should characterize higher education. In the spirit of a true university environment, instructors are encouraged to invite, rather than inhibit, discourse on ideas. The University should never restrict speech because of the unpopularity, unpleasantness or even the hatefulness of the message communicated. Nor should the University attempt prior restraint of speech.

Weber State University is committed to eliminating incidents of illegal discrimination in personnel policies and practices within the institution through affirmative efforts at education and support. When violations of this policy occur, various forms of disciplinary action, where appropriate, may be imposed within the parameters of protected speech.

I. POLICY

A. No student or employee of the University may illegally discriminate on the basis of race, color, ethnic background, national origin, religion, creed, age, lack of American citizenship, disability, status of veteran of the Vietnam era, sexual orientation or preference or gender when assigning work-related or education-related benefits and burdens.

B. No student or employee of the University may engage in illegally harassing conduct which creates a hostile work or learning environment for other students or employees of the University.

C. No University employee may create the reasonable perception in the mind of a student or subordinate that the granting or withholding of tangible academic or job benefits shall be based on the granting of sexual favors.

D. University employees with supervisory responsibility who know or have reason to

know that this policy is being violated must take action to correct the situation.

E. It is the policy of the University to provide fair, expeditious and uniform procedures by which claims for such treatment may be investigated and resolved within the University community. It is also the policy of the University to safeguard the rights of those accused of discrimination. For that reason, sanctions shall not be imposed upon any students or employees of the University until they have received due process.

II. REFERENCES

- [PPM 3-1](#), Equal Opportunity and Non-Discrimination Employment
- [PPM 3-10](#), Termination of Employment
- [PPM 3-31](#), Employee Grievances (Non-Teaching Personnel)
- [PPM 3-33](#), Discipline (Non-Teaching Personnel)
- PPMs 9-9 through 9-18, Academic Due Process
- PPMs 9-1 through 9-8, Faculty Rights and Responsibilities
- Student Rights and Responsibilities Handbook

III. DEFINITIONS

A. AA/EO

Affirmative Action/Equal Opportunity

B. Appropriate Vice President

The vice president with direct line responsibility over the college, department, office, agency or other operational unit of the University in which the claimed discrimination occurred.

C. Clearly Offensive Conduct

That conduct, be it verbal or nonverbal, which, when perceived in its overall context, would be taken by a reasonable person to be strongly objectionable and distasteful.

D. Complainant

A person who files a written or oral complaint with the AA/EO Office.

E. Confidential Information

information which can only be released by written authorization of the complaining party, the AA/EO director, or the University Attorney.

F. Confront

To verbally bring face to face and/or to contact regarding specific matters.

G. Demeaning Behavior

Behavior which lowers the status, dignity or standing of any other individual.

H. Derisive Behavior

Behavior which insults, taunts or otherwise belittles or shows contempt for another individual.

I. Director

The director of the AA/EO Office, or her/his appointee.

J. Disability

An individual's physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such an impairment, or being regarded as having such an impairment.

K. Discrimination

Conduct, including words, gestures and other actions, which unfairly disadvantages

persons based upon their immutable characteristics such as race, ethnicity, religion, sex, sexual orientation, creed, national origin, ancestry, age or handicap.

L. Employee

A person in a teaching or non-teaching position who receives compensation for work or services from funds controlled by the

University, regardless of the source of the funds, the duties of the position, or the amount of compensation paid.

M. Harassment

Unwelcome conduct that is demeaning or derisive of or occurs substantially because of the race, color, ethnic background, national origin, religion, creed, age, lack of American citizenship, disability, status of veteran of the Vietnam era, sexual orientation or preference or gender of a student or employee or groups of these individuals and which creates a hostile learning or work environment. Harassment shall include one or more of the three levels described below. Behavior described in Levels One and Two shall constitute harassment only when a pattern of such conduct continues after the harasser knew, or should have known, that the conduct was unwelcome, unless such conduct is "clearly offensive," in which case only one such incident is necessary.

1. Level One: Generalized Harassment

a. Includes intentional behavior directed at an entire group which is based on demeaning or derisive stereotypes, is so pervasive that it creates a hostile learning or work environment and that is not a part of a discussion or exchange of an idea, ideology or philosophy.

b. Examples include comments or jokes, physical gestures or visual displays such as posters, etc.

2. Level Two: Individually Targeted Harassment

a. Includes intentional, non-criminal behavior which is targeted at an individual or particular members of a group adversely affecting the work or learning environment, which can be verbal, visual or physical.

b. Examples include negative or offensive comments, jokes, suggestions or gestures directed to an individual's or group's race, ethnicity or national origin.

3. Level Three: Criminal Harassment

a. Harassing behavior which violates state or federal criminal statutes.

b. Examples include criminal harassment, criminal assault, sexual assault, rape, criminal mischief, arson and trespass.

N. Participant

A person, other than a student or employee, who is participating in or attempting to participate in, or is receiving or attempting to receive the benefits of any program or activity conducted under the auspices of the University, including, but not limited to, applicants for employment, clients, spectators, visitors and volunteers.

O. Respondent

A person named in a discrimination complaint as having engaged in or being responsible for a discriminatory act or omission.

P. Retaliation

Any form of sanction or adverse treatment against a person because that person has asserted, or has assisted another person to assert, a discrimination complaint in either a

formal or informal manner with the University or with any state or federal agency, or because that person has testified, assisted or participated in any manner in an investigation, proceeding or hearing related to a discrimination complaint.

Q. Sexual Harassment

Any unwelcome treatment that is sexual in nature or occurs substantially because of the gender of the victim which creates a hostile work or learning environment. There are two types of sexual harassment: 1) hostile environment sexual harassment, which consists of three levels (see definition of "Harassment" above) and 2) *Quid Pro Quo* sexual harassment (see definition below).

Quid Pro Quo Sexual Harassment is when a faculty member or supervisor's behavior creates the reasonable perception in the mind of a student or subordinate that the granting or withholding of tangible academic or job benefits shall be based on the granting of sexual favors.

R. Student

A person applying for admission to, admitted to and duly registered as a participant in, or formerly admitted to any program of instruction or training offered by the University at any level, whether or not for credit.

S. Subordinate

Placed below another in rank, authority, power, status, etc.

T. UADD

Utah Anti-discrimination Division of the Industrial Commission.

IV. MANAGEMENT PROVISIONS

A. Applicability

1. Protection of academic freedom is valued in higher education. Deference to this ideal requires delicate balancing when applying this policy in an instructional setting. Instructors' good faith selection of subject matter and methodology, and the content of class discussions will be exempt, therefore, from the provisions of this policy. This exemption shall not apply to harmful or offensive personal attacks substantially based on a person's race, color, ethnic background, national origin, religion, creed, age, lack of American citizenship, disability, status of veteran of the Vietnam era, sexual orientation or preference or gender.
2. Any student or employee of Weber State University who is or has been subjected to discrimination, or harassment in violation of this policy may use the complaint procedures described herein.
3. Any supervisor or faculty who knows or has reason to know of violations of this policy within her/his area of responsibility must take corrective action. Such action may be to attempt an informal resolution or to refer the matter to the AA/EO Office. (See V, A below)
4. Any student or employee who knows or has reason to know of violations of this policy in any activity conducted under the auspices of Weber State University is encouraged to report such conduct to the AA/EO Office.
5. Questions regarding discrimination or harassment may be directed to the AA/EO Office.
6. The initial notice or inquiry may be submitted either orally or in writing. If a notice or inquiry is submitted orally and no complainant is willing to file a written

complaint, the director shall proceed with the investigation if he/she, in consultation with the appropriate vice president or presidential assistant, believes that the interests of the parties or the institution dictate. Regardless of whether a signed complaint or intake form is received, the director shall use her/his best efforts to resolve the problem.

7. Complaints should be brought as soon as possible after the event(s) which gives rise to the complaint. Complaints should be filed within six months of the most recent act which violates the policy. Where the interests of justice require, however, this time limit may be waived with the consensus of the director, the appropriate vice president or presidential assistant and the University counsel.

B. Options

1. Those who believe they are victims of discrimination or harassment, witnesses or others may address discrimination or harassment issues by utilizing one or more of the following options:

- a. Consult with the AA/EO Office.
- b. Seek to resolve issues directly with the individual(s) alleged to have discriminated or harassed.
- c. Seek to resolve issues through supervisor personnel.
- d. Register a complaint with the AA/EO Office.

2. Those who believe they are victims of discrimination or harassment, witnesses or others may also initiate outside legal action through private sources, the UADD or the appropriate federal enforcement agency. It is recommended that where time allows (before applicable statutes of limitations have run) grievance procedures within the University described above will be utilized.

3. The director may initiate an independent investigation into alleged discrimination or harassment which need not be based upon the alleged victim's choice of action.

4. If an investigation reveals evidence of criminal conduct in discrimination, or harassment, the director may refer the matter to the County Attorney's Office. This decision need not be based upon the alleged victim's choice of action.

5. Consideration shall be given to the alleged victim's requests in the investigation process and fact-finding hearing. University officials, however, reserve the right to override the alleged victim's preferences in handling complaints. The justification for any decision to override the alleged victim's preference shall be documented in writing.

6. The director, and others designated by the institution, may provide direction and assistance to those involved in a discrimination complaint.

C. Protection of the Parties

1. Complaint investigations shall be treated with discretion to protect the privacy of those involved, as permitted by law.

2. The intentional disparagement of a complainant, respondent or witness during the pendency of an investigation shall constitute a violation of this policy.

3. Complainants shall not be required during the investigation to confront respondents outside of the investigative hearing.

4. Neither the respondent nor her/his representatives shall contact the complainant regarding allegations of discrimination unless such contact is arranged by the responsible supervisor handling the complaint or the AA/EO Office with the permission of the complainant.
5. The University shall vigorously pursue this policy to protect against discrimination, or harassment.
6. The director shall promptly inform the respondent(s), in writing, of the existence and nature of the charge(s) filed against them as set out in V, B, 3 below.

D. Retaliation

1. Retaliation against any person who opposes a practice which is forbidden by this policy, or has filed a complaint, testified, assisted or participated in any manner in an investigative proceeding or hearing under this policy is prohibited.
2. Individuals found guilty of any retaliation may face disciplinary action up to and including termination or expulsion.

E. The following types of conduct on the part of a gender/sexual harassment complainant shall not constitute a complete defense for the alleged harassment, but may provide evidence that the respondent did not have notice that her/his conduct was unwelcome:

1. The fact that a gender/sexual harassment complainant did not complain at the time of the conduct.
2. The voluntary participation in the alleged harassing behavior by the gender/harassment complainant.
3. The behavior, speech, dress and/or demeanor on the job or in school claimed to be sexually provocative.

F. Education

1. Weber State University recognizes the importance of educating its students and employees regarding the prevention of discrimination or harassment, the promotion of cultural pluralism, and the observance of high ethical standards in consensual relationships. Benefits from such a program include the following:
 - a. Informing individuals of their rights under this policy.
 - b. Notifying individuals of proscribed conduct.
 - c. Informing supervisors/managers about the proper way to address complaints of violations of this policy.
 - d. Helping to educate members of the campus community about the problems this policy addresses.
2. To these ends, the University will organize an ongoing educational program in this area. Notice of this policy will be widely distributed. Workshops will be periodically conducted for employees of the University regarding discrimination, harassment, including sexual harassment, cultural pluralism and consensual relationships.

G. Available Remedies

1. These complaint procedures do not set any limit on existing administrative

discretion or powers. Remedies should be considered on a case-by-case basis.

2. Employees and students found guilty of discrimination or harassment may face disciplinary action up to and including termination or expulsion. Imposition of such discipline may not occur unless the respondent has been afforded due process.

H. Records

1. Records of all discrimination or harassment complaints shall be maintained and stored for a minimum of three years in the AA/EO Office.

2. All information contained in the complaint file is classified as confidential.

3. Participants in such complaint proceedings shall treat all information as confidential.

V. PROCEDURE

A. Initial Contact

1. Any person who believes he or she is the victim of discrimination or harassment or who has knowledge of such conduct is encouraged to report that conduct directly to the AA/EO Office or to an appropriate supervisor. Appropriate supervisors include department chairs, deans, vice presidents or directors at the departmental level or higher, or teachers of classes.

