



BOARD OF EDUCATION
REGULAR SCHOOL BOARD MEETING

Detailed Agenda

Wednesday, August 12, 2020

ILSC Building, 960 South Main, Brigham City,
Utah 84302

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

A. Administrative - 6:30 p.m.

1. Call to Order

President Karen Cronin

2. Reverence

Julie Taylor, Board Member

3. Flag Salute/Pledge of Allegiance

Connie Archibald, Board Member

4. Recognitions

Tiffani Summers, Board Member

- a. Bear River High School - Gold Star - 2020 School Sportsmanship Award
- b. Dr. Redd

B. Approval of Agenda - 6:45 p.m.

C. Public Comment - 6:50 p.m.

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

D. Action Items - 7:00 p.m.

1. Approval of Early Literacy Plan

Keri Greener

3

E. Information Items - 7:10 p.m.

1. COVID-19 Return to Learn Review

2. Monthly Financial Report

Rod Cook

9

F. Policy Review - 7:25 p.m.

1. Policies with no changes

- a. Policy 3035 Employee Criminal Background Checks and Arrest Disclosure Requirements 17
- b. Policy 3045 Retirement, Purchase of Insurance Benefits 24
- c. Policy 4100 Homework 25

2. First Reading

- a. Policy 1036 Conflict of Interest: Board Member and Employee 26
- b. Policy 3000 Employment: Nondiscrimination 30
- c. Policy 3007 Employment - Staff Code of Conduct 34
- d. Policy 3010 Employee Bullying and Hazing 41
- e. New Policy 3015 Title IX Sexual Harassment 53
- f. Policy 3120 Orderly School Termination for Employees 72
- g. Policy 3210 Educator Evaluation 84
- h. Policy 4037 Reading Assessment for K-3 96
- i. Policy 5275 Sexual Harassment 99
- j. Policy 5282 Student Behavior Management 106

3. Second Reading

- a. Policy 1040 Board Member Elections/ Board Officers 115

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k. Policy 4062 Curriculum: College Course Work	144
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m. Policy 4086 Comprehensive Counseling and Guidance Program	148
n. Policy 4087 Work-based Learning	149
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p. Policy 5027 Foreign Exchange Students	157
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y. Policy 5310 Fundraising	191
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aa. Policy 6012 Parent Classroom Observation	207
G. <u>Board Discussion Items</u> 7:40 p.m.	
1. COVID-19 - High School Credits to Graduate	213
H. <u>Consent Items</u> 7:55 p.m.	
1. Minutes	216
2. Claims	222
3. Personnel	233
I. <u>Suggestions for Future Board Meetings</u> 8:00 p.m.	235
J. <u>Board Handbook</u>	236
K. <u>Adjournment</u> 8:05 p.m.	

The next meeting of the Board of Education will be held on Wednesday, September 9, 2020, with Work Session at 5:30 and a Regular Session at 6:30 p.m., at the Independent Life Skills Center, 960 S Main St, Brigham City, Utah.

Recommendation Trustlands Amendment Plan for Elementary Literacy Plan for 2020-2021

Submitted by: Keri Greener Assistant Superintendent Elementary Teaching and Learning

Recommendation: It is recommended that the Box Elder School District Board of Education approve the Elementary Literacy Plan as submitted.

Recommended Motion:

I move that the BESD Board of Education approve the Elementary Literacy Plan for the 2020-2021 school year.

Background:

Annual submission

Policy Implications:

This action will have no policy implications.

Financial Implications:

There are no known negative consequences.

Staff Implications

N/A at the district level

EARLY LITERACY PLAN 2020-2021

LEA Name: Box Elder School District
Date of Expected Local Board Approval: August 12, 2020
Directions: <ul style="list-style-type: none"> ● <i>Submission of an Early Literacy Plan (sections A and B) are required for each LEA regardless of applying for funding.</i>
Funds Being Applied for: <input type="checkbox"/> Early Literacy Program Funds <u>DISTRICT ONLY - Matching Funds:</u> <input checked="" type="checkbox"/> Low Income Program - Amount Matching \$326,949 <input checked="" type="checkbox"/> Guarantee Program - Amount Matching \$281,679
Submission of Early Literacy Plan: For plan pre-approval, submit to EarlyLearning20@schools.utah.gov by July 17. For final approval, submit your plan and local board minutes in https://utahgrants.utah.gov/ no later than September 1 by 5 p.m. Goals must be submitted into the Data Gateway - https://datagateway.schools.utah.gov/
*Note - if applications are not concise, include excessive detail, or are too long, they will be sent back for consolidation prior to being reviewed.

SECTION A: EARLY LITERACY

1. Describe core instruction in grades K-3 in the following areas:

Core Area	Duration	Frequency	Grades	Evidence-based Curriculum/Strategies
Phonological Awareness	10 minutes	Daily	K-1	Phonemic Awareness Michael Heggerty
Phonics	40 minutes	Daily	K-2	Saxon Phonics
Fluency	15 minutes	Daily	K-3	Cengage- Reach for Reading K-2 Shell Education/Increasing Fluency with High Frequency Word Phrases
Vocabulary	15 minutes	Daily	K-3	Cengage- Reach for Reading - K-2 OER- Engage New York/Ela-Vate 3rd
Comprehension	30 minutes	Daily	K-3	Reach for Reading- K-2 OER- Engage New York/Ela-Vate 3rd

Oral Language	10 minutes	Daily	K-3	Reach for Reading- K-2 OER- Engage New York/Ela-Vate 3rd
Writing	30 minutes	Daily	K-3	Step Up to Writing

2. Explain how literacy assessments are used for core (tier 1) instruction and intervention to make instructional decisions and ensure interventions are aligned to students’ diagnostic needs.

Acadience Reading is a screener that will be used to indicate which students need further diagnostic testing to be able to target their reading deficit.

District BEPA (Box Elder Phonics Assessment) is a diagnostic assessment that indicates specific phonics deficits. Assessment will be used for benchmark assessments 3 times a year. Data from these assessments will guide Tier 1, 2 and 3 instruction.

95% Phonological and Blending Strategies will be incorporated into Tier 1 and/or Tier 2 instruction.

Progress Monitoring will indicate if the targeted intervention is effective.

Saxon weekly assessments are used as ongoing formative assessments to guide Tier 1 instruction and indicate whether students are learning the phonics skills presented in whole group instruction.

Acadience Reading is administered three times a year and students who are below benchmark in composite and accuracy will be given the BEPA during the Acadience testing window.

Teachers meet weekly in PLC teams to review student data and discuss effective teaching strategies to ensure students are achieving. In addition to PLC time, BESD provides regular RTI collaboration time to review student data (spreadsheets with current data on it) and make instructional decisions to ensure students are making progress. BESD Teachers share teaching strategies to improve their Tier 1 instruction. The SPED, SLP, and classroom teachers, building administrator, Instructional Coach, and the school psychologist, when available, are all members of the RTI collaboration team.

3. Describe the tier 2 and 3, evidence-based intervention system available to students struggling to reach grade-level benchmark goals in reading.

Tier 2: Teachers meet weekly in Professional Learning Communities (PLC) and review weekly Saxon, PSI (Phonic Survey Inventory), BEPA, and BEPAST (Box Elder Phonemic Awareness Skill Test) data. Based on this data, students are divided into groups for either intervention or extension times. In K-1, the Saxon’s Reteaching/Intervention component of the Saxon phonics program will be used as the first line of defense for Tier 2 instruction. Tier 2 taught by teachers and paras in small groups, four days a week. If the progress monitoring indicates that this intervention is not effective after a minimum of two weeks of 20-30 minute sessions, four to five days a week, then the 95% Group Phonics Intervention program will be implemented with the same frequency as the Saxon Reteaching/Intervention program. If three separate lines of evidence indicate that the student has reached the 80% minimum proficiency expectation, the student will exit the intervention group and be monitored every month to ensure they are maintaining the skill. Classroom teachers and paraeducators facilitate the groups. The Instructional Coach in each building provides training to paraeducators on the different curriculums that they may use in intervention time. Each week the data is reviewed during RTI-Collaboration and/or PLC time, and

adjustments or new plans are made to ensure students are making progress.

Tier 3: Teachers and paras will provide instruction to identified students who need support in addition to their Tier 2 instruction. The RTI team meets twice a month and reviews Tier 2 data, and from this data, students that need additional support are provided Tier 3 for at least 20 minutes four days a week. Regular assessments are given according to the program being used. Assessment results are reported to teachers and the RTI team. Using this data, the team makes instructional adjustments and, if needed, program adjustments to ensure students are progressing. Teachers and paras will record daily attendance, opportunities to respond, student engagement, and any other components the team deems appropriate. Teachers will take the information from this meeting and make adjustments as needed in their Tier 1 and Tier 2 instruction to better support the Tier 3 students. In all of our elementary schools, we will use the following resources as appropriate and applicable: Reading Mastery, Scott Foresman Early Reading, 95% Phonics Lesson Library, and Sound Partners intervention resources.

4. Describe the professional learning opportunities that will be provided for K-3 teachers, literacy coaches, and interventionists. *These funds cannot be used for faculty or staff in grades 4-6.*

- A Canvas course will be created on Saxon Phonics and required for all new teachers and available for any teachers that want to take the course to increase their understanding of the program.
- A Canvas course will be created on Heggerty Phonemic Awareness and required for all new teachers and available for any teachers that want to take the course to increase their understanding of the program.
- A Canvas course will be created on 95% Phonics and required for all new teachers and available for any teachers that want to take the course to increase their understanding of the program.
- All administrators and instructional coaches will meet monthly and review literacy data and literacy instruction together. Administrators will be given instruments to use to document that Tier 1 instruction is happening in every classroom. This data will be reviewed monthly at the principal meeting.
 - [Tier I Instrument](#)
 - [Saxon Phonics Instrument](#)

SECTION B: LOCAL GOALS

Requirements per 53F-2-503: Goals must be measurable, address current performance gaps in student literacy data, and include specific strategies for improving outcomes.

For literacy goals only, include early intervention K-3 software if being used.

1. Early Literacy Goal *(required)*

By May 31, 2021, BESD will increase the percentage of first grade students' proficient on the Acadience accuracy score by 8% from MOY to EOY by providing professional development and instructional coaching, on how to use the decodable readers in Saxon to monitor accuracy and on how to use Shell Fluency in Tier 1 to provide students opportunities to practice reading in text. The students that are identified on the BEPAST or PSI as having a deficit in phonics or phonemic awareness skills will be provided Tier 2 support. Administrators and literacy coaches will monitor Tier 1 and Tier 2 with grade-level collaborative teams on a regular basis to monitor students' growth as accurate readers. Teachers will be given feedback on classroom management, learning targets, student engagement, and explicit instruction.

2. Early Literacy Goal *(required)*

By May 31, 2021, BESD will reduce the percentage of 2nd grade students who begin the year strategic on the Acadience Assessment by helping them to either maintain their status, move to benchmark, or move to above benchmark from BOY-EOY composite score by providing ongoing professional development and instructional coaching on how to use each of the District-adopted Tier 1 instructional programs. Administrators and literacy coaches will monitor Tier 1 and Tier 2 with grade-level collaborative teams on a regular basis to monitor student growth using a common observation tool and provide feedback on classroom management, learning targets, student engagement, and explicit instruction. Each school will record their data on the District Spreadsheet to monitor the progress on target students.

General Assurances: *Check all the boxes below.*

- The Early Literacy Plan submitted has been reviewed and approved by your local school board in an open, public meeting.
- The Early Literacy Plan must be submitted in Utah Grants along with local board approval minutes no later than September 1 by 5 p.m.
- The Early Literacy Goals must be submitted in the Data Gateway-Early Literacy page no later than September 1 by 5 p.m.
- We understand our state growth goal for literacy is to achieve at least 60% of students in grades 1-3 making typical or better progress on Acadience Reading.
- We understand that we will assess literacy using state mandated assessments within the state required testing windows: before September 30, December 1- January 31, and mid-April - June 15.
- We understand that we will submit our literacy data and SIS special codes including if a student received or did not receive intervention by October 30, the last day in February, and June 30 annually.

- We understand that we must implement evidence-based remediation interventions for reading if a student is scoring below or well below benchmark.
- We understand that if our plan is not approved by October 15, we forego our Early Literacy Program funds (*see R277-406*).
- We understand that we will report literacy results to all parents of students in grades 1-3 three times per year following guidelines in R277-406.
- We understand that if our LEA does not meet goal requirements laid out in state code and board rule, our LEA will be required to participate in the System of Support.
- Early Literacy Program funds shall only be used for early literacy interventions and supports in kindergarten through grade 3 that have proven to significantly increase the percentage of students who are proficient in literacy (*53F-2-503*).
- We understand that if program money is used in a manner that is inconsistent with 53F-2-503 and R277-406, our LEA is liable for reimbursement for the amount of funds improperly used.

By submitting this form, I certify the information I provided on and in connection to this application is true, accurate and complete. I also understand that any false statements on this application I file with the Utah State Board of Education may be grounds for disqualification for Early Literacy Program funds.

MONTHLY FINANCIAL REPORT

June 30, 2020

		2020-21	2020-21	Current	Prev Bud		
		Preliminary	YTD	Bud vs	vs	2019-20	2019-20
	Description			Actual	Actual	YTD	Revised
				%	%		
	Percent of Year completed to date			100.0%	100.0%		
	Percent of 9 month contract complete			91.6%	91.6%		
1	GENERAL FUND (M&O) FUND (10)						
2							
3	REVENUE:						
4	Local						
5	Property	22,255,309	0	0.0%	0.0%	0	22,279,801
6	Tuitions	645,000	2,824	0.4%	0.4%	2,718	640,000
7	Inv Earnings	445,000	0	0.0%	0.0%	0	645,234
8	Indir. Costs-SL	680,000	0	0.0%	0.0%	0	650,000
9	Rental Fees/Building/Tra	230,000	1,270	0.6%	1.4%	1,295	95,000
10	Other	790,000	15,920	2.0%	0.0%	0	1,218,072
11	State	71,289,721	6,802,968	9.5%	9.6%	6,626,603	69,225,000
12	Federal	4,525,000	0	0.0%	0.0%	0	4,525,000
13	Misc./ Fund Bal	0					
14	TOTAL M & O						
15	REVENUE	100,860,030	6,822,982	6.8%	6.7%	6,630,616	99,278,107
16	Beg Balance	1,603,336					1,892,331
17	Less:						
18	Ending Balance	2,249,988					1,603,336
19	TOTAL M & O FUNDS						
20	available	100,213,378	6,822,982	6.8%	6.7%	6,630,616	99,567,102
21	EXPENDITURES:						
22	Instruction (1000)						
23	Salaries	45,233,157	28,842	0.1%	0.0%	12,000	45,233,157
24	Benefits	17,153,955	521,347	3.0%	3.9%	670,748	17,153,955
25	Purchased Serv.	2,070,500	473,955	22.9%	12.3%	253,786	2,070,500
26	Supplies/Textbooks	2,503,086	1,442,612	57.6%	9.7%	243,357	2,503,086
27	Equipment	250,000	162,715	65.1%	67.0%	267,898	400,000
28	Other	450,000	0	0.0%	0.0%	0	450,000
29	Total	67,660,698	2,629,471	3.9%	2.1%	1,447,789	67,810,698
30							
31	Student Services (2100)						
32	Salaries	3,189,715	7,163	0.2%	0.2%	7,294	3,189,715
33	Benefits	1,045,807	10,675	1.0%	0.2%	2,293	1,045,807
34	Other	350,000	401	0.1%	0.7%	2,408	350,000
35	Total	4,585,522	18,239	0.4%	0.3%	11,995	4,585,522
36							
37	Instructional Staff (2200)						
38	Salaries	1,396,821	83,793	6.0%	4.9%	65,180	1,316,821
39	Benefits	495,096	41,153	8.3%	5.0%	23,622	470,024
40	Other	450,000	8,216	1.8%	-0.4%	-1,612	450,000
41	Total	2,341,917	133,162	5.7%	3.9%	87,190	2,236,845

MONTHLY FINANCIAL REPORT

June 30, 2020

		2020-21	2020-21	Current	Prev Bud		
				Bud vs	vs		
				Actual	Actual		
				%	%		
	Description	Preliminary	YTD			2019-20	2019-20
						YTD	Revised
	Percent of Year completed to date			100.0%	100.0%		
	Percent of 9 month contract complete			91.6%	91.6%		
42	District Administration (2300)						
43	Salaries	479,554	27,516	5.7%	7.5%	25,619	339,554
44	Benefits	219,134	20,860	9.5%	7.1%	12,430	175,258
45	Purch Services	178,000	25,685	14.4%	7.7%	13,621	178,000
46	Liability Insurance	250,235	0	0.0%	0.0%	0	235,235
47	Supplies	35,000	2,604	7.4%	12.9%	4,514	35,000
48	Other	25,000	20,247	81.0%	76.1%	18,258	24,000
49	Total	1,186,923	96,912	8.2%	7.5%	74,442	987,047
50	School Administration (2400)						
51	Salaries	3,854,303	231,723	6.0%	1.3%	224,351	3,854,303
52	Benefits	1,641,487	92,411	5.6%	1.2%	93,679	1,641,487
53	Prof Serv/Travel	88,000	4,788	5.4%	16.6%	242	88,000
54	Other	15,000	0	0.0%	1.5%	0	15,000
55	Total	5,598,790	328,922	5.9%	5.7%	318,272	5,598,790
56							
57	Business & Support (2500)						
58	Salaries	689,377	54,300	7.9%	7.4%	50,794	689,377
59	Benefits	247,312	21,124	8.5%	8.1%	20,106	247,312
60	Purchased Services	159,665	15,873	9.9%	9.1%	14,586	159,665
61	Other	25,000	2,071	8.3%	0.9%	230	25,000
62	Total	1,121,354	93,368	8.3%	7.6%	85,716	1,121,354
63							
64	Operation & Maintenance (2600)						
65	Salaries	5,039,094	369,299	7.3%	7.7%	355,740	4,607,094
66	Benefits	2,068,328	204,138	9.9%	7.7%	148,259	1,932,939
67	Electricity	959,212	8,427	0.9%	0.3%	2,267	857,397
68	Purchased Service	420,000	110,219	26.2%	14.5%	102,510	705,000
69	Telephone	162,750	16,796	10.3%	30.6%	67,223	220,000
70	Natural Gas	513,838	5,000	1.0%	1.0%	5,000	489,000
71	Prop Insurance	250,329	0	0.0%	0.0%	0	240,698
72	Repair	270,000	49,428	18.3%	27.5%	48,727	177,000
73	Supplies	660,300	201,340	30.5%	26.0%	286,059	1,100,000
74	Other	2,500	0	0.0%	0.0%	0	2,500
75		0					0
76	Total	10,346,350	964,647	9.3%	9.8%	1,015,785	10,331,628
77							

MONTHLY FINANCIAL REPORT

June 30, 2020

				Current Bud vs Actual	Prev Bud vs Actual		
		2020-21 Preliminary	2020-21 YTD	%	%	2019-20 YTD	2019-20 Revised
Description							
	Percent of Year completed to date			100.0%	100.0%		
	Percent of 9 month contract complete			91.6%	91.6%		
78	Transportation (2700)						
79	Salaries	2,866,953	39,332	1.4%	1.2%	33,546	2,866,953
80	Benefits	835,777	43,555	5.2%	1.7%	13,952	835,777
81	Purch Serv	280,000	2,952	1.1%	0.1%	381	280,000
82	Fuel	590,000	0	0.0%	0.0%	77	590,000
83	Supplies	357,565	7,410	2.1%	3.0%	10,684	357,565
84	Other/Property	1,010,000	1,008,680	99.9%	0.0%	0	1,010,000
85	Total	5,940,295	1,101,929	18.6%	1.0%	58,640	5,940,295
86	Community Services (3300)						
87	Salary	627,250	13,406	2.1%	1.5%	9,256	627,250
88	Benefits	169,818	9,413	5.5%	2.4%	4,079	169,818
89	Purchased Serv	347,727	14	0.0%	129.9%	61,981	47,727
90	Supplies/Util	168,872	8,682	5.1%	17.7%	12,209	68,872
91	Property	87,105	308	0%	2.2%	119	5,500
92	Other Objects	30,756	2,664	8.7%	2.6%	944	35,756
93	Desig. Fund Bal						
94	Total	1,431,528	34,487	2.4%	9.3%	88,588	954,923
86	Total Expenditures	100,213,377	5,401,137	1	0	3,188,417	99,567,102
95	Interfund Trans	0	0			1	1
96	Change Desig Fund Bal	0	0			1	0
97	Other/Budget Cuts	0	0			1	0
98	TOTAL EXPENDITURERS	0					0
99	M & O	100,213,377	5,401,137	5.39%	3.2%	3,188,420	99,567,103

MONTHLY FINANCIAL REPORT

June 30, 2020

		2020-21	2020-21	Current	Prev Bud		
	Description	Preliminary	YTD	Bud vs	vs	2019-20	2019-20
				Actual	Actual	YTD	Revised
				%	%		
	Percent of Year completed to date			100.0%	100.0%		
	Percent of 9 month contract complete			91.6%	91.6%		
100	School Activity Fund (21)						
101							
102	REVENUE:						
103	School Deposits	4,400,000	168,524	3.8%	3.6%	154,385	4,300,000
104							
105	Other		0			0	
106	Total Revenue	4,400,000	168,524	3.8%	3.6%	154,385	4,300,000
107	EXPENDITURES:						
108	Purchased Services	902,150	30,212	3.3%	7.3%	41,011	565,000
109	Supplies	2,882,850	145,656	5.1%	9.1%	303,670	3,319,253
110	Equipment	290,000	4,337	1.5%	2.6%	2,393	90,747
111	Desig/Other/Adm	325,000	14,827	4.6%	4.6%	14,951	325,000
112	Total Expenditures						
113	School Activity	4,400,000	195,032	4.4%	8.4%	362,025	4,300,000
114	DEBT SERVICE FUND (31)						
115							
116	REVENUE:						
117	Property Tax	2,805,364	0	0.0%	0.0%	0	2,805,364
118	Interest	105,750	402	0.4%	0.3%	564	165,000
119	Other						0
120	Total	2,911,114	402	0.0%	0.0%	564	2,970,364
121	Begining Bal	5,696,268	6,034,982			5,562,798	5,696,268
122	LESS:						
123	Ending Balance	6,034,982					6,034,982
124	Funds Available	4,530,220	3,213,784	70.9%	115.4%	5,563,362	4,820,132
125	EXPENDITURE:						
126	Bond Debt	3,927,162	2,819,100	71.8%	73.3%	2,812,250	3,837,000
127	Fees	150,000	2,500	0.0%	0.0%	0	9,500
128	Other Uses	0	0			0	0
129	Total	4,077,162	2,821,600	69.2%	73.1%	2,812,250	3,846,500

MONTHLY FINANCIAL REPORT

June 30, 2020

		2020-21	2020-21	Current Bud vs Actual	Prev Bud vs Actual	2019-20	2019-20
	Description	Preliminary	YTD	%	%	YTD	Revised
	Percent of Year completed to date			100.0%	100.0%		
	Percent of 9 month contract complete			91.6%	91.6%		
130	CAPITAL OUTLAY FUND (32)						
131							
132	REVENUE:						
133	Property Tax	11,105,000	0	0.0%	0.0%	0	11,983,675
134	Interest	500,000	0	0.0%	0.0%	0	575,000
135	Other	168,000	5,792	3.4%	0.0%	0	158,000
136	State	120,000	6,834			9,386	120,000
137	Federal /MBA	0	0			0	0
138	Ins./Prop.Recry	180,000	900	0.5%	0.0%	0	95,000
139	Total Revenue	12,073,000	13,526	0.1%	0.1%	9,386	12,931,675
140	Lease Revenue MBA		0			0	0
141	Other Sources(F50)	345,580	0			0	345,580
142	Desig. Fund Bal	0					0
143	TOTAL REVENUE CAPITAL						
144	OUTLAY	12,418,580	13,526	0.1%	0.1%	9,386	13,277,255
145	Beg. Balance	17,839,288					18,006,035
146	Less:						
147	Ending Balance	17,512,867					17,839,288
148	Capital Outlay Funds						
149	available	12,745,001	13,526	0.1%	0.1%	9,386	13,444,002

MONTHLY FINANCIAL REPORT

June 30, 2020

		2020-21	2020-21	Current	Prev Bud		
		Preliminary	YTD	Bud vs	vs	2019-20	2019-20
	Description			Actual	Actual	YTD	Revised
				%	%		
	Percent of Year completed to date			100.0%	100.0%		
	Percent of 9 month contract complete			91.6%	91.6%		
150	EXPENDITURES:						
151	Oper/Maint	0	0			0	
152	Other Equipment		0			0	
153	Purchased Services	55,000	0	0.0%	8.4%	2,928	35,000
154	Technology/Software	810,000	511,283	63.1%	20.5%	325,513	1,590,000
155	Improvement	1				0	1
156	Buildings Maint	2,300,000	834,363	36.3%	52.7%	1,001,100	1,900,000
157	Vehicles	1,180,000	0	0.0%	0.0%	0	1,200,000
158	Furniture/Equip	1,424,998	412,287	28.9%	82.3%	514,576	625,000
159	Other Objects	1	0	0.0%	84.9%	130,787	154,000
160	Vehicle charges	1	0			0	1
161	Total Capital	5,770,001	1,757,933	30.5%	35.9%	1,974,904	5,504,002
162	West Tremonton Elem/Ot	100,000	0	0.0%	0.0%	0	1
163	Other Proj	100,000	0	0.0%	0.0%	0	15,000
164	Sunrise High School	5,000,000	0	0.0%	0.0%	0	5,100,000
165	Brigham East Elem	800,000	0	0.0%	0.0%	0	400,000
166	HS Athletic Facilities	250,000	0	0.0%	0.0%	0	2,100,000
167	Property Purchase	400,000	0			0	0
168	Total Construction	6,650,000	0	0.0%	0.0%	0	7,615,001
169	Desig. F Bal						
170	MBA/Bond Fee/Fund 50	325,000	0	0.0%	0.0%	0	325,000
171	Other	0	0			0	0
172	TOTAL EXPENDITURES CAPITAL						
173	OUTLAY	12,745,001	1,757,933	13.8%	14.7%	1,974,904	13,444,003

MONTHLY FINANCIAL REPORT

June 30, 2020

		2020-21	2020-21	Current Bud vs Actual	Prev Bud vs Actual	2019-20	2019-20
	Description	Preliminary	YTD	%	%	YTD	Revised
	Percent of Year completed to date			100.0%	100.0%		
	Percent of 9 month contract complete			91.6%	91.6%		
174	SCHOOL FOOD SERVICE FUND (49)						
175							
176	REVENUE:						
177	Lunch Sales	1,395,000	0	0.0%	0.1%	929	1,350,000
178	Other Local	6,100	-100	-1.6%	0.0%	0	6,100
179	State	1,075,000	0	0.0%	0.0%	0	1,075,000
180	Federal	2,872,000	0	0.0%	0.0%	0	3,072,000
181	Other/Inventory Adj	0	0		0.0%	0	1
182	TOTAL REVENUE SCHOOL						
183	FOODS	5,348,100	-100	0.0%	0.0%	929	5,503,101
184	Beg. Balance	406,751					690,707
185	Less:						
186	Ending Balance	202,795					406,751
187	School Food Service Funds						
188	available	5,552,056	-100	0.0%	0.0%	929	5,787,057
189	EXPENDITURES:						
190	Salaries	2,190,899	16,532	0.8%	0.7%	15,785	2,190,899
191	Benefits	657,157	22,154	3.4%	0.7%	4,667	657,157
192	Food/Supplies	2,294,000	128,217	5.6%	4.0%	100,659	2,524,000
193	Equipment	60,000	0	0.0%	94.1%	111,045	118,000
194	Other Costs	50,000	699	1.4%	53.8%	1,075	2,000
195	Dir/Indirect Costs	300,000	0	0.0%	0.0%	0	295,000
196	TOTAL EXPENDITURES SCHOOL						
197	FOODS	5,552,056	167,602	3.0%	4.0%	233,231	5,787,056

MONTHLY FINANCIAL REPORT

June 30, 2020

		2020-21	2020-21	Current	Prev Bud		
	Description	Preliminary	YTD	Bud vs	vs	2019-20	2019-20
				Actual	Actual	YTD	Revised
	Percent of Year completed to date			%	%		
	Percent of 9 month contract complete			100.0%	100.0%		
198	Foundation Fund (75)						
199							
200	REVENUE:						
201	Total Revenue	80,000	245	0.3%	0.0%	0	80,000
202	Available Revenue	80,000	245	0.3%	0.0%	0	80,000
203	EXPENDITURE:						
204	Expenses	80,000	1,732	2.2%	9.8%	13,202	135,000
205	Changes/Desg Fund Bal	0					0
206	TOTAL EXPENDITURE	80,000	1,732	2.2%	9.8%	13,202	135,000
207	Agency Fund (76)						
208							
209	REVENUE:						
210	Agent Services	105,000	778	0.7%	1.7%	500	29,400
211	State	0	0			0	0
212	Federal	0					0
213	Other	7,000	0	0.0%	0.0%	0	18,331
214	TOTAL REVENUE/BB						
215	AGENCY FUND	112,000	778	0.7%	1.0%	500	47,731
216	EXPENDITURE:						
217	Instruction	0	-4,653			0	0
218	NUCC	105,000	0	0.0%	18.1%	6,500	35,899
219	Other	7,000	0	0.0%	2.9%	200	7,000
220	Changes/Desg Fund Bal	0					0
221	TOTAL EXPENDITURES						
222	AGENCY FUND	112,000	-4,653	-4.2%	15.6%	6,700	42,899
223							
224							
225			SUMMARY			SUMMARY	
226							
227	GRAND TOTAL FUNDS AVAILABLE						
228	ALL FUNDS	127,632,655	7,006,357	5.5%	9.7%	12,359,178	128,046,024
229	GRAND TOTAL EXPENDITURE						
230	ALL FUNDS	127,179,596	10,340,383	8.1%	6.8%	8,590,732	127,122,561

POLICY 3035

Employee Criminal Background Checks and Arrest Disclosure Requirements

- A. "Licensed Educators" or "Licensed Employees" are individuals who hold a valid Utah educator license and have satisfied all requirements to be a Licensed Educator in the Utah public school system or are on a Letter of Authorization from the Utah State Board of Education (USBE) (i.e., school teachers, school administrators, psychologists, counselors, specialists, etc.). Licensed Educators include individuals who are student teaching, who are involved in the alternative routes to licensure program, and individuals who hold District specific licenses.
- B. "Non-Licensed Employees" are all other employees of the District, except "Licensed Employees." Non-Licensed Employees include, but are not limited to, the "Classified Employees" in the District.
- C. "Criminal History Report" is a document generated by the Bureau of Criminal Identification after a search of the State of Utah's criminal history files and/or other state and federal databases designated by applicable law or by the District.
- D. "Background Check" means information on an applicant or employee that may include, but is not limited to, Criminal History Reports and driving record reports.
- E. Employment Screening
 - 1. Utah law requires Background Checks on all prospective employees (i.e., the individual who is selected as the "successful applicant" for a particular job position in the District), substitutes and coaches (herein referred to cumulatively as the "prospective employee") [Utah Admin. Rules R277-516](#). Accordingly, the District requires each prospective employee to submit to a background check prior to employment or service in the District.
 - 2. At the time a prospective employee makes application for employment with the District, such prospective employee shall fill out an employment application providing the following warning:
 - a. "All references stated in this application will be checked by the School District and it is the policy of this School District that false information will be grounds for rejecting your application with no further consideration for the position; or, if such false information is discovered after hire, you may be subject to immediate

termination for cause. Any false information may also be the grounds for criminal prosecution."

3. All Employees seeking employment with the District shall provide personal identifying information including: current name, former names, nicknames, and aliases, date of birth, address, telephone number, driver license number or other government issued identification number, social security number and fingerprints.
4. All employees seeking employment with the School District shall sign a written release, waiver and authorization which authorize the School District to request information from the prospective employee's past three employers and supervisors. The release, waiver and authorization shall also authorize the School District to contact former employers to obtain a reference check and to conduct a background search into the employee's criminal record, if any, or any other background check as the School District deems necessary to satisfy itself of the quality and competence of the prospective employee's credentials.
5. The prospective employee shall pay the cost of the background check.
6. The District shall consider only those convictions which are job-related. The prospective employee shall have opportunity to respond to any information received as a result of the background check.
7. If a current employee is dismissed from employment because of information obtained through a background check, the person shall receive written notice of the reasons for dismissal and shall have an opportunity to respond to the reasons for the dismissal.
8. Each current employee and prospective employee must agree to have his/her fingerprints taken and sign a document of acknowledgment and waiver permitting the District to request a background check of any state or federal criminal history file that the District might deem applicable as a condition of employment.
9. The district shall, for each non-licensed employee and volunteer who will be given significant unsupervised access to a student in connection with the volunteers assignment, collect personal identifying information including: current name, former names, nicknames and aliases, date of birth, address, telephone number, driver license number or other government issued identification number, social security number and fingerprints and submit that personal identifying information to the Bureau of Criminal Identification within the Department of Public Safety.

[Utah Code § 53G-11-402 \(2018\)](#)
[Utah Admin. Rules R277-520-8](#)

[Utah Admin. Rules R277-516-4](#)

F. Licensed Employees - Background Checks

1. The USBE will conduct background checks for all licensed employees in the year in which their license is to be renewed. The employee shall pay the cost of the background check.

G. Licensed Employees - Reporting of Arrests and Convictions

1. A Licensed Educator who is arrested for any of the following alleged offenses shall report the arrest within forty-eight (48) hours or as soon as possible to the Superintendent or his/her designee:
 - a. Any matters involving arrests for alleged sex offenses;
 - b. Any matters involving arrest for alleged drug-related offenses;
 - c. Any matter involving arrests for alleged alcohol-related offenses;
 - d. Any matters involving arrests for alleged offenses against the person under [Utah Code § 76-5](#), Offenses Against the Person. This Title and Chapter includes, but is not limited to, crimes where a person has assaulted, harassed, abused, neglected, exploited, endangered, kidnapped, murdered, trafficked, raped, sexually assaulted, etc., another person(s); and
 - e. Any matters relating to arrests for violations of the vehicle code for employees who drive motor vehicles as an employment responsibility.
2. A Licensed Educator shall report convictions, including pleas in abeyance and diversion agreements, within forty-eight (48) hours or as soon as possible upon receipt of notice of the conviction, plea in abeyance, or diversion agreement.
3. A Licensed Educator will be immediately suspended from student supervision responsibilities for alleged sex offenses and other alleged offenses which may endanger students during the period of investigation.
4. A Licensed Educator will be immediately suspended from transporting students or driving a public education vehicle for alleged offenses involving alcohol or drugs during the period of investigation.
5. The District will provide adequate due process for the accused employee consistent with [Utah Admin. Rules R277-516](#) and applicable administrative procedures established by the District.

6. The Superintendent or his/her designee shall report a conviction, arrest, or offense information received from a Licensed Educator to the USBE.
7. Records of arrests and convictions shall be placed in the employee's personnel file upon receipt by the District and will:
 - a. Include final administrative determinations and actions following investigation; and
 - b. Be maintained only as necessary to protect the safety of students and/or employees and with strict requirements for the protection of confidential employment information.

H. Non-Licensed Employees - Background Checks

1. The District shall conduct periodic background checks for all non-licensed employees every five (5) years. The employee shall pay the cost of the background check.

I. Non-Licensed Employees - Reporting of Arrests and Convictions

1. A Non-Licensed Employee who is arrested for any of the following alleged offenses shall report the arrest within forty-eight (48) hours or as soon as possible to the Superintendent or his/her designee:
 - a. Any matters involving arrests for alleged sex offenses;
 - b. Any matters involving arrests for alleged drug-related offenses;
 - c. Any matters involving arrests for alleged alcohol-related offenses;
 - d. Any matter involving arrests for alleged offenses against the person under Utah Code Ann. Title 76, Chapter 5, Offenses Against the Person. This Title and Chapter includes, but is not limited to, crimes where a person has assaulted, harassed, abused, neglected, exploited, endangered, kidnapped, murdered, trafficked, raped, sexually assaulted, etc., another person(s); and
 - e. Any matters relating to arrests for violations of the vehicle code for employees who drive motor vehicles as an employment responsibility.
2. A Non-Licensed Employee will be immediately suspended from student supervision responsibilities for alleged sex offenses and other alleged offenses which may endanger students during the period of investigation.

3. A Non-Licensed Employee will be immediately suspended from transporting students of driving a public education vehicle for alleged offenses involving alcohol or drugs during the period of investigation, and where reasonable cause exists, an existing employee must submit to a background check.
4. The District will provide adequate due process for the accused employee consistent with [Utah Admin. Rules R277-516](#) and applicable administrative procedures established by the District.
5. The Assistant Superintendent over Personnel shall review arrest information and make employment decisions that protect both the safety of students and/or employees and the confidentiality and due process rights of employees.
6. Records of arrests and convictions shall be placed in the employee's personnel file upon receipt by the District and will:
 - a. Include final administrative determinations and actions following investigation; and
 - b. Be maintained only as necessary to protect the safety of students and/or employees and with strict requirements for the protection of confidential employment information.
- J. When arrest/conviction information is received by the District regarding a Licensed Employee, the Superintendent or his/her designee shall review that information and assess the employment status consistent with [Utah Code § 53E-6-604](#), [Utah Admin. Rules R277-515](#) and District policy. The District will also report the arrest to the USBE within forty-eight (48) hours.
- K. When arrest/conviction information is received by the District regarding a Non-Licensed Employee, the Superintendent or his/her designee shall review that information and assess the employee's employment status while considering the Non-Licensed Employee's employment status consistent with applicable Utah law, rules, and regulations, District policy, and any applicable Employment Agreements or Memorandums of Understanding.
- L. Where reasonable cause exists, a current employee may be required to submit to fingerprinting and a criminal background check at the Board's expense prior to the intervallic background check.
- M. An administrator may obtain any information in the possession of the State Office of Education that is relevant to evaluating the employment of a current or prospective

employee of the school. If a decision is made not to hire a prospective employee or to take action against a current employee based upon such information, the individual affected shall be given notice of the information and be provided an opportunity to refute or respond to the information. An administrator who, in good faith, discloses or receives information under this section is exempt from civil liability relating to that receipt or disclosure.