2. Reports of discrimination or harassment may be oral or written.

a. If the report is not in writing, an attempt should be made to acquire the complainant's signature to the Discrimination/Harassment Intake Form.

b. If a complainant is unwilling to sign an Intake Form attesting to the truth of the allegations contained therein, the complainant should be informed that her/his refusal may prevent the AA/EO Office from conducting an investigation. Regardless of whether a signed complaint or intake form is received, the director shall use her/his best efforts to resolve the problem.

c. The Intake Form shall include the identities of respondents; the frequency, intensity and duration of the behaviors complained of; the emotional and/or physical damages the complainant alleges resulted from the conduct; and the remedial action sought by the complainant.

3. If the initial report is directed to a line supervisor of the respondent:

a. The supervisor shall complete the Intake Form after interviewing the complainant.

b. The supervisor may either refer the complaint to AA/EO or attempt to resolve the complaint directly with the parties.

c. If the dispute is resolved to the satisfaction of the parties, the agreement shall be documented in writing with all parties signing and receiving copies. The agreement shall then be sent to the AA/EO director to review its legal adequacy.

d. If the agreement is approved by the director, she/he shall review the complaint 90 days from the date of the agreement to verify that its terms have been carried out by all parties. If so, the complaint will be closed. If not, an investigation by the AA/EO Office shall be conducted.

- e. If the AA/EO director, with the concurrence of the University attorney, determines that the agreement reached by the parties is inadequate, then the AA/EO director shall contact the supervisor and attempt to assist that supervisor and parties to reach an agreement that is adequate. If the director fails in that effort then the AA/EO Office shall conduct an investigation as defined below.
 - f. If the supervisor fails to resolve the complaint within thirty days of its receipt, she/he shall refer the complaint to the AA/EO Office for investigation as defined below.
4. If the initial complaint of a violation of this policy is received by any employee of the University other than a supervisor with line authority over the respondent, the person contacted will refer the complaint to the appropriate supervisor or the AA/EO Office in a timely fashion.
 5. If the initial complaint is directed to the AA/EO Office or if an unresolved complaint is referred to the AA/EO Office:
 - a. The AA/EO Office shall complete the Intake Form and, if the complaint includes allegations which would constitute a violation of this policy, initiate an investigation as defined below.
 - b. The director shall attempt informally to facilitate an agreement satisfactory to the parties. As part of this effort, the director shall encourage the parties to meet for face-to-face negotiations. No party, however, shall be forced to meet with the other party at this stage of the complaint procedure.
 - c. Agreements towards resolution of complaints shall be documented in writing with all parties signing and receiving copies.
 - d. The director shall inform dean level supervisors with line authority over the respondent(s) named in the complaint that an investigation has been initiated.

B. Investigation

1. When required by the above procedures, the AA/EO Office shall conduct an investigation of complaints. When conducting investigations, the AA/EO Office shall disclose its role as a neutral investigator for the institution, as distinguished from an advocate for any of the parties involved.
2. The extent of an investigation shall be determined by the director, but at a minimum shall include interviews with all complainants and respondents. It is within the director's discretion to determine the order of these interviews.
3. The director shall promptly inform the respondents, in writing, of the existence and nature of the charge(s) filed against them. This shall be done by providing a copy of one of the following: 1) the written complaint, 2) the Intake form described in V, A, 2, c above or 3) a written summary of the complaint. The director shall also inform the respondents of their rights and responsibilities during the investigation and shall overview the anticipated investigative procedures.
4. An investigation shall be completed as quickly as practicable, but in any event, within twenty-five working days of receipt of the complaint, unless a longer

period of time is reasonably required. Reasonable cause for delay includes, but is not limited to the unavailability of key witnesses or the discovery of new evidence requiring further investigation. The director shall attempt to keep the parties informed of the progress of the investigation throughout its duration. When delays occur, the parties shall be informed of them as soon as practical.

5. Within ten working days of the conclusion of the investigation, the director shall make available to the parties a written report. The report shall review the complaint, response, evidence adduced from the investigation and findings. The findings shall indicate whether it was more likely than not that a violation of this policy occurred.

6. The parties shall then have ten working days to provide to the director their written responses to the investigation report. At the end of that ten day period the director shall file the report and any written responses received from the parties with the appropriate vice president or presidential assistant.

C. Remedial Action

1. If a complaint is found to be factually supported in whole or in part, the appropriate vice president or presidential assistant shall implement corrective and remedial steps necessary to eliminate the effects of the discrimination upon the complainant and upon any other person similarly situated.

2. The complainant and respondent shall be given a written copy of the specific corrective and remedial action ordered to be taken.

D. Sanctions

1. No sanctions of any kind may be imposed solely on the basis of a complaint investigation by the AA/EO Office.

2. Once the appropriate vice president or presidential assistant has reviewed the report of the director along with any responses thereto filed by any of the parties, she/he shall determine whether to close the complaint, attempt informal conciliation between the parties or initiate disciplinary proceedings. These proceedings shall include due process rights for the respondent, as provided by the following policies. These policies also indicate the rights of complainants to appeal any decision to close the complaint without disciplinary sanctions being imposed.

a. Respondents who are staff employees (non-faculty) are entitled to due process as set out in PPMs 3-33 and 3-31. Completion of the investigative procedures of this policy may, at the discretion of the director of Human Resources, constitute completion of steps one and two of PPM 3-31.

b. Respondents who are faculty are entitled to due process as set out in PPMs 9-9 to 9-14. Completion of the investigative procedures of this policy may, at the discretion of the provost, constitute completion of a preliminary investigation as outlined in PPM 9-11.

c. Respondents who are students are entitled to due process as set out in the Student Policies and Procedures Manual. Completion of the investigative procedures of this policy may, at the discretion of the vice president for Student Services and the student(s) or student groups

involved, constitute completion of informal resolution procedures outlined in Chapter VIII of that document.

d. Under circumstances which could otherwise result in multiple hearings, each of which would be investigating complaints arising from the same occurrence(s), these various hearings may be consolidated into one hearing. Such a hearing would be conducted before a panel composed of representatives of the groups which fairly reflect the parties involved in the complaint. The line supervisor most proximate to all complaining and responding parties, with the concurrence of the University attorney, and all parties involved with the complaint shall determine the necessity for such consolidation. If there is such agreement, the line supervisor most proximate to all complaining and responding parties, with the concurrence of the University attorney shall determine the composition of the hearing panel. If any of the parties are unwilling to consolidate, then separate hearings will be undertaken.

E. Complaint Review

1. Within 90 days following the resolution of a complaint or the imposition of sanctions resulting from a complaint, the AA/EO Office shall conduct a review to determine if the resolution of the case is being followed.
2. If the review indicates that the resolution is being followed, the matter shall be terminated and the case file closed.
3. If the follow-up review indicates that the resolution is not being followed, the case shall be referred back to the appropriate vice president or presidential assistant for consideration of additional disciplinary action(s), including possible disciplinary action against violators and their supervisors who knew that the resolution was not being followed, or that the unacceptable behavior continued to exist, and failed to take corrective action.

Faculty Responsibilities to Students

No. 9-5	Rev. 05-09-06	Date 3-7-74
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I. REFERENCE

AAUP Statement of Professional Ethics (1966)

II. POLICY

A. Ethical Canons

As teachers, faculty encourage the free pursuit of learning in students. Faculty hold before themselves the best scholarly standards of their disciplines. They demonstrate respect for students as individuals and adhere to their proper role as intellectual guides and counselors. Faculty make every reasonable effort to foster honest academic conduct and to assure that the evaluations of their students reflect their true merits. Faculty respect the confidential nature of the relationship between faculty or student. They avoid any exploitation of students for private advantage and acknowledge significant assistance from them. Faculty protect their students' academic freedom (based upon the AAUP Statement of Professional Ethics, 1966).

B. Standards of Behavior

1. The central responsibility of the faculty to students is to attempt to impart to them the knowledge and understanding of the faculty member's field of study and to encourage them to develop within themselves appropriate and relevant skills, particularly the ability to reason with and use this knowledge and to do so in accordance with the best standards of scholarship and pedagogy in the discipline.
2. The faculty at large has the right to determine course content. However, once approval for course offerings has been granted, the individual faculty member is obligated to teach the course in reasonable conformity with the course description, content and method announced in advance. The faculty member has the right to determine the manner of presentation. The academic freedom of the student as well as of the faculty member must be observed. While teachers are free to interrelate subject matter of their courses to contemporary issues which they find usefully relevant, they are primarily responsible for providing instruction in the announced subject matter and techniques of the course.
3. Faculty members have a responsibility to their students to entertain all relevant questions and to discuss controversial questions objectively and freely. Where faculty members find it pedagogically useful to advocate a position on controversial matters, they should exercise care to assure that opportunities exist for students to consider other views. Faculty members shall not reward agreement or penalize disagreement with their views on controversial topics, but they can reasonably expect their students to learn the rationale behind certain positions.
4. Prompt and regular meeting of classes, faithful keeping of appointments and, when assigned, academic, curricular and/or vocational advising are duties resting upon each faculty member. Alteration of schedules and cancellation or rescheduling of classes should be done only for valid reasons. The faculty and the administration are obliged to fill commitments to students in terms of class offerings. Faculty members should make available a reasonable number of hours for student consultation or otherwise assure their accessibility to students. Faculty members at Weber State University should keep regular office hours for student consultation. They should conscientiously try to be in their offices during those hours.

- a. The hours should be scheduled at convenient times for students
- b. The office hours should be posted on the office door of each faculty member at all times and should be honored at all times.
5. At the beginning of each course, faculty members, by means of the syllabi, should inform students of the general content, what is required and of the criteria with which performance will be evaluated. The general content of the course and the criteria for evaluating student performance should relate clearly to the legitimate academic purpose of the course. The faculty member shall hold all students responsible for meeting the requirements.
6. If there is a conflict between a student's core beliefs and the requirements or course content in a particular course, a student may request a resolution of such a conflict. The faculty member is not required to provide alternative requirements or modify the course content as long as the existing requirements and content have a reasonable relationship to the legitimate pedagogical goals of the course. However, the faculty members is required to grant such a resolution if denial of the request would be arbitrary and capricious or illegal. (See [PPM 6-22](#), Part IV.D.9.)
7. Neither in nor out of the instructional setting or office do faculty members take advantage of their relationships with students to exploit them for the faculty members' own purposes. Faculty members do not plagiarize the work of a student. They give proper acknowledgment for original student contributions in their lectures or publications. Faculty members accept no gifts or favors where they have reason to believe that such gift or favor is motivated by a desire on the part of a student to secure some academic advantage.
8. The student has the right to expect substantive presentations or other means of instruction appropriate to the course. Repeated lack of preparation and/or unprofessional behavior which result in incompetent performance by the faculty member are legitimate grounds for student complaint.
9. With respect to the students, faculty members permit and encourage an atmosphere of original thinking, research and writing. In this regard, they seek to improve learning facilities and opportunities for students.
10. Faculty members do not reveal matters received by them in confidence from a student unless required by law. Confidential and personal records relating to students are not revealed unless authorized by the student or required by law. Faculty members may, however, report their assessment of the student's performance and ability to persons logically and legitimately entitled to receive such information.
11. The student has the right to an environment for learning free from unlawful discrimination. One type of unlawful discrimination is sexual/gender harassment. This has been defined in [PPM 3-32](#). Any student who feels there has been a violation of this policy has the right to take action according to the provisions of that policy.
12. Serious conflicts of interest between a faculty member and a student, including but not limited to sexual or financial relationships, are prohibited. A complaint alleging violations of this policy may be initiated by any person according to the provisions of PPMs 9-11 and 9-12 (see also [PPM 3-32](#))

Due Process/Definition of Terms

No. 9-10	Rev. 04-14-09	Date 3-7-87
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I. REFERENCE

PPM 9-20, Security at Weber State University Hearings

II. POLICY

The following definitions have been accepted by the University to apply to the various terms used in describing the procedures of academic due process as outlined in PPMs 9-9 through 9-18:

A. Accuser

Any individual or group (e.g., faculty member, administrator, citizen, student, investigative team, etc.) who registers a complaint or files a formal charge. The individual who registers the complaint need not also be the individual who files an associated formal charge.

B. Administrative Disposition

The resolution of a complaint made at any stage of the proceedings in which a responsible administrator dismisses the complaint or institutes appropriate disciplinary action. An administrative disposition must be acceptable to both the respondent and the accuser and must fall within the range of disciplinary actions contained in Policy No. 9-14, Disciplinary Actions.

C. Administrative Officer

A faculty member, administrator, or other individual designated by the president and confirmed by the Executive Committee of the Faculty Senate to represent the University during the informal (optional) and formal hearing processes. This person shall serve as a neutral observer endeavoring to insure that due process is afforded to all parties in the proceedings. This person need not be the same individual in all cases.

D. Chair of the Faculty Board of Review

The individual responsible for conducting the formal hearing process. The chair receives the formal charge, conducts the prehearing conference, conducts the formal hearing, keeps records and minutes, and makes the Board's recommendation to the president.

E. University Counsel

The lawyer assigned to the University by the Attorney General's Office. The University Counsel will serve as a representative of the University to provide advice at any stage of the academic due process procedure to the chair of the Faculty Board of Review in appropriate cases. It should be recognized by all parties, however, that in this assignment the University Counsel serves to protect the interests of the University.

F. Complaint

An informal accusation filed by an accuser (any person or group) to a responsible administrator of the University (e.g., department chair, dean, vice president) that a

violation of University policy or procedure has allegedly occurred.

G. Disciplinary Action

Includes measures or sanctions which are imposed by the president following a formal hearing as a penalty for the violation of University policy or procedure. The disciplinary actions authorized under this code are defined in this document in Policy No. 9-14, Disciplinary Actions.

H. Faculty Board of Review

The Faculty Board of Review is described in the Faculty Senate Constitution as follows: An elected committee which performs the review functions of the faculty. It is composed of seven tenured members of the teaching faculty. The Faculty Board of Review is principally concerned with, but not limited to, retention of tenured faculty cases of academic due process with regard to granting of tenure/promotion, salary, work conditions and other pertinent matters of faculty concern.

In the event that the accuser is a student of Weber State University, two students shall be added to the Faculty Board of Review. Student representatives will be designated by the WSUSA Executive Officers and confirmed by the Executive Committee of the Faculty Senate. The student representatives need not be the same individuals in all cases.

The Faculty Board of Review will normally operate from the first day of fall semester to the last day of spring semester and be in recess during the summer. While in recess, all board action deadlines will be suspended until fall semester. In exceptional cases, the chair of the Faculty Board of Review, in consultation with the Executive Committee and upon availability of board members, may call a meeting(s) in the summer.

I. Formal Charge

A concise statement of the complaint, summarizing the facts, conduct or circumstances reported to constitute failure to comply with the standards set forth in this document (PPMs 9-3 through 9-8). The formal charge is issued to the chair of the Faculty Board of Review who in turn informs the respondent.

J. Formal Hearing

Conducted by the seven-member Faculty Board of Review as set forth in Article VI of the Weber State University constitutional by-laws. The function of this hearing is to hear and evaluate evidence and to make a recommendation for appropriate action to the president.

K. Informal Conciliatory Meeting

Brings together in conference the respondent and a responsible administrator. The meeting is initiated and conducted by a responsible administrator. Attendance of the accuser and/or the administrative officer is optional and may be requested by either the respondent or the responsible administrator. The purpose of the meeting is to provide enough information to the responsible administrator to determine the validity and/or seriousness of the complaint. The outcome of this meeting may be dismissal of the complaint, an administrative disposition or the filing of a formal charge.

L. Prehearing Conference

A meeting held after a formal charge has been filed with the chair of the Faculty Board of Review. At this meeting, initiated and conducted by the chair, the issues to be examined at the formal hearing are delineated.

M. Preliminary Investigation

A fact-finding activity conducted following the receipt of a complaint, conducted by a responsible administrator or an appointed task force. The purpose is to determine whether a complaint merits further action.

N. Procedural Due Process

Refers to the receiving of adequate notice, right to an impartial forum, meeting of deadlines, completion of committee assignments and deliberative actions in accordance with established policies and other procedural matters, many of which are outlined in PPM 9-9, Due Process/General Statement. In general, procedural due process will be deemed to have been afforded when the preponderance of the evidence shows reasonable care in following established procedures. Reasonable care in the performance of the various committees and administrators (allowing for exigencies and unanticipated problems) is sufficient to meet the requirements for procedural due process. Therefore, only cases of prejudicial failure to meet procedural guidelines are to be considered cause for recommendations for rehearings.

O. Reasonable Care

The level of performance recognized in the profession as reasonable in light of obligations one has assumed, competing demands upon energy and time, the nature and quality of the work and all other circumstances which the academic community, after being fully informed, would properly take into account in determining whether the respondent was discharging responsibilities at an acceptable performance level.

P. Representative

Any individual selected by the respondent to attend the informal conciliatory meeting or the formal hearing, including counsel, if desired.

Q. Respondent

A faculty member or an administrator with a faculty appointment against whom a complaint has been made or a formal charge has been issued.

R. Responsible Administrator

The person who receives or is otherwise delegated to review a complaint about an individual's alleged non-compliance with policies set forth in this document. The responsible administrator may be a department chair, program director, supervisor, dean, vice president or other appointed administrator of the University. This person is responsible for preliminary investigation of the complaint and for conducting the informal conciliatory meeting. The responsible administrator may or may not have administrative

Informal Procedures and the Informal Conciliatory Meeting

No. 9-11	Rev.	Date 12-1-87
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I. REFERENCE

PPM 9-20, Security at Weber State University Hearings

II. POLICY

A. Initial Action Following Receipt of Complaint

On many occasions individuals or groups present informal complaints to responsible administrator(s) of the University. Responsible administrators, upon hearing such complaint(s), shall in their administrative positions determine whether the complaint merits further action or investigation. In order to obtain additional information concerning the complaint, the responsible administrator may take such actions as the following:

1. Discussion with the respondent to obtain additional information
2. Informal fact finding by the responsible administrator
3. The appointment of a task force (panel, investigative team)

B. Preliminary Investigation

Most matters are routinely handled between administrators, accusers and respondents. Occasionally, however, there is need for investigation of charges of failure of an individual to exercise reasonable care in compliance with standards of professional behavior (see PPMs 9-3 through 9-8). The purpose of the preliminary investigation discussed herein is to determine whether a complaint merits further action.

1. A preliminary investigation may result in immediate dismissal of the complaint, an administrative disposition or the filing of a formal charge.
2. Such preliminary investigations shall recognize the need for discretion and protection of the respondent's rights to due process and protection from unnecessary extension of the investigation.
3. However, when a respondent has allegedly committed a serious violation of the standards contained in PPMs 9-3 through 9-8 and this requires preliminary investigation to determine the merit of the alleged infraction, the president may order non-disclosure of the complaint to the respondent if the president determines that such non-disclosure is necessary to avoid interfering with the investigation. In all cases the preliminary investigation shall be limited to the shortest possible time necessary to obtain the facts required to determine the next appropriate step.

C. Informal Conciliatory Meeting

1. As soon as the responsible administrator has determined that sufficient information is available, a meeting shall be held with the respondent. The attendance of the administrative officer and the accuser are optional, but either or both should be in attendance if requested by anyone involved. An agreement or settlement at this level may preclude the filing of a formal charge. If a formal charge is not filed, the issue is deemed to be settled. The proceedings of this

investigation may result in one of the following dispositions:

- a. Dismissal of the complaint, if acceptable to both the respondent and the accuser.
 - b. Determination that the complaint is valid and a formulation of an administrative disposition which is acceptable to the responsible administrator, the respondent and the accuser. The administrative disposition shall be limited to those disciplinary actions contained in [PPM 9-14, Disciplinary Actions, Section A](#).
 - c. Determination that the complaint warrants the filing of a formal charge.
2. Any records, material or information gathered in the preliminary investigation of the complaint shall be destroyed at the end of five years or otherwise maintained as provided in [PPM 9-15, Reports and Records](#).
 3. When the responsible administrator determines that there is reasonable cause to believe that a violation of University policy has occurred, an administrative disposition may be sought by all involved. The responsible administrator overseeing the case shall see that the provision of this administrative disposition is equitable and appropriate for the violation and reflects consideration of the relevant aspects of the incident(s) leading up to the meeting. If the conditions of the administrative disposition are acceptable to both the respondent and the accuser no further proceeding shall be necessary. If the administrative disposition results in a disciplinary action other than verbal censure, a written copy of the administrative disposition shall be signed by the respondent, accuser and responsible administrator. If no objection is raised by any of the parties within five working days of signing the disposition, it becomes final.
 4. If the complaint is handled by administrative disposition (other than dismissal of the complaint), a written statement of the complaint, informal minutes or a descriptive account of the proceedings, and a statement of the action taken will be provided to the respondent and the accuser. These records shall be maintained in accordance with [PPM 9-15, Reports and Records](#).
 5. If the complaint is not dismissed or is not resolved by administrative disposition during the informal conciliatory meeting, the matter shall move forward to a formal hearing, if one of the parties files a formal charge.
 6. In the event that no settlement is reached, the accuser may prepare the written charge consisting of a concise statement of the facts, conduct or circumstances reported to constitute failure to comply with the standards contained in this document and, within ten working days of the informal conciliatory meeting, deliver copies of the formal charge to the chair of the Faculty Board of Review. Failure to meet this deadline will result in dismissal of the complaint. Exceptions to this ten-day deadline may be made only upon showing good cause.

D. Respondent's and Accuser's Rights

1. In the informal conciliatory meeting, the respondent has the right to written notice of the complaint and to receive copies of material or documents gathered during investigation of the complaint. However, the responsible administrator, in consultation with University Counsel, may withhold confidential information (e.g., concerning the identity of witnesses and informants) throughout the duration of the informal procedures.
2. The respondent may request that the accuser attend the informal conciliatory meeting.

Both the respondent and the accuser, as well as any other person legitimately involved, may request of the responsible administrator that the administrative officer attend the informal conciliatory meeting. The role of the administrative officer is to serve as a neutral observer endeavoring to insure that due process is afforded to all parties in the proceedings. Other parties may attend upon mutual agreement of the parties involved.

3. Both the respondent and the accuser have the right to representation. However, if either the respondent or the accuser invokes the right to have a representative present during the meeting, the informal conciliatory meeting may be omitted at the discretion of the responsible administrator and the process will shift to the formal hearing level if a formal charge is filed.

4. In the conduct of a preliminary investigation on the merits of the complaint, the responsible administrator shall exercise reasonable care to uphold the respondent's rights to due process. All investigations shall be conducted in a fair and reasonable manner in order to protect and/or minimize the damage to the respondent's or the institution's reputation.

Appendix G – Acceptable Use & Social Media Policy

Acceptable Use Policy for Computing and Network Resources

No. 10-2	Rev. 12-14-10	Date: 10-11-05
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I. PURPOSE

Weber State University provides students, faculty and staff with access to Information Technology (IT) Resources (as defined herein). Such access, used appropriately, legitimately advances the University's mission by supporting teaching, research, public service, and administrative activities. This Acceptable Use Policy, which reflects the University's mission, provides guidance for using IT Resources and protects the University, Users, and property.

II. REFERENCES

- a. PPM 3-30, Personal Conduct
- b. PPM 3-32, Discrimination and Harassment
- c. PPM 3-33, Discipline
- d. PPM 3-36, Conflict of Interest
- e. PPM 5-41, Copyright Policy: Ownership
- f. PPM 5-42, Copyright Policy: Copying of Copyrighted Works
- g. PPM 5-43, Performance or Display of Copyrighted Works
- h. PPM 6-22, Student Code
- i. PPM 8-25, Reason for Dismissal of Tenured Faculty
- j. PPM Section 9, Academic Freedom, Rights, Responsibilities and Due Process
- k. PPM 10-1, Information Security Policy
- l. PPM 10-4, Payment Card Handling Policy
- m. R345, Information Technology Resource Security (Board of Regents Policy)
- n. R343, Information Management (Board of Regents Policy)
- o. PCI DSS

III. SCOPE

This Acceptable Use Policy applies to all Users of Weber State University's IT Resources whether affiliated with the University or not and to all use of these resources from on campus or in remote locations. Users accept personal responsibility for the appropriate use of IT Resources. Each year, Users will be required to review and accept the University's Acceptable Use Policy. Users accessing Weber State University IT Resources are responsible for maintaining a current understanding of the terms of this policy, which the University reserves the right to change without prior notice. The current version of this policy is available in the University's Policy and Procedures Manual. This policy also covers the use of all devices connected to the University IT Resources, whether owned by the University or private individuals.