N. The District shall cooperate with the USBE in investigations of Licensed Educators.

References:

[Utah Code § 53E-6-401](#)

[Utah Code § 76-5, Offenses Against the Person](#)

[Utah Admin. Rules R277-516](#)

POLICY 3045

Retirement: Purchase of Insurance Benefits

- A. The Box Elder School District will allow any employee, qualifying for benefits under the district's retirement policies, to purchase additional years of health insurance coverage according to and within the limits of the following:
1. The retiring employee may purchase health insurance until the employee becomes eligible for Medicare.
 2. To be eligible to participate as a retiree, the retiree must have fully participated in the District's health insurance program for five (5) years immediately preceding retirement.
 3. Payment for health insurance must be pre-paid prior to the anniversary date of insurance coverage for any given year.
 4. The decision to purchase additional years of health insurance must be made on or before the date the employee retires.
 5. Provision of additional years of health insurance will commence immediately upon the completion of any years of coverage under the District's retirement policies.
 6. The retiree will be responsible to pay his/her share of the health insurance premium at the same rate charged to the District by the insurance carrier as an active employee.
 7. Failure of the retired employee to submit payment for premiums will result in cancellation of all health insurance coverage held by the retired employee, and the rights to coverage under this policy will be terminated

POLICY 4100

Homework

- A. The assigning of homework is encouraged at both the elementary and secondary levels. Homework should be coordinated among teachers, and related to the academic goals of each course. Homework should not be given simply to provide additional drill time. Instead, it should require thought, intellectual effort, and the competent demonstration of learned skills.
- B. The Objectives of homework are to:
1. Supplement and support classroom experiences.
 2. Reinforce learning through practice, integration and application.
 3. Develop initiative, responsibility, and self-direction through independent effort.
 4. Foster parents' awareness of their child's learning activities.
- C. Guidelines for Teachers
1. Homework should be directly correlated with classroom instruction on standards and objectives from the Utah State Core Curriculum. It should be appropriate in terms of both quantity and quality.
 2. Students should clearly understand the specific objectives, related purposes, processes, and due date of each homework assignment. To help students schedule their homework, they should be notified of the assignment as far in advance as possible. Term papers and long-range projects must be assigned far enough in advance to allow students time for completion.
 3. Homework should be reviewed promptly so students can receive specific and regular feedback on assignments completed.
 4. Homework assignments should be made based upon the individual needs of students.
 5. Principals are responsible to work with the teaching staff to establish school level homework policies and coordinate among teachers to insure that homework is appropriate in terms of quantity and content.

POLICY 1036

Conflict of Interest: Board Member and Employee

A. Purpose: The purpose of this policy is to set forth standards of conduct for board members and employees of the Box Elder District in areas where there are actual or potential conflicts of interest between their public duties and their private interests. This policy is intended to strengthen public confidence in the district and its employees. The policy is based on state law, [Utah Code § 67-16](#).

B. Holding Public Office

1. District employees may not serve as members of the Board. District employees may serve as members of the governing bodies of other school districts (other than those in which they are employed), cities, towns, or other local governmental districts.

[Utah Code § 20A-14-202\(4\) \(2019\)](#)

C. School Supplies

1. Employees may provide goods or services to the District consistent with State Procurement ([Utah Code 63G-6a-506](#) and [Utah Admin. Code R33-5](#)) and this policy. If a District or school administrator solicits a project from an employee, documentation of the project shall include at least one phone quote for a comparable product, if possible, and the employee shall complete the project using his own equipment and time. In the alternative, and if appropriate, a District/school administrator may include the project in the employee's scope of work, may pay a reasonable stipend for the extra work, and the employee may use school equipment and/or time to complete the project.
2. The District/school administrator must always consider if the project is readily available from a local business at a comparable price before requesting the product from the employee.
3. In making these decisions, both administrator and employee must act consistent with the Public Officers' and Employees' Ethics Act, [Utah Code 67-16](#).

D. Private, Controlled, or Protected Information

1. District employees may not:

- a. Accept employment or engage in any business or professional activity that the employee might reasonably expect would require or induce the employee to improperly disclose controlled information that the employee has gained by reason of the employee's position.
- b. Disclose or improperly use controlled, private or protected information acquired by reason of the employee's official position or in the course of official duties for the employee's or another's private gain or benefit.
- c. Use or attempt to use the employee's position with the District to substantially further the employee's economic interest or to secure special privileges or exemptions for the employee or others.
- d. Accept other employment that the employee might expect would impair the employee's independence of judgment in performing the employee's public duties.
- e. Accept other employment that the employee might expect would interfere with the ethical performance of the employee's duties.

[Utah Code § 67-16-4 \(2018\)](#)

E. Accepting Gifts, Compensation or Loan

1. No District employee shall knowingly receive, accept, take, seek, or solicit, directly or indirectly, any gift, compensation, or loan for the employee or another if:
 - a. It would tend to influence someone in the employee's position in the discharge of employment duties;
 - b. The employee knows or someone in the employee's position should know it is a reward for the employee's action; or
 - c. The employee recently has been, or is now, or in the near future may be involved in any governmental action directly affecting the donor or lender, unless a disclosure of the gift, compensation, or loan and other relevant information has been made in the manner provided below captioned "Receiving Compensation for Assistance in Transaction Involving a State Agency."
2. This section does not apply to the following:
 - a. An occasional non-pecuniary gift having a value of not in excess of \$50.00;
 - b. An award publicly presented in recognition of public services;

- c. Any bona fide loan made in the ordinary course of business by an institution authorized by the laws of this state or any other state to engage in making such loans.
- d. A political campaign contribution if the contribution is actually used in a political campaign of the recipient District employee.

Utah Code § 67-16-5 (2014)

F. Receiving Compensation for Assistance in Transaction

a. Involving a State Agency

- 1. No District employee shall receive or agree to receive compensation for assisting any person or business entity in any transaction involving a state agency unless the District employee files with the superintendent, the state attorney general's office, and the head of the agency with which the transaction is being conducted a sworn written statement containing the following information:
 - a) The name and address of the employee.
 - b) The name of the District.
 - c) The name and address of the person or business entity being or to be assisted.
 - d) A brief description of the transaction as to which service is rendered or is to be rendered and of the nature of the service performed or to be performed.
- 2. The sworn statement shall be filed within 10 days after the date of any agreement between the District employee and the person or business entity being assisted or the receipt of compensation, whichever is earlier.

Utah Code § 67-16-6 (2014)

G. ~~No member of the Board of Education or any employee of the Box Elder School District shall:~~

- ~~1. Improperly disclose confidential information acquired by reason of his or her official position or use such information for his or her or another's private gain or benefit;~~
- ~~2. Use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others;~~

- H. A written statement shall be filed annually with the superintendent by all board members, superintendent, business administrator, facilities administrator, coordinators of school lunch, purchasing and transportation, and any other district employee who:
 - 1. Accepts other employment that he or she might expect would impair his or her independence of judgment in the performance of his or her public duties; or would interfere with the ethical performance of his or her public duties.
 - 2. Accepts any gift, compensation, or loan that comes because of past, present, or future action directly affecting the donor. (An award publicly presented in recognition of public services or a non-pecuniary gift of less than \$50.00 value is not prohibited.)
 - 3. Initiates business dealings on behalf of the district with any business or individual from whom the board member or employee receives compensation or gifts in any form.
- I. Statements filed with the superintendent under "C" above, shall be signed by the board member or district employee and contain:
 - 1. The name and address of the board member or district employee involved;
 - 2. The name and address of the person or business entity with whom a conflict of interest may exist;
 - 3. A brief description of the board member's or employee's involvement or interest with the individual or business entity named.
- J. The statement shall be filed within ten days or the earlier of:
 - 1. The date of any agreement between the board member or district employee and the person or business entity being assisted or;
 - 2. The receipt of compensation from that entity.
- K. The statement is public information and shall be available for examination by the public.
- L. Penalties for violation of this policy may include removal from office, dismissal from employment, and/or criminal prosecution. Additionally, the school district may rescind or void any contract or subcontract entered into as a result of actions prohibited under this policy, and do so without returning any part of the consideration that the district may have received.

POLICY 3000

Employment: Nondiscrimination

- A. The district shall not, because of an individual's race, color, sex, pregnancy or pregnancy related conditions; age; if the individual is 40 years of age or older; religion; national origin; disability or handicap; sexual orientation; or gender identity:
1. Refuse to hire or to promote, discharge, demote, terminate, retaliate against or harass any otherwise qualified individual; or
 2. Discriminate against an otherwise qualified individual with respect to compensation or in terms, privileges, or conditions of employment.

[Utah Code § 34a-5-106\(1\)\(a\)\(i\) \(2016\)](#)

- B. An individual is not considered "otherwise qualified" unless the individual has the education, training, ability, with and without reasonable accommodation; moral character, integrity, disposition to work, adherence to reasonable rules and regulations, and other bona fide job-related qualifications required by the district for the particular job, job classification, or position to be filled or created.

[Utah Code § 34a-5-106\(1\)\(a\)\(ii\) \(2016\)](#)

C. District Policy

1. The Board of Education of the Box Elder School District does not discriminate on the basis of sex in its programs and activities and is required by Title IX and [34 CFR Part 106](#) not to discriminate on the basis of sex, including but not limited to such discrimination in employment and in admission.
2. Notice of the policy shall be given to all applicants for employment, to all employees, and to all employee associations and shall be included in any employee handbooks. Questions about rights under Title IX and about the application of Title IX to the District can be directed to the Title IX Coordinator identified in this policy or to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

[34 CFR § 106.8\(b\)\(1\)](#)
[20 U.S.C. § 1701-21](#)

3. The District encourages all victims of sex discrimination and persons with knowledge of sex discrimination to immediately report that to the Title IX Coordinator or an

administrator. All complainants have the right to be free from retaliation of any kind. Complaints relating to sexual harassment (one form of sex discrimination) are addressed under [Policy 5275 Sexual Harassment](#) and [Policy 5005 Safe Schools – Student Behavior](#). Complaints regarding other types of sex discrimination may be addressed through the grievance procedures set out in Policy 3043 Redress of Grievances (for employees) and [Policy 5350 Student Complaints - Resolution](#) (for students).

[34 CFR § 106.8\(c\)](#)

- ~~D. The prohibition against discrimination on the basis of age shall be limited to individuals who are at least forty years of age.~~
- E. The District may not refuse to hire, promote, discharge, demote, or terminate any individual, or may not retaliate against, harass, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against an individual otherwise qualified because the individual breastfeeds or expresses milk in the workplace.

[Utah Code § 34-49-204 \(2015\)](#)

- F. The Assistant Superintendent for Personnel Services is the designated person to coordinate efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973 and Title IX of the Education Amendments of 1972. The district shall notify all employees of the office address and telephone number of the above named individual.

[34 CFR § 106.8\(a\)](#)

- G. "Handicapped person" means any person who has a record of, is regarded as having, or has a physical or mental impairment that substantially limits one or more of life's major activities. A "qualified handicapped person" is a person that, with reasonable accommodations, can perform the essential functions of the job in question. Employees or prospective employees have the responsibility of notifying the district personnel office of need for reasonable accommodations.

[29 U.S.C. § 705\(20\)](#)

[34 CFR § 104.3](#)

- H. "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- I. "Regarded as having an impairment" means:

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

J. "Physical or mental impairment" means:

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

K. "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, communicating, standing, eating, lifting, reading, concentrating, thinking, sleeping, bending, and others.

L. The following are not included in the definition of an "individual with a disability" or a "handicapped person":

1. A person whose current use of illegal drugs prevents the performance of job responsibilities or constitutes a direct threat to the property or safety of others.
2. A person who is an alcoholic whose current use of alcohol prevents the person from performing the duties of the job in question or whose employment, by reason of such current alcohol abuse, would constitute a direct threat to the property or safety of others.
3. A person who has a currently contagious disease or infection and who therefore would constitute a direct threat to the health or safety of other individuals, or who therefore is unable to perform the duties of the job.

[29 USC § 705\(20\)\(C\)\(i\), \(iv\), \(D\)](#)

M. The Board shall not require an employee to reside within the district as a condition of employment.

- N. No person shall be denied employment in the district by reason of membership or non-membership in any labor organization, labor union or any other type of association.
- O. If any employee of the district knows of or has reason to believe that another employee is being harassed at the workplace by others on the grounds of race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 year of age or older; religion; or national origin; disability or handicap; sexual orientation; or gender identity, then the employee must promptly report such harassment to the Superintendent or Board. The report shall be made confidentially and the Superintendent or Board shall maintain the confidence of any report of such harassment.
- P. The District will take appropriate continuing steps to notify applicants and employees that it does not discriminate on the basis of disability in violation of [Section 504 of the Vocational Rehabilitation Act of 1973](#) and its implementing regulations. The notification shall include identification of the designated coordinator.
- Q. Within the discretion of the Board, any employee may be terminated for cause, suspended with or without pay or placed on probation for engaging in any form of harassment of another employee on the grounds of race; color; sex; pregnancy, childbirth or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability or handicap; sexual orientation; or gender identity.

Baker v. Weyerhaeuser Co., 903 F.2d 13242 (10th Cir. 1990)

POLICY 3007

Employment – Staff Code of Conduct

A. Definitions

1. Abuse

- a. “Physical abuse” means abuse that results in physical injury or damage.
- b. “Sexual abuse” has the same meaning as defined in [Utah Code § 78A-6-105\(51\)](#).
- c. “Verbal abuse” means repeatedly communicating in an objectively demeaning or disparaging manner which creates a hostile, intimidating, abusive, offensive, or oppressive learning environment.
- d. “Mental abuse” means a pattern of sustained and repetitive acts or inappropriate statements that cause fear, lower self-esteem, or manipulate the person to control behavior. Examples of actions or statements that could be part of such a pattern include intimidation, threatening harm, destruction of property, insults or putdowns, arbitrary and unpredictable inconsistency, and denial that prior abusive incidents occurred. (Appropriate statements or actions taken in imposing discipline for misconduct do not constitute mental abuse.)

[Utah Code § 78A-6-105\(40\), \(48\) \(2018\)](#)

Utah Admin. Rule R277-217-3(3) (February 7, 2020)

2. “Boundary violation.” A boundary violation occurs when a staff member crosses verbal, physical, emotional, or social lines that must be maintained to ensure structure, security, and predictability in an educational environment. Depending on the circumstances, the following may constitute a boundary violation:
 - a. Isolated, one-on-one interactions with students out of the line of sight of others;
 - b. Meeting with a student or students in rooms with covered or blocked windows;
 - c. Telling risqué jokes to or in the presence of a student;
 - d. Employing favoritism to a student;
 - e. Giving a gift to an individual student;

- f. Staff-initiated frontal hugging or other uninvited touching;
 - g. Photographing an individual student for a non-educational purpose or use;
 - h. Engaging in inappropriate or unprofessional conduct outside of educational program activities;
 - i. Exchanging personal email or phone numbers with a student for a non-educational purpose or use;
 - j. Interacting privately with a student through social media, computer, or handheld devices; and
 - k. Discussing the staff member's personal life or personal issues with a student.
3. It is NOT a boundary violation to:
- a. Offer praise, encouragement, or acknowledgement;
 - b. Offer rewards available to all who achieve;
 - c. Ask permission to touch for necessary purposes;
 - d. Give a pat on the back or a shoulder;
 - e. Give a side hug;
 - f. Give a handshake or "high five";
 - g. Offer warmth and kindness;
 - h. Use public social media alerts to groups of students and parents; or
 - i. Engage in contact permitted by an IEP or 504 plan.
4. It is not a boundary violation when a student acts or speaks in inappropriately familiar ways with a staff member without having been prompted to do so by the staff member, but such incidents must be promptly documented and reported to the staff member's supervisor or the building principal and the student should be given guidance on proper student-staff relationships as directed by the supervisor or principal.

5. "Bullying" means the same as that is defined by Policy 3010.
6. "Cyberbullying" means the same as that is defined by Policy 3010.
7. "Neglect" has the same meaning as defined in [Utah Code § 78A-6-105\(36\)](#).
 - a. The term "parent" means the natural or adoptive or step or foster parent of a child or legal guardian who acts in the place of a parent.

[Utah Code § 78A-6-105\(36\) \(2018\)](#)

8. "Staff" means an employee or any contractor or volunteer with unsupervised access to students.

[Utah Admin. Rule R277-322-2\(2\) \(August 19, 2019\)](#)

B. Professional Conduct

1. District staff are expected to comply with all District policies and to adhere to all requirements of the law. District staff are further expected to act professionally. This includes communicating in a civil manner and not promoting personal opinions, issues, or political positions as part of the instructional process in a manner inconsistent with law. It further includes integrity and honesty in relationships with others and conducting any financial business and accounting for funds honestly and with integrity. District staff are expected to comply with appropriate dress and grooming standards as established by District policy, supervisor directives, and generally accepted professional standards. District employees are required to report arrests and convictions as provided for in [Policy 3035 Employee Criminal Background Checks & Arrest Disclosure Requirements](#).

Utah Admin. Rules R277-217-2, -3, -4, and -5 (February 7, 2020)

2. District staff are prohibited from being under the influence of, using, possessing, or distributing any alcoholic beverage, tobacco product (including electronic cigarettes), or controlled substance at school or at a school-related activity where the staff member is functioning as such, as outlined in [Policy 3070 Alcohol and Drug Abuse: Employees](#). **District staff are prohibited from providing alcohol or unauthorized drugs to students or from allowing students under the supervision or control of the staff member to use alcohol or unauthorized drugs.** District staff are further expected to support District efforts to reduce inappropriate drug use and alcohol or tobacco use among students.

Utah Admin. Rules R277-217-2(10) to (12) (February 7, 2020)

3. District staff are prohibited from knowingly viewing, ~~or~~ accessing, or possessing pornographic or indecent material in any form (print, electronic, or otherwise) while on school premises or at a school-related activity or by using District devices, internet access, or other resources. District staff may not knowingly use, view, create, distribute, or store pornographic or indecent material involving children at any time.

[Utah Admin. Rule R277-495-4\(1\)\(c\) \(April 8, 2019\)](#)

Utah Admin. Rule R277-217-2(16) to (18) (February 7, 2020)

[Utah Code § 76-10-1235 \(2007\)](#)

C. Professional and Ethical Relationships with Students

1. District staff are to comport themselves in a way that contributes to maintaining and fostering a positive, effective, non-disruptive and safe learning environment for students. This includes maintaining professional and appropriate demeanor and relationships with students, both during and outside of school hours and on and off campus **and through in-person and electronic interactions (through devices or social media)**. This also includes respecting appropriate intrapersonal boundaries in interacting with students and avoiding behavior that could reasonably lead to the appearance of impropriety.
2. Staff are prohibited from engaging in the following conduct towards students:
 - a. Abuse (physical, sexual, verbal or mental, as defined above);
 - b. Bullying, cyberbullying, harassment (including sexual harassment), or hazing;
 - c. Discrimination based on race, ethnicity, gender, sexual orientation, religion (or lack of religious affiliation or belief), or disability;
 - d. Boundary violations;
 - e. Sharing any sexually explicit or lewd communication, image, or photograph;
 - f. Allowing students in their homes for a school-related social activity without prior written permission of the principal;
 - g. Dating or any type of romantic or sexual relationship or conduct;
 - h. Requests for sexual activity or sexually suggestive comments; or

- i. Touching a student in a way that makes a reasonably objective student feel uncomfortable.

Utah Admin. Rule R277-217-2(4) to (7), (22), (23) (February 7, 2020)
[Utah Admin. Rule R277-322-2\(3\) \(August 19, 2019\)](#)
[Utah Admin. Rule R277-322-3-\(3\)\(a\) to \(j\) \(August 19, 2019\)](#)
[Utah Code § 63G-7-301\(3\)\(a\)\(i\), \(b\) \(2020\)](#)

3. The foregoing prohibitions apply to staff interaction with any student presently enrolled in the District and to staff interaction with any student who was enrolled in the District within the time period two (2) years before the conduct in question.

Flaskamp v. Dearborn Public Schools, 385 F.3d 935, 944 (6th Cir. 2004).

4. The District recognizes that in circumstances where a staff member and a student have a relationship which is independent of and does not arise out of the school context, interactions which would be a boundary violation in the absence of that independent relationship may not constitute a boundary violation. (Examples of such independent relationships include where the staff member and student are family members or otherwise closely related or where the staff member and student are both affiliated with a non-school organization and the interaction relates to or arises out of that relationship.) The other prohibitions listed above apply regardless of the existence of an independent, non-school relationship.
5. Violation of any of the prohibitions of this policy is grounds for employee disciplinary action up to and including termination of employment and for action up to and including termination of the District's relationship with a contractor or volunteer.

D. Reporting Requirements

1. Staff members are required to promptly report any suspected incidents of abuse (physical, verbal, sexual, or mental) or neglect, including suspected incidents of child abuse as provided in [Policy 5090 Child Abuse/Sexual Abuse and Human Trafficking Prevention Training and Reporting](#). Staff members are also required to report incidents of student prohibited acts under [Policy 5280 Student Discipline – District Program](#), which includes hazing and demeaning or assaultive behavior. Staff members shall also report incidents of bullying, cyberbullying, and harassment.

[Utah Admin. Rule R277-322-3\(3\)\(c\), \(k\)\(i\) \(August 19, 2019\)](#)
[Utah Code § 53G-9-203 \(2019\)](#)
[Utah Code § 62A-4a-403 \(2018\)](#)

2. Staff members are also required to report any instance of violation of this Code of Conduct policy, including but not limited to instances of sexual harassment as provided by [Policy 5275 Sexual Harassment](#). If a staff member becomes aware that a student has initiated any interaction with a staff member which would be improper or inappropriately familiar, the staff member must promptly document and report that incident.

[Utah Admin. Rule R277-322-3\(4\)\(a\) \(August 19, 2019\)](#)

3. Staff members should report any instances where the staff member knows or has reason to believe that a staff member holding a Utah educator or administrative license has violated the Utah Educator Standards.

[Utah Admin. Rule R277-322-3\(4\)\(a\) \(August 19, 2019\)](#)

E. Reporting Procedures

1. Reports required under this Code of Conduct shall be made as follows: Reports regarding child abuse or neglect shall be made according to [Policy 5090](#). Reports regarding sexual harassment shall be made according to [Policy 5275](#). Other reports required by this Code of Conduct shall be made to the staff member's immediate supervisor or the building principal. However, if the person who would receive the report is the person whose conduct is in question, the report will be made instead to that person's supervisor.

[Utah Admin. Rule R277-322-3\(3\)\(k\)\(i\), \(4\) \(August 19, 2019\)](#)

F. Training

1. Each staff member must, ~~at least every other year annually,~~ read and sign [Policy 5090](#) (regarding reporting of suspected child abuse) and any other policies relating to identifying or documenting child abuse.

[Utah Admin. Rule R277-322-3\(3\)\(k\)\(ii\) \(August 19, 2019\)](#)

2. Each staff member must, at the time of initial employment and ~~annually at least every other year~~ thereafter, be trained on the requirements of this policy and must at the time of each training sign a statement acknowledging that the staff member has read and understands this ~~policy code of conduct~~.

[Utah Code § 63G-7-301\(3\)\(b\) \(2020\)](#)

[Utah Admin. Rule R277-322-3\(5\) \(August 19, 2019\)](#)

3. Each staff member who is either an employee or a contractor must, ~~at least every other year,~~ **annually** attend sexual abuse and human trafficking prevention training as provided for under [Policy 5090](#).

[Utah Admin. Rule R277-322-3\(3\)\(k\)\(iii\) \(August 19, 2019\)](#)
[Utah Code § 53G-9-207 \(2019\)](#)

4. Each staff member who holds a Utah educator or administrative license shall become and remain familiar with the professional standards set forth in Utah Administrative Rule R277-217.

G. Public Notice of Code of Conduct

1. This policy shall be posted on the District's website.

[Utah Admin. Rule R277-322-3\(3\) \(August 19, 2019\)](#)

POLICY 3010

Employee Bullying and Hazing

A. Definitions

1. "Abusive conduct" means verbal, nonverbal, or physical conduct of a parent or student directed toward a school employee that, based on its severity, nature, and frequency of occurrence, a reasonable person would determine is intended to cause intimidation, humiliation, or unwarranted distress.
2. ~~Bullying: In general, bullying is aggressive behavior that is intended to cause distress and harm, exists in a relationship where there is an imbalance of power and strength, and is repeated over time. Bullying includes relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation. As specifically defined in this policy,~~ "Bullying" means intentionally committing a written, physical, or verbal act against a school employee or student that a reasonable person under the circumstances should know or reasonably foresee will have one of the following effects:
 - a. Causing physical or emotional harm to the school employee or student;
 - b. Causing damage to the school employee or student's property;
 - c. Placing the school employee or student in reasonable fear of:
 - 1) Harm to the school employee's or student's physical or emotional well-being;
or
 - 2) Damage to the school employee's or student's property.
 - d. Creating a hostile, threatening, humiliating, or abusive educational environment due to:
 - 1) The pervasiveness, persistence, or severity of the actions; or
 - 2) A power differential between the bully and the target; or
 - e. Substantially interfering with a student having a safe school environment that is necessary to facilitate educational performance, opportunities, or benefits.

- f. The foregoing conduct constitutes bullying regardless of whether the person against whom the conduct is committed directed, consented to, or acquiesced in the conduct.
3. "Communication" means the conveyance of a message, whether verbal, written, or electronic.
 4. "Cyberbullying" means:
 - a. Using the internet, a cell phone, or another device to send or post text, video, or an image with the intent or knowledge, or with reckless disregard, that the text, video, or image will hurt, embarrass, or threaten an individual, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication.
 - b. In addition, any communication of this form that is generated off-campus but causes or threatens to cause a material and substantial disruption at school or interference with the rights of students to be secure may also be considered cyberbullying.
 5. "Hazing" means a school employee intentionally, knowingly, or recklessly committing an act or causing another individual to commit an act toward a school employee or student that:
 - a. Meets one of the following:
 - 1) Endangers the mental or physical health or safety of a school employee or student; or
 - 2) Involves any brutality of a physical nature, including whipping, beating, branding, calisthenics, bruising, electric shocking, placing of a harmful substance on the body, or exposure to the elements;
 - 3) Involves consumption of any food, alcoholic product, drug, or other substance or other physical activity that endangers the mental or physical health and safety of a school employee or student; or
 - 4) Involves any activity that would subject a school employee or student to extreme mental stress, such as sleep deprivation, extended isolation from social contact, or conduct that subjects a school employee or student to extreme embarrassment, shame, or humiliation; and either

- b. Is committed for the purpose of initiation into, admission into, affiliation with, holding office in, or as a condition for membership in a school or school sponsored team, organization, program, club or event; or
- c. Is directed toward a school employee or student whom the individual who commits the act knows, at the time the act is committed, is a member of, or candidate for membership in, a school or school sponsored team, organization, program, club, or event in which the individual who commits the act also participates.

The conduct described in above constitutes hazing, regardless of whether the school employee or student against whom the conduct is committed directed, consented to, or acquiesce in, the conduct.

[Utah Admin. Rules R277-613-2 \(May 26, 2020\)](#)

[Utah Code § 76-5-107.5 \(2011\)](#)

[Utah Code § 53G-9-601\(1\) to \(5\) \(2019\)](#)

- 6. "Incident" means one or more infractions committed by a student or a group of students acting in concert, and the same time and place

[Utah Admin. Rules R277-613-2 \(May 26, 2020\)](#)

- 7. "Infraction" means an act of prohibited behavior.

[Utah Admin. Rules R277-613-2 \(May 26, 2020\)](#)

- 8. "Retaliate" means an act or communication intended:

- a. as retribution against a person for reporting bullying, cyberbullying, abusive conduct, or hazing; or
- b. to improperly influence the investigation of, or the response to, a report of bullying, cyberbullying, abusive conduct, or hazing.

[Utah Code § 53G-9-601\(8\) \(2019\)](#)

- 9. "School Employee" means:

- a. school administrators, teachers, and staff members, as well as others employed or authorized as volunteers, directly or indirectly, by the school, school board, or school district and who works on a school campus.

[Utah Code § 53G-9-601\(10\) \(2019\)](#)

B. Bullying Prohibited

1. No school employee may engage in bullying of a student or of a school employee.
2. School employees who engage in bullying are in violation of this policy and verified ~~violations~~ **infractions** shall result in disciplinary action up to and including termination.
3. Anonymous reports of bullying alone cannot constitute the basis for formal disciplinary action.
4. The school or District may also report ~~violations of this policy~~ **infractions** to law enforcement.

[Utah Code § 53G-9-605 \(2019\)](#)

[Utah Admin. Rules R277-613-4\(1\)\(a\) \(May 26, 2020\)](#)

C. Hazing and Cyberbullying Prohibited

1. No school employee may engage in hazing or cyberbullying of a student or of a school employee at any time or at any location.
2. School employees who engage in hazing or cyberbullying are in violation of this policy and verified ~~violations~~ **infractions** shall result in disciplinary action up to and including termination.
3. The school may also determine to break up or dissolve a team, organization, or other school sponsored group for hazing violations by its members.
4. Anonymous reports of hazing or cyberbullying alone cannot constitute the basis for formal disciplinary action.
5. The school or district may also report ~~violations of this policy~~ **infractions** to law enforcement.

[Utah Code § 53G-9-605 \(2019\)](#)

[Utah Admin. Rules R277-613-4\(1\)\(a\) \(May 26, 2020\)](#)

D. Retaliation Prohibited

1. No school employee may engage in retaliation against a school employee, a student, or an investigation for, or witness of, an alleged incident of bullying,

cyberbullying, hazing, or retaliation against a school employee or student, or an alleged incident of abusive conduct.

2. School employees who engage in retaliation are in violation of this policy and verified **violations infractions** shall result in disciplinary action up to and including termination.
3. Anonymous reports of retaliation alone cannot constitute the basis for formal disciplinary action.
4. The school shall inform students who have reported being subject to bullying, cyberbullying, or hazing and these students' parents that retaliation is prohibited and shall encourage the students and parents to be aware of and to report any subsequent problems or new incidents.

[Utah Code § 53G-9-605 \(2019\)](#)

[Utah Admin. Rules R277-613-4\(1\)\(a\) \(May 26, 2020\)](#)

E. Making a False Report Prohibited

1. No school employee may make a false allegation of bullying, abusive conduct, cyberbullying, hazing, or retaliation against a school employee or student.
2. School employees who engage in making such false allegations are in violation of this policy and verified **violations infractions** shall result in disciplinary action up to and including termination.

[Utah Code § 53G-9-605\(3\)\(d\) \(2019\)](#)

[Utah Admin. Rules R277-613-4\(1\)\(a\) \(May 26, 2020\)](#)

F. Action Plan

1. Upon receipt of a reported incident of bullying, cyberbullying, hazing, abusive conduct, or retaliation, the school principal or designee shall promptly review and investigate the allegations. At a minimum, this investigation shall include interviewing the alleged targeted individual and the individual alleged to have engaged in prohibited conduct. The principal or designee may also interview other individuals who may provide additional information, including the parents of the alleged target and alleged perpetrator, any witnesses to the conduct, and school staff. The principal or designee may also review physical evidence, including but not limited to video or audio recordings, notes, email, text messages, social media, and graffiti. The principal or designee shall inform any person being interviewed that the principal or designee is required to keep the details of the interview confidential to

the extent allowed by law and that further reports of bullying will become part of the investigation.

[Utah Admin Rules R277-613-5\(2\), \(3\), \(4\) \(May 26, 2020\)](#)

2. When the available information indicates that an infraction may also constitute a civil rights violation, the principal or designee shall also investigate that possible violation and take such disciplinary or other action as may be warranted.

[Utah Admin Rules R277-613-5\(6\) \(May 26, 2020\)](#)

3. When it is determined that a student has been bullied, cyberbullied, or hazed, this plan of action should include consideration of what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student's ability to learn and function in the school setting.

[Utah Code § 53G-9-605\(3\)\(g\) \(2019\)](#)

4. The plan of action may include supporting involved students through trauma-informed care practices, if appropriate, as defined in [Utah Admin. Rules R277-613-2\(134\)](#).

[Utah Admin. Rules R277-613-5\(7\) \(May 26, 2020\)](#)

5. The plan of action may also include positive restorative justice practice action, if permitted. Restorative justice practice is a discipline practice that brings together students, school personnel, school families, and community members to resolve conflicts, address disruptive behaviors, promote positive relationships, and promote healing. An alleged targeted student is *not* required to participate in a restorative justice practice with an alleged perpetrator. If the principal or designee desires to have an alleged targeted student participate, the principal or designee shall first inform that student's parent about the restorative justice practice and obtain the parent's consent prior to such participation.

[Utah Admin. Rules R277-613-2\(10\) \(May 26, 2020\)](#)

[Utah Admin. Rules R277-613-6\(6\) \(May 26, 2020\)](#)

6. If any retaliation occurs, the principal or designee shall take strong responsive action against it, including but not limited to providing assistance to any targeted individual and his or her parent in reporting subsequent problems and new incidents.

[Utah Admin. Rules R277-613-4\(4\) \(May 26, 2020\)](#)

G. Training and Education

1. Each school shall establish procedures for training school employees, coaches, volunteers and students on bullying, cyberbullying, hazing, or retaliation.

a. Training to students, staff, and volunteers shall:

- ~~1) Include information on various types of aggression and bullying, including:
 - a) overt aggression that may include physical fighting such as punching, shoving, kicking, and verbally threatening behavior, such as name calling, or both physical and verbal aggression or threatening behavior.
 - b) relational aggression or indirect, covert, or social aggression, including rumor spreading, intimidation, enlisting a friend to assault a child, and social isolation;
 - c) sexual aggression or acts of a sexual nature or with sexual overtones;
 - d) cyberbullying, including use of email, web pages, text messaging, instant messaging, social media, three-way calling or messaging, or any other electronic means for aggression inside or outside of school; and
 - e) civil rights violations, including bullying, cyberbullying, hazing, and retaliation based upon the students' or employees' actual or perceived identities and conformance or failure to conform with stereotypes.~~
- ~~2) Complement required student suicide prevention programs and required suicide prevention training; and~~
- ~~3) Include information on when issues relating to this policy may lead to student or employee discipline.~~
- 1) Include information on:
 - a) Bullying, cyberbullying, hazing and retaliation;
 - b) Discrimination under 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 Title II of the Americans with Disabilities Act of 1990;

- c) How bullying, cyberbullying, hazing and retaliation are different from discrimination and may occur separately from each other or in combination,
 - d) Bullying, cyberbullying, hazing and retaliation based on the student's or employees' actual or perceived characteristics, including race, color, national origin, sex, disability, religion, gender identity, sexual orientation, or other physical or mental attributes, or conformance or failure to conform with stereotypes, and
 - e) The right of free speech and how it differs for students, employees, and parents;
- 2) Complement the suicide prevention program required for students and the suicide prevention training required for licensed educators; and
 - 3) Include information on when issues relating to these standards may lead to employee or student discipline.

Utah Admin. Rules R277-613-4(5)(b) (May 26, 2020)

- b. This training shall be provided to all new employees, coaches, and volunteers and shall be provided to all employees, coaches, and volunteers **annually at least once every three years**.

Utah Admin. Rules R277-613-4(6) (May 26, 2020)

- c. In addition to training school employees and educating students mentioned above, all volunteer coaches, employees, and students involved in any curricular athletic program or any extra-curricular club or activity shall:
 - 1) Complete bullying, cyberbullying, harassment and hazing prevention training prior to participation;
 - 2) Repeat bullying, cyberbullying, harassment and hazing prevention training at least every three years;
 - 3) Be informed annually of the prohibited activities list provided previously in this policy and the potential consequences for violation of this policy.
- d. The content of this activity training shall be developed in collaboration with the Utah High School Activities Association (UHSAA) and the training shall also

be provided in collaboration with UHSAA. The school shall obtain and keep signature lists of the participants in the activity training.

[Utah Admin. Rules R277-613-6 \(May 26, 2020\)](#)

- e. Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying, harassment, hazing, or cyberbullying.

[Utah Code § 53G-9-605 \(2019\)](#)

- f. The district may also offer voluntary training to parents and students regarding abusing conduct.

[Utah Code § 53G-9-607\(1\)\(b\) \(2020\)](#)

H. Assessment

1. Subject to the requirements of [Utah Code § 53E-9-203](#) regarding parental consent for certain types of inquiries of students, each school shall regularly (and at least once per year) conduct assessment through student input (surveys, reports, or other methods) of the prevalence of bullying, cyberbullying, and hazing in the school, and specifically in locations where students may be unsafe and adult supervision may be required such as playgrounds, hallways, and lunch areas.

[Utah Admin. Rules R277-613-4\(3\) \(May 26, 2020\)](#)

[Utah Code § 53E-9-203 \(2020\)](#)

I. Publication and Acknowledgment

1. A copy of this policy shall be included in employee handbooks, shall be provided to the parent of each student enrolled in the District, and shall be available on the District website.
2. Each employee shall annually provide a signed statement stating that the employee has received a copy of this policy.

[Utah Code § 53G-9-605\(3\)\(h\), \(4\) \(2019\)](#)

J. Parental Notification of Incidents

1. The school shall notify the parent or a student who is involved in an incident of bullying, hazing, cyberbullying, abusive conduct, or retaliation (whether as a target or as a perpetrator).
2. The school is also required to notify the parent of a student who threatens to commit suicide. In addition, the school shall produce and maintain a record that verifies that the parent was notified of the threats or incidents listed above. The record is a private record for purposed of the Government Records Access and Management Act.
 - a. The process for notifying a parent shall consist of:
 - 1) The school principal or designee shall attempt to make personal contact with a parent when the school has notice of a threat or incident listed above. It is recommended that the parent be informed of the threat or incident with two school people present. If personal contact is not possible, the parent may be contacted by phone. A second school person should witness the phone call.
 - 2) Contact with the parent must be documented in a “Verification of Parent Contact Regarding Threat or Incident”.
3. (A copy of the “Verification of Parent Contact Regarding Threat or Incident” is attached below.) Subject to laws regarding confidentiality of student education records, at the request of a parent, a school may provide information and make recommendations related to an incident or threat.

[Utah Code § 53G-9-604 \(2019\)](#)

[Utah Admin. Rules R277-613-4\(2\) \(May 26, 2020\)](#)

4. The record of parental notification shall be maintained in accordance with the [Utah Code Title 53E, Chapter 9, Part 3 Student Data Protection, Title 53E, Chapter 9, Part 2, Student Privacy, and the Federal Family Educational Rights and Privacy Act \(“FERPA”\)](#). A copy of the record of parental notification shall upon request be provided to the student to whom the record relates. After the student has graduated, the District shall expunge the record of parental notification upon request of the student.