While this policy deals specifically with issues involving the use of University IT Resources, it does not stand alone. All Users of University IT Resources are expected to abide by the rules and regulations contained in applicable University handbooks, the Student Code, guidelines and policy and procedure manuals, as well as the laws of the State of Utah and of the United States of America. We remind Users that state and federal laws apply to the use of campus networks and the Internet, including but not limited to those dealing with:

- copyright infringement
- defamation
- discrimination
- fraud
- harassment
- identity theft
- obscene materials
- records retention

IV. DEFINITIONS

A. IT Resources: Electronic processing, storage, and transmission systems, which include but are not limited to, the computers, terminals, printers, networks, modem banks, copy machines, fax machines, online and offline storage media and related equipment, software, and data files that are owned, managed, or maintained by the University. IT Resources also include, but are not limited to, institutional and departmental information systems, faculty research systems, desktop computers, the University's campus network, and general access computer clusters.

B. Users: All faculty, staff, administrators, students, consultants, guests, and any person or agency employed or contracted by the University or any of its auxiliary organizations who have a legitimate need to access IT Resources.

C. Electronic Communication: Email, text-messaging, instant messaging, and social networks.

V. POLICY

A. General

1. IT Resources are the property of the University and shall be used only for legitimate University instructional, research, public service, administrative, and approved contract purposes, except as allowed in this policy. Additional policies may apply to IT Resources provided or operated by individual units of the University or to uses within specific units. Users are allowed to use IT Resources only to the extent authorized. Users are responsible for ascertaining what authorizations are necessary and for obtaining them before using IT Resources. When demand for computing resources may exceed available capacity, priorities for their use will be established and enforced. Authorized faculty and staff may

set and alter priorities for exclusively local computing/networking resources. Nothing in this policy guarantees that violations of this policy will not occur or imposes liability on the University for any damages resulting from such a violation.

B. Responsibilities of Users

1. Law and Policy

- a. IT Resources must be used in compliance with applicable state and federal laws and University policies. IT Resources may not be used for any illegal purpose or activity or for any purpose which would violate University policy. Placing unlawful information or material on University systems is prohibited.
- b. Downloading or disseminating copyrighted materials outside the provisions of “fair use” or without the permission of the copyright holder is prohibited. Illegally downloaded material may include, but is not limited to, music, movies, games, software, etc. Illegal use of peer-to-peer networking or other file-sharing technology is prohibited and may subject the User to civil or criminal penalties beyond penalties for violation of University policy. (See PPM 5-41, 5-42, 5-43 for the reference to copyright policy as well as IT Compliance Plan.)
- c. Accessing or attempting to access computer systems through using IT Resources, including those external to the University, without authorization by the owner of that system, is specifically prohibited.
- d. Sending electronic communication messages or creating web pages with fraudulent address or header information or containing misrepresentations in authorship or content in an attempt to deceive others is prohibited.
- e. Using the University's official web site or email for partisan political purposes (with the exception of announcements of general public interest by university political clubs) is prohibited.
- f. Using IT Resources in a way which would constitute a regular private business activity or which would violate the University's conflict of interest policies is prohibited.
- g. Deliberately misusing trademarks in web pages and email, including University-owned marks such as the official logo or seal and trademarks owned by other entities is prohibited.
- h. Providing false or misleading information in order to obtain access to computing or network facilities is specifically prohibited.

2. Accounts and Passwords

- a. Users are responsible for any activity originating from their accounts which they can reasonably be expected to control.

- b. Users may not divulge or make known their own password(s) to another person.
- c. Unauthorized use of another User's account is prohibited.
- d. Users who know another User's password, intentionally or unintentionally, must notify the account owner immediately.
- e. Falsifying or corrupting data in others' accounts or in public directories is prohibited.
- f. Falsifying identity while using e-mail or any other IT Resource is prohibited.

3. Respect for IT Resources, Users, and Information

- a. Users must respect the ability of other Users to utilize IT Resources in an efficient and secure manner. Use of IT Resources shall not disrupt, distract from or interfere with the conduct of University business (for example, due to nature, volume, or frequency).
- b. Using any device or software which interferes with the ability of others to access IT Resources is prohibited.
- c. Damaging or attempting to damage any portion of IT Resources is prohibited.
- d. Deliberately introducing computer viruses, worms, or similar technologies which would harm the integrity of IT Resources, as well as attempting to create or disseminate such technologies, is prohibited.
- e. Deliberately misusing of software or other techniques to degrade system or network performance or otherwise deprive authorized personnel of resources or access to University systems or networks, including techniques to disguise or obscure the source of data network traffic, is prohibited.
- f. Using IT Resources to release confidential, proprietary information, or information which has been classified as private, controlled, or protected under Utah Code Ann. § 63G-3-201 et seq, without appropriate authorization is prohibited. Refer to the Payment Card Handling Policy (PPM 10-4).
- g. Sending unsolicited bulk electronic communication (spam) unrelated to the University's mission or related bulk email without appropriate approval is prohibited.
- h. The privacy and rights of others must be respected. Monitoring or attempting to monitor another User's communications outside the scope of one's duties is specifically prohibited.

4. Incidental and Occasional Personal Use

- a. Users may engage in incidental and occasional personal use of University IT Resources provided that such use does not:
 - Violate applicable law, rules and policies;
 - Disrupt, distract from, or interfere with the conduct of University business (for example, due to nature, volume or frequency);

- Involve regular private business activities; or
- Contravene supervisor direction regarding personal use of University IT Resources.

C. Privacy

Providing and allowing access to University IT Resources to Users does not imply a guarantee of privacy. These systems can sometimes be breached by someone determined to do so. Also, there are some circumstances in which use of IT Resources may be monitored and in which records and information contained in electronic communications or other electronic formats may be viewed and/or copied by the University or other authorized officials. See Section E for further information. Users are encouraged to take appropriate precautions in use of IT Resources.

D. Remote Access

1. Remote access to the University Critical IT Resources or business systems requires the use of a VPN.
2. All Users must be authenticated to gain remote access into the University's network with at least a username and password.
3. Two-factor authentication is required for remote access to the cardholder data environment. Refer to the Information Security Policy (PPM 10-1).
 - a. Accessing cardholder data via remote-access technologies, to copy, move, and store cardholder data onto local hard drives and removable electronic media is strictly prohibited.
 - b. The remote-access end points must always be firewalled from the internal network and the VPN traffic subject to firewall rule sets.
 - c. Split tunneling must be disabled.
 - d. The remote-access session must be disconnected after 30 minutes of inactivity.
 - e. Remote-access technologies for vendors must be activated only when needed by vendors, with immediate deactivation after use.

E. University Actions

1. The University reserves the right to take appropriate actions reasonably necessary to protect the integrity and security of University computing facilities and data networks. This includes the right to log and monitor network traffic and immediately disconnect any computer disrupting the University's data network; or being used for any activity in violation of this policy or other University policy or state and federal law. Users should be aware that logs are generated by the various IT Resources used on campus, including electronic communication and web access and network flows. Electronic information on University networks or equipment, including but not limited to electronic communication, is subject to review, monitor, copy, examination, and disclosure by the University as appropriate for legal, audit, or legitimate operational or management purposes. This includes, but is not limited to, the following:
 - a. It is necessary to maintain or improve the functioning of University computing resources;

- b. There is reasonable cause for suspicion of misconduct under University policies or violation of state or federal laws;
 - c. It is necessary to comply with or verify compliance with federal or state law, including but not limited to software licensing agreements;
 - d. The requirements of maintaining a safe and secure network dictate the deployment of automatic security systems, such as host and network intrusion detection systems, and active protection firewall systems designed to intercept, examine, and block data that threatens the University or external networks;
 - e. The University receives requests for information under state records law (Government Records Access and Management Act);
 - f. The University receives subpoenas or other court orders requiring disclosure of information; and
 - g. The University has notice of litigation or potential litigation.
2. The use of University IT Resources is a privilege that may be revoked at any time.
 3. Violation of this policy may result in discipline, up to and including termination or expulsion, in accordance with Weber State University policies. Legal action may also be taken when warranted. Violation of applicable laws may result in civil or criminal penalties.
 4. The system administrator has the right to delete any file(s) belonging to faculty or staff who are no longer employed by the organization.
 5. The University makes no warranties of any kind, whether express or implied, with respect to the information technology services it provides; this includes but is not limited to the accuracy or quality of information obtained through its electronic communication facilities and services.
 6. The University will not be responsible for damages resulting from the use or misuse of University computing and data network facilities and services, including, but not limited to, loss of data resulting from delays, non-deliveries, missed deliveries, hacking, or service interruptions caused by the negligence of an organization employee or by the User's error or omissions.

■ Appendix H – Extra-Curricular Activities Policy

Purpose

Extracurricular activities will play an important and significant role in the school life as a whole at Weber State University Charter Academy (the “Academy”). This policy provides the standards for establishing extracurricular activities at the Academy.

Policy

The Academy will comply with Title IX requirements and all applicable state laws and regulations in connection with its extracurricular activities. No person will be discriminated or denied participation in the Academy’s on the basis of gender.

Extracurricular activities must support the mission and vision of the Academy. The Academy will therefore sponsor extracurricular activities that promote problem-solving skills, service learning, civic duty, creativity through the performing arts, and healthy lifestyles through athletic recreational sports. In addition, the Academy’s extracurricular activities must be structured so as to provide students a medium for developing self-confidence, self-reliance, self-expression, and assertiveness.

The Academy’s Director will be responsible for evaluating proposed extracurricular activities, determining which activities to approve, and ensuring that all activities are conducted in a safe and responsible manner.

■ **Appendix I – WSUCA IDEA Policies and Procedures**

WSUCA IDEA Policies and Procedures

I. GENERAL PROVISIONS (USBE SER I)

A. Policies and Procedures.

Weber State University Charter Academy (WSUCA), in providing for the education of students with disabilities enrolled in its school, has in effect policies, procedures, and programs that are consistent with the Utah State Board of Education Special Education Rules (USBE SER) as described in this Policies and Procedures Manual.

B. Definitions.

1. Charter Academy (Elementary and Secondary Education Act (ESEA) of 1965 Section 5210(1)). (USBE SER I.E.6) A public school that functions as an LEA, unless it is a school of an LEA, that:
 - a. Is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of the ESEA;
 - b. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
 - c. Operates in pursuit of a specific set of educational objectives determined by the school's developer and agreed to by the authorized public chartering agency;
 - d. Provides a program of elementary or secondary education, or both;
 - e. Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
 - f. Does not charge tuition;
 - g. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Part B of the Individuals with Disabilities Education Act (IDEA);

- h. Is a school to which parents choose to send their students, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
 - i. Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;
 - j. Meets all applicable Federal, State, and local health and safety requirements;
 - k. Operates in accordance with State law; and
 - l. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter.
2. WSUCA has adopted all of the other applicable definitions as found in USBE SER I.E.1-44.

C. Budget Information and Categories.

WSUCA provides detailed budget information and budget categories in its annual application for IDEA Part B funding submitted to the Utah State Office of Education.

D. Assurances.

Students are admitted to WSUCA based solely on the lottery and other requirements under the Utah Code and the USBE Administrative Rules for Charter Schools, and without restrictions due to race, color, gender, national origin, disability status, or religion. Assurances with regard to compliance with IDEA Part A and Part B, as well as the National Instructional Materials Accessibility Standard, and compliance with other Federal laws including “New Restrictions on Lobbying,” “Debarment, Suspension, and Other Responsibility Matters,” and the Drug-Free Workplace Act of 1988 are submitted to the Utah State Office of Education (USOE) annually with the application for IDEA Part B funding.

E. General program description.

WSUCA is located on the campus of Weber State University in the McKay Education Building, 1301 University Circle, Ogden, Utah, 84408-1301. One large

classroom is dedicated to the 2 half-day kindergarten classes of 20 students each. The Utah Core Curriculum is the foundation for the curriculum, with basal and supplementary materials used for daily instruction in classrooms.