[Utah Code § 53G-9-604\(2\)\(b\) \(2019\)](#)

K. Report to State Superintendent

1. Each year, on or before June 30, the District shall submit a report to the State Superintendent which includes

- a. a copy of the District's bullying policy;
- b. confirmation of compliance with the requirement to obtain a signed acknowledgment of the policy from students, parents, and employees;
- c. verification of required training regarding bullying, cyberbullying, hazing, and retaliation;
- d. the number of incidents of bullying, cyberbullying, hazing, and retaliation; and
- e. the number **and type** of those incidents that either included a student who is part of a federally protected class or was bullied, cyberbullied, hazed, or retaliated against because of the student's **actual or perceived** disability, race, national origin, religion, sex, gender identity, ~~or~~ sexual orientation **or other characteristic**.

[Utah Admin. Rules R277-613-5\(8\) \(May 26, 2020\)](#)

**VERIFICATION OF PARENT CONTACT REGARDING
THREAT OR INCIDENT**

I, [Name] _____, principal or principal's designee, contacted [Name of parent] _____ on [Date] _____ and notified him or her that [Name of student] _____ was involved in an incident of bullying, hazing, cyberbullying, abusive conduct, or retaliation. Contact was made:

[] in person

[] by telephone (number used: _____)

[] by email (email address used: _____)

[] by other method (specify): _____

Notice was given of:

[] bullying incident

[] cyberbullying incident

[] abusive conduct incident

[] hazing incident

[] retaliation incident

[Name of school staff member] _____, witnessed the contact.

Principal or Principal's Designee Title Date

School Staff Member Title Date

POLICY 3015

Title IX Sexual Harassment

A. Purpose

1. Box Elder School District is committed to maintaining an educational environment in which all students and employees are treated with respect and dignity. Paramount to that aim is ensuring that students and employees are not subjected to sexual harassment.
2. Sexual harassment is prohibited by Title IX of the Education Amendments of 1972 (Title IX), which provides that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” 20 U.S.C. §1681(a). Federal regulations found at [34 CFR 106](#) implementing Title IX further outline the requirements placed upon the District

B. Scope

1. This policy is intended to protect District students and employees against sexual harassment, whether by students, employees, volunteers, or others under the District’s control. This policy also subjects those who engage in sexual harassment to disciplinary action.
2. Conduct that does not rise to the level of sexual harassment as defined herein but that constitutes inappropriate or offensive sexual behavior is still prohibited and will be investigated and addressed under [Policy 5005 Safe Schools – Student Behavior](#), [Policy 3010 Employee Bullying and Hazing](#), [Policy 3007 Employment – Staff Code of Conduct](#) or [BESD Employee Relations & Corrective Action Handbook](#).
3. Discrimination on the basis of sex in hiring, benefits, programs, or activities as prohibited by Title IX, Title VII, and the Utah Antidiscrimination Act, is investigated and addressed under [Policy 3000 Employment - Nondiscrimination](#).

C. Title IX Coordinator

1. The Box Elder School District Civil Rights Coordinator is designated as the Title IX Coordinator for protection against sexual harassment and is authorized to coordinate the District’s efforts to comply with the requirements of Title IX. All sexual harassment issues should be directed to the Title IX Coordinator.
 - a. Name: Keith Mecham, Title IX Coordinator, Box Elder School District

- b. Address: 960 South Main Street, Brigham City, UT 84302
- c. Telephone: (435) 734-4800
- d. Email: keith.mecham@besd.net

D. Definitions

1. "Actual Knowledge" means notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or any District official who has authority to institute corrective measures on behalf of the District, or to any District employee.
2. "Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
3. "Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of the District. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email, using the contact information listed for the Title IX Coordinator above. The formal complaint must contain the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint. A parent or guardian may sign and file a formal complaint on behalf of a minor complainant.
4. "Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
5. "Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:
 - a. A District employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct (*quid pro quo*);
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it denies a person equal access to the District's education program or activity;
 - c. Severe: Based on whether the described occurrence or conduct was severe from the perspective of a reasonable person in the complainant's position.
 - d. Pervasive: A single instance of an offensive comment or joke typically does not meet the Title IX standard for sexual harassment requiring investigation, but

- there may be instances where a single unwelcome act may meet that standard. Factors to consider include, but are not limited to, whether there is a pattern of sexual harassment, the number of people involved, and whether the unwelcome sex-based conduct involves widespread dissemination of offensive material.
- e. Objectively Offensive: Based on whether the described occurrence or conduct was offensive from the perspective of a reasonable person in the complainant's position. Notably, the perspective for offensiveness is based on the reasonableness from the complainant's perspective, and the intent of the respondent is irrelevant in the analysis. "Just joking" is not an accepted excuse.
 - f. Effectively Denies Equal Access: This does not require that a complainant be entirely or physically excluded from educational opportunities, but rather that the sexual harassment has so undermined and detracted from the complainant's educational experience that he or she is effectively denied equal access to the school's resources and opportunities. Thus, a student does not need to have dropped out of school, failed a class, had a panic attack, or otherwise reach a "breaking point." Although no concrete injury is required to show a deprivation of equal educational access, examples of the signs of unequal educational access may include, but are not limited to:
 - 1) Bed-wetting due to sexual harassment;
 - 2) An athlete who quits the team but carries on with other school activities following sexual harassment;
 - 3) Skipping class to avoid a harasser;
 - 4) A decline in student's grade point average, or
 - 5) Having difficulty concentrating in class.
 - g. Any instance of
 - 1) Sexual assault as defined by the Title IX regulations, which is the unwelcome touching of a person's private body parts for the purpose of sexual gratification. In determining whether conduct meets this definition, administrators shall consider all the circumstances surrounding the incident, such as the age and maturity of the parties, the duration of the incident, the location and secretive nature of the actions, the intent of the parties, and the effects on the parties
 - 2) Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- 3) Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
 - 4) Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - 5) Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.
 - 6) Dating violence as defined by the Title IX regulations, which is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant, which may be determined by (1) the length of the relationship, (2) the type of relationship, and (3) the frequency of interaction between the persons involved in the relationship;
 - 7) Stalking as defined by the Title IX regulations, which is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.
- h. Quid pro quo harassment under paragraph D.5.a. and offenses involving sexual assault, dating violence, domestic violence, or stalking under subsection D.e.vii.3 are not evaluated for severity, pervasiveness, offensiveness, or denial of equal educational access, because such misconduct is sufficiently serious to deprive a person of equal access.
6. "Supportive measures" Supportive Measures are designed to restore or preserve equal access to the education program or activity without unreasonably burdening the other party and should be designed to protect the safety of all parties or the educational environment, or deter sexual harassment.
- a. Supportive Measures will be offered to the Complainant and the Respondent when the District learns of allegations of Sexual Harassment.
 - b. Supportive Measures may not be punitive or disciplinary.
 - c. Supportive Measures may be individualized depending on the circumstances of the Complainant and/or the Respondent.
 - d. Supportive Measures may include:
 - 1) counseling;

- 2) extensions of deadlines or other course-related adjustments;
 - 3) modifications of work or class schedules;
 - 4) altering work arrangements for employees or student-employees;
 - 5) school safety plan;
 - 6) mutual restrictions on contact between the parties;
 - 7) changes in work locations;
 - 8) leaves of absence;
 - 9) increased security and monitoring of certain areas of the school; and
 - 10) other similar measures.
- e. The District must maintain as confidential any Supportive Measures provided to the Complainant or Respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the Supportive Measures.
 - f. The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures with the school principal.
 - g. All Supportive Measures offered must be documented by the Title IX Coordinator. In the event a Complainant is NOT offered Supportive Measures under the circumstances, reasons for not offering Supportive Measures must be documented.

E. Jurisdiction

1. Box Elder School District will address all allegations of sexual harassment occurring at all schools, district programs and activities, en route to school activities in Box Elder School District, and where the District exercised substantial control over both the respondent and in the context in which the reported sexual harassment occurs, and
2. Allegations of Sexual Harassment that originated off-campus but that have a clear nexus to school and which impact a Complainant's ability to effectively access and continue in their educational program may be addressed under this Policy.

- a. This includes allegations of Sexual Harassment through the internet, electronic mobile devices, and/or social media platforms.
- b. If an allegation of Sexual Harassment originating off campus is not addressed under this Policy, it must be addressed under [Policy 5270 Student Rights and Responsibilities Bullying, Cyberbullying, Hazing, and Abusive Conduct](#).

F. Complaint Procedures

1. Individuals who believe they have been subjected to sexual harassment should immediately notify a teacher, administrator, or the Title IX Coordinator and may file a formal complaint.
2. A report or notice of alleged sexual harassment may be filed by someone other than a complainant, in which case the procedures for a response and supportive measures under Section H will be followed. However, an investigation under Section I is completed only upon receipt of a formal complaint by a complainant or, if a minor, the complainant's parent.
3. A formal complaint must be in writing and must be delivered to the Title IX Coordinator and include the elements described in paragraph D.3. It should also provide the following information if possible:
 - a. Name, home address, email address, and telephone number of the complainant;
 - b. Date(s) of incident(s) giving rise to the complaint;
 - c. Name(s) of respondent(s);
 - d. Description of the conduct or incident(s) giving rise to the complaint;
 - e. Description of the harm caused by the incident; and
 - f. Description of the remedy sought. Providing a description of the remedy sought does not confer authority on the complainant or the complainant's parent to determine the discipline imposed on the respondent. The imposition of remedies, including any disciplinary action, lies only within the authority and sole discretion of the District and may not be divested to others.

G. Employee Responsibility to Report

1. An employee with actual knowledge of sexual harassment or allegation of sexual harassment shall, as soon as is reasonably possible, notify the Title IX Coordinator.

2. Any school employee who observes or otherwise becomes aware of conduct that may constitute sexual harassment against a student or employee shall report the conduct to the Title IX Coordinator whether the student files a complaint or not.

H. Initial Response, Supportive Measures, and Emergency Removal

1. The Title IX Coordinator must be notified whenever any employee becomes aware of an allegation of, or conduct that may constitute, sexual harassment. Actual knowledge of such conduct or allegation may be made known through a variety of means, including but not limited to verbal complaints by students or parents, notice from an employee, direct observation, or as facts are disclosed during normal disciplinary proceedings. Any school employee with actual knowledge of sexual harassment shall promptly report directly to the Title IX Coordinator.
2. If a school administrator becomes aware of sexual conduct, the administrator shall conduct an initial assessment to determine whether the conduct might meet the definition of sexual harassment under this policy. If there is evidence that the conduct constitutes sexual harassment, or if a reasonable person would consider the conduct sexual harassment under this policy, the school administrator shall report the conduct to the Title IX Coordinator. For situations involving students, either the Title IX Coordinator or the school administrator shall contact the parents.
3. Upon receipt of actual knowledge of sexual harassment or allegations of sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, explain to the complainant the process for filing and investigating a formal complaint, and explain to the complainant that the parties may have an adult advisor of their choice throughout the investigation of a formal complaint.
4. The Title IX Coordinator should consult with the school administrator and implement supportive measures. In addition, the school administrator may provide, upon receiving an allegation of sexual harassment, appropriate and immediate supportive measures to the complainant even before the Title IX Coordinator contacts the complainant.
5. The District must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.
6. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

7. The Title IX Coordinator, in consultation with the school administrator and applicable director, may conduct an emergency removal of a respondent from the District's education program or activity. To remove a respondent on an emergency basis, the District must undertake an individualized safety and risk analysis and determine that an immediate threat to the physical health or safety of a student or other individual arising from the allegations of sexual harassment justifies the removal. The respondent must be given notice and an opportunity to challenge the decision immediately following the removal. An emergency removal may not constitute or be documented as disciplinary action.
8. If the Title IX Coordinator receives a report from a student, parent, school employee, and/or school administrator before receiving a formal complaint, he or she shall interview the complainant and determine whether to sign a formal complaint on behalf of the complainant.
9. The Title IX Coordinator may consolidate formal complaints against more than one respondent, or by more than one complainant against one or more respondents, where the allegations of sexual harassment arise out of the same facts or circumstances.

I. Investigation

1. The procedures outlined in this section are detailed and constitute the recommended best practice. Minor omissions and other procedural inconsistencies do not invalidate an otherwise equitable investigation. Investigators must be flexible and adapt to the circumstances of each complaint.
2. Dismissal
 - a. Upon receipt of a formal complaint, the Title IX Coordinator determines whether the complaint must or may be dismissed. A dismissal may occur at any point in the investigation.
 - 1) The Title IX Coordinator must dismiss the complaint if any of the following conditions apply:
 - a) The conduct alleged would not constitute sexual harassment as defined in this policy even if proved;
 - b) The conduct alleged did not occur in a District program or activity; or
 - c) The conduct alleged did not occur against a person in the United States.
 - 2) The Title IX Coordinator may dismiss the complaint or any of the allegations therein if any of the following conditions apply:

- a) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- b) The respondent is no longer enrolled or employed by the District; or
 - i. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the allegations contained in the formal complaint.
- 3) Dismissal under this paragraph does not preclude action under another District policy. The District has the flexibility to provide supportive measures in response to allegations of conduct, and to investigate such conduct, that does not involve sexual harassment but is otherwise prohibited under District policy, including bullying, discrimination, harassment, and other sexually inappropriate conduct.
- 4) If dismissed, the Title IX Coordinator shall promptly notify both parties in writing of a dismissal decision and shall give both parties equal right to appeal a dismissal decision.

3. Assignment of Investigator

- a. The Title IX Coordinator shall notify the applicable Assistant Superintendents of Secondary or Elementary Education, the Director of Student Services, or any other applicable administrator when opening an investigation and designating an investigator.
- b. The Title IX Coordinator may conduct the investigation or, in consultation with the applicable director, assign it to a designated investigator who has been trained to conduct sexual harassment investigations. Investigators may include any Assistant Superintendent, Director or Administrator or Independent contractors who has been trained in accordance with this policy:
- c. The investigator must receive training on the definition of sexual harassment under this policy, the scope of the District's education programs and activities, how to conduct an investigation, how to determine relevance to create an investigative report that fairly summarizes relevant evidence, how to write and issue an investigative report, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.
- d. The investigator should begin each investigation by documenting the alleged conduct and creating an investigation file. The investigator completes the checklist as the investigation proceeds.

- e. The investigator shall refer the matter to law enforcement authorities or the Utah State Division of Child and Family Services, where appropriate or required by law. The investigator must continue to conduct the investigation even if the matter has been referred to another agency. The investigator should coordinate with the other agency and may adjust timelines and procedures accordingly.

4. Investigative Procedures

- a. The District must ensure that investigations include the following steps. If an investigation is reassigned to a new investigator after it has begun, the new investigator shall gather all evidence and information from the previous investigator. The new investigator may, but is not required to, repeat interviews or other investigative procedures conducted by the previous investigator.
- b. The investigator shall ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the District and not on the parties. Access to a party's records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in their capacity in connection with the party's treatment can only be obtained through the party's voluntary, written consent (if the party is a minor, consent must be from the parent).
- c. Notice of Allegations
 - 1) Upon receipt of a formal complaint, the Title IX Coordinator shall provide the following written notice to the parties who are known. If, in the course of the investigation, the District decides to investigate allegations about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator must provide notice of the additional allegations, including the details identified in subsection 8.3.2.2, to the parties whose identities are known.
 - 2) Notice of the District's complaint and investigation process, including any informal resolution process available;
 - 3) Notice of the allegations of sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview. Sufficient details include the following, if known:
 - a) The identities of the parties involved in the incident;
 - b) the conduct allegedly constituting sexual harassment under this policy; and

- c) the date and location of the alleged incident;
- d. A statement that the respondent is presumed innocent until a determination has been made at the conclusion of the investigation;
- e. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and that the parties may inspect and review evidence as described below; and
- f. A statement that District policy prohibits knowingly making false statements or knowingly submitting false information during the investigation and that a party found to have done so is subject to disciplinary action.

5. Interviews

- a. The investigator shall provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a party whose participation is invited or expected, with sufficient time for the party to prepare to participate.
- b. The investigator shall provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- c. Each of the following persons shall be interviewed, and a record made of their conversations.
 - 1) The complainant. The complainant may be accompanied by an adult representative, including legal counsel. The complainant may present evidence supporting the complaint.
 - a) In cases of sexual assault or other severe trauma, the investigator should seek assistance from professionals trained in interviewing children. Such professionals may include designated officials from the Children's Justice Center, the Department of Child and Family Services, or some other private or governmental agency.
 - b) The investigator shall comply with the reporting requirements found in [Policy 5090 Child Abuse, Sexual Abuse and Human Trafficking Prevention Training and Reporting](#).
 - 2) The respondent. The respondent may be accompanied by an adult representative, including legal counsel. The respondent may present evidence refuting the allegations set forth in the complaint. The investigator should gather a signed, written statement from the respondent.

- 3) Anyone who witnessed the alleged conduct. The investigator should gather a signed witness statement from each witness using the District's Sexual Harassment Witness Statement form.
 - 4) Anyone mentioned as having related information. The investigator should document all conversations related to the alleged incident.
- d. The investigator may have additional conversations with any of the individuals listed in subsection I.5.a. to ensure that all relevant facts have been gathered.
6. Preservation of Evidence
- a. The investigator shall gather and preserve all evidence, including video footage from surveillance cameras, photos, physical evidence, documents, correspondence, and any relevant electronic information such as text messages, videos, and social media postings.
7. Informal mediation may be appropriate in cases of sexual harassment under Title IX according to the following requirements:
- a. Informal mediation can never be offered to resolve complaints alleging that an employee sexually harassed a student;
 - b. Facilitators must be free from conflicts of interest or bias and be trained to serve impartially;
 - c. Informal resolution processes must have reasonably prompt time frames;
 - d. The initial written notice of allegations sent to both parties must include information about the informal resolution processes made available; and
 - e. Parties retain their right to a formal resolution process, and can withdraw from informal resolution and resume a formal process at any time before agreeing to a resolution.
8. Investigative Report
- a. Prior to completing the investigative report, the investigator shall send to each party and the party's advisor (if applicable) the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least ten (10) calendar days to submit a written response, which the investigator will consider prior to completion of the investigative report.

- b. The investigator shall objectively evaluate all relevant evidence, including the credibility of all statements,
- c. The investigator shall prepare a written report of the investigation. The report should be completed using the Sexual Harassment Investigative Report Form. The report must "fairly summarize relevant evidence," and should include the following:
 - 1) A description of the complaint;
 - 2) A description of the interim supportive measures provided to the complainant and/or the respondent;
 - 3) A detailed description of the investigation, including names and dates of individuals interviewed; receipt of written statements; and evidence considered, including video and audio recordings, correspondence, etc.; and
 - 4) Findings of fact. This section should describe with sufficient detail the events and actions found by the investigator to be true and include both inculpatory and exculpatory evidence considered relevant.
- 9. The investigator shall provide a copy of the investigative report simultaneously to the parties and notify them that they have ten (10) calendar days to provide a response, including written questions they would like asked of any party or witness. The investigator notifies the parties that their response and questions should be submitted to the applicable decision-maker. The investigator also submits a copy of the investigative report to the Title IX Coordinator and to the decision-maker.

J. Decision-Making

1. Decision-Makers

- a. The Assistant Superintendents over Secondary and Elementary Education are designated as decision-makers for Title IX sexual harassment complaints.
- b. The decision-maker cannot be the same person as the Title IX Coordinator or the investigator.
- c. The decision-maker may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- d. The decision-maker must receive training on the definition of sexual harassment under this policy, the scope of the District's education programs and activities, how to conduct an investigation, how to issue a written determination, and how to

serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

2. Parties' Response to Investigative Report

- a. Upon receipt of the investigative report, the decision-maker may contact the parties and provide direction for the submission of responses and questions.
- b. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless such questions and evidence are offered to prove that someone other than the respondent committed the alleged conduct or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.
- c. The decision-maker must explain to a party proposing a question any decision to exclude the question as not relevant.
- d. Upon receipt of relevant questions from a party, the decision-maker submits the questions to the witness or party to whom they are directed and establishes a timeframe in which the questions must be answered. Upon receipt of the answers, the decision-maker provides them to the parties who proposed the questions.
- e. At the decision-maker's discretion, the decision-maker may permit limited follow-up questions from the parties.

3. Decision-Making Process

- a. The decision-maker must issue a written determination as to whether the respondent committed sexual harassment.
- b. The decision-maker objectively evaluates all relevant evidence gathered and presented during the investigation, as found in the investigative report, along with the answers to any written questions and follow-up questions to parties and witnesses as a response to the investigative report. The decision-maker evaluates the evidence, judging credibility based on factors of plausibility and consistency in party and witness statements, and then reaches a determination regarding responsibility.
- c. The decision-maker may consult with the investigator, District Legal Counsel, and other administrators as applicable in making a determination, except for the Superintendent and his/her designee to whom an appeal would be directed.

- d. The decision-maker shall base the determination on the preponderance of the evidence standard. The District shall apply the same standard to all formal complaints of sexual harassment, whether the complaint involves a student or employee.
- e. The Written Determination must include:
 - 1) Identification of the allegations potentially constituting sexual harassment as defined in this policy;
 - 2) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
 - 3) Findings of fact supporting the determination;
 - 4) Conclusions regarding the application of the District's code of conduct to the facts;
 - 5) A statement of, and rationale for, the result as to each allegation, including a determination, any disciplinary sanctions imposed on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity will be provided by the District to the complainant; and
 - 6) The District's procedures and permissible bases for the complainant and respondent to appeal.
- f. If the respondent is a student and found to have committed sexual harassment, the decision-maker shall ensure that the behavior and resulting disciplinary action is documented in the Student Information System.
- g. The Title IX Coordinator is responsible for effective implementation of any remedies under a decision regarding sexual harassment.

4. Issuance of Written Determination

- a. At the conclusion of the decision-making process, the decision-maker shall provide the written determination to the parties simultaneously.
- b. The decision-maker also provides a copy of the written determination to the Title IX Coordinator.

K. Appeals

1. Appeal of Decision

- a. Investigative procedures conducted under this policy may be appealed by both complainants and respondents. The purpose of an appeal under this section is to determine whether the investigative procedures outlined in this policy were followed. An appeal may also be filed to introduce new evidence not available during the investigation, or if a party believes there was a conflict of interest of the Title IX Coordinator, investigator, or decision-maker. If an appeal does not introduce new evidence or allege a conflict of interest or violation of the investigative procedures of this policy, it will be denied. Disagreement with the outcome of an investigation or with an investigator's interpretation or findings of the facts is not grounds for an appeal under this policy.
- b. A party may appeal by giving written notice to the Superintendent within fifteen (15) calendar days of the date the written determination is issued. Failure to submit written notice of appeal to the Superintendent within fifteen (15) calendar days constitutes forfeiture of any right to appeal. The Superintendent or his/her designee will hear the appeal and issue a written decision as to whether the investigative procedures of this policy were followed, whether there was a conflict of interest, or whether new evidence would change the outcome of the investigation. The decision of the Superintendent or his/her designee is final.

L. Confidentiality

1. It is District policy to respect, as far as possible, the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's right to confidentiality must be balanced with the District's obligations to cooperate with law enforcement, government agency investigations, or legal proceedings, or to investigate and take necessary action to resolve a complaint, including by allowing each party the chance to provide information to the investigator, information about the complaint may be disclosed in appropriate circumstances, and for other good reasons that apply to the particular situation. The investigator also may discuss the complaint with one or more of the following persons:
 - a. The Superintendent, Assistant Superintendent over Personnel, Assistant Superintendent over Secondary or Elementary Teaching and Learning, Director of Student Services, Director of Special Education / Federal Programs, Director of Facilities, District Legal Counsel, or other applicable school or District administrators;
 - b. The parent/legal guardian of a student complainant;
 - c. The parent/legal guardian of a student respondent;

- d. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth.
 - e. Utah State Division of Child and Family Services for purposes of investigating child abuse reports; and
 - f. Law enforcement agencies where the investigator has reasonable suspicion that the alleged conduct involves criminal activity.
2. Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate law enforcement authorities or the Utah State Division of Child and Family Services. The anonymity of both the complainant and school officials involved in the investigation will be strictly protected as required by [Utah Code § 62A-4a-412](#).

M. Retaliation Prohibited

1. Retaliation against any person who has filed a complaint, or has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under this policy is prohibited, and therefore, subject to disciplinary action. Retaliation may include, but is not limited to, continued Harassment, threats, taunting, spreading rumors, unauthorized disclosure of the details of an investigation, ostracism, assault, destruction of property, or other negative conduct toward participants in response to an investigation and the events causing it. Anyone found to have engaged in retaliation will be subject to disciplinary action. Participants in an investigation, including victims, respondents, and witnesses, must report to the investigator any conduct that might reasonably constitute retaliation.

N. Discipline and Remedial Action

1. Any student who engages in sexual harassment of anyone at school or at any school-related activity or event is in violation of this policy and shall be subject to disciplinary action consistent with [Policy 5275](#). Disciplinary action may include, but is not limited to, suspension, expulsion, exclusion or loss of extracurricular activities, probation, or alternate educational placement. In imposing such discipline, all facts and circumstances of the incident(s) shall be taken into account.
2. Any employee who engages in sexual harassment of any student at school or at a school-related activity or event is in violation of this policy and shall be subject to disciplinary action consistent with [Policy 3007](#) and [BESD Employee Relations and Corrective Action Handbook](#). Disciplinary action may include, but is not limited to, warnings, reprimands, probation, disciplinary transfer, suspension, reduction in pay or hours, or termination. In imposing such discipline, all facts and circumstances of the incidents(s) shall be taken into account.

3. If the investigator has reasonable suspicion that the harassment involves sexual assault, rape, or any other activity of a criminal nature, the District shall notify appropriate law enforcement authorities and immediately initiate proceedings to remove the accused party from the situation.
4. If an investigation finds evidence of sexual harassment, the District shall implement remedial action necessary to eliminate its effects upon the victim and the school environment. Remedial action may include changes to school or District programs, offerings, facilities, rules, policies, or practices.

O. False Complaints

1. Intentionally false, malicious, or frivolous complaints of sexual harassment shall result in corrective or disciplinary action taken against the complainant.

P. Record Keeping

1. The Title IX Coordinator shall maintain a confidential record separate from the individual's educational or personnel file that includes the complaint, response, witness statements, evidence, investigative report, written determination, any appeal and the result therefrom, and any informal resolution and the result therefrom for the later of seven years or two years after a student complainant or student respondent has graduated.
2. All student discipline issued for violations of this policy shall be documented by the Decision Maker on the District's Student Information System ("SIS"). Consistent with the U.S. Department of Education Civil Rights Data Collection, the documentation must indicate that sexual harassment served as the basis for which the student was disciplined.
3. All complaints made under this policy involving a student must be documented by an administrator on the District's Student Information System ("SIS"). Complaints must be documented even if the investigation results in a finding that this policy was not violated. Consistent with the U.S. Department of Education Civil Rights Data Collection, the documentation must indicate that the violation constituted sexual harassment.
4. All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action.
5. Records of complaints and investigations shall be retained in accordance with applicable federal and state law.

Q. Training

1. Box Elder School District recognizes the importance of educating its employees and students regarding the prevention of sexual harassment and the observance of high ethical standards. To these ends, the District will provide ongoing training and education in this area. Notice of this policy will be distributed, and training will be conducted for employees and students of the District.

R. Dissemination of Policy

1. This policy may be posted on the District's website and published in student registration materials, student and employee handbooks, parent information guides, and other appropriate school publications as directed by the District. The following nondiscrimination notice shall be disseminated.

POLICY 3120

Orderly School Termination for Employees

A. Definitions

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

a. "Career Employee"

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

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

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

[Utah Code § 53G-11-503 \(2018\)](#)

2. "Provisional Employee"

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

contract only for cause. The Box Elder School District may extend the provisional status of an employee up to an additional two consecutive years by written notification to the provisional employee no later than 30 days before the end of the contract term of that individual. Circumstances under which an employee's provisional status may be extended include:

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

[Utah Code § 53G-11-501\(11\) \(2020\)](#)
[Utah Code § 53G-11-503 \(2018\)](#)

3. "Educational Support Professional (Classified) Employees"

- a. Educational Support Professional (Classified) Employees are all non-certified employees of the District.

4. "Temporary Employee"

- a. Temporary employees are all employees employed on a temporary basis. Employees hired after August 1st are also considered Temporary Employees. Temporary employees also include those seasonal employees who are employed for less than the full academic year. An appointment of a temporary employee may not be for a period of time greater than one year. Temporary employees are employed at the will of the District and have no expectation of continued employment and their employment may be terminated at any time without cause. Temporary employees are not career employees or provisional employees as defined by [Utah Code § 53G-11-501](#) and the policies of this District.

[Utah Code § 53G-11-501\(15\) \(2020\)](#)

5. "Contracted Service Providers"

- a. Contracted Service Providers are individuals regardless of employment status (full or part-time) who by nature of their profession are not required to hold a professional certificate issued by the Utah State Board of Education who are paid by contract to provide specific types of services for the Box Elder School District but who are not employees, are not on the Box Elder School District payroll and do not receive the same benefits enjoyed by regular employees of the District.

6. “Extra Duty Contracts”

- a. An employee who is given extra duty assignments in addition to a primary assignment, such as a teacher who also serves as a coach or activity advisor, is a temporary employee in those extra duty assignments and may not acquire career status beyond the primary assignment. There are no rights to a due process hearing if a person is released from coaching or an extra duty position. A person may be released from a coaching or extracurricular position at the discretion of the school with notification to the Board.

7. “Employee”

- a. A person, other than the District superintendent or business administrator, who is a career or provisional employee of the District.

[Utah Code § 53G-11-501\(7\)\(a\) \(2020\)](#)

8. “Contracted Term or Term of Employment”

- a. The term of employment is the period of time during which an employee is engaged by the District under a contract of employment, whether oral or written. Notwithstanding, all contracts of employment shall be in writing.

9. “Dismissal or Termination”

- a. An employee shall be deemed to be discharged upon occurrence of any of the following events:
 - (1) Termination of the status of employment of an employee.
 - (2) Failure to renew the employment contract of a career employee
 - (3) Reduction in salary of an employee not generally applied to all employees of the same category employed by the District during the employee’s contract term.

- (4) Change of assignment of an employee with an accompanying reduction in pay unless the assignment change and salary reduction are agreed to in writing.

[Utah Code § 53G-11-501\(5\) \(2020\)](#)

10. "Unsatisfactory performance"

- a. A deficiency in performing work tasks which may be:
 - (1) due to insufficient or undeveloped skills or a lack of knowledge or aptitude;
and
 - (2) remediated through training, study, mentoring, or practice.
- b. Does not include the following conduct that is designated as a cause for termination or a reason for license discipline:
 - (1) a violation of work policies;
 - (2) a violation of District policies, State Board of Education rules, or law;
 - (3) a violation of standards or ethical, moral or professional conduct; or
 - (4) insubordination

[Utah Code § 53G-11-501\(15\) \(2020\)](#)

B. Causes for Dismissal or Non-Renewal

1. Any employee may be suspended or discharged during a contract term for any of the following:
 - a. ~~Immorality~~;
 - b. Insubordination or failure to comply with directives from supervisors;
 - c. Incompetence;

- d. Conviction, including entering a plea of guilty or nolo contendere (no contest), of a felony or misdemeanor involving moral turpitude or immoral conduct;
- e. Conduct which may be harmful to students or to the District;
- f. Improper or unlawful physical contact with students;
- g. Any violation of the District's Employee Code of Conduct;
- h. Violation of district policy, State Board of Education rules, or law;
- i. Unprofessional conduct not characteristic of or befitting a District employee including a violation of standards of ethical, moral, or professional conduct;
- j. Manufacturing, possessing, using, dispensing distributing, selling and/or engaging in any transaction or action to facilitate the use, dispersal or distribution of any illicit (as opposed to authorized) drugs or alcohol on District premises or as a party of any District activity;
- k. Current addiction to or dependency on a narcotic or other controlled substance;
- l. Dishonesty or falsification of any information supplied to the District; including data on application forms; employment records or other information given to the District;
- m. Engagement in sexual harassment of a student or employee of the District;
- n. Neglect of duty, including unexcused absences, excessive tardiness, excessive absences, and abuse of leave policies or failure to maintain certification;
- o. Deficiencies pointed out as part of any appraisal or evaluation;
- p. Failure to fulfill duties or responsibilities or a violation of work rules;
- q. Inability to maintain discipline in the classroom or at assigned school-related functions;
- r. Drunkenness or excessive use of alcoholic beverages or controlled substances;

- s. Disability not otherwise protected by law that impairs performance of required job duties;
- t. Failure to maintain an effective working relationship, or to maintain good rapport with parents, co-workers, the community or colleges;
- u. Failure to maintain requirements for licensure or certification;
- v. Unsatisfactory performance;
- w. For any other reason justifying termination of employment for cause.

C. Termination for Unsatisfactory Performance – Procedural Due Process Notice to Career Employee of Unsatisfactory Performance

1. If the District intends not to renew the contract of a career employee for reasons of unsatisfactory performance it shall:
 - a. Notify the employee at least 30 days prior to issuing a notice of intent not to renew the employee's contract that continued employment is in question and the reasons for anticipated non-renewal;
 - b. The principal or designee shall provide and discuss with the employee written documentation clearly identifying the deficiencies in performance;
 - c. The principal or designee shall develop and implement a plan of assistance, in accordance with procedures and standards established by [Policy 3210 Educator Evaluation](#), to allow the employee an opportunity to improve performance;
 - d. Provide to the employee a sufficient time period to successfully complete the plan of assistance of at least 30 days but not more than 120 days in which to correct the deficiencies; except the 120-day limit may be extended when:
 - (1) an employee is on leave from work during the period the plan of assistance is scheduled to be implemented; and the leave was not approved and scheduled before the written notice intent not to renew was provided; or

(2) the leave is specifically approved by the Board

- e. The time period to correct the deficiencies may continue into the next school year;
- f. The time period to implement the plan of assistance and correct the deficiencies shall begin when the employee receives the written notice provided in [Policy 3210](#) and end when the determination is made that the employee has successfully remediated the deficiency or notice of intent to not renew or terminate the employee's contract is given in accordance with [Policy 3210](#);
- g. The principal or designee shall reevaluate the employee's performance;
- h. If upon a reevaluation of the employee's performance, the District determines the employee's performance is satisfactory, and within a three-year period after the initial documentation of unsatisfactory performance for the same deficiency pursuant to [Policy 3210](#), the employee's performance is determined to be unsatisfactory, the District may elect to not renew or terminate the employee's contract.
- i. If the employee's performance remains unsatisfactory after reevaluation, the Superintendent or designee shall give notice of intent to not renew or to terminate the employee's contract, which shall include written documentation of the employee's deficiencies in performance.
- j. Nothing in this Policy shall be construed to require compliance with or completion of evaluations prior to non-renewal of a career employee's contract.
- k. An employee whose performance is unsatisfactory may not be transferred to another school unless the Board specifically approves the transfer of the employee.

[Utah Code § 53G-11-514 \(2018\)](#)
[Utah Code § 53G-11-517 \(2018\)](#)

D. Notice of Intent not to Renew Contract of Career Employee

1. If the District intends not to renew the contract of employment of a career employee after giving notice that continued employment is in question, it shall:
 - a. Give notice that a contract of employment will not be offered for the following school year to the individual.
 - b. Issue notice at least 30 days before the end of the contract term of the individual.
 - c. Serve notice by personal delivery or certified mail to the employee's most recent address shown on the District's personnel records.

E. Notice of Intent to Terminate Employment During Term of Contract

1. If the District intends to terminate an employee's contract during the contract term, the District shall:
 - a. Give written notice of that intent to the employee;
 - b. Serve the notice by personal delivery or by certified mail addressed to the individual's last known address;
 - c. Serve the notice at least 30 days prior to the proposed date of termination;
 - d. State the date of termination and detailed reasons for termination;
 - e. Give notice of the individual's right to appeal the decision to terminate employment and the right to a hearing and the right to legal counsel, to present evidence, cross-examine witnesses and present arguments at the hearing;
 - f. Notify the employee that failure to request a hearing within 15 days after the notice of termination was either personally delivered or mailed to the employee's most recent address shown on the district's personnel records shall constitute a waiver of the right to contest the decision to terminate.

[Utah Code § 53G-11-513 \(2018\)](#)

F. Notice of Intent Not to Offer a Contract to a Provisional Employee

1. If the District intends not to offer a contract of employment for the succeeding school year to a provisional employee, it shall give notice at least 60 days before the end of the provisional employee's contract term that the employee will not be offered a contract for a following term of employment. Because provisional employees do not

have an expectation of continued employment, they do not have a right to grieve the decision not to renew employment and do not have a right to a hearing.

[Utah Code § 53G-11-513 \(2018\)](#)

G. Notice of Intent to Terminate or Not Offer a Contract to a Temporary Employee

1. Temporary employees will be given notice of a minimum of 10 working days of the termination of their employment. Because temporary employees do not have an expectation of continued employment, they do not have a right to grieve the decision to terminate or not to extend employment and do not have a right to a hearing.

H. Expectation of Continued Employment in Absence of Notice

1. In the absence of a notice, a career or provisional employee is considered employed for the next contract term with a salary based upon the salary schedule applicable to the class of employees into which the individual falls.
2. This provision does not preclude the dismissal of a career or provisional employee during the contract term for cause.

[Utah Code § 53G-11-513 \(2018\)](#)

I. Right to an Informal Conference

1. A notice of intention not to renew the contract of a career employee or of an intention to terminate the contract of a career or provisional employee during its term must advise the individual that he or she may request an informal conference before the Superintendent or Superintendent's designee. The request for an informal conference must be made in writing and delivered to the Superintendent's within 10 days of the date on the notice of intention not to renew or notice of termination during the contract term. The informal conference will be held as soon as is practicable. Suspension pending a hearing may be without pay if the Superintendent or a designee determines after the informal conference, or after the employee had an opportunity to have an informal conference, that it is likely that the reasons for cause will result in termination.

[Utah Code § 53G-11-513 \(2018\)](#)

J. Employee's Right to Hearing

1. A notice of intention not to renew the contract of a career employee or of an intention to terminate the contract of a career or provisional employee during its term must also advise the individual that if after the informal conference the employee wishes a

hearing on the matter, he or she must submit written notice to that effect to the Superintendent's office within five (5) days of the informal conference. If the employee wishes to not have an informal conference, but does wish to have a hearing, he or she must submit written notice to that effect within 15 days of the date on the notice of intent not to renew or notice of termination during the contract term. Upon timely receipt of the notice, the Superintendent will notify the Board, which will then either appoint a hearing examiner or hearing board or determine to hear the matter itself. In either case, the Board will then send notice of the date, time and place of hearing to the Superintendent and to the employee. If the employee does not request a hearing within 15 days, then the employee shall have waived any right to a hearing and to contest the decision.