WSUCA was founded by a group of faculty and professional staff all sharing a desire to be more intimately involved in providing research-based instruction to benefit children and pre-service teachers at Weber State University. Each of the founding members share commonalities in how they would like to have a greater voice in the decisions that are made regarding the education of children. Founding members had personal experience with differentiated instruction in education as well as service learning, as an integral part of the curriculum.

The WSUCA Board believes that:

- No two children are alike.
- No two children learn in an identical way.
- An enriched environment for one student is not necessarily enriched for another.
- In the classroom children should be taught following Developmentally Appropriate Practice (DAP).

The Board of Directors at WSUCA believes strongly that an annual self-improvement plan is essential to improving the education program. Each year the Board will assess WSUCA's performance as it relates to academic performance, its vision, and UPASS, with the self-assessment driving the goals and objectives for each annual improvement plan.

F. Free Appropriate Public Education (FAPE).

1. WSUCA follows the requirements of Charter Schools and Their Students (USBE SER III.O)
 - a. Students with disabilities ages 3 through 21 who attend public charter schools and their parents retain all rights under Part B of the IDEA and the USBE SER.
 - b. WSUCA is an LEA that receives funding under Part B, and is responsible for ensuring that all of the requirements of Part B of the IDEA and these Rules are met.
 - c. WSUCA, a public charter school, provides a Free Appropriate Public Education (FAPE) to all eligible students with disabilities in conformity with the requirements of the Utah State Board of Education Special Education Rules (USBE SER) and the United States Department of Education Final Regulations for the Individuals with Disabilities Education Act of 2004 (IDEA) August 2006.

2. Free appropriate public education (FAPE). (USBE SER I.E.15) Special education and related services that:
 - a. Are provided at public expense, under public supervision and direction, and without charge;
 - b. Meet the standards of the USOE and Part B of the IDEA;
 - c. Include preschool, elementary school, and secondary school education in Utah; and
 - d. Are provided in conformity with an Individualized Education Program (IEP) that meets the requirements of Part B of the IDEA and these Rules.

G. Full Educational Opportunity Goal (FEOG).

WSUCA hereby affirms the goal of providing a full educational opportunity to all students with disabilities determined eligible for special education or special education and related services under the IDEA and the USBE SER, of the ages served by the Charter School between three and 22, and in accordance with all of the timeline requirements of the IDEA with respect to the identification, location, evaluation, and provision of a free appropriate public education.

II. IDENTIFICATION, LOCATION, and EVALUATION of STUDENTS SUSPECTED of HAVING DISABILITIES

A. Child Find. (USBE SER II)

WSUCA has policies and procedures to ensure that all students with disabilities enrolled in the grades the school serves, including students who are highly mobile and students who have been suspended or expelled from school, regardless of the severity of the disability, are identified, located, and evaluated. This includes a practical method for determining which students are currently receiving needed special education or special education and related services.

B. Child Find Procedures.

WSUCA conducts the following procedures to ensure that students suspected of having a disability are identified and located:

1. Finding students who have been receiving needed special education or special education and related services.

- a. The enrollment application includes questions about whether a student has received special education or special education and related services in the previous school or educational program.
 - b. Parents are asked during registration if the students received any services beyond the regular program in the previous school.
 - c. If parents respond in the affirmative, a phone contact is made with the previous school to locate the special education records.
 - d. WSUCA follows all the procedures detailed on the In-State and Out-of-State Transfer Student Checklist of the USOE.
2. In identifying and locating students who are suspected of having a disability but have not been previously identified or determined eligible for special education or special education and related services, WSUCA implements the following procedures:
- a. Annual training of all staff on the *Child Find* obligation and how to be alert for observed behaviors that suggest a suspected disability.
 - b. Notice in the parent handbook of the referral procedures and of the availability of services for eligible students with disabilities.
 - c. If a parent or staff member is concerned about a student outside the grade levels of the charter school, the parent or staff member is referred to the district of the student's parent's residence.

C. Referral.

1. Procedure.

When a parent or school staff member suspects a student may have a disability, the following referral procedure is implemented:

- a. Teachers implement pre-referral interventions and provide documentation of the results to a Child Management Team (CMT), which includes a general education teacher (see additional description of CMT in the SLD evaluation process in Section II of this Manual).
- b. Note: Pre-referral interventions may not be used to substantially delay an evaluation for eligibility.
- c. The referring person completes and signs a referral form. If school personnel are making the referral, attach documentation of contacts

with the parents about the concerns regarding the student's educational performance.

- d. The referral form is given to the principal, who reviews existing data (including pre-referral intervention results and Child Management Team recommendations) on the student and determines if the referral should go forward for a full evaluation. If it is decided that the evaluation should take place, the principal assigns a staff member to oversee/conduct the evaluation. If the referral is not going to result in a full evaluation, the principal sends the parent a Written Prior Notice of Refusal to take the action of conducting an evaluation.

D. Evaluation.

1. Parental Consent.

Prior to initiating a full and complete individual evaluation, parental consent is required. The consent informs the parent that the evaluation is being proposed because the student is suspected of having a disability that affects his educational performance and that he/she may be eligible for special education or special education and related services. The consent indicates the areas in which the evaluation team will conduct tests or administer other assessment tools to the student. Consent for evaluation must not be construed as consent for provisions of special education services.

Reasonable efforts to obtain parental consent are made and documented by the Charter Academy. WSUCA follows the requirements of USBE II.C.4 with respect to parents who cannot be located.

Parental consent is not required before administering a test or other evaluation that is given to all students, or before conducting a review of existing data.

2. Written Prior Notice.

The parent is given Written Prior Notice that the evaluation will take place. (See Section IV.C of this Policy and Procedures Manual for required components of Written Prior Notice.) Written Prior Notice is embedded in the WSUCA Consent for Evaluation form.

3. Evaluation Timeline.

When the signed parental consent or refusal of consent for evaluation is received at the academy, the academy secretary or special education teacher writes the date it was received on the form to document the beginning of the timeline for the evaluation. The Charter Academy completes all evaluations

within 45 school days of receiving the consent. The 45 school day timeline does not apply if the parent fails to produce the student for the evaluation. If the student enrolls in the Charter Academy after the timeframe has started in a previous LEA, the Charter Academy must make sufficient progress to ensure prompt compliance in accordance with a written agreement with the parent as to when the evaluation will be completed.

4. Evaluation Process.

a. Review of Existing Data.

When conducting an initial evaluation (when appropriate), the evaluation team considers existing data on the student's educational performance. This may include student records of grades, courses completed, statewide test results, LEA-wide test results, classroom assessments, teacher interviews, observations, notes in the student's cumulative file, and any other information available.

b. Administration of Additional Assessments.

In addition, the special education staff administers assessments in other areas as part of a full and individual initial evaluation, as indicated on the Consent for Evaluation, in order to determine eligibility and the student's educational needs. The test administration follows all of the requirements of the USBER SER II.F-H, including:

- Use of a variety of assessment tools
- Use of more than one procedure
- Use of technically sound instruments
- Selection of tools that are not discriminatory on a racial or cultural basis
- Administration in student's native language or mode of communication
- Use of assessments for the purposes intended and in accordance with the publisher's administration standards
- Administration by trained and knowledgeable personnel
- Use of tools that assess what they purport to measure and not just the student's disability
- Assessment in all areas related to the student's suspected disability
- Comprehensive assessment, not just in areas commonly associated with the specific disability

c. Evaluation Requirements.

Evaluations for students suspected in each of the 13 areas of disability include the requirements for evaluation procedures and assessment of student performance in specific areas identified in USBE SER II.J.1-13.

E. Reevaluation Procedures. (USBE SER II.G)

1. WSUCA conducts a reevaluation of each student with a disability when the educational or related services needs, including improved academic achievement and functional performance, of a student warrant a reevaluation; or if the student's parent or teacher requests a reevaluation.
2. Parental consent for reevaluations.
 - a. WSUCA obtains informed parental consent prior to conducting any reevaluation of a student with a disability, if the reevaluation includes the administration of additional assessments to the student.
 - b. If the parent refuses to consent to the reevaluation, the LEA may, but is not required to, pursue the reevaluation by using the consent override procedures provided in the procedural safeguards, and including mediation or due process procedures.
 - c. The reevaluation may be conducted without parental consent if the school can demonstrate that it made reasonable attempts to obtain such consent and the student's parent has failed to respond. A written record of the attempts is maintained in the student's special education file.

F. Additional Requirements for Initial Evaluation and Reevaluation Procedures. (USBE SER II.H)

1. As part of any initial evaluation (if appropriate) and as part of any reevaluation, the IEP team and other qualified professionals, as appropriate, must review existing evaluation data on the student. This review may be conducted without a formal meeting. The special education teacher/case manager may review and discuss the existing data with team members and the parent individually. Existing data may include evaluations and information provided by the parents of the student; current classroom-based, local or State assessments, and classroom-based observations; observations by teachers and related services providers; grades; attendance, and other information regarding the student's current educational performance.
2. The IEP team and appropriate other qualified professionals, based on their data review and input from the student's parents, identifies what additional data, if any, are needed to determine whether the student is or continues to be a student with a disability and the educational needs of the student, and

- a. The present levels of academic achievement and related developmental needs of the student;
 - b. Whether the student needs special education and related services; or, in the case of a reevaluation of a student, whether the student continues to need special education and related services; and
 - c. Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.
3. If the IEP team and other qualified professionals, as appropriate, determine that no additional data are needed to determine continuing eligibility and student needs, the parents are given Written Prior Notice of that decision and of their right to request additional assessment. The Charter Academy then prepares a new Evaluation Summary Report, including new and previous data as appropriate, and sends a Notice of Meeting for Eligibility Determination. A new Eligibility Determination form is completed and signed by the team, and the parents are given Written Prior Notice of that determination along with a copy of the Evaluation Summary Report and the Eligibility Determination documents. Written Prior Notice is embedded in the Eligibility Determination document.
4. If the parent requests additional assessment as part of the reevaluation, WSUCA conducts assessment in the areas of educational functioning requested. When the additional assessment is completed, the Charter Academy then prepares a new Evaluation Summary Report, including new and previous data as appropriate, and sends a Notice of Meeting for Eligibility Determination. A new Eligibility Determination form is completed and signed by the team, and the parents are given Written Prior Notice of that determination along with a copy of the Evaluation Summary Report and the Eligibility Determination documents. Written Prior Notice is embedded in the Eligibility Determination document.
5. Evaluations before change in eligibility.
 - a. WSUCA evaluates students with disabilities before determining that students are no longer eligible for special education or special education and related services. However, an evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular diploma, or due to the student's reaching age 22, as provided under State law.

- b. For a student whose eligibility terminates due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for FAPE under State law, WSUCA provides the student with a summary of the student's academic achievement and functional performance, including recommendations on how to assist the student in meeting the student's postsecondary goals.

6. Parental consent is not required before:

- a. Reviewing existing data as part of an evaluation or a reevaluation; or
- b. Administering a test or other evaluation that is administered to all students unless, before administration of that test or evaluation, consent is required of parents of all students.

G. Evaluation Timelines.

- 1. An initial evaluation must be completed within 45 school days of the date the school receives parental consent for the evaluation.
- 2. Upon completion of the evaluation or reevaluation, the IEP team and other appropriate professionals determine eligibility within a reasonable time.
- 3. A reevaluation:
 - a. May not be conducted more than once a year, unless the parent and the LEA agree otherwise; and
 - b. Must occur at least once every three (3) years, unless the parent and the LEA agree that a reevaluation is unnecessary.

H. Eligibility Determination.

- 1. Notice of Meeting.

Upon completion of the evaluation, the special education teacher (case manager) arranges a meeting of the eligibility team at a mutually agreeable time and place. A Notice of Meeting will be sent to the parent and other members of the team stating the meeting purposes, time, place, who is expected to be in attendance, and letting the parent know that they may bring others who have knowledge of the student to the meeting.

2. Evaluation Summary Report.

The special education case manager collects all of the results of the evaluation, and writes a summary report of the evaluation information. This Evaluation Summary Report is included in WSUCA's Eligibility Determination document for each disability category.