[Utah Code § 53G-11-513 \(2018\)](#)

K. Appointing a Hearing Examiner

1. If the Board of Education determines that the hearing shall be conducted by a hearing examiner or board, it shall so advise the Superintendent to appoint a board of three District administrators who have no substantial knowledge of the facts of the case or select an independent hearing examiner.
2. In so appointing a hearing examiner or hearing board, the Board of Education may delegate its authority to the hearing officer or hearing board to make findings and decisions relating to the employment of the employee that are binding upon both the employee and the Board of Education. In the absence of an express delegation, the Board retains the right to make its own decision based on the factual findings of the hearing officer.

[Utah Code § 53G-11-515 \(2018\)](#)

L. Rights of Employee at a Hearing

1. At the hearing, the employee and administration each have right to counsel, to produce witnesses, to hear testimony, to cross-examine witnesses, and to examine documentary evidence.

[Utah Code § 53G-11-515 \(2018\)](#)

M. Decision

1. Within 15 days after the hearing, the person or entity that conducted the hearing, whether the hearing examiner, hearing board, or Board of Education, shall issue written findings and conclusions deciding the matter. These shall be provided to the employee by mail or personal delivery.

2. In the event the decision of the board or hearing officer is to not terminate the employment of the employee, then the employee shall be reinstated and back pay shall be paid if the employee was suspended without pay pending a hearing.

[Utah Code § 53G-11-513 \(2018\)](#)

N. Suspension During Investigation

1. The active service of an employee may be suspended by the Superintendent pending a hearing if it appears that the continued employment of the individual may be harmful to students or to the District. The employee shall be provided written notice of the suspension, which may be included with written notice of termination of employment during the contract term or notice of non-renewal of contract.

[Utah Code § 53G-11-513 \(2018\)](#)

O. Necessary Staff Reduction Not Precluded

1. Nothing in this policy prevents staff reduction if necessary to reduce the number of employees because of the following:
 - a. declining student enrollments in the district;
 - b. the discontinuance or substantial reduction of a particular service or program;
 - c. the shortage of anticipated revenue after the budget has been adopted; or
 - d. school consolidation.

[Utah Code § 53G-11-516 \(2018\)](#)

P. No Verbal Agreements

1. It is the policy of the District that all agreements with employees must be written; there are no verbal agreements because all agreements must be approved by the Board of Education. Only the Board of Education has authority to hire and fire unless such authority has been expressly delegated in writing.

Q. Notification to Utah Professional Practices Advisory Commission

1. The Superintendent shall notify the Utah Professional Practices Advisory Commission if an educator is determined, **in any judicial or administrative**

proceeding, to have violated any of the Utah Educator Standards. ~~pursuant to an administrative or judicial action, to have had disciplinary action taken for, or to have engaged in:~~

- a. ~~immoral behavior~~
- b. ~~unprofessional conduct, or professional incompetence which results in suspension for more than one week or termination, requires mandatory licensing discipline under R277-515, or which otherwise warrants Commission review. If possible, this notification shall be made using the form provided by the UPPAC Executive Secretary. In submitting the notification to UPPAC, the Superintendent may make a recommendation to the UPPAC Executive Secretary regarding whether UPPAC investigation would be appropriate under the circumstances, taking into consideration any employment action taken by the District. Notice is not required to be given if there are no other proceedings other than a District administrative proceeding and the District's proceeding determines that the allegations constituting the violation are unsupported. (A criminal charge would be an example of another proceeding.)~~

[Utah Admin. Rules R277-217-5 \(February 7, 2020\)](#)

POLICY 3210

Educator Evaluation

- A. Box Elder School District recognizes that the quality of public education can be improved and enhanced by a systematic, fair, and competent annual evaluation of public educators and remediation of those whose performance is inadequate.
- B. In accordance with state law and rules promulgated by the State Board of Education, the desired purposes of evaluation are to:
1. promote the professional growth of the educator; and
 2. identify and encourage quality instruction in order to improve student achievement.
- C. District Educator Evaluation Program Committee
1. To develop, support, monitor and maintain an educator evaluation program, the Board shall establish a Joint Educator Evaluation Committee (JEEC) comprised of an equal number of educator representatives, parents and administrators. Nominees for educator representatives shall be voted upon by the District's educators and a list of those individuals nominated shall be given to the Board. Nominees for parent representatives shall be submitted by community councils within the District. The Board shall appoint committee members from the nomination lists. The Board shall adopt an educator evaluation program in consultation with the JEEC. The committee may:
 - a. Adopt or adapt an evaluation program for educators based on a model developed by the State Board of Education; or
 - b. Create its own evaluation program for teachers.
 2. The evaluation program developed by the committee must comply with the requirements of [Utah Code Title 53 G, Chapter 11, part 5](#) and rules adopted by the State Board of Education.

[Utah Code 53G-11-506 \(2018\)](#)
- D. The following outlines the procedures Box Elder School District will follow in evaluating its educators.

1. Definitions

- a. “Administrator” means an individual who holds an appropriate license issued by the State Board of Education and who supervises educators.
- b. “Career educator” means a licensed employee who has a reasonable expectation of continued employment under the policies of the Board
- c. “Educator” means an individual employed by the District who is required to hold a professional license issued by the State Board of Education, except:
 - 1) a superintendent, or
 - 2) an individual who:
 - a) works less than three hours per day; or
 - b) is hired for less than half of the school year.
- d. “Evaluator” means a person who is responsible for an educator’s overall evaluation.
- e. “Provisional Educator” means an employee that works for the District at least half time during the first 3 years of employment.
 - 1) BESD may extend the provisional status of an employee up to an additional two consecutive years if the educator has not obtained career educator status and it is the determination of the district to extend the Provisional status.
 - 2) Career Educators that accept a position which is substantially different from the position in which career status was achieved are also considered Provisional for 3 consecutive years.
- f. “Rater” means a person who conducts an observation of an educator related to an educator’s evaluation
- g. “Certified rater” means an educator who has been trained in evaluating educator performance and has demonstrated competency in using an educator evaluation tool to rate educator effectiveness according to established standards.
- h. “Temporary educator” means anyone hired after August 1st.

- i. “Summative evaluation” is an annual evaluation that summarizes an educator’s performance during a school year and that is used to make decisions related to the educator’s employment.
- j. “Formative evaluation” is any year an educator is not on a summative evaluation.
- k. “Committee” means the District’s Educator Evaluation Program Committee.
- l. “Mentor” is an assigned career educator who performs substantially the same duties as the provisional educator and has at least three years of educational experience.

2. Orientation and Training

- a. Box Elder School District will use a reliable and valid system to evaluate all licensed employees.
- b. All licensed employees will be provided an orientation to the District’s evaluation program conducted by the principal or his/her designee prior to evaluations as described in this Policy. The orientation will include the purpose of the evaluation and the methods used to evaluate.
- c. All administrators will receive training in rating reliability and will be designated as a certified rater prior to administering an evaluation.

E. Evaluation Program Components

- 1. The District’s evaluation program for educators adopted by the Board in consultation with the Educator Evaluation Program Committee shall be a reliable and valid educator evaluation program that evaluates educators based on educator professional standards established by the Utah State Board of Education and includes;
 - a. A systematic annual evaluation of all provisional, temporary, probationary, and career educators
 - b. The use of multiple lines of evidence, including:
 - 1) Self-evaluation
 - a) based on Educator’s self-assessment; and
 - b) annual Educator Professional Growth Plan

- 2) Student and parent input;
 - a) during a licensed employee's summative evaluation, stakeholder (students/parents) input data that is attributable to individual employee will be gathered through the use of a survey.
 - b) the survey data will be analyzed by the educator. Using the data, the licensed employee will create a plan of action to submit to their supervisor.
 - 3) For administration evaluation, employee input;
 - 4) A reasonable number of supervisor observations to ensure adequate reliability and consistent with [Utah Admin. Rules R277-533-4](#). In Box Elder School District, this means a minimum of 2 twenty or more minute observations for each summative evaluation. For provisional teachers, this means at least 4 observations and for career educators at least 2 observations.
 - 5) Evidence of professional growth and other indicators of instructional improvement based on educator professional standards established by the State Board of Education;
 - 6) Student academic growth data (may not use results from end of level state testing). In Box Elder School District, this means student growth on pre-post assessments that are valid and reliable on the Box Elder Learning Standards (BELS) for classes taught, DIBELS, CTE skills test and other assessments determined by collaborative teams.
- c. A summative evaluation that differentiates among the four levels of performance which are:
- 1) Highly Effective, Effective, Emerging/Minimally Effective, or Not Effective.
 - 2) Component ratings shall be based on actual observations and data gathered/calculated, or observed in alignment with [Utah Effective Teaching Standards](#) or [Utah Educational Leadership Standards](#).
 - 3) When an educator's performance is within the Emerging/Minimally Effective category, the rater will determine the appropriate designation based on the following:

- ii. An educator holding a Level 1 Educator License, and being served by the District Entry Year Enhancement program, shall be designated as Emerging Effective.
 - iii. An educator who has received a new or different teaching or leadership assignment within the last school year and who is developing in that area may also be designated as Emerging Effective by the rater.
 - iv. An educator holding a Level 2 Educator License and who is teaching or leading in a familiar assignment shall be designated Minimally Effective.
- d. The evaluation may provide for a reasonable number of peer observations.
- e. For an administrator, the evaluation shall consider the effectiveness of the administrator evaluating employee performance in a school for which the administrator has responsibility or with the district.
3. A formative evaluation will occur during the non-summative years and will include:
- a. A self-assessment based on the Utah Teaching Standards
 - b. A professional growth plan based on standards that need improvement.
 - c. Formative evaluations will be ongoing to ensure reliability. Multiple observations as a method of formative evaluations will be used at appropriate intervals.
4. Frequency of Evaluations
- a. Provisional and probationary licensed employees will receive a summative evaluation at least twice each school year. Career educators will receive a summative rating annually. The summative rating will be calculated during the educator's summative evaluation.
 - b. A five -year evaluation cycle will be used for career educators incorporating a summative, formative 1, formative 2, formative 3, formative 4 format.
 - c. All licensed employees may request individual sections be re-evaluated in the formative years. If the section evaluated improves the summative rating, it will be so reported to the State Board of Education in the next annual report.

- d. During the formative years the building administrators can initiate a summative evaluation.

5. Educator Input

1. An educator is responsible for improving performance, using resources provided by the district, and demonstrating acceptable levels of improvement in any designated areas of deficiency.
2. An educator may contribute additional information in writing to inform the evaluation process at any time throughout the year. The conference date for the end of year review is the cutoff date for additional lines of evidence/information.
3. An educator may see and analyze data related to stakeholder input and performance. If an educator has concerns with any of the data, the educator may provide a written response to be included in the educator's evaluation file.
4. It will be at the discretion of the evaluator if and how the additional information and responses to data provided by the educator will impact the educator's evaluation.
5. All information provided by the educator will be part of the summative evaluation file to be reviewed if the educator is not satisfied with his/her summative evaluation and requests a review in accordance with Section G below.

F. Summative Evaluation and Review of Evaluation

1. The person responsible for administering an educator's evaluation shall, at least fifteen (15) days before an educator's first evaluation, notify the educator of the evaluation process and the give the educator a copy of the evaluation instrument, if an instrument is used.
2. The person responsible for administering an educator's evaluation shall allow the educator to respond to any part of the evaluation and, if the response is written, attach the educator's responses to the evaluation.
3. Within fifteen (15) days after the evaluation process is completed, the person responsible for administering an educator's evaluation shall:
 - a. Discuss the written evaluation with the educator;
 - b. Based on the educator's performance, assign one of the four levels of performance.

- c. Following the discussion, the evaluation and any related reports or documents will be filed in the educator's personnel file and a copy of the evaluation and attachments will be provided to the educator.
 - d. The building administrator will maintain records of the educator effectiveness component ratings including underlying data subject to monitoring (e.g. observation, stakeholder feedback, & student growth) for the period of 5 years.
 4. An educator who is not satisfied with a summative evaluation has fifteen (15) days after receiving the written evaluation to request a review of the evaluation to the superintendent or the superintendent's designee.
 5. The superintendent or the superintendent's designee *will respond with the determination in writing to the licensed employee requesting the review within 30 days.*
 - a. The school district shall determine if the initial educator evaluation was issued in accordance with:
 - 1) the school district's educator evaluation policies;
 - 2) the requirements of the performance standards;
 - 3) [Title 53G, Chapter 11](#), Employees and
 - 4) [Utah Admin. Rules R277-531](#)
 - d. If a determination is made that the initial evaluation was not issued in accordance with any of the above components, the person administering the licensed employee's evaluation will be directed to reevaluate the licensed employee.
 6. If the superintendent or the superintendent's designee determines the initial educator evaluation was issued in accordance with the above components, and the licensed employee is still not satisfied with the summative evaluation, they shall appoint a person, not an employee of the District, who is a certified rater and has expertise in teacher or personnel evaluation to review and make written findings reported to the superintendent regarding the educator's summative evaluation. A review of an educator's summative evaluation shall be conducted in accordance with [Utah Admin. Rules R277-533-8](#).

- a. The reviewer will review:
 - 1) the school district's educator evaluation policies and procedures;
 - 2) the evaluation process conducted for the educator,
 - 3) the evaluation data from the professional performance, student growth, and stakeholder input components; and
 - 4) an educator's written response, if submitted as described in [Subsection 53G-11-508\(1\)\(b\)](#); and
 - 5) report the certified rater's findings, in writing, to the school district's superintendent for action.
- b. The party responsible for the cost of the review will be determined by the certified rater report.
 - 1) the cost of the review will be paid by the educator if the certified rater retained to do the review does not recommend an improved rating after the review.
 - 2) the cost of the review will be paid by the District if the certified rater retained to do the review recommends an improved rating after the review.
- c. The Superintendent may adopt the recommendations of the certified rater.

[Utah Code 53G-111-508 \(2020\)](#)

[Utah Admin. Rules R277-533-8 \(June 7, 2018\)](#)

G. Mentor for **New Provisional** Educators

1. **Provisional educators and career educators who meet the qualifications set out in [Policy 3022 Employment: Box Elder School District – Local Education Agency Specific Teacher License/Endorsement](#) ~~The principal or immediate supervisor of a provisional educator~~ shall be assigned a mentor who satisfies the requirements for mentors in [Policy 3022](#) ~~will receive training in mentoring educators to the provisional educator.~~**

- ~~2. Where possible, the mentor shall be a career educator who performs substantially the same duties as the provisional educator and has at least three years of educational experience.~~
3. The educator shall be provided services by the mentor as set out in [Policy 3022](#). A mentor assigned to an educator shall assist the provisional educator to become effective and competent in the teaching profession and school system, but may not serve as an evaluator of ~~thate~~ provisional educator.

[Utah Code § 53G-11-509 \(2019\)](#)

[Utah Admin. Rules R277-301-8\(2\), \(3\) \(July 2, 2019\)](#)

[Utah Admin. Rules R277-308-2\(2\) \(February 7, 2019\)](#)

[Utah Admin. Rules R277-308-3 \(February 7, 2019\)](#)

H. Deficiencies and Remediation

1. The JEEC shall determine, for purposes of the educator evaluation program, what constitutes an inadequate performance or a performance in need of improvement as demonstrated by an educator's summative evaluation.
2. Suggestions for Improvement:
 - a. During a summative evaluation, educators will be given feedback by their evaluator as to areas that need improvement. Educators will be given opportunities to improve in these areas with additional support, monitoring and professional development.
 - b. If sufficient improvement hasn't occurred during these informal/formal conversations and meetings, then a Plan of Assistance will be prepared and implemented.
3. Plan of Assistance:
 - a. If the District intends to not renew a career educator's contract for a not effective rating performance or terminate a career educator's contract during the contract terms for a not effective rating performance, the District shall:
 - 1) provide and discuss with the career educator written documentation clearly identifying the deficiencies in performance;
 - 2) provide written notice that the career educator's contract is subject to non-renewal or termination if, upon a reevaluation of the career educator's

performance, the career educator's performance is determined to be not effective;

- 3) develop and implement a plan of assistance in an attempt to allow the career educator an opportunity to improve performance;
 - 4) re-evaluate the career educator's performance; and
 - 5) If the career educator's performance remains not effective, give notice of intent to not renew or terminate the career educator's contract.
- b. The period of time for implementing a Plan of Assistance:
- 1) may not exceed 120 school days, except as provided in this policy;
 - 2) may continue into the next school year;
 - 3) should be sufficient to successfully complete the plan of assistance; and
 - 4) shall begin when the career educator receives the written notice of deficient performance and end when the determination is made that the career educator has successfully remediated the deficiency or when the notice of intent to terminate is given.
- c. An administrator may extend the period of time for implementing a plan of assistance beyond 120 school days if:
- 1) A career educator has been approved and qualifies for leave under the Family Medical leave Act during the time period the plan of assistance is scheduled to be implemented; or
 - 2) For other compelling reasons as approved by the Board if the leave was scheduled before the employee was placed on a Plan of Assistance.
- d. If upon a reevaluation of the career educator's performance, the District determines the career educator's performance is minimally effective or higher, and within a three-year period after the initial documentation of a not effective rating performance the career educator's performance is determined to be not effective for the same deficiency, the District may elect to not renew or terminate the career educator's contract without implementing a new Plan of Assistance.
- e. If the District intends to not renew or terminate a career educator's contract for performance under this section, the District will provide written documentation of

- the career educator's deficiencies in performance; and give notice of intent to not renew or terminate the career educator's contract.
- f. Nothing in this Policy shall prevent the District from taking appropriate disciplinary action for Misconduct as defined in this Policy, the Utah Code, Utah Administrative Rule or District Policy.
4. An employee whose performance is unsatisfactory may not be transferred to another school unless the Board specifically approves the transfer of the employee.

[Utah Code 53G-11-517 \(2018\)](#)
[Utah Admin. Rules R277-533-3 \(4\) \(2018\)](#)

5. An employee may not advance on an adopted wage or salary schedule if the employee's rating on the most recent evaluation is determined to be "Not Effective".

I. Educator Evaluation Data

1. Educator evaluation records are private and shall only be accessed by the educator's principal or immediate supervisor, by those who need the information in those records in considering employment decisions, or by the superintendent or designee.
2. Employees shall be trained regarding the confidential nature of employee evaluations and the importance of securing those evaluations and records.
3. The District may not release or disclose student assessment information which reveals educator evaluation information or records.

[Utah Admin. Rules R277-487-6 \(November 8, 2019\)](#)

J. Rater Reliability Process

1. Educator evaluations must be performed by certified raters and shall maintain high standards of rater accuracy. To that end, the District shall:
 - a. Create standardized ratings established by a committee of expert raters to be used for rater professional development and certification;
 - b. Provide professional development opportunities to all raters and evaluators of licensed educators to:
 - (1) Improve a rater or evaluator's abilities; and

- (2) Give the rater or evaluator an opportunity to demonstrate the rater's abilities to rate an educator in accordance with the Utah Effective Educator Standards;
- c. Designate qualified raters as certified;
 - d. Assure that educators are rated by a certified rater; and
 - e. Offer a rater opportunities to improve the rater's skills through instruction and practice.

[Utah Admin. Rules R277-533-4\(4\) \(June 7, 2018\)](#)

POLICY 4037

Early Literacy Program Reading Assessment for K-3

A. Purpose of the Policy

1. ~~The Board adopts this policy to ensure reading proficiency in Kindergarten through grade three.~~
2. District elementary schools shall administer the State Board of Education approved benchmark reading assessments within the following testing windows:
 - a. The first benchmark before September 30
 - b. The second benchmark between December 1 and January 31
 - c. The third benchmark between the middle of April and June 15
3. Following each benchmark assessment, the school shall notify parents of their student's results by October 30, the last day of February, and June 30, respectively. The District shall also report the results to the State Superintendent by the same dates, together with the additional information required by [Rule R277-406-3\(5\)](#).
4. If a benchmark assessment or a supplemental reading assessment indicates that a student is ~~scoring below benchmark not reading at grade level~~, the school shall take the notification and reading remediation interventions outlined below ~~for students not reading at grade level~~.

[Utah Admin. Rules R277-406-3\(1\) to \(4\) \(July 8, 2020\)](#)

B. Goal Achievement Reporting

1. In addition to the reports provided to parents under the reporting component of the reading achievement plan, the District shall annually provide parents with a copy of the student's comprehensive statewide assessment results, which includes measurements of reading performance.

[Utah Code § 53E-4-310\(4\) \(2019\)](#)

C. ~~Reporting to the Board~~

- ~~1. The Superintendent or a designee shall annually report to the Board on the assessment data and other information submitted to the State Board of Education relating to K-3 reading performance in the District at the District level and at the school level. The Board may use this information to work with the Superintendent to review and revise plans to enable the District to meet K-3 reading goals.~~

~~D. Literacy Proficiency Improvement Plan Submitted to the State Superintendent~~

- ~~1. The plan must include evidence-based curriculum materials, and practices, which will support the District in meeting its growth goals. The literacy proficiency improvement that meets the requirements of Utah Code 53F-2-503(4)(a).~~

~~Utah Code § 53F-2-503(4)(a) (2018)~~

~~Utah Admin. Rules R277-406-4(1) (August 7, 2018)~~

~~E. Report Submitted to the State Board of Education~~

- ~~1. The District shall annually submit a report to the State Board of Education accounting for the expenditure of program money in accordance with its plan for reading proficiency improvement.~~
- ~~2. The District shall by June 30 of each year report progress toward the goals outlined in its Literacy Proficiency Improvement Plan to the State Superintendent.~~

~~Utah Code § 53F-2-503~~

~~Utah Admin. Rules R277-406-5)(1) (August 7, 2018)~~

~~F. Scoring Reading Below Grade Level or Lacking Proficiency Benchmark~~

- ~~1. A student **is reading scores** below **grade-level benchmark** when the student performs below the benchmark score on the benchmark reading assessment and requires additional instruction beyond that provided to typically developing peers in order to close the gap between the student's current level of **reading** achievement and that expected of all students in that grade. For any first, second, or third grade student who through assessment is determined to be **reading scoring** below **grade-level benchmark**, the school shall take the following actions:~~
 - ~~a. Notify the student's parent that the student is reading below grade level;~~
 - ~~b. Provide focused individualized intervention to develop the reading skill;~~
 - ~~c. Administer formative assessments to measure the success of the focused intervention;~~

- d. Inform the parent of activities that he or she may engage in with the student to assist the student in improving reading proficiency; and
- e. Provide information to the parent of the student regarding reading interventions available to the student outside regular instructional time that may include tutoring, before and after school programs, or summer school.

[Utah Code § 53E-4-307\(4\) \(202019\)](#)

[Utah Admin. Rules R277-406-2\(11\) \(July 8, 2020\)](#)

[Utah Admin. Rules R277-403-3\(6\)\(a\) \(July 8, 2020\)](#)

Policy 5275

Title IX Sexual Harassment

A. See Policy 3015 Title IX Sexual Harassment

B. Board Policy

1. ~~It is the policy of the Board of Education of Box Elder School District to provide an educational environment free from sexual harassment and discrimination on the basis of sex. It shall be a violation of this policy for any student or employee to sexually harass any other student or employee. The District encourages all victims of sexual harassment and persons with knowledge of sexual harassment to make a written report of any harassment immediately. All complainants have the right to be free from retaliation of any kind. The District has no way of knowing about sexual harassment unless victims make complaints. The District will promptly investigate all formal, informal, verbal and written complaints of sexual harassment, and take prompt corrective action to end the harassment.~~

C. Definitions

1. ~~"Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or visitors when:~~
 - a. ~~Submission to the conduct is made explicitly or implicitly a term or condition of a student's education, including any aspect of the student's participation in school-sponsored activities, or any other aspect of the student's education;~~
 - b. ~~Submission to or rejection of the conduct is used as the basis for decisions affecting the student's academic performance, participation in school-sponsored activities, or any other aspect of the student's education; or~~
 - c. ~~The conduct has the purpose or effect of unreasonably interfering with a student's academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive education environment.~~
2. ~~School-related conduct that the District considers unacceptable and often a part of sexual harassment includes, but is not limited to, the following:~~

- a. ~~Rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender based activity of a criminal nature as defined under the Utah Criminal Code.~~
- b. ~~Unwelcome sexual invitations or requests for sexual activity in exchange for grades, preferences, favors, selection for extracurricular activities, homework, etc.~~
- c. ~~Unwelcome and offensive public sexual display of affection, including groping, fondling, petting or inappropriate touching of oneself or others.~~
- d. ~~Any offensive communication that is sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "rating lists" howling, catcalls, and whistles; sexually graphic computer messages or games, etc.~~
- e. ~~Unwelcome and offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions.~~
- f. ~~Unwelcome physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, spanking, pinching, staking, frontal body hugs, etc.~~
- g. ~~Unwelcome and offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "snuggies" or "wedgies", bra-snapping, skirt "flip-ups," "spiking" (pull down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.~~
- h. ~~Unwelcome gestures that are sexually suggestive, sexually degrading or imply sexual motives or intentions.~~
- i. ~~Clothing with sexually obscene or sexually explicit slogans or messages.~~
- j. ~~Unwelcome written or pictorial display or distribution or pornographic or other sexually explicit materials such as magazines, videos, films, etc.~~

~~Mentor Savings Bank. Vinson, 477 U.S. 57 (1986)~~

~~Baker v. Weyerhauser Co., 903 F. 2d 1342 (10 Cir. 1990)~~

- 3. ~~Complaints received will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the definitions and should be treated as sexual harassment. Unacceptable conduct~~

~~may or may not constitute sexual harassment. Normally, unacceptable behavior must be severe or pervasive to be considered sexual harassment.~~

C. Reporting Procedures

1. ~~Any person who believes he or she has been the victim of sexual harassment by a student or an employee of the District, or any third person with knowledge or belief of conduct which may constitute sexual harassment should submit a written report of the alleged acts immediately to an appropriate District Official as designated by this policy. The District encourages the reporting party or complainant to use the report form available from the principal of each building or available from the District Office.~~
2. ~~In Each School Building. The building principal is the person responsible for receiving oral or written reports of sexual harassment at the building level. Upon receipt of a report, the principal must notify the District Human Rights Officer immediately without screening or investigating the report. A written report will be forwarded simultaneously to the Human Rights officer. If the report was given verbally, the principal shall reduce it to written form within 24 hours and forward it to the Human Rights Officer. Failure to forward a sexual harassment report or complaint as provided herein will result in disciplinary action. If the complaint involves the building principal, the complaint should be filed directly with the District Human Rights Officer.~~
3. ~~District Wide. The School Board hereby designates the Assistant Superintendent of Personnel as the District Human Rights officer to receive reports or complaints of sexual harassment from any individual, employee or victim of sexual harassment and also from the building principals as outlined above. If the complaint involves the Human Rights Officer, the complaint should be filed directly with the Superintendent. The District shall conspicuously post the name of the Human Rights officer, including a mailing address and telephone number.~~
4. ~~The submission of a complaint or report of sexual harassment will not affect the individual's future employment, grades or work assignments.~~
5. ~~Use of formal reporting forms is not mandatory.~~

D. Confidentiality

1. ~~It is District Policy to respect the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's right to confidentiality must be balanced with the District's obligations to cooperate with police investigations or legal proceedings, or to investigate and take necessary action to resolve a complaint, the District retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances.~~
2. ~~Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate law enforcement authorities and the anonymity~~

~~of both the complainant and school officials involved in the investigation will be strictly protected as required by Utah Code.~~

~~Utah Code § 62A-4a-412 (2017)~~

~~E. Investigation and Recommendation~~

- ~~1. By authority of the District, the Human Rights Officer, upon receipt of a report or complaint alleging sexual harassment, shall immediately authorize an investigation. This investigation may be conducted by District officials or by a third party designated by the District. The investigating party shall provide a written report of the status of the investigation within ten working days to the Superintendent of Schools and the Human Rights Officer.~~
- ~~2. In determining whether alleged conduct constitutes sexual harassment, the District should consider the surrounding circumstances, the nature of the sexual advances, relationships between the parties involved and the context in which the alleged incidents occurred.~~
- ~~3. The investigation may consist of personal interviews with the complainant, the individuals against whom the complaint is filed, and other who may have knowledge of the alleged incidents or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.~~
- ~~4. In addition, the District may take immediate steps, at its discretion, to protect the complainant, students and employees pending completion of an investigation of alleged sexual harassment.~~
- ~~5. The District Human Rights Officer shall make a report to the Superintendent upon completion of the investigation.~~

~~F. District Action~~

- ~~1. Upon receipt of a recommendation that the complaint is valid, the District will take such action as appropriate based on the results of the investigation.~~
- ~~2. The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant by the District. The report will document any disciplinary action taken as a result of the complaint.~~

~~G. Support for Victims of Harassment~~

- ~~1. When it is determined that an individual has been subject to sexual harassment, consideration should be given to what support, counseling, or other assistance the individual may need to prevent such mistreatment from adversely affecting the individual's ability to function in the school setting.~~

H. ~~Reprisal~~

- ~~1. The District will discipline any individual who retaliates against any person who reports sexual harassment or who retaliates against any person who testifies, assists, or participates in an investigation, proceeding, or hearing relating to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.~~

I. ~~Non-Harassment~~

- ~~1. The District recognizes that not every advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident is a personal, social relationship without a discriminatory employment effect requires a determination based on all the facts and surrounding circumstances. False accusations of sexual harassment can have a serious detrimental effect on innocent parties.~~

J. ~~Right to Alternative Complaint Procedures~~

- ~~1. These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Division of Antidiscrimination and Labor, initiating civil action or seeking redress under state and criminal statutes and/or federal law.~~

K. ~~Sexual Harassment as Sexual Abuse~~

- ~~1. Under certain circumstances, sexual harassment may constitute sexual abuse and require reporting to appropriate authorities. In such cases, the provisions of Policies on reporting abuse should be followed.~~

L. ~~Discipline~~

- ~~1. Any District action taken pursuant to this policy will be consistent with requirements of applicable Utah Statutes and District Policies. The district will take such disciplinary action it deems necessary and appropriate, including warning, suspension or immediate termination to end sexual harassment and prevent its recurrence.~~

M. ~~Notice~~

- ~~1. Notice of the Districts sexual harassment policy shall be communicated to all employees and students.~~

~~N. False Complaints~~

- ~~1. False, malicious or frivolous complaints of sexual harassment shall result in corrective or disciplinary action taken against the complainant.~~

~~O. Records~~

- ~~1. Separate confidential records of all sexual harassment complaints and initial investigations shall be maintained in the principal's office. Records of district level investigations shall be maintained in the office of the Compliance Officer/Title IX Coordinator.
 - ~~a. Records of initial complaints and investigations shall be retained for at least one (1) year.~~
 - ~~b. Records of district level investigations shall be retained for at least three (3) years.~~
 - ~~c. Records of complaints and investigations of blatant violations involving criminal touching, quid pro quo, other criminal acts, or acts which shock the conscience of a reasonable person shall be retained permanently.~~~~

~~P. Dissemination of Policy~~

- ~~1. A summary of this policy and related materials shall be posted in a prominent place in each District facility. The policy shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the District Compliance Officer/Title IX Coordinator.~~

References:

Utah Code § 34A-5-101 et seq.

42 U.S.C. § 2000e, et seq.

POLICY 5282

Student Behavior Management Discipline

The Board recognizes that effective discipline is carried out within a restorative model wherein student interpersonal relationships, personal dignity, mutual respect, understanding, and restitution are the top priorities. The Board also recognizes that a restorative model of discipline must be included in a Multi-Tiered System of Support (MTSS) for students. The Board, therefore, delegates to the District Administration responsibility for establishing regulations for staff responsibility in restorative discipline for enrolled students.

A. Definitions

1. "Restorative Discipline" means the discipline of student behavior where interpersonal relationships, personal dignity, mutual respect, understanding, conferencing, and restitution are the disciplinary strategies instead of punishment and retribution.
2. "Multi-Tiered Systems of Supports" means a framework for academic and behavioral concerns. The premise behind MTSS is that academic and behavioral problems are addressed through a systematic problem-solving model. This model includes a primary, secondary, and tertiary support system that increases in the intensity of intervention.
3. "Emergency Safety Interventions" means the use of seclusionary time out or physical restraint when a student presents an immediate danger to self or others.

[Utah Compilation of School Discipline Laws and Regulations](#)
[Utah Admin. Rules R277-609-2.\(3\)\(a\)](#)

4. "Physical Restraint" means a personal restriction that immobilizes or significantly reduces the ability of a student to move the student's torso, arms, legs, or head freely. The length of the restraint and the amount of force used should be for the shortest duration and the least amount necessary to diffuse the emergency situation and ensure the safety of the student(s) and others. The use of prone, or face-down physical restraint; supine, or face-up physical restraint; physical restraint that obstructs the airway of a student; or any physical restraint that impacts a student's primary mode of communication is strictly prohibited.

[Utah Compilation of School Discipline Laws and Regulations](#)
[Utah Code 53G-8-301.3](#)

5. "Seclusionary Time Out" means the involuntary confinement of a student alone in an enclosed room when a student is prevented from leaving.

[USBE Least Restrictive Behavioral Interventions and Utah Compilation of School Discipline Laws and Regulations](#)
[Utah Admin. Rules R392-200](#)
[Utah Admin. Rules R710-4](#)

- a. Seclusionary time out, when used with a student, means all the following conditions are met:
 - 1) The student is placed in a safe enclosed area by school personnel;
 - 2) The student is purposefully isolated from adults and peers;
 - 3) The student is prevented from leaving, or the student reasonable believes that the student will be prevented from leaving, the enclosed area.

B. Administrative Regulation

1. MTSS Framework

- a. In order to maintain a safe, positive, and inclusive learning environment, each school principal shall work cooperatively with faculty members, parents, and students to establish safety measures, quality instruction, maintenance of relationships, and maintain a clean, well-maintained school environment. Principals will be required to identify how their respective schools' restorative disciplinary measures operate within an MTSS framework. Individual teachers will be responsible for maintaining high-quality positive behavior supports and instructional control in their classes and extracurricular assignments. All staff members will assist in maintaining discipline in other areas of the building and school grounds.

2. Safe Learning Environment

- a. Teachers and other staff members will promote a safe learning environment for a continuum of student learners by establishing rapport with students and demonstrating qualities of honesty, fairness, and consistency in their dealings. Teachers are expected to help students develop and maintain respect for themselves, for others, and for school property. Teachers are expected to define clear expectations for the following domains of classroom behavior:
 - 1) The amount of movement required for an instructional activity;

- 2) The types of conversations for the instructional activity;
 - 3) How to ask for help during the instructional activity;
 - 4) Definitions of what participation in the instructional activity looks like.
3. Instruction
- a. Teachers will maintain effective control of the instructional situation in order to provide optimum learning opportunities for all students. It is the responsibility of the teacher to plan lessons carefully and engage in instructional activities that further student interest and engagement. It is the responsibility of the teacher to adopt a positive behavior support system in their respective classroom where explicit classroom behavioral expectations are reviewed and reinforced regularly.
4. Principals
- a. Principals will work with faculty members to develop school-wide positive behavior supports where explicit school-wide behavioral expectations are reviewed and reinforced regularly.
5. Restorative Discipline Procedures
- a. In situations where student behavior becomes disruptive to the extent that it interferes with the learning and teaching process, the principal or teacher may utilize reasonable restorative discipline procedures.
 - b. Student disciplinary action must be consistent with established state rules and regulations consistent with those rules and regulations found in the [LRBI Manual](#).
 - c. No employee may inflict cruel or irresponsible punishment upon a student or exercise other liberties prohibited by statutory law including any form of corporal punishment as defined under [Utah Code § 53G-8-301\(2\)](#).
 - d. Students requiring discipline are to be dealt with in a professional and objective manner, without undue emotional displays.
 - e. All student discipline must incorporate a restorative component fostering belonging over exclusion, social engagement over control, and meaningful accountability over punishment.
6. Physical Restraint and Seclusionary Time Out

- a. When student behavior becomes disruptive to the extent that immediate measures must be taken to avoid personal injury or abuse to themselves or others, teachers, acting in loco parentis, may use emergency safety interventions; physically restrain to control the student or students involved or use seclusionary time out.
- b. Physical Restraint and Seclusionary Time Out in Box Elder School District will follow these explicit steps:
 - 1) Physical restraint and seclusionary time out initiation can only be provided by trained faculty and/or staff when student behavior has been deemed a real, immediate, and capable threat to student(s), faculty, and/or staff.
 - 2) Release Criteria: Physical restraint and seclusionary time out duration must be terminated:
 - a) After the minimum time necessary to ensure safety or
 - b) When the student is no longer a real, immediate, and capable threat to self, students, faculty, and staff.
 - 3) If a public education employee engages in physical restraint of a student or the use of seclusionary time out, the employee shall immediately notify:
 - a) The student's parent; and
 - b) School administration
 - 4) If the student is eligible for special education, the director of special education must be notified as well.
 - 5) In a reasonable amount of time following the use of physical restraint or seclusionary time out, a formal process for debriefing the faculty and staff will take place in an effort to address any concerns on behalf of the employees involved as well as procedures to help prevent the need for physical restraint again for the involved student.

7. Supervision

- a. Teachers will provide adequate supervision and structure in their classes and during assigned extracurricular assignments.

8. Modeling Behavior

- a. Teachers have the responsibility to set and maintain high standards of behavior and act as role models to their students.

9. Continuum of Interventions

- a. Box Elder School District will continue to develop, use, and monitor a continuum of intervention strategies and restorative discipline to assist students, including students whose behavior in school falls repeatedly short of reasonable expectations, by
 - 1) Teaching student behavior expectations,
 - 2) Re-teaching behavior expectations,
 - 3) Enlist effective, evidence-based interventions matched to student needs prior to an administrative referral.

C. General Authority

1. If a particular type of conduct has the effect of disrupting the learning atmosphere, it should be subject to regulation. The Board possesses discretion in promulgating regulations for the proper conduct of students.

[Utah Code § 53E-3-501\(1\)\(b\)\(v\) \(2019\)](#)
[Utah Admin. Rules 277-609-3 \(2019\)](#)

D. Relation of school discipline rules to other policies

1. Rules and procedures shall restrict corporal punishment and the use of reasonable and necessary physical restraint or force as set forth in these policies and pursuant to [Utah Code § 53G-8-302](#) and [Utah Administrative Rules R277-609](#). Policies shall include written procedures for the suspension and expulsion of, or denial of admission to, a student, consistent with due process and other provisions of law, including [Utah Code § 53G-8-204 et seq.](#) Moreover, all rules and procedures shall be consistent with all other policies of the Board, and all state statutes and federal laws governing school discipline, including [Utah Code § 53G-8-203](#), [Utah Code § 53G-8-204](#) and [Section 504 of the Rehabilitation Act of 1974 \(29 U.S.C. § 794\)](#).

[Utah Code § 53G-8-203 \(2019\)](#)

E. Revising discipline rules

1. In adopting or revising the District's rules and regulations, the school board shall solicit input from various interest groups at the school and in the community, including district employees, parents, and students.

[Utah Code § 53G-8-202 \(2019\)](#)

F. Emergency Removals

1. Students may be removed from regular classes or District premises for nondisciplinary health, safety, and welfare reasons when the Board or its designee determines that an emergency exists.
2. Any student removed from school for any "emergency" reason who is in a condition that threatens his or her own welfare or the welfare of others shall be released to the student's parent, the parent's representative, or other proper authority, including, but not limited to, law enforcement officers and medical personnel.
3. The District shall make reasonable efforts to notify the parent prior to removing a student from school premises for emergency reasons. If the parent cannot be notified prior to the removal, the parent shall be notified as soon as possible after the removal and the reasons for it.

G. Students with Disabilities

1. Removal of a handicapped student for any of these reasons shall be used only in emergency situations and shall not exceed ten school days. Consecutive ten-day removals are prohibited, unless the Special Education Committee determines that the student poses an immediate threat to the safety of himself or others, or disrupts the safety of the learning environment. If the parents appeal the Special Education Committee's decision and refuse to permit a change in placement, the District may seek a court injunction to remove a dangerous handicapped student for more than ten consecutive days.
2. If emergency removals, suspensions, or removals to alternative education total 10 school days in a year, the Special Education Committee shall review the student's IEP, unless the discipline management portion of the IEP specifies otherwise.

H. ~~Teacher's Authority~~

- ~~1. A teacher may send a student to the principal's office in order to maintain effective discipline in the classroom. The principal shall respond by employing appropriate discipline management techniques.~~

- ~~2. A teacher may remove from class a student who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class. Not later than the third class day after the day on which the student is removed from the class, the principal shall schedule a hearing to be attended by the principal or the principal's designee, a parent of the student, the teacher, and the student.~~
- ~~3. Following the hearing, whether or not all requested parties are in attendance after valid attempts to require their attendance, the principal shall take one or more of the following actions:
 - ~~a. Suspend the student for a period not to exceed six school days.~~
 - ~~b. Place the student in an alternative education program.~~
 - ~~c. Place the student back in the class.~~~~
- ~~4. If the student is removed by the teacher a second time within the same semester, the student may be returned to that class only by action of the Superintendent at the principal's request. If the student is removed by the teacher a third or subsequent time within the same semester, the student may be returned to that class only by action of the Board at the request of the Superintendent.~~

I. Corporal Punishment

1. A school employee may not inflict or cause the infliction of corporal punishment upon a child who is receiving service from the school.

[Utah Admin. Rules R277-608 \(September 21, 2017\)](#)
[Utah Code § 53G-8-302 \(2019\)](#)

2. The term "corporal punishment" means the intentional infliction of physical pain upon the body of a student as a disciplinary measure. The term "child" means a person under the age of eighteen (18) or under the age of twenty-three (23) if the person is receiving educational services as an individual with a disability.

[Utah Code § 53G-8-301 \(2018\)](#)

J. Appropriate Conduct

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

- a. obtain possession of a weapon or other dangerous object in the possession or under the control of a child;
- b. protect the child or another person from physical injury;
- c. remove from a situation a child who is violent or disruptive; or
- d. protect property from being damaged.

[Utah Code § 53G-8-301\(2\) \(2018\)](#)

[Utah Code § 53G-8-302 \(2019\)](#)

[Utah Admin. Rules R277-609-4\(3\)\(k\) \(May 8, 2018\)](#)

2. An employee of the District may not be subjected to any sanction for failure or refusal to commit an act prohibited by this policy.

[Utah Code § 53G-8-302 \(2019\)](#)

3. [Policy 5090 Child Abuse](#) regarding Child Abuse Reporting and Investigation shall apply to complaints made to the District regarding improper or unauthorized use of corporal punishment.

[Utah Code § 53G-8-303 \(2018\)](#)

K. Limitation

1. This policy does not restrict the use of physical contact which is considered to be reasonable discipline for purposes of behavior reduction intervention and which is also in compliance with state regulations and District policies adopted pursuant to [Utah Code § 53E-7-202](#) regarding provision of education for students with disabilities.

[Utah Code § 53E-7-202 \(2018\)](#)

L. Disciplinary Record

1. Disciplinary records shall be made available to parents or the student, whichever is appropriate, pursuant to the District's student records policy.

M. Notice of rules

1. A copy of the rules and procedures shall be made available to all students at the time of their enrollment in the school. If a school makes significant changes to its discipline rules and procedures, written notice of the adopted and revised discipline

rules and procedures shall be distributed to all new and continuing students. In the case of all new, continuing or transfer students, a copy of the rules and procedures shall be mailed to the student's parents.

[Utah Code § 53G-8-204 \(2018\)](#)

N. Board review of school discipline rules

1. Each school shall file a copy of its school discipline rules and procedures with the Board within thirty days after adoption of the rules and procedures. The Board shall review the rules and procedures filed by each school and may require the school to modify any rule or procedure that is not consistent with Board policy or state statutes on discipline in the public schools.

[Utah Code § 53G-8-202 \(2018\)](#)

[Utah Code § 53G-8-203 \(2018\)](#)

POLICY 1040

Board Member Elections/Board Officers

- A. No more than four members may be elected to the Board in any election year, unless otherwise required as a consequence of reapportionment or appointment to fill a vacancy under [Utah Code § 53G-4-201 \(2019\)](#).
- B. An individual may become a candidate for a local school board by filing a statement of candidacy. Election of a local school board member shall be in accordance with [Utah Code §§ 20A-14](#) and [53G-4-201](#). Filings required by [Utah Code § 53G-4-201 \(2019\)](#) shall be made in the county clerk's office. ~~The county clerk and the business administrator of the affected school district shall conduct the lottery required by [Utah Code § 53G-4-201 \(2019\)](#).~~
- C. The term of office for an elected member is four years, beginning on the first Monday in January following the election, except as provided in [Utah Code § 53G-4-201 \(2019\)](#). A member shall serve until a successor is elected or appointed and qualified.

[Utah Code § 53G-4-201 \(2019\)](#)

- D. A member shall qualify to serve upon taking the constitutional oath of office.
- E. The Board shall elect from their number a president and a vice president whose terms of office are for two years and until their successors are elected. Board officer elections shall be held during the first meeting in January following a regular school Board election.

[Utah Code § 53G-4-203 \(2019\)](#)

- F. When a vacancy occurs on the office of president or vice-president of the board for any reason, a replacement shall be elected for the unexpired term.

[Utah Code § 53G-4-203 \(4\) \(2019\)](#)

- G. An elected officer of the Board may be removed for cause by a vote of two-thirds of the Board.

[Utah Code § 53G-4-203 \(2019\)](#)

- H. The president shall preside at all meetings of the Board, appoint all committees, and sign all warrants and other legal documents approved by the Board.

Policy 1040
Reviewed
July 13, 2016
First Reading
July 15, 2020
Second Reading
August 12, 2020

- I. In the absence of the Board President, the Vice-President shall preside. In a case where both the President and Vice-President are absent the members present shall elect a temporary chair who shall preside for that meeting only.

POLICY 1225

School Size – Elementary School

General Guidelines

A. Definitions

1. Building Capacity

- a. Building capacity is determined by multiplying the total number of available classrooms in a building by 25.0. Adjustments are made for half-day kindergarten and special education classrooms.

2. Available Classrooms

- a. Available classrooms are determined by taking every room in a school that is designed as a classroom and has at least 800 sq. ft.

3. Community

- a. Any incorporated city or any individual unincorporated area that people identify as a community will be considered a community.

4. Effective School Life

- a. The effective school life will be determined by averaging the year of original construction with all additional years of major renovations and adding 50 years to that average. A major addition/renovation is any project that totally replaces or adds additional structure to the existing building.

B. Considerations

1. In all school size issues, the following should be considered as plans and decisions are considered and made:
 - a. For Students

- 1) Where possible, no changes will be implemented that will force students to change their assigned school more than once during their elementary school experience. “Partnered schools” will count as one assigned school.
- 2) If a boundary change forces a student to change schools for their 5th grade year only, where possible, eligible students will be provided transportation to attend their previous school (if that school offers 5th grade) if they so choose.

b. For Families

- 1) Where possible, students from a given family will never be assigned to more than one elementary school. “Partnered schools” will count as one assigned school.

c. For Communities

- 1) Where possible, communities will be assigned to the same school.

C. Building Size

1. Box Elder School District will strive to have elementary schools with a target building capacity/population of ~~750~~ 1,000 students unless located in an area of the county where a smaller school is more practical. In order to achieve this, the Board will:
 - a. Where feasible, increase capacity of existing buildings prior to constructing new buildings.
 - b. Construct new buildings with a capacity of approximately ~~750~~ 1,000 students or the infrastructure to expand to ~~750~~ 1,000 students in the future unless located in an area of the county where a smaller school is more practical.

D. Building Age

1. School buildings reach a point at which they are no longer effective or efficient to use. Box Elder School District will strive to replace or close buildings that because of their age are unsafe, non-functional, or inefficient to operate. As a school approaches the end of its effective life the Board will:
 - a. Develop a plan for the replacement of that building.
 - b. Perform repairs and maintenance on the building that are required to maintain a safe environment that supports both teaching and learning. The effective school

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life of the building should be considered before any proactive maintenance or repair project is initiated.

E. Staffing

1. Staffing in schools with less than 100 students as well as special purpose schools will be determined based on the needs of that particular situation as determined by the superintendent or his/her designee.
2. Staffing in schools with more than 100 students will be determined by a student to teacher formula that has been established for that particular year.

F. Planning

1. Long-Range

- a. The District Administration will develop, and annually update and report to the Board, a Future Building Plan. The Plan will include projected building needs for 0-5 years, 5-10 years, 10-20 years, and 20-40 years for elementary schools, intermediate schools, middle schools, and high schools in the District.

2. Ongoing

- a. In addition to long-range planning, ongoing evaluations will continue to address enrollment needs, including changes. This ongoing evaluation will include:

1) For Declining Enrollment Schools in Multi-School Communities

- a) Whenever enrollments decline within a community with multiple schools for three straight years or for four out of five years, to the point where current students plus anticipated projected enrollments for the next five years can be housed in fewer schools by using existing available classrooms, a school will be considered for closure. The school considered for closure will be the school:
 - i. That has the lowest Effective School Life in the community,
 - ii. With a population less than the average of all the schools in the community, and
 - iii. Whose closure does not eliminate the needed available classrooms to meet the criteria for closure.

2) For Increasing Enrollment Schools in Multi-School Communities

- a) When an individual school reaches an enrollment of 100% of its capacity and continued growth is anticipated, the Board will change boundaries if there is available space in other schools within the community, or within close proximity. Other schools within the community, or within close proximity, will be increased to at least 90% of their capacity prior to building a new school.
 - b) When an individual school reaches an enrollment of 100% of its capacity and continued growth is anticipated, and space is not available at another school in the community, or within close proximity, the Board will make persistent efforts to build an additional building.
- 3) For Declining Enrollments in Schools in Single School Communities
- a) Consideration of closure of a school in a single-school community will be based on a formula that includes:
 - i. Current enrollment,
 - ii. Cost per student as compared to other schools,
 - iii. Enrollment history and projection,
 - iv. Effective school life of building, and
 - v. Busing distances for current students to the building, and busing distance to other buildings with available space.
- 4) For Increasing Enrollments in Schools in Single-School Communities
- a) When the elementary school population within a given community or area where a school does not exist or the current school is inadequate and there is inadequate available space within a reasonable distance, the Board of Education will take action to acquire a school site and develop a plan to fund a new facility.

POLICY 2100

Gifts, Donations, and Bequests - Acceptance

- A. The district welcomes gifts and donations. The District has organized a foundation, the Box Elder School District Foundation, which has the purpose of receiving and administering financial or negotiable gifts to support excellence in education, pursuant to [Utah Code § 53G-3-402](#). Gifts or donations in kind must be accepted by the District pursuant to paragraphs C and D below. Donations and gifts should be accounted for at an individual contribution level.
1. Donations, gifts, and sponsorships shall be directed to the District, District program(s), school, or school program(s). Donations, gifts, and sponsorships shall not be directed at specific District employees, individual students, vendors, or brand name goods or services.
 2. Donated funds shall not compensate public employees, directly or indirectly.
 3. If donations or gifts are offered in exchange for advertising or other services, an objective valuation will be performed and a charitable receipt will be issued by the foundation or the business administrator.
 4. Donations or gifts shall not be accepted that advertise or depict products that are prohibited by law for sale or use by minors, such as alcohol, tobacco, or other substances that are known to endanger the health and well-being of students; or, in the opinion of the District, may cause a substantial disruption to the education environment.
 5. As required by state law, donations will only be accepted where there is no expectation or promise, expressed or implied, of remuneration or any undue influence or special consideration. District employees are not permitted to accept personal payment or gratuities in any form from a vendor or potential vendor as a precondition for purchase of any product or service.
- B. No school employee shall accept any trust fund, or bequest for, or on behalf of the school, class, club, or organization without first receiving permission from the District's Business Administrator. When a donation is accepted, it becomes the

property of the Box Elder County School District. (See also [Policy 2130 Capitalization](#))

1. School employees shall only accept gifts of substantial value for, or in behalf of the school, class, club, or organization after gaining permission from their building administration.
 2. District employees may not direct operating expenditures to outside funding sources to avoid District procurement rules (operating expenditures include equipment, uniforms, salaries or stipends, improvements or maintenance for facilities, etc.). District employees must comply with District procurement policies and procedures, including complying with obtaining competitive quotes and avoiding bid splitting.
 3. Those wanting to provide gifts that include trust funds or bequest for, or on behalf of the school, class, club, or organization are to be referred to either the District's Business Administrator or the Box Elder School District Education Foundation.
- C. When requested, the school/District shall provide a letter to the donor describing the donation. The District will not certify the value of property or an in-kind donation.
- D. Donors who desire to obtain a receipt for tax purposes should prepare and submit with the gift an [Internal Revenue Service Form No. 8283](#). Donors must obtain advice from their own advisers as to whether gifts to the District are tax deductible. The District will sign and return a properly prepared Form 8283 to give the donor a record that the gift was received by the District.
- E. Part of the process of making a gift is obtaining the approval of the District for conditions which may be attached to the gift. Gifts of property must be reviewed and approved by the Superintendent or his/her designee prior to acceptance to make sure that the property will be useful to the District.
- F. All donations that would involve facility renovation or modification, construction, continued maintenance, or additional capital equipment must be referred to the Superintendent or his/her designee before acceptance. All donations that would include voluntary labor must be referred to the Facilities Director before acceptance.
- G. All donations that are associated with entering into a contract for either product or services by a specific vendor must receive prior approval by the Board of Education.

- H. As a general rule the District will not commit to name classrooms in a building or a building itself with the name of a donor as a quid pro quo for a gift. The action to name buildings or parts of buildings is within the power of the Board of Education. The process of naming school facilities as a result of a gift or a donation is found in [Policy 1222 Naming Facilities](#).
- I. Gifts to individual school employees are discouraged. Gifts to school employees of substantial value by individuals, groups of individuals, clubs or organizations who may be benefitted by that gift are prohibited. In no case should school employees exhibit gifts or show favoritism to those who brought them.
- J. Cash Donations
1. Cash donations are welcomed and may be accepted from private individuals, companies, organizations, clubs, foundations, and other appropriate entities. All cash donations will be received in compliance with the District's cash receipting policies. Cash donations may be used to fund or enhance programs, facilities, equipment, supplies, services, etc. Cash donations over \$10,000 are required to go through the district foundation and must be preapproved by the Business Administrator.
 2. Cash donations may not be used to hire regular classroom teachers, thereby altering the staffing ratios. However, classroom assistants, coaching assistants, or specialists of any kind, including individuals who may hold educator licenses, may be hired using the funds received. Donations to fund such positions shall be made to a program, school, division, or department—not directly to individuals—and employment will be processed through the District's Human Resources Department and Payroll Department. The District or school administration reserves the right to decline or restrict these types of donations if they create inequitable environments in the school or inequities that violate Federal Title IX or other laws, are not economically in the best interest of the District, interfere with educational goals, or for any other reason determined by the District or school.
 3. Cash donations shall not be used to augment an employee's remuneration beyond the remuneration associated with the salary schedule of the employee's position.
- K. Products
1. The District or individual schools may accept donated products which carry the donor company's name, trademark, logo, or limited advertising on the product (e.g., cups, T-shirts, hats, instructional materials, furniture, office equipment, etc.). These

items shall be valued at fair market value at the time of the contribution. If advertising or other services are offered in exchange for the donation or gift, this may alter the contribution amount.

L. Equipment, Supplies, or Goods

1. The District or individual schools may accept donated equipment, supplies, or goods for use in the District or individual schools or school programs. These items shall be valued at the fair market value at the time of the contribution. If advertising or other services are offered in exchange for the donation or gift, this may alter the valuation amount.

M. Donor and Business Partner Recognition

1. Donor and business partner recognitions may be placed on equipment, furniture, and other donated gifts that are not considered capital or fixed assets. Non-permanent recognitions may be placed on District buildings or structures with written approval from the superintendent. The board may grant approval for the naming of buildings, structures, rooms, or other district facilities; see “Capital Fundraising” above. Principals may authorize banners, flyers, posters, signs, or other notices recognizing a donor or school business partner. Such materials shall feature the school-business partnership and not promote or endorse the business named.

- N. This policy applies to all District administrators, licensed educators, staff members, students, organizations, volunteers and individuals who initiate, authorize, or receive, authorize, accept, value, or record donations, gifts, or sponsorships for the District or individual schools. It is expected that in all dealings, District and school employees will act ethically, consistent with the District’s ethics training, the Utah Educators’ Standards ([Utah Admin. Rules R277-515](#)), the Public Officers’ and Employees’ Ethics Act ([Utah Code § 67-16-1 et seq.](#)), and State procurement law ([Utah Code § 63G-6a-101 et seq.](#)).

Revision

Also see [Policy 1036 Conflict of Interest](#)

Also see [Policy 5310 Fundraising](#)

POLICY 2170

Buildings & Grounds & Equipment - Use by Students & Employees

- A. Use of school facilities and equipment for personal use by school personnel or others is provided for only under [Policy 2160 Building & Grounds Rental and Supervision Permit and Use Agreement](#).
- B. No employee may use school facilities or equipment for any personal purpose, except as part of an educational program, or a staff wellness program approved by the principal or district administrator.
- C. Students or others shall not be in school buildings except for school functions and under the supervision of school personnel.
- D. School employees and students should exercise all due care in protecting the building and grounds and in using them for the purposes intended.
- E. The following guidelines govern use of office machines by school employees:
 - 1. As a convenience, personal copies from copy machines may be made by school employees by paying the standard rate approved by the District. That standard rate should be similar to commercial rates in the area and the service will be provided only to employees.
 - 2. The laminating machines that are owned by the District may be used by District personnel for personal use provided costs of the materials are paid and authorization is given by the administrator responsible for the equipment.
 - 3. Employees whose regular job requires them to use District computers may use those computers for personal use after regular working hours, consistent with guidelines and restrictions that may be established by District Information Technology personnel and Policies [4177](#), [5305](#), and [5306](#). Computer media used for personal data should either be supplied by the employee or purchased from the District.

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4. Portable computers furnished by the District for employee use may be checked out for a specified time through the checkout procedure established by the Principal and approved by administration.

POLICY 2210

Transportation Eligibility

- A. Buses in the Box Elder School District will be used only for transporting eligible students for educational purposes. Buses may not be used for transporting adults or pre-school age children except under special permission of the superintendent or through the state authorized handicapped preschool.
- B. Students in grades Kindergarten through 6, living 1.5 miles or more from their assigned elementary school and students in grades 7 through 12, living 2.0 miles or more from their assigned secondary school shall be entitled to transportation or transportation allowances* subject to the rules and regulations established by the State of Utah and Box Elder Board of Education. ([Utah Admin. Rules R277-600-4](#))
- C. Students in grades Kindergarten through 6 may be required to walk up to 1.5 miles, and students in grades 7 through 12 may be required to walk up to 2.0 miles before reaching a regularly established bus stop. State regulations will be followed in establishing bus stops. To be eligible for transportation a student must live further than the above distances from their assigned school. The distance from home to school is determined as follows: From the center of the public route (road, thoroughfare, walkway, or highway) open to public use, opposite the regular entrance of the one where the student is living, over the nearest public route (thoroughfare, road, walkway, or highway) open regularly for use by the public, to the center of the public route (thoroughfare, road, walkway, or highway) open to public use, opposite the nearest public entrance to the school grounds which the student is attending. Ineligible students may ride buses on a space available basis. An eligible student may not be displaced or required to stand in order to make room for an ineligible student. Exceptions may be granted by the Board due to undue hardship or hazardous conditions. ([Utah Code § 53F-2-403](#)) ([Utah Admin. Rules R277-600-4](#))
- D. A Student who's IEP identifies transportation as a necessary related service is eligible for transportation regardless of the distance from the school attended by assignment of the Board. Student with disabilities are transported on regular buses and regular routes whenever possible, unless the IEP team determines otherwise.
- E. The District will fund the transportation program primarily from revenue provided by the state. To this end, the District will comply with all state rules and regulations regarding funding and record keeping.

[Utah Code § 53F-2-402 \(2019\)](#)

[Utah Code § 53F-2-403 \(2019\)](#)

- F. The Board and Pupil Transportation Director will analyze bus routes that involve a large number of deadhead miles to determine if an alternative method of transporting students is more efficient. Possible alternatives include the following, as outlined in Utah State Board of Education rules:
1. Use of a District multi-purpose passenger vehicle to transport students;
 2. Paying eligible students an allowance in lieu of District-supplied transportation wherein a student is reimbursed for mileage to school or bus-stop, whichever is closer;
 3. Providing a subsistence allowance for a student to live at a site nearer to the school; and
 4. Engaging in a contract or leasing for transportation.

[Utah Admin. Rules R277-600-7 \(January 9, 2019\)](#)

*As determined by the Box Elder Board of Education

POLICY 3042

Educational Support Professionals (ESP or Classified) Employee Evaluation

A. Definition:

1. For purposes of this policy, and “ESP employee” means a District employee who is working in a position that does not require a Utah educator license.

[Utah Admin. Rules R277-532-2 \(May 8, 2018\)](#)

2. Educational Support Professionals (Classified) Employee Evaluation

- a. ESP employees shall be evaluated on at least an annual basis using a written evaluation instrument. The evaluation shall be administered by the principal or by an appropriate supervisor designated by the principal. The evaluation instrument shall incorporate the job description and job duties of the employee, in addition to standards with regard to attendance, compliance with District policies, and other appropriate matters. The evaluation shall be completed at least 90 days prior to the end of the contract year.

[Utah Admin. Rules R277-532\(1\)\(c\) \(May 8, 2018\)](#)

[Utah Code § 53G-11-504\(1\) \(2020\)](#)

- b. A copy of the written evaluation shall be provided to the employee promptly following completion. The employee may appeal violations of the evaluation procedure (but not the substance of the evaluation) by submitting a grievance under the District’s grievance policy.

[Utah Admin. Rules R277-532-3\(1\)\(c\)\(v\) \(May 8, 2018\)](#)

- c. No evaluation is required for temporary or non-contracted (Working under 25 hours per week) ESP employees of the District.

[Utah Admin. Rules R277-532-3\(3\) \(May 8, 2018\)](#)

[Utah Code § 53G-11-504\(2\) \(2020\)](#)

POLICY 3043

Redress of Grievances

A. Purpose

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

B. Redress of Grievances

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

C. Evaluations

1. Teachers may present grievances regarding the evaluation process according to the District's evaluation processes outlined in [Policy 3210 Educator Evaluation](#) or as set out in the statute regarding evaluations. Those policies and laws shall govern grievances regarding teacher evaluations rather than this policy. ESP (Classified) employees may present grievances regarding evaluations under this policy.

[Utah Code § 53G-11-507 \(2019\)](#)

[Utah Code § 53G-11-508 \(2020\)](#)

D. Right to Representation

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

E. Freedom from Retaliation

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

F. Presentation

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

G. Board's Role

1. The Board shall provide an opportunity for employees to present their grievances for Board consideration. At the option of the Board grievances may be reviewed solely at the administrative level by a school principal or the Board may exercise its discretion to hear a grievance at a regular meeting in executive session or at such other times as the Board may determine.

H. Notice to Employees

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

I. Definitions

1. Complaint

- a. A complaint must specify the individual harm suffered.

2. A grievance under this policy shall include:

- a. Grievances concerning an employee's wages, hours, or conditions of work or other adverse employment action decisions affecting an employee.
- b. Specific allegations of unlawful discrimination in employment or education programs on the basis of sex (but not including allegations of sexual harassment), race, religion, national origin, age, disability, sexual orientation, or gender identity or on the basis of the employee's exercise of constitutional rights.
- c. Alleged violations of State Board rules or of policies adopted by the Board.
- d. Alleged violations of a constitutional, statutory, or common law right.

3. Aggrieved Party

- a. An aggrieved party is an employee who alleges a violation of a constitutional, statutory, or common law right, or of a State Board rule or local Board policy. An employee who files a grievance is not necessarily an "aggrieved party". Different

procedures may apply to “aggrieved parties” than to “complainants”. Those distinctions shall be determined on a case-by-case basis.

J. Presentations and Hearings

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

K. Aggrieved Party

1. An employee aggrieved by a violation of a constitutional, statutory, or common law right, a rule adopted by the State Board of Education, or a policy adopted by the Board shall be afforded a hearing before the Board in accordance with applicable law. However, this provision shall not be construed to create an independent right to a hearing before the Board in addition to any hearing required by law.

L. Request

1. The aggrieved employee shall make a written request for a hearing, identifying specifically the claimed violation and the relief requested. The written request shall be deemed filed upon receipt by the Superintendent’s office. The request shall be filed with the Superintendent’s office not more than 15 days after the claimed violation.

M. Hearing

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

N. Other Review Processes

1. Employee termination and non-renewal procedures are found in policy series D and such actions are not subject to the procedures set forth in this section. Procedures for complaints regarding sexual harassment (a form of sex discrimination) are set

forth in Policy 3007 and Policy 5275. Those procedures apply rather than the procedures in this policy.

O. Representation

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

P. General Provisions

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

Q. Level One

1. Any employee having a grievance shall meet with the Principal or immediate supervisor within fifteen days of the time the employee first knew, or should have known, of the event, condition, or series of events upon which the grievance is based.

R. Level Two

1. If the employee is not satisfied with the outcome of the grievance conference at Level One, the employee may meet with the Superintendent or a designee to discuss the grievance within seven working days after receiving the response.
2. At or prior to the conference with the Superintendent or designee, the employee shall submit a written description of the basis of the grievance, the date(s) it occurred, the remedy sought, and the date the employee conferred with the Principal or immediate supervisor.

S. Level Three

1. If the outcome of the grievance conference at Level Two is not to the employee's satisfaction, an employee wishing to appeal shall file a written request with the Superintendent for a Board hearing at the next regular meeting. In matters involving an aggrieved party, the meeting shall be held within 30 days after the date the written request for a Board hearing was filed with the Superintendent, unless postponed by mutual consent. The Board shall notify the aggrieved employee in writing of the time and place of the hearing. The Board shall provide written notification to the aggrieved employee of its decision within 15 days after the hearing.
2. The Board may designate a portion of its regular monthly meeting to hear employee grievances. However, the Board shall not discuss any subject that is not included in the written notice (posted agenda) for the meeting, other than to propose to place it on the agenda for a subsequent meeting.
3. The Board President may set reasonable time limits on grievance presentations. The Board shall listen to the grievance but is not required to respond or take any action on the matter unless the grievance is from an aggrieved party.
4. Aggrieved parties who are entitled to some type of due process hearing shall be afforded that hearing with the Board or its designee at Level Three. If the Board's designee conducts the hearing, the designee shall make a recommendation to the Board at a meeting held within 30 days of the date the request for a Board hearing was filed with the Superintendent. The employee shall be given an opportunity to respond to the recommendation either orally or in writing.

T. Closed Hearing

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

[Utah Code § 52-4-205\(1\)\(a\) \(2019\)](#)

POLICY 3055

Substitute Teachers

A. Hiring and Employment Procedures

1. In hiring substitute teachers, the District currently contracts with Kelly Educational Services to provide substitute teachers as needed.

B. Suspended Licensure

1. The District may not employ any individual whose license has been revoked or is currently suspended by the State Board or the licensing entity of another jurisdiction.

[Utah Admin. Rules R277-508-3\(5\)\(a\) \(May 8, 2018\)](#)

POLICY 3086

Employee Use of Personal Electronic Devices

- A. The Board of Education recognizes that the inappropriate use of personal ~~cellular telephones and other~~ electronic devices during instructional time often disrupts student learning. The inappropriate non-instructional use of these devices is disruptive to employees performing their expected job functions.

Utah Admin. Rules R277-495-3(1) (April 8, 2019)

B. Definitions

1. "Electronic device" means a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument including:
 - a. a smart phone;
 - b. a smart or electronic watch;
 - c. a tablet; or
 - d. a virtual reality device.
2. "Guest" means an individual who is not a student, employee, or designated volunteer of a District school who is on school property or at the site of a school-sponsored activity or event.
3. "Inappropriate matter" means pornographic or indecent material as defined in Utah Code § 76-10-1235(1)(a).

Utah Admin. Rules R277-495-2(2), (3), (4) (April 8, 2019)

Utah Admin. Rules R277-495-4(1)(a) (April 8, 2019)

- C. The following will govern employee use of personal ~~cellular telephones and other~~ electronic devices:

1. Employees may possess these personal items while in school and at school activities.

2. Employees may access the districts WLAN for instructional uses where the WLAN is available.
3. All personal devices not being used for instructional or work related purposes will not be used and will be kept out of sight while an employee is performing his/her employment responsibilities.
4. Employees may use personal ~~electronic cellular telephones and other~~ devices between class times (teachers and aides), during their lunch break, other scheduled breaks, and/or recess periods for personal uses as long as it does not interfere with their employment responsibilities.
5. Employees shall not use electronic devices in any way which violates applicable ~~local, state, or federal laws statutes or regulations~~. Employees shall not use electronic devices in ways that bully, humiliate, harass, or intimidate ~~school-related individuals, including students, other employees, and guests or other school-related individuals~~.

[Utah Admin. Rules R277-495-4\(1\)\(a\), \(c\), \(f\), \(g\) \(April 8, 2019\)](#)

6. ~~Employee use of an electronic device on school premises (or use of school connectivity) to access inappropriate matter is prohibited by this policy. It is also illegal, may have criminal consequences, shall be reported to law enforcement, and may have adverse employment consequences including termination from employment.~~

[Utah Admin. Rules R277-495-4\(1\)\(c\), \(3\)\(a\) \(April 8, 2019\)](#)
[Utah Code § 76-10-1235 \(2007\)](#)

7. ~~Electronic devices must be used in an ethical and responsible manner and must not be used to invade others' reasonable expectations of privacy. Students and others in the public schools should not be subject to video or audio capture, recording, or transmission of their words or images by any employee without express prior notice and explicit consent for the capture, recording, or transmission of such words or images. There are certain situations where the possession or use of electronic devices and cameras is absolutely prohibited within District schools, including locker rooms, counseling sessions, washrooms, and dressing areas.~~

[Utah Admin. Rules R277-495-4\(4\)\(a\) \(April 8, 2019\)](#)

8. ~~Electronic devices must not be used in hacking (obtaining unauthorized access to or disrupting in any way) any District network or any District electronic device.~~

[Utah Admin. Rules R277-495-4\(4\)\(a\) \(April 8, 2019\)](#)

9. For information regarding the use of electronic devices while traveling in district owned vehicles, please reference [Policy 2222 Transportation – Use of Cellular Telephones](#).
- D. Training: Each school shall, within the first 45 days of each school year, provide school-wide or in-classroom training to employees that covers:
1. The District's internet and electronic device policies ([Policy 4177 Responsible Computer Use](#) and this policy)
 2. The importance of digital citizenship;
 3. The District and school's student conduct and discipline policies;
 4. The benefits of connecting to the internet and using the school's internet filters while on school premises; and
 5. The discipline related consequences of violating internet and electronic device policies.

[Utah Admin. Rules R277-495-5 \(April 8, 2019\)](#)

- E. Notice of policy
1. Copies of the District's internet and electronic device policies shall be available on the District's website.

[Utah Admin. Rules R277-495-3\(4\) \(April 8, 2019\)](#)

- F. Consequences for violating policy
1. Violation of this policy or of [Policy 4177 Responsible Computer Use](#) may result in disciplinary action against the employee up to and including termination of employment.

[Utah Admin. Rules R277-495-4\(4\)\(c\) \(April 8, 2019\)](#)

POLICY 4061

Curriculum: American Heritage

A. American heritage in the curriculum

1. Classes, including American History, in which the subject matter is relevant, shall include thorough study of the:
 - a. Declaration of Independence;
 - b. United States Constitution;
 - c. National Motto;
 - d. Pledge of Allegiance;
 - e. National Anthem;
 - f. Mayflower Compact;
 - g. Writings, speeches, documents, and proclamations of the Founders and the Presidents of the United States;
 - h. Organic documents from the pre-Colonial, Colonial, Revolutionary, Federalist and post Federalist eras;
 - i. United States Supreme Court decisions; and
 - j. Acts of the United States Congress, including the published text of the congressional Record; and
 - k. United States treaties.
2. Instruction in American history and government shall include study of forms of government (such as a republic, a pure democracy, a monarchy, and an oligarchy), political philosophies (such as socialism, individualism, and free market capitalism), the United States' form of government (a compound constitutional republic), **and the flag of the United State and the Pledge of Allegiance to the Flag.**

[Utah Code § 53G-10-302\(3\) \(2019\)](#)

[Utah Admin. Rules R277-475-4\(2\) \(November 8, 2019\)](#)

B. Posting American heritage documents

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

[Utah Code § 53G-10-302\(4\), \(5\) \(2019\)](#)

C. Display of the National Motto

1. The national motto of the United States, which is declared by federal statute ([36 U.S.C. § 302](#)) to be “In God we Trust,” shall be displayed in one or more prominent places within each school building in the District, as provided for in Utah Code § 53G-10-302.

[Utah Code § 53G-10-302\(6\) \(2019\)](#)

D. Pledge of Allegiance

1. The pledge of allegiance to the flag shall be recited once at the beginning of each day in each public school classroom in the state and, led by a student in the classroom, as assigned by the classroom teacher on a rotating basis.
2. Each student shall be informed by posting a notice in a conspicuous place that the student has the right not to participate in reciting the pledge.
3. A student shall be excused from reciting the pledge upon written request from the student's parent **provided at least once per year.**
4. At least once a year, students shall be instructed that participation in the pledge of allegiance is voluntary and not compulsory; and not only is it acceptable for someone to choose not to participate in the pledge of allegiance for religious or other reasons, but students should show respect for any student who chooses not to participate.
5. A public school teacher shall strive to maintain an atmosphere among students in the classroom that is consistent with the principles described above.

[Utah Code § 53G-10-304 \(2020\)](#)

[Utah Admin. Rules R277-475-5 \(October 8, 2019\)](#)

E. Parental Notice and Information

1. The District shall make information available on its website about the flag, respect for the flag and civility toward all during patriotic activities. This information shall include notice about lawful exemptions to the requirement for students to participate in the Pledge of Allegiance, the right of students not to participate in the Pledge of Allegiance, that participation in the pledge of allegiance is voluntary and not compulsory, and not only is it acceptable for someone to choose not to participate in the pledge of allegiance for religious or other reasons, but students should show respect for any student who chooses not to participate. It shall also notify parents that a student may be excused from reciting the Pledge of Allegiance upon a written annual request of the student's parent.

[Utah Admin. Rules R277-475-4\(1\)\(c\) \(October 8, 2019\)](#)

[Utah Admin. Rules R277-475-5 \(October 8, 2019\)](#)

POLICY 4062

Curriculum: College Course Work

A. Definitions

1. "Concurrent enrollment" means enrollment in a course that allows a student to earn credit both towards high school graduation and at an institution of higher education.
2. "Eligible student" means a student who (a) is enrolled in and counted towards average daily membership in a school within the District, (b) has on file a plan for college and career readiness, and (c) is in grade 9, 10, 11 or 12.
3. "Eligible instructor" means an instructor who is either employed as faculty by an institution of higher education or who is employed by the District and meets the requirements of [Utah Code § 53E-10-302\(6\)](#).

[Utah Code § 53E-10-301\(2\), \(4\), \(5\) \(2020\)](#)

[Utah Code § 53E-10-302\(6\) \(2020\)](#)

4. "Designated institution of higher education" means an institution of higher education designated by the Utah Board of Higher Education to provide a course or program of study within a specific geographic region.

[Utah Code § 53E-10-303\(1\) \(2020\)](#)

B. Establishing Concurrent Enrollment Courses

1. The District may establish concurrent enrollment courses by entering into a contract with an institution of higher education to provide such courses. The District and the institution of higher education must (a) ensure that the course instructor is an eligible instructor, (b) establish qualifying academic criteria for enrollment in the course, (c) ensure that students enrolling are eligible students, and (d) coordinate advising of the eligible students.
2. In establishing a particular concurrent enrollment course, the District must first offer to contract with the designated institution of higher education for the course. If the designated institution of higher education either chooses not to offer the course or does not respond to the District's proposal within 30 days, the District may then contract with another institution of higher education to provide the course.

[Utah Code § 53E-10-303 \(2018\)](#)

3. A contract with an institution of higher education for a concurrent enrollment course for the upcoming school year shall be entered into and a copy provided to the State Superintendent by May 30. The contract shall use the standard language developed by the State Superintendent and the Utah System of Higher Education.

Utah Admin. Rules R277-713-9 (October 8, 2019)

4. The student is responsible for expenses and arrangements associated with college enrollment as provided for in Utah Code § 53E-11-305.