3. Eligibility Team Membership.

The eligibility team shall include a group of qualified professionals and the parent. In the WSUCA, this may include the special education teacher, regular education teacher, speech-language pathologist, school psychologist, occupational therapist, physical therapist, and others who have conducted parts of the evaluation, as appropriate.

4. Eligibility Categories, Definitions, and Criteria.

The WSUCA has adopted the definitions, evaluation requirements, and eligibility criteria in USBE SER.II.J.1-13.

5. For the category of Specific Learning Disability (SLD) the WSUCA has selected Method C: Combination of RTI and Discrepancy. However, WSUCA will only serve students ages 4-6 enrolled in kindergarten, and it is anticipated that the IDEA category of Developmental Disability will be used with these very young children so that they may receive the greatest amount of support as needed.

6. Determining Eligibility. (USBE SER II.)

a. Using the criteria for each category of disability as described above, the eligibility team shall determine:

- (1) Whether the student has a disability that
- (2) Adversely affects his educational performance, and
- (3) Whether the student requires special education or special education and related services.

Special education is defined (USBE SER I.E.38) as specially designed instruction to meet the unique needs of a student with a disability and may include related services if they meet the definition of special education. *Specially designed instruction* (USBE SER I.E.39) is adapting, as appropriate to the needs of an eligible student, the content, methodology, or delivery of instruction to address the unique needs of the student that result

from the student's disability, and to ensure access of the student to the general curriculum, so that the student can meet educational standards of the Charter Academy that apply to all students.

- b. Disclaimers. (USBE SER) A student must not be determined to be a student with a disability if the determinant factor is:
 - (1) Lack of appropriate instruction in reading, including the essential components of reading instruction (phonemic awareness, alphabetic principle, vocabulary, comprehension, and fluency);
 - (2) Lack of appropriate instruction in math; or
 - (3) Limited English proficiency.
 - c. The determination of eligibility is documented on the appropriate "Team Evaluation Summary Report and Written Prior Notice of Eligibility Determination" form with signatures of team members.
 - d. If the disability is determined to be a Specific Learning Disability, any team member who disagrees with the rest of the team's decision may put his reasons in writing.
 - e. Parents are provided with a copy of the Team Evaluation Summary Report and Written Prior Notice of Eligibility Determination document.
7. Evaluations before Change in Eligibility. (USBE SER II.H.6)
- a. The WSUCA evaluates a student with a disability before determining that the student is no longer an eligible student with a disability.
 - b. An evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular high school diploma, or due to exceeding the age of eligibility for FAPE under Utah law.
 - c. For a student whose eligibility terminates due to graduation from secondary school with a regular diploma, or due to exceeding the age of eligibility for FAPE under Utah law, WSUCA provides the student with a summary of the student's academic achievement and functional performance, which includes recommendations on how to assist the student in meeting the student's postsecondary goals.

III. IEP DEVELOPMENT and SERVICE DELIVERY.

WSUCA implements the following policies and procedures to address the IEP requirements of USBE SER III.I-U.

A. IEP Team Meeting.

Within 30 calendar days of the determination of eligibility, the special education teacher/case manager shall arrange a meeting of the IEP team to develop an IEP at a place and time that is mutually convenient to the parent and the Charter Academy. A Notice of Meeting will be sent to the parent and other members of the team stating the purposes, time, place, who is expected to be in attendance, and letting the parent know that the parent or the Charter Academy may bring others who have knowledge or special expertise about the student to the meeting. The determination of knowledge or expertise of the invited person is made by the party who invited that person.

B. Parental Opportunity to Participate.

1. Parents are expected to be participants along with school team members in developing, reviewing, and revising the IEP. This includes providing critical information about needs and strengths of their student, contributing to discussions about the student's needs for special education, determining how the student will be involved and make progress in the general curriculum, deciding how the student will participate in the state- and district wide assessments, and deciding what services the WSUCA will provide and in what settings.
2. WSUCA documents in writing its attempts to get parental participation in IEP meetings. If the parent cannot attend, participation by other means such as teleconference may be used. Parents must be given whatever help they need to understand the proceedings of the IEP meetings, such as interpreters. If the Charter Academy cannot obtain parental participation, it proceeds with the development of the IEP as required by Part B of the IDEA and USBE SER.

C. IEP Team.

The team shall consist of the parent, the special education teacher and regular education teacher of the student, a representative of the Charter Academy, a person who can interpret the results of the evaluation, and the student when appropriate. Other team members may be added when they are likely to provide services to the student. The representative of the Charter Academy must meet the Charter School administrator standards, and have knowledge of the general education curriculum and of the availability of resources of the Charter Academy.

D. IEP Team Attendance. (USB E SER III.F)

1. A required member of the IEP team is not required to attend all or part of a particular IEP team meeting if the parent of a student with a disability and the Charter Academy agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
2. A required member of the IEP team may be excused from attending all or part of a particular IEP meeting when the meeting does involve a modification to or discussion of the member's area of the curriculum or related services, if the parent and the LEA consent to the excusal in writing; and the member submits written input into the development of the IEP to the parent and the IEP team, prior to the meeting.

E. IEP Timelines.

1. An IEP is in effect for each identified student with a disability prior to the beginning of the school year.
2. Each student's IEP is reviewed and revised at least annually. The IEP Team reviews the IEP at least annually to determine whether the annual goals for the student are being achieved. The Team may decide to meet at the request of the parent or other IEP Team member to revise the IEP to address lack of expected progress toward annual goals and lack of progress in the general curriculum, the results of any reevaluation, information about the student provided to or by the parents, the student's anticipated needs, or other matters.
3. An IEP is developed within 30 calendar days of initial determination that a student is an eligible student with a disability.
4. Once parental consent for the initial provision of special education or special education and related services is obtained, the special education services, related services, and supplementary aids and services are provided as soon as possible.

F. Transfer Students.

WSUCA provides a student transferring from another LEA in or out of the state with comparable services to those listed on an existing IEP while it determines next needed steps in accordance with the In-State and Out-of-State Transfer Student Checklist of the USOE.

G. IEP Development and Content.

1. The IEP Team will develop an IEP that is reasonably calculated to confer a free appropriate public education for the student.
2. In developing the IEP, the IEP team must consider the student's strengths, parental concerns, evaluation results, academic development and functional needs, and special factors.
3. The IEP must include:
 - a. A statement of the student's present level of academic achievement and functional performance, including baseline data on his achievement and how the student's disability affects his access and progress in the general curriculum for his age or grade level.
 - b. Measurable annual goals and short term objectives based on the present level statement that enable the student to be involved and make progress in the general education curriculum and addressing each of the student's educational needs resulting from the student's disability.
 - c. How progress on the goals will be measured and reported to the parents on a periodic basis.
 - d. The special education and related services, and the supplementary aids and services, the student needs to address his goals and make progress in the general curriculum. The services are based on peer-reviewed research to the extent practicable.
 - e. Program modifications and supports for the student and the teacher in the regular education classroom.
 - f. The dates that services, accommodations, and program modifications will begin and end (no more than one year from the date of the IEP); and the frequency, location, and amount of each service listed. Services listed must be specific, such as "reading comprehension," not "resource."
 - g. Consideration of special factors as follows:
 - (1) In the case of a student with limited English proficiency, consider the language needs of the student as those needs relate to the student's IEP;
 - (2) In the case of a student who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media

(including an evaluation of the student's future needs for instruction in Braille or the use of Braille), that instruction in Braille or the use of Braille is not appropriate for the student;

- (3) Consider the communication needs of the student, and in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communications with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode;
- (4) Consider whether the student needs assistive technology devices and services; and
- (5) In the case of a student whose behavior impedes the student's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies, to address that behavior.
 - (A) When making decisions on behavioral interventions, the IEP team must refer to the *USOE Special Education Least Restrictive Behavior Interventions (LRBI) Guidelines* for information on research-based intervention procedures in order to protect the safety and well-being of students with disabilities, provide protection for students, teachers, other school personnel, the Charter Academy, and the USOE, and ensure that parents are involved in the consideration and selection of behavior interventions to be used with their students.
 - (i) Definition of Emergency: When an emergency situation occurs that endangers staff or other students and therefore requires the immediate use of moderately or highly intrusive interventions to protect the student or others from harm, the staff shall complete and submit the emergency contact information to the Charter School director or principal and notify the student's parents within 24 hours.
 - (ii) Pattern of Behavior: If a behavior requiring emergency procedures occurs more than once per week, two times in a month, or four times in a year, it is a pattern that must be addressed in the IEP and/or a behavior intervention plan.

(iii) Appeals: Parents may appeal a determination of emergency or implementation of emergency procedures by a written request to a designated LEA representative of WSUCA. The LEA representative and two other staff members with knowledge of the incident will review the determination or implementation and make a final decision that will be provided to the parent in writing.

(iv) Training: WSUCA ensures that all appropriate staff members receive the training necessary to effectively implement a continuum of behavioral interventions and supports.

(v) Oversight: WSUCA has established an LRBI Committee to monitor its policies for disciplinary plans, actions and behavioral intervention procedures, protections and safeguards. This Committee reviews the use of highly intrusive interventions as well as the effectiveness of and need for additional staff training. The Committee is composed of a school administrator, a parent, and two other members of the professional staff.

- (E) As appropriate, the student should receive a functional behavioral assessment and behavior intervention services and modifications that are designed to address the behavior.
- h. If the IEP team in considering the special factors described above decides that a student needs a particular device or services for educational purposes, which could be an intervention, accommodation, or other program modification in order to receive a FAPE, the team must include these in the IEP.
 - i. How the student will participate in LEA-wide and statewide assessments. While every student with a disability must participate, an individual student may be determined to participate with some accommodations based on his disability, or with modifications. Students who have the most significant cognitive disabilities, and meet other criteria in the USOE Assessment Participation and Accommodation Policy, may be assessed with Utah's Alternate Assessment (UAA). The IEP Team must indicate this on the IEP Assessment Addendum, along with the reason that the student cannot otherwise participate in the statewide assessment program.
 - j. In addition to the required elements of the statewide assessment program, WSUCA administers the following schoolwide assessments: DIBELS in grade K. All students, including students with identified

disabilities, are included in these assessments. Students with disabilities may participate in the assessments with appropriate accommodations and modifications as determined by the IEP Team and documented in the student's IEP. Alternate assessments for individual students, as determined by the student's IEP Team and documented in the student's IEP, are provided for students who cannot participate in the schoolwide assessment in any other way.

- k. Physical education is not provided to any student attending WSUCA since the program consists of a half-day kindergarten.
- l. Each IEP team must determine whether the student will need Extended School Year (ESY) services in order to receive a free appropriate public education.
 - (1) This determination in the WSUCA will be based on regression and recoupment data collected over at least two breaks in the school year consisting of 4 or more week days when there is no school.
 - (2) If the student's recovery from measured regression on pinpointed skills directly related to the IEP goals takes so long that he would not receive FAPE without services during the summer or other school break, the IEP Team must find him eligible for ESY services.
 - (3) The IEP Team shall develop a written document that indicates which IEP goals the student will work on during the ESY, what services will be provided, how long and how often the ESY services will be provided, and the setting(s) in which the services will be provided.
- m. Assistive Technology. WSUCA will make assistive technology devices or assistive technology services, or both, available to a student with a disability if required as part of the student's special education, related services, or supplemental aids and services. School-purchased assistive technology devices may be used in the student's home, if the IEP Team determines, on a case-by-case basis, that assistive technology in the home is required for the student to receive a FAPE.

H. IEP Team Access to IEP Information.

- 1. The WSUCA makes the student's IEP accessible to each regular education teacher, special education teacher, related service provider, and other service provider who is responsible for its implementation. Each teacher and provider is informed of his or her specific responsibilities related to the

implementation of the students IEP and the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.

2. WSUCA prepares a summary of the present level of academic achievement and functional performance, goals, services, and program modifications and supports for each teacher of the student. This summary is provided to the teacher prior to the time of initial implementation of the IEP as well as annual updates as appropriate.