Utah Code § 53E-11-305 (2018)

Utah Admin. Rules R277-713-8(3), (4) (October 8, 2019)

C. Participation Form and Parental Permission

1. Before allowing an eligible student to participate in a concurrent enrollment course, the District and the institution of higher education must ensure that the student has, for the current school year, (a) submitted a completed participation form which includes the signature of the student's parent indicating permission to participate and (b) signed an acknowledgment of program participation requirements. (The participation form shall be that which is created by the Utah Board of Higher Education.)

Utah Code § 53E-10-304 (2020)

POLICY 4070

Early Graduation

- A. All students awarded a high school diploma from Box Elder School District schools must complete all requirements listed in [Policy 4060 High School Graduation Requirements](#).
- B. Any student who has completed all required courses or demonstrated mastery of required skills and competencies may, with the approval of the student's parent and an authorized local school official, **and has a current plan for college and career readiness on file at the student's high school**, graduate at any time.

Utah Code § 53F-2-501(1) (2018)

Utah Admin. Rules R277-703-4(2) (October 10, 2017)

- C. The school counselor will set up a "Plan for College and Career Readiness" (PCCR) meeting involving the parent, student, counselor, and other school staff as appropriate. During this PCCR meeting the student's post high school goal will be reviewed to determine whether early graduation is appropriate. If early graduation is appropriate to the goal, the PCCR participants will plan a schedule leading to graduation at the conclusion of the 10th grade or as early as possible thereafter.
- D. Early graduation credit in Box Elder School District may be earned through the following:
1. Regular High School Courses
 2. Concurrent Enrollment Courses
 3. Advanced Placement Courses
 4. Area Applied Technology Centers
 5. Accredited Online Courses
 6. Accredited Summer School Courses
 7. Competency Demonstration from accredited institution

8. Vocational Incentive Program Courses

9. College courses offered by fully accredited institutions

*Note: Competency Demonstration requires a satisfactory GPA in all related and prerequisite classes to the class(es) being challenged. Competency demonstration credit will be offered in courses which have an approved course end test. In order to receive competency demonstration credit, the student must pass the test to the satisfaction of the institution or teacher.

E. Scholarships for Early Graduation

1. The District shall aid the early graduating student to apply for a Centennial scholarship provided under Utah Code § 53F-2-502(3)(a). In consultation with the student's parent and school advisor, a student seeking a Centennial scholarship shall indicate to the principal the student's intent to complete early graduation at the beginning of the 9th grade year or as soon thereafter as the intent is known.

Utah Code § 53F-2-501(3) (2018)

Utah Admin. Rules R277-703-4(1) (October 10, 2017)

Policy 4086

Comprehensive Counseling and Guidance Program

A. Box Elder School District refers to [Utah Admin Rule R277-462](#).

Policy 4087

Work-Based Learning

It is Box Elder District's purpose to develop and implement a Work-Based Learning program that will improve the knowledge and skills of all students by integrating academic and occupational learning, integrating school-based and work-based learning, and building effective linkages between secondary and post-secondary education.

A. Student Eligibility

1. For all work-based learning activities the Plan for College and Career Readiness is used as a qualifying indicator for a school-to-career based learning experience. The Plan for College and Career Readiness indicates a student's occupational interests and a community site training experience selected in that career field. Community cooperating employers – who provide career training at their business sites, allow students to participate on a "space available" basis.
2. Prior to or concurrently with work-based learning, students receive instruction based upon the [Secretary's Commission of Achieving Necessary Skills \(SCANS\)](#) from the Utah State Board of Education critical workplace skills curriculum.

B. Student Records

1. The following documents must be completed and on file at the school for students participating in any work-based learning experience (exceptions may apply to students participating in job-shadowing):
 - a. Plan for College and Career Readiness
 - b. Student Application
 - c. Intern Commitment
 - d. Emergency Contacts
 - e. Confidentiality Agreement
 - f. Media Release Form

g. Documentation of SCANS and/or critical workplace skills curriculum

h. Skills Grid

i. Contract training agreement between student, parent(s), employers, and education institution.

j. Student Work Records

k. Student Evaluation

l. Mentor Evaluation

C. Training for Students, Student Supervisors and Cooperating Employers regarding Hazards in the Workplace

1. Students will be informed of safety and health hazards in the workplace prior to student placement. Student will not be placed in training sites, except under “careful supervision” and in accordance with child labor laws.
2. Employers will assure a safe work environment and will discuss all safety issues with the work-based learning supervisor during an initial review of the work site and prior to the student work-based learning experience. All work-based learning supervisors will be required to receive thirty hours of training approved by the Utah State Office of Education relevant to the work-based learning experience including all child labor laws, safety, and hazards.

D. Standard and Procedures for Approval of Off-Campus Work Sites

1. Work-site experiences may be provided through a cooperating employer in career internship, registered apprenticeship, job shadowing, cooperative learning, or service-based learning.
2. Work-based learning may be paid or unpaid. Paid and unpaid experiences will follow the document, [Child Labor Requirements under the Department of Labor, WH-1330, revised November 2016](#).
3. The registered apprenticeship program is approved by the Bureau of Apprenticeship and Training (BAT). The BAT will take over supervision after the student has graduated from high school.
4. Adhering to the intent of the U.S. Department of Labor document, [Fair Labor](#)

Standards Act, an unpaid intern student employee may not fill a vacancy that a new hire would normally fill, be given exclusion to training a regular employee would normally be assigned to, nor perform any regular duties for the support of the business.”

5. Employers will assume responsibility for meaningful training.

E. Student Transportation

1. Students participating in school organized career awareness field trips are transported by approved school carriers.
2. For students participating in work-based learning programs, transportation will be the responsibility of the parents.

F. Appropriate Supervision by Employers at the Work Site

1. The cooperating community employer/supervisor will:
 - a. Provide “careful supervision” at the work site for student training,
 - b. Assume responsibility for meaningful training,
 - c. Communicate on a regular basis with the education supervisor,
 - d. Consult with the program coordinator/teacher regarding problems related to the work based learning experience. Communication is critical and contact with the program coordination/teacher must take place before (1) considering a student for an assigned work site, (2) transferring to another work-site, or (3) termination.
 - e. Record attendance and performance of the student trainee,
 - f. Meet with school personnel to provide evaluation of trainees’ work,
 - g. Conform to State and Federal Labor Laws,
 - h. Have workers’ compensation under which a paid trainee is covered. All non-paid work-based learning experiences are covered by the District Worker’s Compensation Insurance Plan.

G. Insurance Coverage

1. For paid work employment, work injuries and occupational disease insurance coverage is provided by the employer's workers' compensation.
 2. For unpaid work experiences, work injuries and occupation disease insurance will be covered through the Box Elder School Districts workers' compensation as specified by [Utah Admin. Rules R277-915](#).
- H. Appropriate Supervision and Evaluation of the Student by the Work-Based Learning Coordinator/Supervisor.
1. The Education Supervisor will:
 - a. Approve the student's eligibility.
 - b. Approve the cooperating employer work site and training.
 - c. Inform student of safety and health hazards in the workplace prior to the student's placement.
 - d. Assure "careful supervision" of the student at the training site.
 - e. Coordinate with the employer on student training and evaluation.
- I. Appropriate Involvement and approval by the Student's Parent(s) in the Work-Based
1. Learning experience
 - a. The parent(s) will:
 - 1) Partner with the school, school counselor, school personnel, and student.
 - 2) Support the student's participation in the work-based learning program.
 - 3) Determine the method of transporting students to and from the work site.
 - 4) Assume full legal and financial responsibility for the student's released time from school for the work-based learning experience.

POLICY 4177

Responsible Computer Use

- A. It is the policy of Box Elder School District to permit students, patrons, and employees to have computer and Internet access under approved regulations and guidelines, to include those listed in the [Children's Internet Protection Act](#), Federal & State Law, and policies adopted by the Board of education. It is expected that students, patrons, and employees accessing district network resources will adhere to high standards of digital citizenship and conduct themselves in a responsible, decent, ethical, and polite manner.
1. Access to the district network is permitted primarily for instructional purposes and is a privilege not a right. Limited personal use of the district network is permitted if the uses pose no tangible cost to the District, does not unduly burden or cause damage to the district's computer or network resources, and does not adversely affect a student's academic performance or an employee's job performance.
 2. All devices accessing the district network will have content filtered in accordance with federal and state law, including the [Children's Internet Protection Act](#) and the [Family Education Rights and Privacy Act](#).
 3. Privately owned devices accessing the district network may be required to allow device management as specified by the district technology department.
 4. Students, patrons, and employees must agree to the terms and conditions of the associated acceptable use agreement prior being granted access to district computers and network resources.
- B. Prohibited Uses: The following uses of the District's computers and network resources are prohibited.
1. Using an account other than one's own and any attempt to gain unauthorized access to accounts on the network.
 2. Manipulating or attempting to manipulate, reconfigure or damage district hardware, software or network settings.
 3. The use of games, chat rooms, blog, social networking sites, and instant messaging that is not directly related to curriculum development, instruction, work assignment, or assigned learning experience.

4. Degrading or attempting to degrade or disrupt networking equipment or services.
5. Using computers or network resources for any illegal activity. This includes, but is not limited to transmitting or receiving:
 - a. threatening or obscene material,
 - b. material protected by trade secrets or copyrighted without proper permission,
 - c. the design or detailed information pertaining to explosive devices,
 - d. criminal or terrorist acts,
 - e. sexism or sexual harassment,
 - f. pornography,
 - g. gambling,
 - h. illegal solicitation,
 - i. racism, or
 - j. inappropriate language.
6. Transmitting or receiving any material reflecting adversely upon individuals because of their race, national origin, sexual orientation, gender, religion, or disability.
7. Using the district computers or network resources for personal financial gain, personal business and product advertisement, or personal use for religious or political lobbying (including student body elections or representation elections for employees). No person may use any District email system or service for a political purpose, or ~~to solicit a campaign contribution, or to~~ advocate for or against a proposed initiative, initiative, proposed referendum, or referendum. An email sent in violation of this restriction is a record subject to the Government Records Access Management Act and is not considered a personal note or personal communication.

[Utah Code § 20A-11-1205 \(2019\)](#)

8. Destroying or attempting to destroy or degrade data of another user, another agency or network. This includes uploading or downloading, or the creation of digital viruses or malware.
 9. Violating the privacy of another by disclosing confidential information about other individuals, if the disclosure is not allowed by federal or state law or district policy.
 10. Posting personal communications without the original author's consent or posting anonymous messages.
 11. Bypassing or attempting to bypass filters and security via proxy servers, VPN access, connecting personal wireless access points, or other means.
 12. Any content that disrupts the educational environment.
 13. Erasing, expiring, or resetting memory cache, webpage links, or HTTP location history without permission.
 14. Downloading, uploading, installing or executing applications, unauthorized programs or software.
- C. Discipline: Irresponsible/inappropriate use of digital devices or network resources may result in the loss of network privileges, disciplinary action, termination of employment, and/or referral to legal authorities and the Utah Professional Practices Commission.
1. The technology department monitors network activity and will communicate any violations or suspected violations of this policy or the responsible use agreements to the appropriate administrator. There is no expectation of privacy on the district network.
 2. If employees, students, or patrons become aware of any violations of this policy or the responsible use agreements they should report the violation or suspected violation to their teacher or building/District administrator.
 3. Students, patrons, employees are liable for replacement costs of any computer/network resources damaged by neglect or willful disregard.
- D. Security:
1. Any passwords issued to users must not be shared with or disclosed to other users without specific authorization from the administrator.

2. Passwords should be changed regularly in accordance with industry standards.
 3. Users should not leave workstations without logging out or locking the device.
- E. Privately owned devices: Students, patrons, and employees have the privilege of using privately owned digital devices on the District network in compliance with this policy and school/classroom rules.
1. Teachers, building administrators and district staff may confiscate and search a privately owned device if federal or state law, district policy, or school or class rules are violated.
 2. Devices confiscated under the provisions of this policy may be turned over to law enforcement agencies for further investigation.
- F. Disclaimer: The District makes no guarantee of the completeness or accuracy of any information provided on the network. It makes no promise or warranty to maintain or update its network or the information contained or made available to the public, its employees, and students. The District may suspend or discontinue these services at any time.
1. The District specifically disavows legal responsibility for what a user may find on another external site or for personal opinions of individuals posted on any site.
 2. A user assumes the risk of use or reliance on any information obtained through the network.
 3. The District will not be responsible for any damages a user suffers while on the system, including loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by negligence, errors, or omissions.

POLICY 5067

Student ~~Self-Treatment for~~ Asthma Emergency

A. Definitions

1. "Asthma action plan" means a written plan developed with a school, nurse, a student's parent, and the student's health care provider to help control the student's asthma, which is signed by the student's parent and health care provider.
2. "Asthma emergency" means an episode of respiratory distress that may include symptoms such as wheezing, shortness of breath, coughing, chest tightness, or breathing difficulty.
3. "Qualified adult" means a person who is 18 years of age or older and who has successfully completed the Utah Department of Health training program described in this policy.
4. "Stock albuterol" means a prescription inhaled medication which is used to treat asthma and that may be delivered through a device, including an inhaler or a nebulizer with a mouthpiece or mask.

[Utah Code § 26-41-102\(2\), \(3\), \(6\), \(9\) \(2019\)](#)

B. Administration of Stock Albuterol for Asthma Emergency

1. This policy does not create a duty or standard of care for a person to be trained in the use and storage of stock albuterol, nor does it create a duty on the part of the District or a school to store stock albuterol at a school, nor does it relieve a student's parent from providing a student's medication, nor does it create an expectation that a school will have stock albuterol available. A school, School Board, or school official may encourage a teacher or other school official to volunteer to complete the training described below and to make stock albuterol available for asthma emergencies. A school, school board, or school official may encourage a teacher or other school employee to volunteer for such training. A school, the school board, or a school official may not prohibit or dissuade a school employee from
 - a. being trained in use and storage of stock albuterol,

- b. possessing or storing stock albuterol on school premises (if the employee is a qualified adult and the possession and storage is in accord with training), or
- c. administering stock albuterol (if the employee is a qualified adult and the administration is in accord with training).

Utah Code § 26-41-103 (2019)

- 2. Each primary and secondary school shall make initial and annual refresher training regarding the storage and emergency use of stock albuterol available to any interested teacher or other school employee, who is at least eighteen (18) years of age, who volunteers for such training. The training will be provided by the Utah Department of Health.
- 3. The training will include instruction on:
 - a. Techniques for recognizing symptoms of an asthma emergency;
 - b. Standards and procedures for the storage and emergency use of a stock albuterol;
 - c. Emergency follow-up procedures, and contacting, if possible, the student's parent; and
 - d. Written materials covering the information provided during training.
- 2. The volunteers shall retain for reference the written materials covering the information provided during training.

Utah Code § 26-41-104.1 (2019)

- 3. A teacher or other school employee who is a "qualified adult":
 - a. May obtain (along with the school nurse) from the school district physician, the medical director of the local health department, the local emergency medical services director, a physician, pharmacist, or any other person or entity authorized to prescribe or dispense prescribed medicines or drugs, a prescription for stock albuterol;
 - b. May, when a school nurse is not immediately available, immediately administer stock albuterol to a person who (a) has a diagnosis of asthma by a health care provider, (b) has a current asthma action plan on file with the school, and (c) is

showing symptoms of an asthma emergency as described in the student's asthma action plan;

- c. Shall initiate appropriate medical follow-up in accordance with the training materials after administering stock albuterol.
4. Each primary or secondary school may make stock albuterol available to any teacher or other school employee who is employed at the school and has become a "qualified adult."

[Utah Code § 26-41-103\(6\) \(2019\)](#)

[Utah Code § 26-41-105 \(2019\)](#)

5. A school may obtain a prescription for a supply of stock albuterol for storage at the school and use by qualified adults if the school (a) designates an individual to complete an initial and annual refresher training program regarding the proper storage and emergency use of stock albuterol and (b) stores the stock albuterol according to Utah Department of Health standards.

[Utah Code § 26-41-105\(5\) \(2019\)](#)

6. The following, if acting in good faith, are not liable in any civil or criminal action for any act taken or not taken under the authority of Utah Code § 26-41-101 et seq. with respect to an asthma emergency:
 - a. A "qualified adult",
 - b. A person who conducts training regarding the emergency use and storage of stock albuterol, and
 - c. The District or its schools

[Utah Code § 26-41-106 \(2019\)](#)

- C. [Policy 5065 Administration of Medication](#) prohibits elementary and middle school students from carrying and self-administering medication on school premises except under certain limited circumstances. However, elementary and middle school students may carry and self-administer prescription or non-prescription asthma medications provided that the student's parent has previously provided the school with a written request and written health care provider approval.

1. The written request must state that the parent authorizes the student to have and

use the asthma medication.

2. The **written** health care provider **statement approval** must specifically identify any prescription medication and must state that:
 - a. ~~The provider is authorized to prescribe the medication~~ The name of the asthma medication prescribed or authorized for the student's use and
 - b. The student is capable of appropriately self-administering the medication, and
 - c. The provider finds that it is medically appropriate for the student to keep the medication with or readily available to him or her at all time.
- D. If the medication is to be stored other than on the student's person, the student or parent shall inform the school nurse and administration where the medication will be kept to enable access for emergency use.
- E. The student shall only use prescription asthma medication as directed by a health care provider's written orders, and shall use non-prescription asthma medication in accordance with the manufacturer's instructions.
- F. No student is permitted to sell, share, or otherwise give to others any medication, prescription or non-prescription. Violations of this policy are subject to disciplinary action under the school's drug policies.

Policy 5035

Attendance Requirements / Procedures

- A. Regular attendance at school increases the opportunities for students to benefit from their educational programs. The Utah Compulsory Attendance Law ([Utah Code § 53G-6-201](#)) directs parents to require their children between the ages of six and eighteen years to attend school. Frequent absences of students from daily classroom experiences disrupt the instructional process thus impairing a student's opportunity to learn.
- B. Special circumstances specified in the law allow the Board to excuse a student from attendance and exempt a parent from consequences listed in the law. ([Utah Code § 53A-11-102](#))
- C. ~~Because of~~ **Due to** Box Elder School District's commitment to quality education, there is concern when a student misses school for any reason. In keeping with state law and to promote the educational goals of the school district, the following attendance requirements are established for all students.
1. It is the responsibility of all students to attend school and to be on time every school day. If a student is absent for any reason, it is the student's responsibility to follow the procedures outlined by the district attendance procedure. Valid absences (excluding pre-arranged **family event** absences) and parent contact absences must be called in within one week of the absence.
 2. Students who are absent will be responsible to make up course work that can be made up. Teachers are required to give students an opportunity to make up course work missed. It is essential that teachers be precise in assigning work to be made up, as well as setting any time deadlines. Make up assignments should be as closely related to work missed as possible and should not exceed quantity of work assigned students during the time missed.
 3. When students must leave school for any reason, they shall follow the established procedures outlined by the school. If a student leaves their assigned area without formally checking out, the student will be considered truant.
 4. For each student who is or should be enrolled within the school, the administrator, or designee, shall make efforts to resolve attendance problems. These efforts shall include:

- a. A personal meeting with the student when he/she has missed ten days or any one class period ten times.
- b. Maintain a record of school absences that distinguish between absences that are considered as having a “valid excuse” and those considered to be without a valid excuse or “truancy”. Valid excuses include the following:
 - 1) Illness ~~(including medical and/or dental appointments)~~ including mental or physical
 - 2) Family death
 - 3) School activities
 - 4) ~~Prearranged family events with at least one day notice~~
 - 5) Absence permitted by the provisions of an IEP
 - 6) Absence permitted by the provisions of a 504 plan
- c. Issue a written notice of a compulsory education violation to a student’s parent when the student has accumulated at least ten absences without a valid excuse during the school year. The notice of violation shall:
 - 1) direct the parent to meet with school authorities to discuss the student’s attendance problems
 - 2) instruct the parent that cooperation is required by state law
 - 3) designate who the parent is to meet with
 - 4) notify the parents that it is a class ~~C~~ B misdemeanor
- d. A student who is between the ages of twelve and fifteen years and has been truant at least ten times during the school year may be classified as “habitual truant” if the school’s administration has made a reasonable, documented effort to resolve the attendance problems without success. ~~A student may not be classified as “habitually truant” if the student has at least a 3.5 cumulative grade point average and is at least 16 years of age.~~

Policy 5035
Amended
August 9, 2017
First Reading
July 15, 2020
Second Reading
August 12, 2020

- D. Students requesting an appeal to the school attendance policy may follow the procedures outlined in Box Elder School District [Policy 5350 Resolution of Student Complaints](#).

POLICY 5064

Medical Recommendations by School Personnel to Parents

A. Medical Recommendations by School personnel Testing

1. School employees may provide information and observations to a student's parents about the student's
 - a. Progress;
 - b. Health and wellness;
 - c. Social interactions; and/or
 - d. Behavior.
2. School employees may complete a behavioral health evaluation form if requested by a student's parent to provide information to a licensed physician or physician assistant.
3. In addition, a school employee may communicate information and observations between school personnel regarding a student. School employees may also refer a student to other appropriate school personnel and agents, including referrals and communication with a school counselor or other mental health professionals working within the school.
4. If a school employee believes a student is at risk of
 - a. Attempting suicide,
 - b. Physical self-harm, or
 - c. Harming others
5. The employee may question the student about the suicidal thoughts, self-harming behavior, or thoughts of harming others in order to refer the student to appropriate prevention services and to inform the student's parent. However, the questioning shall be limited to that which is necessary for referral to prevention services or to make the parent aware of the perceived risk. (See [Policy 5140 Student and Family Privacy Rights](#))

[Utah Code § 53E-9-203\(7\) \(2019\)](#)

6. If a school employee believes that a situation exists which presents a serious threat to the well-being of a student, that employee shall notify the student's parent without delay. The school employee may consult or use appropriate health care professionals in the event of an emergency while the student is at school, consistent with the student emergency information provided at student enrollment.
7. The school shall notify the parent of a student who:
 - a. Threatens to commit suicide; or
 - b. Is involved in an incident of bullying, hazing, abusive conduct, cyber-bullying, or retaliation (whether as a victim or as a perpetrator).
8. The school shall produce and maintain a record that verifies that the parent was notified of the threats or incidents listed above. The record is a private record for purposes of the Government Records Access and Management Act.
9. The process for notifying a parent shall consist of:
 - a. The school principal or designee shall attempt to make personal contact with a parent when the school has notice of a threat or incident listed above. It is recommended that the parent be informed of the threat or incident with two school people present. If personal contact is not possible, the parent may be contacted by phone. A second school person should witness the phone call.
 - b. Contact with the parent must be documented in a "verification of Parent Contact Regarding Threat or Incident".
10. Subject to laws regarding confidentiality of student educational records, at the request of a parent, a school may provide information and make recommendations related to an incident or threat.

[Utah Code § 53G-9-203 \(2019\)](#)

[Utah Code § 53G-9-604 \(2019\)](#)

11. The record of parental notification shall be maintained in accordance with [Policy 5100 Student Records](#), [Policy 5140 Student and Family Privacy Rights](#), [Title 53E, Chapter 9, Part 3, Student Data Protection](#), [Title 53E, Chapter 9, Part 2, Student Privacy](#), and the Federal Family Educational Rights and Privacy Act ("FERPA"). A copy of the record of parental notification shall upon request be provided to the student to whom the record relates. After the student has graduated, the District shall expunge the record of parental notification upon request of the student.

B. Schools Cannot Require Students to Take a Specific Medication or Treatment

1. School employees shall not require that a student take or continue to take a specific medication, whether over-the-counter or prescription medicine, as a condition for attending school.
2. This policy does not include immunizations against communicable diseases as required by the Department of Health as a prerequisite to school attendance. See [Policy 5050 Immunization Requirements](#).
3. School employees may not:
 - a. Recommend to a parent that a student take or continue to take a psychotropic medication;
 - b. Require that a student take or continue to take a psychotropic medication as a condition for attending school;
 - c. Recommend that a parent seek or use a type of psychiatric or psychological treatment for a student;
 - d. Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a student, except when necessitated to meet the requirement of the Individual with Disabilities Education Act, [20 U.S.C. § 1400 et seq.](#), and its subsequent amendments; or
 - e. Make a child abuse or neglect report to authorities, including the Division of Student and Family Services, solely or primarily on the basis that a parent refuses to consent to:
 - 1) A psychiatric, psychological, or behavioral treatment for a student, including the administration of a psychotropic medication to a student; or
 - 2) A psychiatric or behavioral health evaluation of a student.
 - a) However, school employees may make a report that would otherwise be prohibited under Subsection (5) if failure to take the action described under Subsection (5) would present a serious, imminent risk to the student's safety or the safety of others.

[Utah Code § 53G-9-203 \(2019\)](#)

C. School Mental health Professionals and Counselors Can Recommend Treatment or Evaluation

1. A school counselor or other mental health professional acting in accordance with the Mental Health Professional Practice Act, or licensed through the State Board of Education, working within the school system may:
 - a. Recommend, but not require, a psychiatric or behavioral health evaluation of a student;
 - b. Recommend, but not require, psychiatric, psychological, or behavioral treatment for a student;
 - c. Provide to a parent, upon the specific request of the parent, a list of three or more health care professionals or providers, including licensed physicians, psychologists, or other health specialists; and
 - d. Conduct a psychiatric or behavioral health evaluation or mental health screening, test, evaluation, or assessment of a student; however, prior written consent of the student's parent and a two-week minimum notification period are required prior to conducting the behavioral health evaluation or mental health screening, test, evaluation, or assessment. A parent may waive the two week minimum notification period. However, this written consent and notice is not required before questioning a student believed to be at risk of suicide, physically self-harming behavior, or harming others to the extent needed for referral to appropriate prevention services and to notify the parent of the perceived risk. See [Policy 5140 Student and Family Privacy Rights](#).

[Utah Code § 53G-9-203 \(2019\)](#)

[Utah Code § 53E-9-203\(7\) \(2019\)](#)

D. Training and Discipline

1. Each school shall provide training to the appropriate personnel on the proper application of this policy. An intentional violation of this policy shall be dealt with according to the provisions of [Policy 3120—Orderly School Termination for Employees](#).

[Utah Code § 53G-9-203 \(2019\)](#)

POLICY 5066

Students with Potentially Life Threatening Allergies

A. Parent's Responsibility

1. The student's parent has the primary duty to inform school authorities about the child's potentially life threatening medical condition(s) upon registration of the child or upon medical diagnosis of the medical problem. Therefore, the student's parent or guardian shall:
 - a. Annually notify, in writing, the school of the child's allergies and, if not already on file with the school, provide written physician verification of the child's allergies.
 - b. Work with the school to develop a plan that accommodates the child's needs, including an Allergy Emergency Response Plan. In the case of a child's potentially life threatening food allergy, develop a Student Food Allergy Action Plan with the appropriate school staff.
 - c. Provide written documentation, instructions, and medications as directed by a physician, using the Allergy Emergency Response Plan as a guide. Include a current photo of the child on the written form.
 - d. Provide properly labeled medications and replace medications after use or upon expiration.
 - e. Educate the child in self-management of their allergy, including, where applicable:
 - 1) Safe and unsafe foods;
 - 2) Strategies for avoiding exposure to unsafe foods, including how to read food labels (age appropriate);
 - 3) Symptoms of allergic reactions;
 - 4) How and when to tell an adult that the child may be having an allergy-related problem.
 - f. Review the Student Food Allergy Action Plan and Allergy Emergency Response Plan with the appropriate school staff, the child's physician, and the child (if age appropriate) after a reaction has occurred.

- g. Provide emergency contact information, including the name, phone number, fax number, and address of the student's treating physician.

B. School's Responsibility

1. Registration procedures shall enquire as to whether or not a student has medical problems of which the school should be aware.
2. Review the health records and/or information submitted by parents and physicians.
3. In developing a reasonable accommodation of the student with a potentially life-threatening food allergy, the following guidelines are recommended:
 - a. The school principal or principal's designee, classroom teacher(s), the parent(s), the student (as age appropriate) and a District nurse or other qualified person should develop the Student Food Allergy Action Plan. Other persons may be involved as determined to be necessary. In addition, the child's physician should review the Student Food Allergy Action Plan.
 - b. Consideration in the Student Food Allergy Plan shall be given to:
 - 1) Elimination, whenever reasonably feasible, of allergens from meals, educational tools, arts and craft projects, and incentives;
 - 2) Education of the student, parent, community, staff, and food handlers;
 - 3) Appropriate standards of hygiene and maintenance for facilities and students;
 - 4) Classroom and school routines in light of the age, maturity, and ability of the student, and expectations regarding personal responsibility;
 - 5) Emergency procedures and preparation for such;
 - 6) Procedure to be followed should a "dangerous" food product be brought to the classroom.
 - c. Provide copies of the Allergy Emergency Response Plan to all staff who interact with the student on a regular basis, including substitute teachers.
 - d. Enforce a "no eating" policy on school buses with exceptions made only to accommodate students with special nutritional needs.

4. Review the Student Food Allergy Action Plan and Allergy Emergency Response Plan with parent or guardian, student (as age appropriate) and physician after a reaction has occurred at school or a school-related activity, and consider whether the plans need to be modified.

C. Emergency Injection for Anaphylaxis

1. In addition to students with known, potentially life-threatening allergies who have specific prescriptions for medication to respond to reactions, the following addresses the use of stock medications to treat reactions in others.
2. This policy does not create a duty or standard of care for a person to be trained in the use and storage of epinephrine auto-injectors, nor does it create a duty on the part of the District or a school to store epinephrine auto-injectors at a school (apart from the obligation to make an auto-injector available to trained individuals as set forth below). A decision to complete the training program described below and to make epinephrine auto-injectors available for emergency medical situations is voluntary. A school, school board, or school official may encourage a teacher or other school employee to volunteer for such training. A school, the school board, or a school official may not prohibit or dissuade a school employee from (a) being trained in use and storage of epinephrine auto-injectors, (b) possessing or storing an epinephrine auto-injector on school premises (if the employee is a qualified adult and the possession and storage is in accord with training), or (c) administering an epinephrine auto-injector (if the employee is a qualified adult and the administration is in accord with training).

[Utah Code § 26-41-103 \(2019\)](#)

3. Each primary and secondary school shall make initial and annual refresher training regarding the storage and emergency use of an epinephrine auto-injector available to any interested teacher or other school employee, who is at least eighteen (18) years of age, who volunteers for such training. The training may be provided by the school nurse, or other person qualified to provide such training, designated by the school district physician, the medical director of the local health department, or the local emergency medical services director.
 - a. A person who provides this training shall include instruction on:
 - 1) Techniques for recognizing symptoms of anaphylaxis;
 - 2) Standards and procedures for the storage and emergency use of an epinephrine auto-injector;

- 3) Emergency follow-up procedures, including calling the emergency 911 number and contacting, if possible, the student's physician and a parent or guardian; and
 - 4) Written materials covering the information provided during training.
4. The volunteers shall retain for reference the written materials covering the information provided during training.

[Utah Code § 26-41-104 \(2019\)](#)

5. A teacher or other school employee who has received the above training regarding the storage and emergency use of an epinephrine auto-injector becomes a "qualified adult" and:
- a. May obtain (along with the school nurse) from the school district physician, the medical director of the local health department, the local emergency medical services director, a physician, pharmacist, or any other person or entity authorized to prescribe or dispense prescribed medicines or drugs, a prescription for epinephrine auto-injectors;
 - b. May immediately administer an epinephrine auto-injector to a person exhibiting potentially life-threatening symptoms of anaphylaxis at school or a school activity when a physician is not immediately available;
 - c. Shall initiate emergency medical services or other appropriate medical follow-up in accordance with the training materials after administering an epinephrine auto-injector.
6. Each primary or secondary school shall make an emergency epinephrine auto-injector available to any teacher or other school employee who is employed at the school and has become a "qualified adult." However, the school is not required to keep more than one emergency epinephrine auto-injector on the school premises so long as it may be quickly accessed by a teacher or other school employee who is a "qualified adult" in the event of an emergency.

[Utah Code § 26-41-103\(5\) \(2019\)](#)

[Utah Code § 26-41-105 \(2019\)](#)

7. A school may obtain a prescription for a supply of epinephrine auto-injectors for storage at the school and use by qualified adults if the school (a) designates an individual to complete an initial and annual refresher training program regarding the

proper storage and emergency use of epinephrine auto-injectors and (b) stores the epinephrine auto-injectors according to Utah Department of Health standards.

[Utah Code § 26-41-105\(5\) \(2019\)](#)

8. The following, if acting in good faith, are not liable in any civil or criminal action for any act taken or not taken under the authority of § 26-41-101 et seq. with respect to an anaphylactic reaction: (a) a “qualified adult,” (b) a person who conducts training regarding the emergency use and storage of epinephrine auto-injectors, and (c) the District or its schools.

D. Student’s Responsibility

1. The student will be proactive in the care and management of his or her food allergies and other reactions based upon the student’s developmental level, including the following:
 - a. Should not trade or share food, utensils, or containers with others;
 - b. Should not eat anything with unknown ingredients or know to contain any allergen;
 - c. Should notify an adult immediately if he or she eats something the student believes may contain the food to which he or she is allergic.
 - d. Know the location of his/her epinephrine auto-injector, if applicable, or other emergency medications.
 - e. Wash hands before eating.

E. Student Self-Administration of Epinephrine Auto-Injector

1. Under [Policy 5065 Administration of Medication](#), elementary and middle school students are prohibited from carrying or self-administering medication on school premises except in certain limited circumstances. However, elementary and middle school students may possess or possess and self-administer epinephrine auto-injectors provided that the student's parent or guardian has previously provided the school with a signed written request and written health care provider approval.
2. The written request must state that the parent or guardian authorizes the student to possess or possess and use the epinephrine auto-injector while acknowledging that the student is responsible for, and capable of, possessing or possessing and self-administering the epinephrine auto-injector.

3. The health care provider approval must state that the provider finds that it is medically appropriate for the student to possess or possess and self-administer an epinephrine auto-injector and the student should be in possession of the epinephrine auto-injector at all times.

[Utah Code § 26-41-104\(4\) \(2019\)](#)

F. Medication Sharing Prohibited

1. No student is permitted to sell, share, or otherwise give to others any medication, prescription or non-prescription. Violations of this policy are subject to disciplinary action under the school's drug policies.

G. Resource Materials for Training

1. Training materials and information, along with other resource material relating to emergency administration of epinephrine, are available at the following:

[A Shot to Live, http://medicine.utah.edu/pediatrics/ashottolive/](http://medicine.utah.edu/pediatrics/ashottolive/)

Get Schooled in Anaphylaxis and CHIRP, <http://www.choosehealth.utah.gov/prek-12/school-nurses/trainings/staff-training.php>

Get Trained, <http://www.nasn.org/ToolsResources/FoodAllergyandAnaphylaxis/GetTrained>

POLICY 5067

Student ~~Self-Treatment for~~ Asthma Emergency

A. Definitions

1. "Asthma action plan" means a written plan developed with a school, nurse, a student's parent, and the student's health care provider to help control the student's asthma, which is signed by the student's parent and health care provider.
2. "Asthma emergency" means an episode of respiratory distress that may include symptoms such as wheezing, shortness of breath, coughing, chest tightness, or breathing difficulty.
3. "Qualified adult" means a person who is 18 years of age or older and who has successfully completed the Utah Department of Health training program described in this policy.
4. "Stock albuterol" means a prescription inhaled medication which is used to treat asthma and that may be delivered through a device, including an inhaler or a nebulizer with a mouthpiece or mask.

[Utah Code § 26-41-102\(2\), \(3\), \(6\), \(9\) \(2019\)](#)

B. Administration of Stock Albuterol for Asthma Emergency

1. This policy does not create a duty or standard of care for a person to be trained in the use and storage of stock albuterol, nor does it create a duty on the part of the District or a school to store stock albuterol at a school, nor does it relieve a student's parent from providing a student's medication, nor does it create an expectation that a school will have stock albuterol available. A school, School Board, or school official may encourage a teacher or other school official to volunteer to complete the training described below and to make stock albuterol available for asthma emergencies. A school, school board, or school official may encourage a teacher or other school employee to volunteer for such training. A school, the school board, or a school official may not prohibit or dissuade a school employee from
 - a. being trained in use and storage of stock albuterol,

- b. possessing or storing stock albuterol on school premises (if the employee is a qualified adult and the possession and storage is in accord with training), or
- c. administering stock albuterol (if the employee is a qualified adult and the administration is in accord with training).

Utah Code § 26-41-103 (2019)

- 2. Each primary and secondary school shall make initial and annual refresher training regarding the storage and emergency use of stock albuterol available to any interested teacher or other school employee, who is at least eighteen (18) years of age, who volunteers for such training. The training will be provided by the Utah Department of Health.
- 3. The training will include instruction on:
 - a. Techniques for recognizing symptoms of an asthma emergency;
 - b. Standards and procedures for the storage and emergency use of a stock albuterol;
 - c. Emergency follow-up procedures, and contacting, if possible, the student's parent; and
 - d. Written materials covering the information provided during training.
- 2. The volunteers shall retain for reference the written materials covering the information provided during training.

Utah Code § 26-41-104.1 (2019)

- 3. A teacher or other school employee who is a "qualified adult":
 - a. May obtain (along with the school nurse) from the school district physician, the medical director of the local health department, the local emergency medical services director, a physician, pharmacist, or any other person or entity authorized to prescribe or dispense prescribed medicines or drugs, a prescription for stock albuterol;
 - b. May, when a school nurse is not immediately available, immediately administer stock albuterol to a person who (a) has a diagnosis of asthma by a health care provider, (b) has a current asthma action plan on file with the school, and (c) is

showing symptoms of an asthma emergency as described in the student's asthma action plan;

- c. Shall initiate appropriate medical follow-up in accordance with the training materials after administering stock albuterol.
4. Each primary or secondary school may make stock albuterol available to any teacher or other school employee who is employed at the school and has become a "qualified adult."

[Utah Code § 26-41-103\(6\) \(2019\)](#)

[Utah Code § 26-41-105 \(2019\)](#)

5. A school may obtain a prescription for a supply of stock albuterol for storage at the school and use by qualified adults if the school (a) designates an individual to complete an initial and annual refresher training program regarding the proper storage and emergency use of stock albuterol and (b) stores the stock albuterol according to Utah Department of Health standards.

[Utah Code § 26-41-105\(5\) \(2019\)](#)

6. The following, if acting in good faith, are not liable in any civil or criminal action for any act taken or not taken under the authority of Utah Code § 26-41-101 et seq. with respect to an asthma emergency:
 - a. A "qualified adult",
 - b. A person who conducts training regarding the emergency use and storage of stock albuterol, and
 - c. The District or its schools

[Utah Code § 26-41-106 \(2019\)](#)

- C. [Policy 5065 Administration of Medication](#) prohibits elementary and middle school students from carrying and self-administering medication on school premises except under certain limited circumstances. However, elementary and middle school students may carry and self-administer prescription or non-prescription asthma medications provided that the student's parent has previously provided the school with a written request and written health care provider approval.