I. Placement in the Least Restrictive Environment (LRE). (USBE SER III.P)

1. Placement decisions are made by a group of persons, including the parents and other persons knowledgeable about the student, the meaning of the evaluation data, and the placement options. This group may be the IEP Team, including the parent. The group determines the placement on the continuum of placement options where the student will receive special education or special education and related services.
2. WSUCA ensures that the parents of each student are members of any group that makes decisions on the education placement of their student. If unable to get the parents to participate, after repeated and documented attempts, the team may need to proceed with a placement decision. However, no initial placement and provision of services may be put in place without written parental consent.
3. Placement is determined at least annually, based on the student's present levels of performance, goals, services, and program modifications as detailed in the IEP.
4. Identified students with disabilities shall receive the special education or special education and related services in the Least Restrictive Environment to the maximum extent appropriate to meet the student's needs. This means that the student will not be removed from the regular education classroom, with regular education peers, unless the IEP Team determines that due to the nature and severity of the disability, the student's educational needs cannot be addressed satisfactorily in the regular education environment, even with the use of supplementary aids and services.
5. The WSUCA provides the IDEA required range of placement options, including placement in the regular education classroom, with or without itinerant services; placement in a special class; placement in a special school; placement in a residential program, and homebound or hospitalized placement.

6. WSUCA provides supplementary services, such as resource or itinerant instruction, in conjunction with placement in the regular education classroom, when needed.

J. Nonacademic Settings, Activities, and Services. (USBE SER III.U-V)

1. The WSUCA ensures that each student with a disability participates with nondisabled students in the extracurricular services and activities to the maximum extent appropriate to the student's needs. This includes meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the school, referrals to agencies that provide assistance to individuals with disabilities and employment of students, and other activities and services of the Charter Academy.
2. WSUCA ensures that each student with a disability has the supplementary aids and services determined by the student's IEP Team to provide the nonacademic and extracurricular services and activities in such a way that students with disabilities are given an equal opportunity to participate.

K. Parental Consent for Initial Placement and Provision of Services. (USBE SER III.T)

1. In order for the IEP to be implemented and the special education services the team has determined can begin, written parental consent must be obtained. If the parent refuses consent for the provision of those services, the LEA may not implement the IEP and may not access due process procedures.
2. WSUCA does not use a parent's refusal to consent to one service or activity to deny the parent or student any other service, benefit, or activity of the Charter Academy, or to fail to provide a student with a FAPE.
3. If, at any time subsequent to the initial provision of special education and related services, the parent of a student with disabilities revokes consent in writing for the continued provision of special education and related services, the Charter Academy:
 - a. May not continue to provide special education and related services to the students, but must provide written prior notice before ceasing the provision of special education and related services;
 - b. May not use the due process procedures in order to obtain agreements or a ruling that the services may be provide to the student;
 - c. Will not be considered in violation of the requirement to make FAPE available to the student, and

- d. Is not required to convene an IEP team meeting or develop an IEP for the student.

L. Documentation of Participation.

1. All members of the IEP team will sign the IEP document indicating that they participated in the development of the IEP. A parent's signature on the IEP does not mean that the parent is in full agreement with the content of the IEP and does not abrogate the parental right to access the Procedural Safeguards of the IDEA.
2. If the Charter Academy, despite at least two documented attempts, is unsuccessful in having parental attendance at the meeting, the rest of the IEP team shall proceed with the meeting.
3. Parents may participate via telephone conference or video conference.
4. Parents will be provided with a copy of the completed IEP, and Written Prior Notice of the Charter Academy's intent to implement the program and services in the IEP. This notice is embedded in the IEP form. If the Charter Academy refuses to include in its offer of FAPE as detailed on the IEP services or program modifications the parent has requested, a Written Prior Notice of that refusal is provided to the parent.

M. Changes to the IEP.

1. Changes to the IEP may be made at the request of any member of the IEP Team in a meeting or by amendment to the existing IEP.
2. Changes may be needed if there is new information about the student's performance.
3. Amendments to the IEP without a team meeting may be made only with the agreement of the Charter Academy and the parent.
 - a. Amendments such as a change in the amount of a special education or related service that is no more than 30 minutes per week, a change of location that is no more than 60 minutes per week, or a goal change that is the next logical step forward or backwards and is based on the student's progress may be made without a team meeting.
 - b. If the change involves a move on the continuum of Least Restrictive Environment placement options, or the amount of services to be changed is more than indicated above, or a service is to be added, an

IEP Team meeting is held with a Notice of Meeting to all team members.

4. The parent will be provided with a copy of the amended IEP including Written Prior Notice that these additional actions or changes in actions are going to be implemented.

N. Transition from Part C to Part B. (USBE SER VII.A)

1. In the case of a student who was previously served under Part C of the IDEA, the parent may request that an invitation to the initial IEP meeting be sent to the Part C service coordinator or other representatives of the Part C system to assist with the smooth transition of services. Upon such request, WSUCA shall provide the Notice of Meeting to the Part C representative.

O. Least Restrictive Behavior Interventions (LRBI).

WSUCA follows all parts of the USOE LRBI Guidelines as written. These requirements are already addressed on pages 20-21 and do not have to be repeated unless the Charter Academy wants to elaborate.

The WSUCA also implements the following procedures:

1. Emergency situations: In an emergency consisting of danger to self, danger to others, severe destruction of property, or threatened abuse of self, others, or property the WSUCA may need to intervene using a moderate to intensive intervention to ensure the safety of students and staff. If an emergency situation occurs that requires the immediate use of highly intrusive individual interventions to protect the student or others from harm, the staff shall complete and submit the emergency contact information to the LEA and notify the student's parents within 24 hours (Utah State Office of Education Special Education Rules III I (b)(5)(c)).
2. Pattern of behavior: If a behavior requiring emergency procedures occurs more than:
 - Once per week
 - Two times in a month
 - Four times in a yearthe behavior should no longer be considered an emergency or crisis and should be addressed in the IEP and/or BIP. Additionally, the allowable instances of a behavior requiring emergency procedures are cumulative in number, regardless of whether a different highly intrusive individual intervention is used.
3. Appeals process: The parents have the right to challenge the appropriateness of the special education program for a student with disabilities using the

mediation, State complaint, or due process hearing procedures in the Procedural Safeguards.

4. Provisions for staff training: Training for school administrators and teachers will include an annual review and/or in-service of Least Restrictive Behavior Interventions (LRBI) policies and procedures.
5. Procedures for monitoring LRBI policies: School administrators will conduct an annual audit of all cases involving emergency situations, patterns of behavior, and the use of intrusive individual interventions. The audit will be used to further refine staff development activities to safeguard the safety of all students and to improve behavioral and classroom management strategies.

P. Private School Placements by WSUCA. (USBE SER VI.A)

Before WSUCA places a student with a disability in, or refers a student to, a private school or facility, or a public or private residential program in order to provide a FAPE to the student, it initiates and conducts a meeting to develop an IEP for the student, with a representative of the private school in attendance. The costs of such placements, including non-medical care and room and board, are at no cost to the parents.

Q. Students with Disabilities Enrolled by their Parents in Private Schools When FAPE Is at Issue. (USBE SER VI.C)

If the parents of a student with a disability who had previously received special education or special education and related services from WSUCA enroll the student in a private school without the consent of or referral by the school, the WSUCA is not required to pay for the cost of that placement if the school made a FAPE available to the student. Disagreements between the parents and the WSUCA regarding the availability of a program appropriate for the student and the question of financial reimbursement are subject to the State complaint and due process complaint procedures in USBE SER IV.G-V. The WSUCA follows other requirements in USBE SER VI.C as written.

IV. PROCEDURAL SAFEGUARDS

The WSUCA, consistent with the requirements of Part B of the IDEA and the USBE Special Education Rules, has established, maintains, and implements Procedural Safeguards for students with disabilities and their parents.

A. Opportunity for Parental Participation in Meetings.

The WSUCA affords parents the opportunity to participate in all decisions related to the location, identification, evaluation, and provision of FAPE for their student,

including decisions related to the Discipline requirements of Part B of the IDEA. This includes arranging meetings at a mutually convenient time and place, providing Notice of Meeting at least one week prior to a scheduled meeting, and making at least two documented attempts to obtain parent participation in meetings.

B. Independent Educational Evaluation (IEE). (USBE SER IV.C)

1. Independent educational evaluation means an evaluation conducted by a qualified examiner who is not employed by the Charter Academy responsible for the education of the student in question.
2. WSUCA has established and implements the following policies and procedures related to independent educational evaluation which meet the requirements of Part B of the IDEA and the USBE SER.
 - a. The parents of a student with a disability have the right to obtain an independent educational evaluation of the student at public expense if they disagree with an evaluation obtained by the Charter Academy.
 - b. The Charter Academy provides to parents, upon request for an independent educational evaluation, information about where an independent educational evaluation may be obtained, and the Charter Academy's criteria applicable for independent educational evaluations. WSUCA has available a list of persons and/or agencies where an IEE may be obtained by the parent. In addition, the WSUCA considers any other evaluator or agency proposed by the parent to conduct the IEE if the examiner and the evaluation meet the Charter Academy's criteria. A qualified examiner is one who meets the USOE criteria for qualified personnel as a special education teacher, school psychologist, psychologist with expertise in administration and analysis of assessments, or other equivalent qualifications as determined by the Charter Academy. Criteria for the evaluation are that the evaluation procedures meet all of the same standards as those listed in Section II.D-H of this Policy and Procedures Manual. The WSUCA either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent.
 - c. The WSUCA ensures that when a parent requests an IEE, either the Charter Academy files a due process complaint to request a hearing to show that its evaluation is appropriate, or that the independent educational evaluation is provided at public expense, unless the evaluation obtained by the parent does not meet the Charter Academy criteria as described above. If a due process complaint decision finds the Charter Academy evaluation was appropriate, an IEE obtained by the parent is considered by the team, but is not provided at public expense.

- d. Additional protections for the parent of a student with a disability and for the Charter Academy are followed as written in USBE SER IV.C.3(c-h).
3. An independent educational evaluation conducted at the Charter Academy's expense becomes the property of the Charter Academy, in its entirety.

C. Written Prior Notice.

WSUCA provides Written Prior Notice to parents a reasonable time before it proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, or provision of a free appropriate public education to the student. The notice includes: a description of the action proposed or refused, an explanation of reasons for the proposal or refusal, a description of evaluations or other information the proposal or refusal is based on, a statement that the parents and eligible student have protection under the Procedural Safeguards and how to obtain a copy of the Safeguards, sources of assistance to understand Part B of the IDEA, a description of other options the IEP Team considered and why the other options were rejected, and a description of other relevant factors to the proposal or refusal. The Written Prior Notice is provided in understandable language and in the parents' native language or other mode of communication.

D. Procedural Safeguards Notice.

A copy of the Procedural Safeguards is given to the parent once a year at the annual IEP review, except that a copy also is given to the parent upon initial referral or parental request for evaluation, upon receipt of the first State complaint or due process complaint in that school year, and upon request by the parent at any time. WSUCA uses the USOE Procedural Safeguards Notice that is posted on the USOE website, www.schools.utah.gov. The special education teacher/case manager provides a brief explanation of the main provisions of the Procedural Safeguards to the parents at consent for evaluation, eligibility determination, and annual IEP meetings.

This notice contains an explanation of the procedural safeguards related to independent educational evaluations, written prior notice, parental consent, access to educational records, opportunity to present and resolve complaints through State complaint or due process complaint procedures, opportunity for the Charter Academy to resolve the complaint, availability of mediation, student's placement during pendency of hearings, procedures for students placed in an interim alternative educational setting, requirements for unilateral placement of student in private schools at public expense, hearings on due process complaints, civil actions, attorney's fees. This notice is in language understandable to the parents.

E. Parental Consent.

Informed written parental consent is obtained for evaluation and reevaluation, initial placement/provision of special education, and for release of records to certain parties. Efforts to obtain consent are documented in writing. No student receives special education or special education and related services without the signed initial consent for placement in the student file. Other relevant parental consent requirements are addressed in Sections II and III of this Policies and Procedures Manual.

F. Dispute Resolution.

The WSUCA follows the Dispute Resolution requirements of the USBE SER described in IV.G-U as written. These include the procedures for State Complaints, Mediation, Due Process Complaints, Resolution Process, Due Process Hearings, Civil Actions, Attorney's Fees, and Student's Status during Proceedings.

G. Surrogate Parents.

The WSUCA assigns a surrogate parent for a student when the parent cannot be identified or cannot be located, the parent's rights to make educational decisions has been taken away by a court, the student is a ward of the state, or the student is an unaccompanied homeless youth. The surrogate parent meets the requirements of USBE SER IV.V.5-8. WSUCA contacts the USOE for assistance in obtaining names of trained surrogates and maintains a list of surrogate parents who are available when needed.

H. Confidentiality of Information. (USBE SER IV.X)

The WSUCA takes appropriate steps to ensure the protection of the confidentiality of any personally identifiable data, information, and records it collects or maintains related to Part B of the IDEA.

1. Definitions. As used in these safeguards:

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

2. Access rights.

- a. WSUCA permits parents to inspect and review any education records relating to their student that are collected, maintained, or used by the Charter Academy. WSUCA complies with a request without unnecessary delay and before any meeting regarding an IEP, or any hearing, or resolution session, and in no case more than 45 calendar days after the request has been made.
- b. The right to inspect and review education records includes the right to:
 - (1) A response from the Charter Academy to reasonable requests for explanations and interpretations of the records;
 - (2) Request that the Charter Academy provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
 - (3) Have a representative of the parent inspect and review the records.
- c. WSUCA may presume that the parent has authority to inspect and review records relating to his or her student unless the school has been advised that the parent does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

3. Record of access.

WSUCA keeps a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA (except access by parents and authorized employees of the Charter Academy) in each student's special education file, including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records. If any education record includes information on more than one student, WSUCA ensures that the parents of a student has the right to inspect and review only the information relating to their student or to be informed of that specific information.

4. List of types and locations of information.

On request, WSUCA provides parents with a list of the types and locations of education records collected, maintained, or used by the Charter Academy. This list is maintained in the office at WSUCA.

5. Fees.

WSUCA may charge a fee for copies of records that are made for parents under Part B of the IDEA if the fee does not effectively prevent the parents from exercising their right to inspect and review those records; however, it may not charge a fee to search for or to retrieve information under Part B of the IDEA.

6. Amendment of records at parent's request.

- a. A parent who believes that information in the education records collected, maintained, or used under Part B of the IDEA is inaccurate or misleading or violates the privacy or other rights of the student may request the Charter Academy that maintains the information to amend the information. The Charter Academy must decide whether to amend the information within a reasonable period of time of receipt of the request. If the Charter Academy decides to refuse to amend the information, it must inform the parent of the refusal and advise the parent of the right to a hearing on the matter.
- b. The Charter Academy, on request, provides an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. If, as a result of the hearing, the Charter Academy decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it must amend the information accordingly and so inform the parent in writing.

If, as a result of the hearing, the Charter Academy decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it must inform the parent of the right to place in the records it maintains on the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the Charter Academy. Any explanation placed in the records of the student under this section must be maintained by the Charter Academy as part of the records of the student as long as the record or contested portion is maintained; and if the records of the student or the contested portion is disclosed by the Charter Academy to any party, the explanation must also be disclosed to the party. WSUCA follows the hearing procedures described in USBE SER IV.12 as written.

- c. If the parent revokes consent in writing for the student's receipt of special education and related services, the Charter Academy is not

required to amend the student's education record to remove any references to the student's receipt of special education and related services because of the revocation of consent.

7. Release and disclosure of records.

Parental consent is not required for disclosure of records to officials of agencies collecting or using information under the requirements of Part B of the IDEA, to other school officials, including teachers within the school who have been determined by the Charter Academy to have legitimate educational interests, to officials of another school or school site in which the student seeks or intends to enroll, or for disclosures addressed in referral to and action by law enforcement and judicial authorities, for which parental consent is not required by 34 CFR 99.

(All Utah Local Education Agencies (LEAs) include in the annual Procedural Safeguards notice that it is their policy to forward educational records of a student with disabilities without parental consent or notice to officials of another school or school district in which a student seeks or intends to enroll.)

Written parental consent is obtained prior to releasing any records to any other person or agency not listed above.

8. Safeguards.

- a. WSUCA protects the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.
- b. The principal/director of WSUCA assumes responsibility for ensuring the confidentiality of any personally identifiable information.
- c. Staff members at WSUCA who collect or use personally identifiable information receive training or instruction regarding the State's policies and procedures in USBE SER IV.X and 34 CFR 99 on an annual basis.
- d. WSUCA maintains, for public inspection, a current listing of the names and positions of those employees within the school who may have access to personally identifiable information on students with disabilities. This list is posted on the locked cabinet in which students' special education files are maintained and updated annually.

9. Destruction of information.

The WSUCA informs parents or the student age 18 or older when personally identifiable information collected, maintained, or used under Part B of the

IDEA is no longer needed to provide educational services to the student. Information no longer needed must be destroyed at the request of the parents or student age 18 or older. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. Each student's records may be considered "no longer needed to provide educational services" and may be destroyed three (3) years after the student graduates or three (3) years after the student turns 22.

10. Students' rights.

The rights of privacy afforded to parents are transferred to the student who reaches the age of 18, providing the student has not been declared incompetent by a court order, including the rights with regard to education records.

J. Discipline.

The WSUCA follows the Discipline requirements and procedures described in USBE SER V.A-K as written.

VI. STUDENTS WITH DISABILITIES IN OTHER SETTINGS.

VI.A. PRIVATE SCHOOL PLACEMENTS BY LEAs. (§300.325)

1. Developing IEPs.

- a. Before an LEA places a student with a disability in, or refers a student to, a private school or facility, the LEA must initiate and conduct a meeting to develop an IEP for the student in accordance with Part B of the IDEA and these Rules.
- b. The LEA must ensure that a representative of the private school or facility attends the meeting. If the representative cannot attend, the LEA must use other methods to ensure participation by the private school or facility, including individual or conference telephone calls.

2. Reviewing and revising IEPs.

- a. After a student with a disability is placed in a private school or facility, any meetings to review and revise the student's IEP may be initiated and conducted by the private school or facility at the discretion of the LEA.
- b. If the private school or facility initiates and conducts these meetings, the LEA must ensure that the parents and an LEA representative:

- (1) Are involved in any decisions about the student's IEP; and
 - (2) Agree to any proposed changes in the IEP before those changes are implemented.
3. Even if a private school or facility implements a student's IEP, responsibility for compliance with this part remains with the LEA and the USOE.
 4. Residential placement. (§300.104)

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

VI.C. STUDENTS WITH DISABILITIES ENROLLED BY THEIR PARENTS IN PRIVATE SCHOOLS WHEN FAPE IS AT ISSUE. (§300.148)

1. An LEA is not required to pay for the cost of education, including special education and related services, of a student with a disability at a private school or facility if that LEA made a FAPE available to the student and the parents elected to place the student in a private school or facility. However, the LEA must include that student in the population whose needs are addressed consistent with Rule VI.B.
2. Disagreements between the parents and an LEA regarding the availability of a program appropriate for the student, and the question of financial reimbursement, are subject to the State complaint and due process procedures in Rule IV.G-V.
3. If the parents of a student with a disability, who previously received special education and related services under the authority of an LEA, enroll the student in a private preschool, elementary school, or secondary school without the consent of or referral by the LEA, a court or a hearing officer may require the LEA to reimburse the parents for the cost of that enrollment if the court or hearing officer finds that the LEA had not made a FAPE available to the student in a timely manner prior to that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the USOE and LEAs.
4. The cost of reimbursement may be reduced or denied if:
 - a. At the most recent IEP team meeting that the parents attended prior to removal of the student from the public school, the parents did not inform the IEP team that they were rejecting the placement proposed by the LEA

to provide a FAPE to their student, including stating their concerns and their intent to enroll their student in a private school at public expense; or

- b. At least ten (10) business days (including any holidays that occur on a business day) prior to the removal of the student from the public school, the parents did not give written notice to the LEA of the information described in VI.C.4.a;
 - c. Prior to the parents' removal of the student from the public school, the LEA informed the parents, through the written prior notice requirements of its intent to evaluate the student (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parents did not make the student available for the evaluation; or
 - d. Upon a judicial finding of unreasonableness with respect to actions taken by the parents.
- 5. Notwithstanding the requirements for parents to provide notice to the LEA prior to removal of the student, the cost of reimbursement:
 - a. Must not be reduced or denied for failure to provide the notice if:
 - (1) The school prevented the parents from providing the notice;
 - (2) The parents had not received written prior notice of the notice requirement in VI.C.4.a-b; or
 - (3) Compliance with the notice requirements in VI.C.4.a-b would likely result in physical harm to the student; and
 - b. May, in the discretion of the court or a hearing officer, not be reduced or denied for failure to provide this notice if:
 - (1) The parents are not literate or cannot write in English; or
 - (2) Compliance with VI.C.4.a-b would likely result in serious emotional harm to the student.

V. LEA ELIGIBILITY and RESPONSIBILITIES

A. Participation in assessments and reporting of assessment results.

All students enrolled in the WSUCA, including students with disabilities, participate in the statewide testing program and the school-wide testing program. Participation requirements in the USOE Assessment Participation and Accommodation Policy are followed. The IEP Team determines how a student with

disabilities will participate, and accommodations needed, if any. Results of statewide assessments are posted on the USOE website annually.

B. Public participation in policies and procedures development.

This Policy and Procedures Manual, as well as any future changes to the contents, are presented to the WSUCA Board in a public meeting for review and input. The agenda for WSUCA board meetings is posted at least 1 week prior to each meeting as required by state law.

C. Public posting of USOE monitoring results.

Results of monitoring from the Utah Program Improvement Planning System are posted on the USOE website annually.

D. Methods of ensuring services.

The WSUCA ensures that each eligible student with a disability enrolled in the school receives the services included in the IEP through a systematic process of review of IEPs and monitoring of service delivery by Charter Academy personnel and contracted service providers.

E. Supervision.

All personnel of the WSUCA are supervised by appropriately qualified staff as determined by the local Charter Academy Board.

F. Use of Part B funds.

The WSUCA follows the requirements of USBE SER IX.B in ensuring the appropriate use of funds under Part B of the IDEA. WSUCA participates in the single audit process required by State law that includes an audit of Part B funds.

G. Personnel standards.

All special education and related services personnel of the WSUCA meet the educator licensing requirements of the USOE for the positions in which they work, as described in the USBE SER IX.H and the Highly Qualified requirements of the USOE State Plan under No Student Left Behind and Educator Licensing – Highly Qualified Assignment (Administrative Rule R-277-510-1 through 11). All personnel necessary to carry out Part B of the IDEA are appropriately and adequately prepared, subject to the requirements related to personnel qualifications and Section 2122 of the ESEA. WSUCA provides a program of professional development for all special education personnel, based on the identified skill and knowledge needs of teachers, assistants, related service providers, and others, and

including targeted training for persons working with students with specific and individual needs for academic and social behavior instruction.

H. Performance goals and indicators in the State Performance Plan.

The WSUCA participates in additional procedures and collects and provides additional information which the USOE may require in order to meet Federal reporting requirements, including suspension and expulsion rates, LRE environments, disproportionality data, and others. (USB SER IX.A.2)

I. Early Intervening Services.

The WSUCA uses not more than 15 percent of the amount it receives under Part B of the IDEA for any fiscal year, in combination with other amounts to develop and implement coordinated early intervening services for students in kindergarten who are not currently identified as needing special education or special education and related services, but who need additional academic and behavioral support to succeed in a general education environment. These funds are used to carry out activities including professional development that enables school personnel to deliver scientifically based academic and behavioral interventions, as well as educational and behavioral evaluations, services, and supports.

The WSUCA provides any and all required data on its Early Intervening Services to the USOE annually.

J. Caseload Guidelines.

WSUCA follows the USOE Caseload Guidelines in overseeing the caseload of each special educator, including related service providers, to ensure that a FAPE is available to all eligible students with disabilities.

K. Enforcement.

The confidentiality requirements of Part B of the IDEA are reviewed and approved as part of the LEA eligibility process.

L. **Routine checking of hearing aids and external components of surgically implanted medical devices.** WSUCA must ensure that hearing aids worn in school by students with hearing impairments, including deafness, are functioning properly. WSUCA must ensure that external components of surgically implanted medical devices are functioning properly.

■ Appendix J– List of Administrative Rules

At this time Weber State University Charter Academy is not requesting any waivers from Administrative Rules.