1. The written request must state that the parent authorizes the student to have and

use the asthma medication.

2. The **written** health care provider **statement approval** must specifically identify any prescription medication and must state that:
 - a. ~~The provider is authorized to prescribe the medication~~ The name of the asthma medication prescribed or authorized for the student's use and
 - b. The student is capable of appropriately self-administering the medication, and
 - c. The provider finds that it is medically appropriate for the student to keep the medication with or readily available to him or her at all time.
- D. If the medication is to be stored other than on the student's person, the student or parent shall inform the school nurse and administration where the medication will be kept to enable access for emergency use.
- E. The student shall only use prescription asthma medication as directed by a health care provider's written orders, and shall use non-prescription asthma medication in accordance with the manufacturer's instructions.
- F. No student is permitted to sell, share, or otherwise give to others any medication, prescription or non-prescription. Violations of this policy are subject to disciplinary action under the school's drug policies.

POLICY 5069

Student Self-Treatment for Diabetes

A. Student Self-Administration of Diabetes medication

1. Under [Policy 5065 Administration of Medication](#), elementary and middle school students are prohibited from carrying or self-administering medication on school premises except in certain limited circumstances. However, elementary and middle school students may carry and self-administer prescription or non-prescription diabetes medications provided that the school has been provided a parent authorization statement and a health care provider statement.
2. The written parent statement must state that the parent authorizes the student to have and self-administer the diabetes medication and must acknowledge that the student is responsible for, and capable of, possessing and self-administering the diabetes medication.
3. The health care provider statement must specifically identify the prescription or nonprescription diabetes medication authorized for the student's use and must state that:
 - a. It is medically appropriate for the student to possess or possess and self-administer the diabetes medication and that the student should be in possession of diabetes medication at all times.
 - b. If the medication is to be stored other than on the student's person, the student or parent shall inform the school nurse or administration where the medication will be kept to enable access for emergency use.
4. The student shall only use prescription diabetes medication as directed by a health care provider's written orders, and shall use non-prescription diabetes medication in accordance with the manufacturer's instructions.

[Utah Code § 53G-9-506 \(2019\)](#)

B. Medication Sharing Prohibited

1. No student is permitted to sell, share, or otherwise give to others any medication, prescription or non-prescription. Violations of this policy are subject to disciplinary action under the school's drug policies.

POLICY 5205

Use of Protective Eyewear Safety Glasses

- A. Every student, teacher and visitor in any public or private school participating in any of the following activities should wear appropriate and **an** approved eye protective device.
1. Hot liquids or solids, including molten metals.
 2. The operation of machinery or equipment that may throw particles of foreign matter into the eyes.
 3. Heat treating, tempering, or kiln firing of any industrial materials.
 4. Gas or electric arc welding.
 5. Caustic or explosive materials.
- B. The Board of Education may purchase such devices in large quantities and sell them at cost, rent or loan them to students and teachers. "Industrial quality eye protective devices," as used in this section, means devices meeting the standards of the American Standard Safety Code for head, eye and respiratory protection. **Proper protective eyewear may include a number of different forms for protection such as safety glasses, goggles, face shield, helmets or whatever is appropriate for the given activity.**
- C. Permission is granted to the individual schools to purchase or acquire those devices or goggles needed, which, in turn, can be rented or sold to the students involved.
- D. Students who already wear regular corrective lenses or contact lenses should still be required to wear appropriate eye safety devices which provide protection and meet the American Safety Code from the front and side.
- E. Use of contact lenses during exposure to solvent fumes or caustic gases may cause eye damage. **~~Conventional eye wear and safety glasses should be worn during exposure periods.~~—The use of proper protective eyewear and/or safety glasses should be worn during exposure periods.**

POLICY 5225

Student Activities

- A. Student activities are those programs, events, etc., sponsored by the school which, although they are not a part of the formal curriculum, develop life-long skills, demonstrate positive attitudes, teach the value of fair and honest competition, reinforce and are consistent with concepts and principles taught in the classroom, and instill self-esteem in students. This definition includes all school activities, kindergarten through grade twelve.
- B. Activities of a purely entertainment nature or which are not planned with the above goals in mind, will not be funded with District or school funds and should be avoided.
- C. All student activities must be conducted under the direction and supervision of Box Elder School District employees.
- D. Student activities shall be planned and conducted in such a way as to contribute to learning, rather than detracting from it. The following guidelines are to be considered in planning and conducting all student activities.
 - 1. Student activities should be scheduled to not interfere with ongoing academic activities.
 - a. Activities should be scheduled outside the regular school day to the greatest extent possible.
 - b. Activities should be scheduled to allow for homework time and other family activities and responsibilities on a daily basis.
 - c. Activities should end at a reasonable time to allow student to return home, take care of other responsibilities, and get a good night's sleep. Only in extreme cases should activities be scheduled that will result in returning home late at night when school is held the next day. Over-night activities should be avoided as much as possible.
 - d. Excessive travel for activities should be avoided.
 - 2. Activities should be designed and scheduled to allow students to develop multiple skills and participate in various activities both in school and out of school.

- a. Activities should be scheduled to allow for active student participation in community, religious, and family-based activities. Students should be encouraged, not penalized, for participation in these activities.
 - b. Activities should be seasonal in nature. Long-term and year-round activities should be avoided.
3. Activities should be designed and implemented to involve the maximum number of students possible.
- a. Teams, clubs, organizations, etc. should have rules of membership that allow participation by the maximum number of students possible.
 - b. Participation in school related activities should not be contingent upon participation in non-school related activities or organizations.
4. All activities that are governed by the Utah High School Activities Association must conform fully to the rules and guidelines of the UHSAA.

E. Definitions

1. Definitions of curricular, co-curricular, and extracurricular activities shall be as follows:
 - a. Curricular activities occur within the regular school day and constitute the delivery of instruction to students in the District.
 - b. Co-curricular activities are an extension of classroom instruction in which participation is by the entire class or a significant portion thereof. They relate directly to, and enhance student learning of, essential elements through participation, demonstration, illustration, and observation. Co-curricular activities are included in the teacher's instructional plan and are conducted by or supervised by a classroom teacher or other educational professional such as a librarian, school nurse, counselor, or administrator. Students suspended from extracurricular activities because of a grade(s) below 2.0 or more than one failed courses shall not be prevented from participating in after-school co-curricular activities.
 - c. Extracurricular activities are school-sponsored activities that are not directly related to instruction of the essential elements, but that may have an indirect relation to some areas of the curriculum. They offer worthwhile and significant

contributions to a student's personal, physical, and social development. Participation in extracurricular activities is a privilege and not a right, and students must meet specific requirements in order to participate. Activities may include, but are not limited to, performances, contests, demonstrations, displays, and club activities.

F. Extracurricular Activities

1. There is no constitutional right to participate in extracurricular activities and student government, and this policy does not create such a right.
2. Students who participate in student government and extracurricular activities become role models for others in the school and community. These individuals often play major roles in establishing standards of acceptable behavior in the school and community, and establishing and maintaining the reputation of the school and the level of community confidence and support afforded the school. It is of the utmost importance that those involved in student government, whether as officers or advisors, and those involved in competitive athletics and related activities, whether students or staff, comply with all applicable laws and standards of behavior and conduct themselves at all times in a manner befitting their positions and responsibilities.

[Utah Code § 53G-8-209 \(2019\)](#)

G. Participation Eligibility

1. A student in grades 7-12 may participate in extracurricular activities on or off campus at the beginning of the school year.
2. In order to be eligible to participate in an extracurricular activity event for a grade report period following the initial grade report period of a school year, a student shall not have a recorded grade average lower than 2.0 on a scale of 0 to 4 in what is considered as a full schedule for the preceding grade report period or have more than one failed or incomplete courses for the preceding grade report period.

H. Prohibited Conduct

2. The following prohibited conduct may render a student ineligible for and/or unable to continue participation in student government and/or extracurricular activities, if occurring while the student is in the classroom, on school property, or during school-sponsored activities, regardless of location or circumstances:

- a. Repetitive or flagrant use of foul, abusive, profane, or threatening language while engaged in school-related activities;
- b. Illicit use, possession, or distribution of controlled substances or drug paraphernalia, and the use, possession, or distribution of an electronic cigarette ~~product as defined in [Utah Code § 76-10-101](#)~~, tobacco or alcoholic beverages contrary to law; or
- c. Hazing, demeaning, or assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under Utah law.

[Utah Code § 53G-8-209 \(2019\)](#)

I. Reporting of Student Prohibited Acts

1. School employees shall immediately report to the school principal or District superintendent any reasonable belief that a violation of [Policy 5225 Student Activities](#) has occurred, wherein any student participating in student government and/or extracurricular activities, if occurring while the student is in the classroom, on school property, or during school-sponsored activities, regardless of location or circumstances:
 - a. Repetitively uses foul, abusive, profane, or threatening language while engaged in school-related activities;
 - b. Illicitly uses, possesses, or distributes a controlled ~~substance,~~~~s-or~~ drug paraphernalia, ~~and/or uses, possesses, or distributes a~~ tobacco ~~product~~, an electronic cigarettes ~~product~~, or ~~an~~ alcoholic beverages ~~contrary to law~~; or
 - c. Hazes, demeans, or engages in assaultive behavior, whether consensual or not, including behavior involving physical violence, restraint, improper touching, or inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under ~~Utah state~~ law.
2. Principals who receive a report of a violation of [Policy 5225 Student Activities](#) shall submit a report of the alleged incident, and actions taken in response, to the District behavior management system within ten working days after receipt of the report.

3. Failure of a person holding a professional certificate to report these prohibited acts as required under this policy constitutes an unprofessional practice.

[Utah Code § 53G-8-209 \(2020\)](#)

J. Suspension from Extracurricular Activities

1. A student whose recorded report period grade average in any course is lower than 2.0 at the end of a grade report period shall be suspended from participation in any extracurricular activity event during succeeding grade report periods until the end of a grade report period during which the student achieves a course grade average for that grade report period of at least 2.0 in each course. This suspension shall become effective seven days after the last day of the grade report period during which the grade lower than 2.0 was earned. A student who has at least one F in any class for the grading period is placed on probation for a period of two weeks. If after two weeks the F is not improved, that student is suspended from practice and play until such time as the grade is improved.

K. Students with Disabilities

1. Suspension of a student with disabilities whose disability significantly interferes with the student's ability to meet regular academic standards shall be based on the student's failure to meet the requirements of the student's Individual Education Plan, as determined by the Special Education Committee.

L. Out-of-School Practice

2. A student who has been suspended from extracurricular activity events shall also be suspended from out-of-school practice in extracurricular activities until suspension from participation has been lifted.

M. Reinstatement to Extracurricular Activities

1. At the end of any grade report period in which a student attains a course grade average for that period of 2.0 or more in each course taken, any suspension from participation in extracurricular activities and/or suspension from out-of-school practice for extracurricular activities shall be removed.

N. Practice and Performance

1. Schools shall comply with the rules and regulations of the Utah High School Activities Association in scheduling and conducting practices and performances of competitive play.

O. Classes

1. Schools shall not schedule full-year physical education or athletic fitness and movement classes for specific school teams. In schools where in-season fitness and movement classes are scheduled, the classes shall not be used to violate the starting and stopping dates for practice and competitive play as prescribed by the UHSAA. High school competitive sports programs shall be supplementary to the high school curriculum.

[Utah Admin. Rules R277-605-3](#)

P. Off-Season Clinics

1. Required or voluntary participation in summer or other off-season sports clinics, workshops, and leagues may not be used as criteria for team membership or for the opportunity to try out for team membership. School personnel, activity leaders, coaches, advisory and other personnel shall not require students to attend out-of-school camps, clinics or workshops for which the personnel, activity leaders, coaches or advisory personnel receive remuneration from a source other than the school or district in which they are employed.
2. A summer workshop or clinic conducted by a school for any sport or activity shall be scheduled and held consistent with UHSAA bylaws and policies.

[Utah Admin. Rules R277-605-4\(1\), \(3\)](#)

Q. Supervision

1. Coaches and other designated school leaders shall diligently supervise players at all times while on school-sponsored activities, including during the activity itself, in locker rooms, seating areas, eating establishments, lodging facilities and during travel. Coaches and school leaders accompanying school players and teams shall at no time leave them unsupervised. Coaches, assistants, and advisers shall not permit hazing, demeaning, or assaultive behavior (whether consensual or not), including behavior involving physical violence, restraint, improper touching, inappropriate exposure of body parts not normally exposed in public settings, forced ingestion of any substance, or any act which would constitute a crime against a person or public order under Utah law. There may be times when a coach is unable

to supervise the locker room due to gender differences. When this occurs the coach should make every reasonable attempt to have another adult of the same gender as the team supervise the locker room.

[Utah Admin. Rules R277-605-3\(2\)](#)

R. Example

1. A coach or other designated school leader shall not participate in the use of alcoholic beverages, tobacco (including electronic cigarettes **products**), controlled substances, or promiscuous sexual relationships while on school-sponsored activities. Coaches are expected to refrain from use of foul, abusive, or profane language while engaged in school related activities. Violations may warrant disciplinary action.

[Utah Admin. Rules R277-605-3\(2\)](#)

[Utah Code § 53G-8-209\(2\) \(2019\)](#)

S. School District Location Defined

1. "School district location" means in any school building or on any school premises; on any school-owned vehicle or in any other school-approved vehicle used to transport students to and from school or school activities; off school property at any school-sponsored or school-approved activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district; or during any period of time such employee is supervising students on behalf of the school district or otherwise engaged in school district business.

T. Notice to Parent

1. Upon receiving a report from a school employee of student use or possession of illegal drugs or alcohol, counterfeit substances, or any associated paraphernalia at a school District location, the designated Administrator shall immediately report the information to the student's parent, and may report the information to law enforcement agencies or officials. The identity of the school Administrator who reported the prohibited act shall not be disclosed to the student or the parent.

[Utah Code § 53G-8-502 \(2018\)](#)

U. Immunity for Good Faith Reporting

1. A school employee who in good faith reports student use or possession of illegal drugs or alcohol, counterfeit substances, or any associated paraphernalia at a school District location in accordance with these provisions is immune from any civil or criminal liability resulting from that action.

[Utah Code § 53G-8-503 \(2018\)](#)

POLICY 5305

Student Use of Electronic Devices

- A. The Board of Education recognizes that uncontrolled use of ~~cellular telephones, devices containing cameras, and other~~ electronic devices often disrupt student learning time, may contribute to cheating, and may also be used inappropriately to photograph and/or contact other students without their consent.
1. “Electronic device” means a device that is used for audio, video, or text communication or any other type of computer or computer-like instrument.
- B. The following will govern student use of ~~cellular telephones and other~~ electronic devices including, tablets, smart phones, ~~a smart or electronic watch, a virtual reality device, iPeds,~~ and cameras:
1. Students may possess these items while in school and at school activities.
 2. All ~~electronic~~ devices will be turned off, not used, and be kept out of sight during class time unless allowed by the school and instructor.
 3. Policies governing student use of ~~cellular telephones and other electronic~~ devices between class times, during class times, and during their lunch and/or recess periods will be determined at the school level.
 4. ~~Cameras and other Electronic~~ devices with photography capabilities will not be operated while a student is in a restroom, dressing room, or any other location where photography may be inappropriate.
 5. Any inappropriate use of ~~cellular telephones or other electronic~~ devices or the use of these ~~electronic~~ devices to threaten or harass other students or school employees, regardless of whether the individual directed, consented to, or acquiesced in the conduct, or voluntarily accessed the electronic communication, will result in the immediate confiscation of the device. ~~Cellular telephones or other Electronic~~ devices that contain images of minors in a nude or semi-nude state will be confiscated and turned over to law enforcement. Confiscated ~~electronic~~ devices will be returned to the parent of the student when the school has completed any investigation and the issue has been completely resolved.

- a. Any use of an electronic device or camera to record sounds or images or otherwise capture material in an unauthorized setting or at an unauthorized time shall subject the user of the device to increased discipline based on the circumstances and whether the student has been involved in prior violations of this policy.
 - 1) The use of any ~~device or any~~ electronic device or camera to threaten, **bully**, intimidate or embarrass another or to capture and transmit test information or any other information in a manner constituting fraud, theft or academic dishonesty will result in appropriate discipline.
 - b. The use of any **electronic** device in a manner which may be physically harmful to another person, such as shining a laser in the eyes of another student, will result in appropriate discipline. When a student repeatedly engages in such behavior, the punishment may be increased as is appropriate.
6. ~~Cellular telephones and other~~ **Electronic** devices that are confiscated for inappropriate use at school may be searched if there is reasonable suspicion to believe that the device has evidence of a violation of a school policy, ~~rule~~, or law. The search must be limited to applications and areas of the device (texts, photo files, calls) where evidence of the violation may be contained, based on the information the administrator received. Evidence of a violation of a policy, ~~rule~~, or law may be used for disciplinary action, and may be turned over to law enforcement if the evidence implicates a crime.
 7. If an administrator receives information that an ~~cellular telephone or other electronic~~ device contains images of minors in a nude or semi-nude state, administrators will confiscate the device and contact law enforcement.

C. Reporting misuse of electronic devices

1. Students should report any misuse of electronic devices by an employee to the principal or other appropriate administrator. Students should report misuse of electronic devices by other students to a teacher or an administrator. Misuse of electronic devices by guest should be reported to the principal or other appropriate administrator.

[Utah Admin. Rules R277-495-4\(4\)\(b\) \(April 8, 2019\)](#)

D. Training

1. Each school shall, within the first 45 days of each school year, provide school-wide or in-classroom training to students that covers:
 - a. The District's internet and electronic device policies;
 - b. The importance of digital citizenship;
 - c. The District and school's student conduct and discipline policies;
 - d. The benefits of connecting to the internet and using the school's internet filters while on school premises; and
 - e. The discipline related consequences of violating internet and electronic device policies.

[Utah Admin. Rules R277-495-5 \(April 8, 2019\)](#)

POLICY 5310

Fundraising

A. General Policy Statements – District/School Sponsored Fundraising

1. School sponsored activities are those authorized by the District or an individual building principal that supports the District or individual school's authorized curricular school clubs, activities, sports, classes or programs that **also** satisfies one or more of the following:
 - a. Is managed or supervised by the District or an individual school or a District or school employee.
 - b. Uses the District or school's facilities, equipment, or other school resources.
 - c. Is supported or subsidized by public funds including the school's activity funds or minimum school program.
2. All monies raised through fundraisers for school-sponsored activities are considered public funds and must fully comply with the District's cash receipting and cash disbursement policies. **It is expected that in all dealings, District and school employees will act ethically, consistent with the District's ethics training, the Utah Educators' Standards (R277-515), the Public Officers' and Employees' Ethics Act (Utah Code ' 67-16-1 et seq.)** The District and individual schools will comply with all applicable state and federal laws; the State procurement code ([Utah Code § 63G-6a](#)); State Board of Education rules, including construction and improvements; [IRS Publication 526 "Charitable Contributions"](#); and other applicable IRS regulations.

[Utah Code § 51-7-3\(26\)](#)
3. Donations should be used for the purpose for which they were donated and in accordance with State and District policies. Donations, whether in-kind, cash, or otherwise, shall be complete transfers of ownership, rights, privileges, and/or title in or to the donated goods or services and become exclusive property of the District upon delivery.
4. **The Box Elder School District Foundation (the "Foundation") is an entity established to receive donations and gifts for the benefit of the District and the District's schools. Any organization or individual wishing to donate cash, materials, equipment, other**

property or programs to a school is encouraged to make such donations through the Foundation.

5. The District recognizes that fundraising efforts, donations, gifts, sponsorships, and public support vary among schools. The District is committed to appropriate distribution of unrestricted funds and the management of donations and gifts to ensure that the educational opportunities for all students are equal and fair. **If the District accepts a donation, it shall prevent potential inequities in schools within the District in distributing the donation.**
6. **Approval may be denied for fundraising activities that would expose the school or District to risk of financial loss or liability if the activity is not successful.**
7. **Records of all fundraising efforts shall be open to the parents, students and donors, including accurate reporting on participation levels and financial outcomes. This policy does not require the release of students' personally identifiable information protected by FERPA.**

[Utah Admin. Rules R277-407-7\(5\) \(April 8, 2019\)](#)

8. The District is committed to principles of gender equity and compliance with Title IX guidance. The District commits to use all facilities, unrestricted donations and gifts, and other available funds in harmony with these principles. The District reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. The benefits derived from donations and gifts should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.
9. Records of all school sponsored fundraising efforts are open to the parents, students and donors, including accurate reporting on participation levels and financial outcomes. (Information that may identify individual students is protected under the provisions of the [Family Educational Rights and Privacy Act \(FERPA\)](#).)
10. Fundraising activities require prior written authorization as follows:
 - a. District wide or multiple school fundraising activities require the approval of the superintendent and the building principals that will be affected by the activity.
 - b. Individual school fundraising activities where the anticipated earnings are less than \$10,000 require the approval of the building principal.

- c. Individual school fundraising activities where the anticipated earnings are \$10,000 to \$50,000 require the approval of the building principal and the superintendent.
- d. Individual school fundraising activities where the anticipated earnings exceed \$50,000 must be approved by the Board of Education.
- e. The sale of banners, advertising, signs, or other promotional material that will be displayed on school property must be approved by the building principal. Political advertising or advertising of products prohibited by law for sale or use by minors is prohibited.
- f. All projects dealing with construction, maintenance, facility renovation or improvement or other capital equipment purchases must be approved by the superintendent and the facilities director or the business administrator.

11. Students involved in fundraising

- a. Participation in fundraising is voluntary, although a student may be required to participate in a school, team, or group-wide fundraiser in order to benefit from the fundraiser. Any fees that are required to participate in the school sponsored or supported activity are subject to fee waiver regardless of whether an eligible student participates in a fundraising activity. Costs that are **not** required to participate in the school sponsored or supported activity—either explicitly or implicitly—but are optional costs are not subject to fee waiver but may be covered by funds raised for those students who participate in the fundraiser.
- b. Participation in fundraising shall not affect a student's grade, shall not be a condition of **participating in an activity or of** belonging to a team or group, or be used as criteria for participation time.

[Utah Admin. Rules R277-407-10\(2\)\(d\) \(April 8, 2019\)](#)

- c. Competitive enticements for participation in fundraisers are strongly discouraged, especially when the enticements are aimed at individual students.
- d. A sales quota is not permitted, nor is the practice of requiring students to pay for any unsold items.

12. Faculty and staff involved in fundraising

- a. Participation in fundraising is voluntary unless directed to supervise a specific activity as an employment assignment.
- b. Rewards, prizes, commissions, or other forms of compensation shall not be received by any teacher, activity, club or group director or any other District employee or volunteer.
- c. Employees who approve, manage, or oversee fundraising activities are required to disclose any conflict of interest that they may have with the fundraising organization or company.

13. The District reserves the right to prohibit, restrict or limit any fundraising activity associated with the District and/or any school within the District.

14. Newly constructed schools may exceed the number of fundraisers under the following conditions:

- a. Proceeds are used for equipment purchases.
- b. Fundraisers must be as authorized by this policy.
- c. Fundraisers under this clause may not be conducted for more than five (5) years from the completion and occupancy of the building.
- d. This policy will govern all fundraising done by, in the name of, or in behalf of the school.

B. Elementary/Middle/Intermediate School Sponsored Fundraising

1. Each school will be limited to one (1) fundraising activity per year.
2. Additionally, the school PTA organization will be permitted to disseminate information about one (1) PTA fundraising activity through the school, e.g., newsletter, notes sent home with students, or other such uses of school resources or persons.
3. All fundraising activities involving students shall consistently insist students do not go door-to-door for any purpose. Fundraising instructions shall specify students' involvement is to be limited to family and/or close personal friends.
4. An annual carnival or similar activity may be held in each school, in addition to the one (1) fundraiser.

C. High School Sponsored Fundraising

1. All proposed fundraising projects for the school year must be submitted in writing to the principal not later than the Friday nearest to October 1.
2. A committee of five (5) appointed by the principal will review all proposed fundraising projects.
3. Projects will be screened to eliminate inappropriate fundraising activities.
4. Recommended projects will be presented to those responsible for authorization by the building principal.
5. Approved projects will be scheduled throughout the school year to avoid conflict and excessive fundraising at any given time.
6. Students involved in door-to-door solicitation should go in groups, not individually.

POLICY 5360

Suicide Prevention Intervention

- ~~A. Employees of the Box Elder County School District, when encountering suicides, suicide attempts, or suicide threats, have a moral duty to perform as would a reasonably prudent person under similar circumstances. As a minimum, the District should provide information and assistance in dealing with suicide prevention.~~
- ~~B. When a student threatens suicide or manifests potential intent, immediate action should be taken to intervene on behalf of the student. Schools are not equipped to do the necessary in-depth counseling, but schools have the duty to give appropriate information and to secure such assistance. Therefore, any school employee or student who has knowledge of a suicide threat has a moral obligation to take the proper steps to report this information to the designated school counselor or building administrator, who shall in turn notify the parents and the following, as appropriate:~~
- ~~1. Bear River Mental Health~~
 - ~~2. Law enforcement agencies~~
 - ~~3. Social Services (contacting Social Services is mandatory if neglect or abuse is suspected; but, Social Services does not act on a suicide threat unless it is accompanied by suspected child abuse or neglect)~~
- ~~C. If an immediate threat or medical emergency is deemed to exist, restraint of the student or provision of the appropriate medical care shall take priority.~~
- ~~1. Contingencies:~~
 - ~~a. The designated school counselor or building administrator shall notify the student's parent when a student threatens or attempts to commit suicide. Notification shall be by phone or personal contact unless other arrangements have been mutually agreed upon between the parents and school officials. When notification occurs, the designated school counselor or building administrator shall produce and maintain a written record verifying that the parents has been notified of the incident or threat.~~
 - ~~b. The first school employee to become aware of a suicide threat or attempt shall submit, to the principal and school counselor a written report within a reasonable~~

~~time following the incident. The administrator or school counselor to whom the matter is reported shall document all actions taken. All reports are to be maintained by the principal and school counselor and handled according to Policy 5140 Education and Family Privacy Rights.~~

~~c. School personnel should cooperate with other authorized public officials in suicide response and prevention efforts.~~

~~d. School personnel should not make decisions related to emergency placement unless emergency medical care is needed to save a student's life or prevent further serious injury. In all other cases, the decision to transport the student to the hospital must be the responsibility and decision of the parent or other government agency.~~

- A. The purpose of this policy is to protect the health and well-being of all district students by having procedures in place to prevent, assess the risk of, intervene in, and respond to suicide. The district:
1. recognizes that physical, behavioral, and emotional health is an integral component of a student's educational outcomes,
 2. further recognizes that suicide is a leading cause of death among young people,
 3. has an ethical responsibility to take a proactive approach in preventing deaths by suicide, and
 4. acknowledges the school's role in providing an environment which is sensitive to individual and societal factors that place youth at greater risk for suicide and one which helps to foster positive youth development.
- B. Toward this end, the policy is meant to be paired with other policies supporting the emotional and behavioral health of students more broadly. Specifically, this policy is meant to be applied in accordance with the district's Child Find obligations.
- C. Definitions
1. At-risk
 - a. A student who is defined as high risk for suicide is one who has made a suicide attempt, has the intent to die by suicide, or has displayed a significant change in behavior suggesting the onset or deterioration of a mental health condition. The student may have thought about suicide including potential means of death and

may have a plan. In addition, the student may exhibit feelings of isolation, hopelessness, helplessness, and the inability to tolerate any more pain. This situation would necessitate a referral, as documented in the following procedures.

2. Crisis Team

- a. A multidisciplinary team of primarily administrative, mental health, safety professionals, and support staff whose primary focus is to address crisis preparedness, intervention/response and recovery. These professionals have been specifically trained in crisis preparedness through recovery and take the leadership role in developing crisis plans, ensuring school staff can effectively execute various crisis protocols and may provide mental health services for effective crisis interventions and recovery supports.

3. Mental Health

- a. A state of mental and emotional being that can impact choices and actions that affect wellness. Mental health problems include mental and substance use disorders.

4. Postvention Suicide

- a. Postvention is a crisis intervention strategy designed to reduce the risk of suicide and suicide contagion, provide the support needed to help survivors cope with a suicide death, address the social stigma associated with suicide, and disseminate factual information after the suicide death of a member of the school community.

5. Risk Assessment

- a. An evaluation of a student who may be at risk for suicide, conducted by the appropriate school staff (e.g., school psychologist, school counselor, or school social worker). This assessment is designed to elicit information regarding the student's intent to die by suicide, previous history of suicide attempts, presence of a suicide plan and its level of lethality and availability, presence of support systems, and level of hopelessness and helplessness, mental status, and other relevant risk factors.

6. Risk Factors for Suicide

- a. Characteristics or conditions that increase the chance that a person may try to take his or her life. Suicide risk tends to be highest when someone has several risk factors at the same time. Risk factors may encompass biological, psychological, and or social factors in the individual, family, and environment.

7. Self-harm

- a. Behavior that is self-directed and deliberately results in injury or the potential for injury to oneself. Can be categorized as either nonsuicidal or suicidal. Although self-harm often lacks suicidal intent, youth who engage in self-harm are more likely to attempt suicide.

8. Suicide Death

- a. Suicide death caused by self-directed injurious behavior with any intent to die as a result of the behavior. Note: The coroner's or medical examiner's office must first confirm that the death was a suicide before any school official may state this as the cause of death.

9. Suicide attempt

- a. A self-injurious behavior for which there is evidence that the person had at least some intent to kill himself or herself. A suicide attempt may result in death, injuries, or no injuries. A mixture of ambivalent feelings such as wish to die and desire to live is a common experience with most suicide attempts. Therefore, ambivalence is not a sign of a less serious or less dangerous suicide attempt.

10. Suicidal Behavior

- a. Suicide attempts, intentional injury to self associated with at least some level of intent, developing a plan or strategy for suicide, gathering the means for a suicide plan, or any other overt action or thought indicating intent to end one's life.

11. Suicide Contagion

- a. The process by which suicidal behavior or suicide influences an increase in the suicidal behaviors of others. Guilt, identification, and modeling are each thought to play a role in contagion. Although rare, suicide contagion can result in a cluster of suicides.

12. Suicidal Ideation

- a. Thinking about, considering, or planning for self-injurious behavior which may result in death. A desire to be dead without a plan or intent to end one's life is still considered suicidal ideation and should be taken seriously.

D. Scope

1. This policy covers actions that take place in the school, on school property, at school-sponsored functions and activities, on school buses or vehicles and at bus stops, and at school-sponsored out-of-school events where school staff are present. This policy applies to the entire school community, including educators, school and district staff, students, parents, and volunteers. This policy will also cover appropriate school responses to suicidal or high-risk behaviors that take place outside of the school environment.

E. Prevention

1. District Policy Implementation

- a. A district-level suicide prevention coordinator shall be designated by the Superintendent. This may be an existing staff person. The district suicide prevention coordinator will be responsible for planning and coordinating implementation of this policy for the school district.
- b. Each elementary school principal and secondary principal or designee shall be the school suicide prevention coordinator to act as a point of contact in each school for issues relating to suicide prevention and policy implementation. All staff members shall report students they believe to be at elevated risk for suicide to the school suicide prevention coordinator.

2. Staff Professional Development

- a. All staff will receive annual professional development on risk factors, warning signs, protective factors, response procedures, referrals, postvention, and resources regarding youth suicide prevention. The professional development will include additional information regarding groups of students at elevated risk for suicide, including those living with mental and/or substance use disorders, those who engage in self-harm or have attempted suicide, those in out-of-home settings, those experiencing homelessness, American Indian/Alaska Native students, LGBTQ+ (lesbian, gay, bisexual, transgender, questioning, and other) students, students bereaved by suicide, and those with medical conditions or certain types of disabilities.

- b. Additional professional development in risk assessment and crisis intervention will be provided to school employed mental health professionals and school nurses.

3. Youth Suicide Prevention Programming

- a. Developmentally-appropriate, student-centered education materials will be integrated into the curriculum of all K-12 health classes. The content of these age-appropriate materials will include: 1) the importance of safe and healthy choices and coping strategies, 2) how to recognize risk factors and warning signs of mental disorders and suicide in oneself and others, 3) help-seeking strategies for oneself or others, including how to engage school resources and refer friends for help. In addition, schools may provide supplemental small- group suicide prevention programming for students.

4. Publication and Distribution

- a. This policy will be distributed annually and included in all student and teacher handbooks and on the school website.

F. Assessment and Referral

1. When a student is identified by a staff person as potentially suicidal, i.e., verbalizes about suicide, presents overt risk factors such as agitation or intoxication, the act of self-harm occurs, or a student self-refers, the student will be seen by a school counselor within the same school day to assess risk and facilitate referral.
 - a. School staff will continuously supervise the student to ensure their safety until a parent, or emergency contact can arrive to get the student.
 - b. The principal will be made aware of the situation as soon as reasonably possible.
 - c. The counselor, nurse, principal or designee will contact the student's parent, as described in the Parental Notification and Involvement section, and will assist the family with an urgent referral. When appropriate, this may include calling emergency services or bringing the student to the local Emergency Department, but in most cases will involve setting up an outpatient mental health or primary care appointment and communicating the reason for referral to the healthcare provider.

- d. Staff will ask the student's parent for a signature on a release of information form to discuss the student's health with outside care, if appropriate.

G. In-School Suicide Attempts

1. In case of an in-school suicide attempt, the health and safety of the student are paramount. In these situations:
 - a. First aid will be rendered until professional medical treatment and/or transportation can be received, following district emergency medical procedures.
 - b. The school nurse, counselor, or principal will contact the student's parent, as described in the Parental Notification and Involvement section.
 - c. School staff will supervise the student to ensure their safety until a parent or another emergency contact arrives.
 - d. Staff will move all other students out of the immediate area as soon as possible.
 - e. If appropriate, staff will immediately request a mental health assessment for the youth by referring the parents to the Bear River Mental Health Department.
 - f. Staff will immediately notify the principal regarding in-school suicide attempts.
 - g. The school will engage as necessary the crisis team to assess whether additional steps should be taken to ensure student safety and well-being.

H. Re-Entry Procedure

1. For students returning to school after a mental health crisis (e.g., suicide attempt or psychiatric hospitalization), the principal, or designee will meet with the student's parent, and if appropriate, meet with the student to discuss re-entry and appropriate next steps to ensure the student's readiness for return to school.
 - a. A school counselor or nurse will be identified to coordinate with the student, their parent, and any outside mental health care providers.
 - b. The parent will provide documentation from a mental health care provider that the student has undergone examination and that they are no longer a danger to themselves or others.

- c. The principal, counselor, or other designated staff person will periodically check in with the student to help the student readjust to the school community and address any ongoing concerns.

I. Out-of School Suicide Attempts

1. Parental Notification and Involvement

- a. If a staff member becomes aware of a suicide attempt by a student that is in progress in an out-of-school location, the staff member will:
 - 1) Call the police and/or emergency medical services, such as 911
 - 2) Inform the student's parent
 - 3) Inform the school principal.
- b. If the student contacts the staff member and expresses suicidal ideation, the staff member should maintain contact with the student (either in person, online or on the phone). The staff member should then enlist the assistance of another person to contact the police while maintaining verbal engagement with the student.
- c. In situations where a student is assessed at risk for suicide or has made a suicide attempt, the student's parent will be informed as soon as practicable by the principal, designee, or mental health professional. If the student has exhibited any kind of suicidal behavior, the parent should be counseled on "means restriction," limiting the child's access to mechanisms for carrying out a suicide attempt. Staff will also seek parental permission to communicate with outside mental health care providers regarding their child. Through discussion with the student, the principal, nurse, or school counselor will assess whether there is a further risk of harm due to parent notification. If the principal, nurse or counselor, believes, in their professional capacity, that contacting the parent would endanger the health or well-being of the student, they may delay such contact as appropriate. If contact is delayed, the reasons for the delay should be documented.
- d. School personnel should not make decisions related to emergency placement unless emergency medical care is needed to save a student's life or prevent further serious injury. In all other cases, the decision to transport the student to the hospital must be the responsibility and decision of the parent or other government agency.

J. Postvention

1. Development and Implementation of an Action Plan

- a. The crisis team will develop an action plan to guide school response following a death by suicide. A meeting of the crisis team to implement the action plan should take place immediately following news of the suicide death. The action plan may include the following steps:

- 1) Verify the death

- a) Staff will confirm the death and determine the cause of death through communication with a coroner's office, local hospital, the student's parent, or police department. Even when a case is perceived as being an obvious instance of suicide, it should not be labeled as such until after a cause of death ruling has been made. If the cause of death has been confirmed as suicide but the parent will not permit the cause of death to be disclosed, the school will not share the cause of death but will use the opportunity to discuss suicide prevention with students.

- 2) Assess the Situation

- a) The crisis team will meet to prepare the postvention response, to consider how severely the death is likely to affect other students and to determine which students are most likely to be affected. The crisis team will also consider how recently other traumatic events have occurred within the school community and the time of year of the suicide. If the death occurred during a school vacation, the need for or scale of postvention activities may be reduced.

- 3) Share Information

- a) Before the death is officially classified as a suicide by the coroner's office, the death can and should be reported to staff, students, and parents with an acknowledgment that its cause is unknown. Inform the faculty that sudden death has occurred, preferably in a staff meeting. Write a statement for staff members to share with students. The statement should include the basic facts of the death and known funeral arrangements (without providing details of the suicide method), recognition of the sorrow the news will cause, and information about the resources available to help students cope with their grief. Public address system announcements and

school-wide assemblies should be avoided. The crisis team may prepare a letter (with the input and permission from the student's parent) to send home with students that include facts about the death, information about what the school is doing to support students, the warning signs of suicidal behavior, and a list of resources available.

4) Avoid Suicide Contagion

- a) It should be explained in the staff meeting described above that one purpose of trying to identify and give services to other high-risk students is to prevent another death. The crisis team will work with teachers to identify students who are most likely to be significantly affected by the death. In the staff meeting, the crisis team will review suicide warning signs and procedures for reporting students who generate concern.

5) Initiate Support Services

- a) Students identified as being more likely to be affected by the death will be assessed by a school employed mental health professional to determine the level of support needed. The crisis team will coordinate support services for students and staff in need of individual and small group counseling as needed. In concert with parents, crisis team members will refer to community mental healthcare providers to ensure a smooth transition from the crisis intervention phase to meeting underlying or ongoing mental health needs.

6) Memorial Plans

- a) The school should not create on-campus physical memorials (e.g. photos, flowers), funeral services, or fly the flag at half-mast because it may sensationalize the death and encourage suicide contagion. School should not be canceled for the funeral. See [Policy 5045 Student Memorials](#).

7) External Communication

- a) The school principal or designee will be the sole media spokesperson. Staff will refer all inquiries from the media directly to the spokesperson. The spokesperson will:
 - i. Keep the district suicide prevention coordinator and superintendent informed of school actions relating to the death.

- ii. Prepare a statement for the media including the facts of the death, postvention plans, and available resources. The statement will not include confidential information, speculation about victim motivation, means of suicide, or personal family information.
- iii. Answer all media inquiries. If a suicide is to be reported by news media, the spokesperson should encourage reporters not to make it a front-page story, not to use pictures of the suicide victim, not to use the word suicide in the caption of the story, not to describe the method of suicide, and not to use the phrase “suicide epidemic” – as this may elevate the risk of suicide contagion. They should also be encouraged not to link bullying to suicide and not to speculate about the reason for suicide. The media should be asked to offer the community information on suicide risk factors, warning signs, and resources available.

Policy 6012

Parent Classroom Observation

A. Parental Right to Observe a Classroom

1. [Utah Code § 53G-6-801](#), et seq. provides that a school shall reasonably accommodate a request by a parent to visit and observe any class their child attends. In addition, [20 U.S.C. § 6318](#) states that schools are required to provide parents with reasonable access to staff, opportunities to volunteer and participate in their child's class, and observation of classroom activities. Accordingly, schools shall make a good faith effort to reasonably accommodate such a request after taking into consideration the impact it has on the following:
 - a. School staff and resources
 - b. Employee working conditions
 - c. Safety and supervision on school premises and for school activities
 - d. Efficient allocation of expenditures
 - e. Educational needs of students
 - f. Academic and behavioral impacts to the classroom
 - g. Teacher's workload
 - h. Assurance of the safe and efficient operation of the school.

B. Who May Observe a Classroom

1. The right to observe a student's instructional program during class time resides solely with a student's parent, legal guardian, or foster parent. For purposes of this Policy, the term "parent" includes legal guardians and foster parents, and the term "observe" means to visit and observe. The right to observe a student's classroom does not extend to grandparents, relatives, caregivers, or others. Notwithstanding, the school principal may allow a grandparent, close relative or caregiver to observe the student's classroom if the parent has provided written permission and the principal, after consulting with the classroom teacher, deems it to be reasonable under the circumstances.

C. Approval and Scheduling of Classroom Observation

1. Requests to observe a classroom should be forwarded to the school principal for approval consistent with the guidelines in this Policy. Together the school principal and classroom teacher shall schedule observations for a time and date convenient to both the parent and the teacher. The observation shall take place within a reasonable time following the initial request. The observation should not take place less than forty-eight (48) hours from the date of the request. Observations may not take place while students are taking a quiz or test. Only one parent may observe a class at a time.

D. Frequency and Duration

1. To minimize interruptions and distractions during valuable class time, observations must be limited. Because a school's obligation to reasonably accommodate a parent's request may not substantially impact staff and resources, and because it requires the school to balance parental rights against the educational needs of students, the impact on a classroom, and the teacher's workload, it is deemed reasonable to allow one observation per student per term. Each observation should last no more than one hour. Under exceptional circumstances, the school principal, in consultation with the teacher, may determine that more frequent or lengthy observations for a particular student are reasonable.

E. Parental Conduct During Classroom Observation

1. Parents may enter and exit the classroom only once during each observation. Parents shall remain in the back of the classroom or otherwise out of the way and may not interact with students or the teacher unless the teacher initiates the interaction. Parents must refrain from making unnecessary noise or movement.
2. Parents may not bring other adults or children, including siblings of the student, to the school when coming for a classroom observation. If a parent arrives for an observation with other children or adults, the observation will be rescheduled. If a parent requests an observation by a professional such as a psychologist or therapist who is not employed by the District, the student's Individualized Education Program (IEP) team or 504 team must determine whether the observation is required under the applicable law and should address the request through the applicable IEP or 504 procedures.
3. Concerns or complaints by the parent may not be addressed during class time, even following the observation. Such matters may be addressed separately with the school principal or after regular school hours with the classroom teacher.

4. In order to protect the privacy of all students in attendance, parents shall not be permitted to take any photographs or make any audio or video recordings during class time. Electronic devices should not be visible during the observation.
5. In certain situations, the school principal or his/her designee may also be in the classroom during the observation in order to protect the learning environment for all students.
6. All parents should be presented with and sign the Classroom Observation Agreement. The original signed Agreement should be kept with the applicable student's education records, and a copy of the Agreement may be provided to the parent. Parents must comply with the rules and procedures set forth in the Agreement. The Agreement form is attached to this Policy.

F. Violation of Classroom Observation Rules

1. A parent's right to observe their child's instructional program during class time can only be achieved through adherence to and respect for the classroom observation rules. If a parent's presence or conduct causes a disruption or interferes with the instructional program, the teacher should privately remind the parent of the observation rules. If the disruption persists, the teacher may ask the parent to leave the classroom. However, the teacher's interaction with the parent must not in turn cause a greater disruption, and it may be less disruptive for the teacher to simply wait until the observation ends and then report the parent's behavior to the principal.
2. Violation of the rules contained in this Policy or any other site-specific classroom observation rules should be resolved by private counseling between the parent and the principal and/or teacher. If violations persist, the principal may temporarily prohibit a parent from observing their child's classroom during regular school hours. Serious or persistent violations of classroom observation rules may require a communication protocol or trespass notice and should be referred to the Legal Department.

G. Confidentiality

1. District employees may not discuss confidential information of other children, families, personnel, or volunteers in the presence of parents or students. Because parents who observe a classroom may inadvertently be exposed to confidential information, principals and teachers should instruct parents to respect the privacy and confidentiality rights of every student and employee. Parents must be especially careful to respect the privacy rights of special education students as even the classification of a student as a special education student or the presence of a student in a special education class is confidential. Student education records and other sensitive or confidential documentation, including a student's grades,

attendance, behavior, IEP, Section 504 plan, etc. should be kept off computer screens or in a locked drawer or file cabinet and not be visible during parent observations. Parents who violate the privacy rights of students or employees may be prohibited from observing classes.

Classroom Visitation/Observation Agreement

The administration and faculty of Box Elder School District welcome you to our schools and we thank you for your interest in the instructional programs that we offer for our students. We hope that your visit is a rewarding experience, one that provides you with a greater insight into the skill, professionalism, and dedication of our school staff. Our desire is to ensure that the instructional process is not disturbed for either the teacher or the students. Accordingly, we request that all visitors agree to and comply with the following terms during their time in the classroom.

- Parent observations are by appointment only. Please contact the school principal or classroom teacher to schedule an observation. Observations will not be scheduled less than forty-eight (48) hours in advance. This advanced notice will allow the teacher to prepare a seating arrangement and additional copies of any instructional materials if needed.
- Observations may not take place during tests or quizzes.
- Guests and other children, including siblings of the student you are observing, may not accompany you to an observation. If you arrive with other people, you will be asked to reschedule.
- Parent observations are generally limited to one observation per student per term. If exceptional circumstances exist, you may request more frequent observations from the school principal.
- Upon arrival at school, you must check in at the main office and obtain a visitor pass. You will be asked to show identification, and the office staff will verify your appointment with your child's teacher.
- If possible, please arrive and leave between learning activities to minimize the disruption. Observations should not last longer than one hour, and we ask that you not leave and re-enter the classroom during your observation.
- Upon arrival, please sit where the teacher directs. You will likely be in the back of the room or otherwise out of the way rather than next to or among the students.
- If you bring a mobile phone or other electronic device, it must be turned off and kept out of site. Audio or video recording of the teacher or students once you are inside the school is strictly prohibited.
- We ask that you be a silent observer while in the classroom. The teacher has the responsibility for all students, so you will not be able to discuss matters concerning your child or the classroom observation immediately before, during, or after the visit. A future phone call or in-person conference date and time can be scheduled with the teacher or through the school office staff. You may not talk to or interact with any student nor make comments during the observation.
- If you become aware of any confidential information regarding students, including a student's presence in a special education classroom, you must keep the information confidential. Parents who disclose confidential information obtained during an observation may be prohibited from future observations.
- You may be asked to leave if your presence in the classroom is disruptive or if you fail to abide by any of the terms of this agreement.
- After the completion of your classroom observation, you are asked to return to the school's office to sign out.
- Professionals not employed by the District but who observe a child at the parent's request are bound by the same requirements outlined in this Agreement and must sign below before conducting an observation.

I understand and agree to the foregoing terms. I further understand and agree that should I create any disruption in the classroom during my visit I will be asked to leave the classroom immediately and my authorization for further classroom observations may be revoked.

Dated this _____ day of _____, 20____.

Visitor Name (Please Print)

New Policy 6012
First Reading
July 15, 2020
Second Reading
August 12, 2020

Visitor Signature

School Administrator Signature

POLICY 4060

High School Graduation Requirements

- A. All students awarded a High School Diploma from a regular high school in Box Elder School District shall complete the following minimum requirements as required by the Utah State Board of Education and Box Elder School District during grades 9-12:

Number of Credits Required

1. Language Arts 4.5
 - a. Ninth grade level (1.5 units of credit);
 - b. Tenth grade level (1.0 unit of credit);
 - c. Eleventh grade level (1.0 unit of credit);
 - d. Twelfth grade level (1.0) unit of credit) consisting of applied or advanced Language Arts courses from the list of State Board-approved courses consistent with the student's PCCR.

2. Social Studies 3.0
 - a. Geography for Life (0.5 units of credit);
 - b. World Civilizations (0.5 units of credit);
 - c. U.S. History (1.0 unit of credit);
 - d. U.S. Government and Citizenship (0.5 units of credit);
 - e. Elective Social Studies (0.5 units of credit)
 - f. Successful completion of the basic civics test unless the student qualifies for an alternative assessment as provided for by the Utah State Board of Education.

[Utah Admin. Rules R277-700-8 \(March 14, 2018\)](#)

3. Science 3.0
 - a. at a minimum, two credits from the five science foundation areas:

- i. Earth Science (1.0 unit of credit);
 - ii. Biological Science (1.0 unit of credit);
 - iii. Chemistry (1.0 unit of credit);
 - iv. Physics (1.0 unit of credit);
 - v. Computer Science (1.0 unit of credit)
- b. one additional unit of credit from the foundation courses or the applied or advanced science courses from the list of State Board-approved courses consistent with the student's PCCR.
4. Mathematics 3.5
- a. Secondary Math I (1.5 units of credit);
 - b. Secondary Math II (1.0 unit of credit);
 - c. Secondary Math III (1.0 unit of credit).
- i. Students may opt out of Secondary Mathematics III with written parent request. If an opt-out is requested, the third mathematics credit shall come from the advanced and applied courses from the list of State Board-approved courses consistent with the student's PCCR.
 - ii. A student who successfully completes Calculus has completed mathematics graduation requirements regardless of the number of mathematics credits earned.
5. Physical and Health Education 2.0
- a. Health (0.5 units of credit)
 - b. Participation Skills (0.5 units of credit)
 - c. Fitness for Life (0.5 units of credit)
 - d. Individualized Lifetime Activities (0.5 units of credit)
- (A maximum of .5 units of credit can be earned for team sport/athletic participation with school approval.)
6. Arts 1.5

- 7. Career & Technical Education 1.0
- 8. Computer Technology or qualifying Digital Studies course 0.5
- 9. General Financial Literacy 0.5

TOTAL REQUIRED CORE CREDITS 19.5

REQUIRED ELECTIVE CREDITS – MINIMUM 10.5

TOTAL CREDITS REQUIRED FOR GRADUATION 30.0

TOTAL CREDIT AVAILABLE 36.0

B. Additional Provisions

- 1. Students qualify for a diploma upon completion of all required credits. The opportunity to participate in graduation exercises is a privilege and may be based on behavior/citizenship.
- 2. These graduation requirements are consistent with State (USBE) requirements with the exception of Language Arts and Math, which have been adjusted due to the 3 trimester schedule for core classes in the 9th grade.
- 3. Students will be offered a full schedule to be taken as elective classes or released from school for approved activities.

TENTATIVE MINUTES OF A REGULAR MEETING
OF THE BOARD OF EDUCATION
BOX ELDER SCHOOL DISTRICT

Tentative Minutes of the Work Session held July 15, 2020 starting at 10:00 a.m. at the ILSC Building.

The Board met at Sunrise High School for a tour of the building currently under construction.

Members Karen Cronin, Julie Taylor, Tiffani Summers, Connie Archibald and Wade Hyde attended. The meeting was moved to the ILSC Building with Nancy Kennedy joining electronically.

The Board discussed Increment Financing philosophies. The information will be taken back to the Board Committee on increment financing.

Several other items were discussed including the Return to Learn Plan for the Covid 19 back to school plan. For further reference refer to the Agenda and recordings online.

Julie Taylor made the motion to close the work session. Tiffani Summers seconded the motion which passed unanimously.

Tentative minutes of a Regular Meeting of the Board of Education, Box Elder School District, held Wednesday evening July 15, 2020 at 6:30 p.m. at the Independent Life Skills Center.

Those in attendance at the meeting included Board President Karen Cronin, Members Tiffani Summers, Julie Taylor, and Wade Hyde. Nancy Kennedy and Bryan Smith attended electronically. Connie Archibald was excused. Also present were Superintendent Steven Carlsen, Assistant Superintendents Keri Greener, Gary Allen and Keith Mecham, Business Administrator Rod Cook, district employees, and representatives of the press.

President Cronin welcomed those in attendance and conducted the business of the meeting.

After the reverence, which was offered by Rod Cook, Keith Mecham led the audience in the pledge of allegiance.

Recognition

Tiffani Summers recognized the following:

Jerry Jackman and Faculty of Community High School
Boys and Girls and Club of Northern Utah - JeuneElle Jeffries
Melanie Day – Coronials

Approval of Agenda

Bryan Smith made the motion to approve the agenda. Wade Hyde seconded the motion, which passed unanimously.

Public Comment

There was no public comment in the live meeting. Many questions were asked about the Return to Learn plan for the returning to school with Covid 19 online. The questions will be put on the website with answers.

Action Items

Approval of Construction Manager/ General Contractor (CM/GC)

Corey Thompson, Director of Buildings and Maintenance, presented the recommendation for appointment of a Construction Manager/ General Contractor for the approved new Brigham City east side elementary.

Wade Hyde made the motion to approve the recommendation to appoint Hogan Construction as the CM/GC. Julie Taylor seconded the motion which passed unanimously.

Approval of the 2020-21 Tax Rates

Business Administrator, Rod Cook presented the tax rates for the 2020-21 budget for Board approval. The Board approved a preliminary budget in June. The rates were not available at the time. These are in keeping with the approved budget.

Bryan Smith made the motion to approve the 2020-21 tax rates as presented. Tiffani Summers seconded the motion which passed unanimously.

Tentative Ratification of Negotiated Agreement for 2020-21 with Box Elder Education Association (BEEA)

Keith Mecham, Assistant Superintendent of Human Resources, presented the tentative agreement reached through negotiations with the Box Elder Education Association for approval.

Julie Taylor made the motion to approve the agreement with BEEA. Tiffani Summers seconded the motion which passed unanimously.

Tentative Ratification of Negotiated Agreement for 2020-21 with Box Elder Education Association (BEESPA)

Keith Mecham, Assistant Superintendent of Human Resources, presented the tentative agreement reached through negotiations with the Box Elder Education Support Professionals Association (BEESPA) for approval.

Tiffani Summers made the motion to approve the agreement with BEESPA for the 2020-21 school year as recommended. Wade Hyde seconded the motion which passed unanimously.

Keith Mecham, Assistant Superintendent of Human Resources, Presented for ratification the approval of the Box Elder Administrative Association (BEAA)

Wade Hyde made the motion to approve the BEAA for the 2020-21 school year. Julie Taylor seconded the motion which passed unanimously.

Approval of Four Day Week for Park Valley and Grouse Creek Schools

Keith Mecham, Assistance Superintendent of Human Resources, presented the proposed approval of a four-day week for Park Valley and Grouse Creek Schools.

Nancy Kennedy made the motion approve the four-day week for Park Valley and Grouse Creek schools for the 2020-21 school year. Bryan Smith seconded the motion which passed unanimously.

Approval of Sex Education Committee and Report

Gary Allen, Assistant Superintendent of Secondary Teaching and Learning, presented the Sex Education Report and the recommended Committee for the Board's approval.

Bryan Smith made the motion to approve the Sex Education Committee for the 2020-21 school year as recommended. Wade Hyde seconded the motion which passed unanimously.

Approval of Amendment to Bear River High School Lands Trust Plan 2019-20

Gary Allen, Assistant Superintendent of Secondary Teaching and Learning, recommended Board approval on a change to the School Land Trust plan for Bear River High School.

Julie Taylor made the motion to approve the amendment to the School Land Trust Plan as recommended. Nancy Kennedy seconded the motion which passed unanimously.

Approval of Bear River High Girls Wrestling

Steve Carlsen, Superintendent, recommended the approval of the sport of Girls Wrestling at Bear River High School.

Wade Hyde made the motion to approve a Girls Wrestling program at Box Elder School District. Tiffani Summers seconded the motion which passed unanimously.

COVID-19 Re-opening Plan

Steve Carlsen, Superintendent, recommended the approval of the COVID-19 Re-opening Plan

Nancy Kennedy made the motion to approve the COVID-19 Re-opening Plan as presented with a two week minimum day at the start of school. Wade Hyde seconded the motion which passed unanimously.

Policy Review

Policy to Delete

Policy 5359 Youth Suicide Prevention

Policies with No Changes

Policy 1025 Administrative Relations
Policy 1074 Board Meetings Closed Meetings
Policy 1080 Board Committees
Policy 1090 Rules of Order
Policy 1120 Policy Development-Adoption-dissemination
Policy 2010 Budget Planning-Development-Adoption
Policy 2015 Cash Investment and Management of Funds
Policy 2020 Budget Implementation
Policy 2050 Payroll Deduction
Policy 2051 Deferred Compensation-Tax Sheltered Annuity Programs
Policy 2060 Deducted Absences
Policy 5030 Attendance-Compulsory
Policy 5031 Attendance-Exemption from Compulsory Attendance

Julie Taylor made the motion to approve the deleted and no change policies. Bryan Smith seconded the motion which passed unanimously.

First Reading

Policy 1040 Board Member Elections/Board Officers
Policy 1225 School Size - Elementary School
Policy 2100 Gifts, Donations, and Bequests-Acceptance
Policy 2170 Buildings and Grounds-Use by Students and Employees
Policy 2210 Transportation Eligibility
Policy 3042 Education Support Professionals Employee Evaluation
Policy 3043 Redress of Grievances
Policy 3055 Substitute Teachers
Policy 3086 Employee Use of Personal Electronic Devices
Policy 4061 Curriculum-American Heritage
Policy 4062 College Course Work
Policy 4070 Early Graduation
Policy 4086 Comprehensive Counseling and Guidance Program
Policy 4087 Work-Based Learning
Policy 4177 Responsible Computer Use
Policy 5027 Foreign Exchange Students
Policy 5035 Attendance Requirements-Procedures
Policy 5064 Medical Recommendations by School Personnel to Parents
Policy 5066 Students with Potentially Life Threatening Allergies
Policy 5067 Student Asthma Emergency
Policy 5069 Student Self-Treatment for Diabetes
Policy 5205 Use of Protective Eyewear

Policy 5225 Student Activities
Policy 5305 Student Use of Electronic Devices
Policy 5310 Fundraising
Policy 5360 Suicide Prevention
Policy 6012 Parent Classroom Observation

Bryan Smith made the motion to approve the above policies on first reading with the minor changes suggested by board members. Julie Taylor seconded the motion which passed unanimously.

Information/Discussion Items

2020-21 TSSA Plan Results

Gary Allen, Assistant Superintendent for Secondary Teaching and Learning, and Keri Greener Assistant Superintendent for Elementary Teaching and Learning, presented the TSSA Plan Results for the 2020-21 school year.

Monthly Financial Report

Business Administrator, Rod Cook presented the Monthly Financial Report

Board Discussion Items

The board reviewed pages 182 to the end of “Fostering Resilient Learners” and shared their thoughts on the reading.

Consent Calendar

Wade Hyde moved to accept the consent items. The motion was seconded by Bryan Smith and passed on a unanimous vote.

The Consent Calendar included the following items:

Approval of the minutes of the working and regular meetings of June 8, 2020 and June 10, 2020.

Approval of claims numbered 32084-34098, 01061020, 07063020,08063020,09060120,09061920,09062320,090662420,09063020, and the District Foundation and ACH payments as well as School Activity checks for the month of June.

Personnel Items

As detailed in agenda.

Adjournment

Wade Hyde made the motion to adjourn the meeting. Tiffani Summers seconded the motion which passed by unanimous vote.

With the announcement that the next meeting will be held on Wednesday, August 12, 2020, at The Independent Life Skills Center with the regular board meeting at 6:30 p.m. President Cronin adjourned the meeting at 9:18 p.m.

APPROVED: _____

ATTESTED: _____
School Business Administrator
Box Elder School District

President, Board of Education

A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
01	00034099	10.50	07/06/20	106297 CROWN TROPHY	C
01	00034100	593.05	07/09/20	812477 ALSCO/AMERICAN LINEN	C
01	00034101	3,000.00	07/09/20	37907 VINCENT C BATES	C
01	00034102	60.00	07/09/20	85556 BEAR RIVER HEALTH DEPARTMENT	C
01	00034103	314.06	07/09/20	102956 BEAR RIVER MENTAL HEALTH	C
01	00034104	255.50	07/09/20	85768 BEAR RIVER SEWER DEPT	C
01	00034105	1,102.20	07/09/20	104132 BEAZER LOCK & KEY	C
01	00034106	149.33	07/09/20	104370 BOX ELDER NEWS JOURNAL	C
01	00034107	19,395.10	07/09/20	111004 BRIDGERLAND APPLIED TECH/BATC	C
01	00034108	75.00	07/09/20	111223 COUNTRY CARPET CLEANING LLC	C
01	00034109	30.00	07/09/20	14958 CULLIGAN	C
01	00034110	502.32	07/09/20	110514 SHAYLYNN EKINS	C
01	00034111	11.85	07/09/20	109704 FOLLETT SCHOOL SOLUTIONS	C
01	00034112	3,888.62	07/09/20	143160 FRONTIER COMMUNICATION	C
01	00034113	3,315.29	07/09/20	304217 GARLAND CITY	C
01	00034114	321.53	07/09/20	324430 GRAYBAR ELECTRIC COMPANY INC	C
01	00034115	1,036.80	07/09/20	111125 IML SECURITY SUPPLY	C
01	00034116	9,359.04	07/09/20	100774 JEPPESEN DISTRIBUTING/JEFF JEPPESEN	C
01	00034117	1,500.00	07/09/20	52876 SUN YOUNG LEE	C
01	00034118	66,022.02	07/09/20	530755 LOGAN SCHOOL DISTRICT	C
01	00034119	605.43	07/09/20	543168 MADDOX RANCH HOUSE	C
01	00034120	176.00	07/09/20	110561 MAXIM HEALTHCARE SERVICES INC	C
01	00034121	712.41	07/09/20	29858 MOUNTAINLAND SUPPLY COMPANY	C
01	00034122	8,393.66	07/09/20	3050 OBSERVERTAB, LLC	C
01	00034123	208.00	07/09/20	700077 PERRY CITY	C
01	00034124	299.00	07/09/20	700575 ELDON PETERSEN	C
01	00034125	3,000.00	07/09/20	50814 CRAIG KENNETH PITTS	C
01	00034126	1,491.16	07/09/20	937851 PRAXAIR DISTRIBUTION INC	C
01	00034127	329.00	07/09/20	35955 PROMO PLUS	C
01	00034128	603.94	07/09/20	732367 RAFT RIVER RURAL	C
01	00034129	18,103.97	07/09/20	52914 RICH COUNTY SCHOOL DISTRICT	C
01	00034130	4,500.00	07/09/20	44873 PEGGY JEAN SAUNDERS	C
01	00034131	7,305.62	07/09/20	48470 SCHOOLS CUBED	C
01	00034132	39.95	07/09/20	110789 SECURE INSTANT PAYMENTS LLC	C
01	00034133	5,719.99	07/09/20	109177 UTAH DEPARTMENT OF WORKFORCE SERVICES	C
01	00034134	426.88	07/09/20	20125 STACY SUE THOMPSON	C
01	00034135	5,829.52	07/09/20	861085 TV SPECIALISTS INC	C
01	00034136	407.45	07/09/20	892964 UTAH STATE TAX COMMISSION	C
01	00034137	5,035.76	07/09/20	924155 WASTE MGMT OF UTAH INC	C
01	00034138	176.75	07/09/20	941217 WILLARD CITY CORP	C
01	00034139	470.00	07/09/20	5819 AASA / AMERICAN ASSC OF SCH ADMIN	C
01	00034140	610.24	07/09/20	347560 ALICE C HARRIS INTERM SCH	C
01	00034141	256.96	07/09/20	87120 BEEHIVE TELEPHONE CO	C
01	00034142	610.24	07/09/20	104338 BOX ELDER HIGH SCHOOL	C
01	00034143	27,000.00	07/09/20	32638 EDGENUITY INC	C
01	00034144	1,500.00	07/09/20	18848 GLOBAL COMPLIANCE NETWORK, INC	C
01	00034145	10,000.00	07/09/20	25810 INSTRUCTURE, INC.	C
01	00034146	108.00	07/09/20	6378 TIM JONES	C
01	00034147	3,498.00	07/09/20	108828 MORETON & COMPANY INC	C
01	00034148	18,600.00	07/09/20	3050 OBSERVERTAB, LLC	C
01	00034149	35.95	07/09/20	110914 SUPERIOR WATER AND AIR INC	C
01	00034150	3,970.00	07/09/20	23680 TES SOFTWARE INC	C
01	00034151	90.00	07/09/20	44512 TREMONTON LEADER	C
01	00034152	4.50	07/09/20	111143 UTAH HIGHWAY PATROL VSS	C
01	00034153	19,967.00	07/09/20	101369 UTAH SCHOOL BOARDS ASSOCIATION	C

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01	00034154	530,446.00	07/09/20	101369 UTAH SCHOOL BOARDS RISK MANAGEMENT	C
01	00034155	97.50	07/09/20	891185 UTAH TAXPAYERS ASSOC	C
01	00034156	1,552.09	07/09/20	25534 ACADEMIC SUCCESS FOR ALL LEARNERS	C
01	00034157	2,184.82	07/09/20	40924 ALLY SURVEILLANCE INC	C
01	00034158	81.47	07/09/20	38032 AMAZON CAPITAL SERVICES INC	C
01	00034159	119.75	07/09/20	110836 BEST BOOKS INC	C
01	00034160	5,619.00	07/09/20	5568 CANNON SALES INC	C
01	00034161	263.01	07/09/20	386370 HYKO SUPPLY CO	C
01	00034162	3,596.00	07/09/20	108190 MILLER COMPANIES	C
01	00034163	158,187.24	07/09/20	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00034164	229.38	07/09/20	699420 PERMA BOUND BOOKS	C
01	00034165	1,024.38	07/09/20	109285 RED GATE SOFTWARE LTD	C
01	00034166	495.00	07/09/20	52485 SAP AMERICA, INC	C
01	00034167	7,980.00	07/09/20	2887 SECURE BY DESIGN	C
01	00034168	2,399.20	07/09/20	310 VIRCO INC	C
01	00034169	860.00	07/20/20	53023 MEIQIN HUANG	C
01	00034191	804.35	07/23/20	6617 ACME WATER CO	C
01	00034192	610.24	07/23/20	10260 ADELE C YOUNG INTERM SCH	C
01	00034193	240.00	07/23/20	60 ASBO INTERNATIONAL	C
01	00034194	66.50	07/23/20	4260 BCI / UTAH BUREAU OF CRIMINAL IDENTIF	C
01	00034195	9,508.25	07/23/20	104242 BIZWEAR INC	C
01	00034196	34.00	07/23/20	104327 BOX ELDER COUNTY LANDFILL	C
01	00034197	42,892.45	07/23/20	108217 BRIGHAM CITY CORPORATION	C
01	00034198	148.49	07/23/20	24236 BRODY CHEMICAL	C
01	00034199	1,751.78	07/23/20	3271 CANON SOLUTIONS AMERICA	C
01	00034200	639.85	07/23/20	890740 CENTURYLINK LONG DISTANCE	C
01	00034201	111.00	07/23/20	107994 CERTIFIED SHRED	C
01	00034202	62.00	07/23/20	40363 CIO MEDICAL SERVICES	C
01	00034203	304.89	07/23/20	158220 COVER UP	C
01	00034204	52.50	07/23/20	106297 CROWN TROPHY	C
01	00034205	4,281.67	07/23/20	729332 ECONO WASTE INC	C
01	00034206	75.98	07/23/20	103987 EWING IRRIGATION	C
01	00034207	166.55	07/23/20	304820 GASCARD/FLEETCOR TECHNOLOGIES	C
01	00034208	35,082.72	07/23/20	21377 GOODSOURCE SOLUTIONS	C
01	00034209	245.41	07/23/20	111225 BECKY HODGE	C
01	00034210	9,794.54	07/23/20	100774 JEPPSEN DISTRIBUTING/JEFF JEPPSEN	C
01	00034211	2.88	07/23/20	474162 JOSTENS	C
01	00034212	1,000.00	07/23/20	26000 LEAR & LEAR LAW OFFICE, LLP	C
01	00034213	275.25	07/23/20	530755 LOGAN SCHOOL DISTRICT	C
01	00034214	217.55	07/23/20	111277 SANDY MACSPARRAN	C
01	00034215	12,038.48	07/23/20	109010 MUIR COPPER CANYON FARMS	C
01	00034216	19,075.00	07/23/20	999084 NATIONAL BENEFITS SERVICES LLC	C
01	00034217	1,124.07	07/23/20	111273 NUCO2 LLC	C
01	00034218	1,622.50	07/23/20	103688 PACKER'S EXTINGUISHER LLC	C
01	00034219	13,458.77	07/23/20	892645 ROCKY MOUNTAIN POWER	C
01	00034220	267.25	07/23/20	762360 RUPP WASTE CONTAINERS INC	C
01	00034221	581.25	07/23/20	52175 KERRY SHEA, PHD	C
01	00034222	10,134.64	07/23/20	25976 SHERWIN-WILLIAMS	C
01	00034223	41,793.99	07/23/20	12688 SYSCO	C
01	00034224	310.20	07/23/20	111109 TOM RANDALL DIST	C
01	00034225	1,511.73	07/23/20	852617 TREMONTON CITY CORP	C
01	00034226	810.00	07/23/20	511570 UTAH LABOR COMMISSION DIVISION OF	C
01	00034227	1,100.00	07/23/20	109816 UTAH SAFETY COUNCIL	C
01	00034228	1,971.92	07/23/20	34622 UTAH STATE BOARD OF EDUCATION / USBE	C
01	00034229	524.11	07/23/20	892916 STATE OF UTAH FUEL NETWORK	C

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01	00034230	120.00	07/23/20	110931 WEESE GLASS LLC	C
01	00034231	3,237.39	07/23/20	38032 AMAZON CAPITAL SERVICES INC	C
01	00034232	3,716.91	07/23/20	110672 ANCORA PUBLISHING	C
01	00034233	3,157.00	07/23/20	106497 APPLE STORE	C
01	00034234	3,735.00	07/23/20	100293 DELL COMPUTER	C
01	00034235	75,640.00	07/23/20	49956 EDUCATION LOGISTICS, INC	C
01	00034236	279.89	07/23/20	105455 ENABLING DEVICES	C
01	00034237	5,252.94	07/23/20	322776 GRAINGERS INC	C
01	00034238	4,095.65	07/23/20	386370 HYKO SUPPLY CO	C
01	00034239	106.25	07/23/20	100522 INTERMOUNTAIN FARMERS ASSOC / IFA	C
01	00034240	10,000.00	07/23/20	106111 INTERMOUNTAIN HOUSE LLC	C
01	00034241	1,742.50	07/23/20	51969 JAMF SOFTWARE, LLC	C
01	00034242	4,798.00	07/23/20	48879 KREMEDY LLC / KANNACT	C
01	00034243	630.00	07/23/20	52892 LG DESIGN & PHOTOGRAPHY	C
01	00034244	169,757.25	07/23/20	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00034245	3,052.61	07/23/20	633340 OFFICE DEPOT	C
01	00034246	8,000.00	07/23/20	52400 PARADISE FIRE PROTECTION	C
01	00034247	309.32	07/23/20	699420 PERMA BOUND BOOKS	C
01	00034248	271.05	07/23/20	762360 RUPP WASTE CONTAINERS INC	C
01	00034249	954.64	07/23/20	110840 RUSH TRUCK CENTER OF UTAH	C
01	00034250	1,345.29	07/23/20	101816 SCHOOL SPECIALTY	C
01	00034251	1,561.45	07/23/20	111109 TOM RANDALL DIST	C
01	00034252	84.53	07/23/20	866716 UTAH CORRECTIONAL INDUSTRIES	C
01	00034253	114,075.00	07/23/20	898860 VCBO ARCHITECTS	C
01	00034254	28,000.00	07/23/20	26077 WAZZLE SOLUTIONS	C
01	00034255	59.46	07/23/20	48950 ZORO	C
01	00034256	12.79	07/23/20	107387 DESERET BOOK	C
01	00034257	96.51	07/23/20	699420 PERMA BOUND BOOKS	C
01	00034258	37.54	07/23/20	105169 BARNES & NOBLE INC	C
01	00034259	131.25	07/23/20	52175 KERRY SHEA, PHD	C
01	00034260	254.94	07/28/20	999014 AFLAC / AMERICAN FAMILY LIFE ASSURANCE	C
01	00034261	694.19	07/28/20	999014 AMERICAN FAMILY LIFE COMP	C
01	00034262	90.00	07/28/20	999027 B E SCHOOL BOARD FUND	C
01	00034263	212.90	07/28/20	999024 BOSTON MUTUAL LIFE INS CO - W	C
01	00034264	2,725.00	07/28/20	999021 BOX ELDER CREDIT UNION	C
01	00034265	144.00	07/28/20	999055 BOX ELDER FOUNDATION	C
01	00034266	822.00	07/28/20	999033 BUREAU CHILD SUPPORT SERV	C
01	00034267	4,256.54	07/28/20	999077 DENTAL SELECT	C
01	00034268	192.15	07/28/20	999019 EDUCATORS MUTUAL	C
01	00034269	45.36	07/28/20	999017 GLOBE LIFE INSURANCE CO	C
01	00034270	4,345.25	07/28/20	999035 HORACE MANN INSURANCE COMPANY	C
01	00034271	32,625.00	07/28/20	999084 NATIONAL BENEFITS SERVICES LLC	C
01	00034272	433.98	07/28/20	999008 OPTICARE	C
01	00034273	134,125.12	07/28/20	999079 PUBLIC EMPLOYEES HEALTH P	C
01	00034274	256.25	07/28/20	999032 PRE-PAID LEGAL SERVICES	C
01	00034275	4,463.53	07/28/20	999018 THE HARTFORD	C
01	00034276	90.00	07/28/20	999012 UESP	C
01	00034277	62.40	07/28/20	999007 UTAH EDUCATION ASSOCIATION	C
01	00034278	36,060.55	07/28/20	999003 UTAH STATE TAX COMMISSION	C
01	00034279	100.00	07/30/20	1 DANNY NORTON	C
01	00034280	2,210.77	07/30/20	14575 AIRMOTIVE SERVICE	C
01	00034281	1,125.48	07/30/20	38032 AMAZON CAPITAL SERVICES INC	C
01	00034282	690.00	07/30/20	36784 AMERICAN RED CROSS	C
01	00034283	102,165.00	07/30/20	108217 BRIGHAM CITY CORPORATION	C
01	00034284	290.44	07/30/20	3271 CANON SOLUTIONS AMERICA	C

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01	00034285	1,769.11	07/30/20	890740 CENTURYLINK	C
01	00034286	551.28	07/30/20	104223 CODALE ELECTRIC	C
01	00034287	111.63	07/30/20	156817 CORINNE CITY CORP	C
01	00034288	157.50	07/30/20	106297 CROWN TROPHY	C
01	00034289	698.00	07/30/20	50156 EDUCATORS HANDBOOK.COM	C
01	00034290	8,655.60	07/30/20	100913 BORDER STATES INDUSTRIES, INC	C
01	00034291	1,203.06	07/30/20	106111 INTERMOUNTAIN HOUSE LLC	C
01	00034292	4,052.77	07/30/20	109010 MUIR COPPER CANYON FARMS	C
01	00034293	14,625.00	07/30/20	38148 QUALTRICS LLC	C
01	00034294	8,554.72	07/30/20	892645 ROCKY MOUNTAIN POWER	C
01	00034295	495.40	07/30/20	762360 RUPP WASTE CONTAINERS INC	C
01	00034296	4,000.00	07/30/20	33367 SAFE & CIVIL SCHOOLS	C
01	00034297	550.54	07/30/20	10731 SMITH'S CUSTOMER CHARGES	C
01	00034298	7,763.03	07/30/20	24580 VERIZON WIRELESS	C
01	00034299	1,555.84	07/30/20	310 VIRCO INC	C
01	00034300	2,500.00	07/30/20	102931 ZIONS BANK NATIONAL BANK	C
01	00034301	3,162.53	07/30/20	38032 AMAZON CAPITAL SERVICES INC	C
01	00034302	2,486.15	07/30/20	110672 ANCORA PUBLISHING	C
01	00034303	849.00	07/30/20	106497 APPLE STORE	C
01	00034304	7,963.20	07/30/20	53007 BLUEFIN OFFICE GROUP	C
01	00034305	1,422.00	07/30/20	230 CAROLINA BIOLOGICAL	C
01	00034306	31,782.50	07/30/20	45764 CLASSLINK, INC.	C
01	00034307	5,494.42	07/30/20	779 GOVCONNECTION INC	C
01	00034308	773.52	07/30/20	744 EDUCATIONAL INNOVATIONS INC	C
01	00034309	1,368.08	07/30/20	50130 GO-BOX LLC	C
01	00034310	2,852.86	07/30/20	4456 GOLDEN SPIKE ELECTRIC	C
01	00034311	198.66	07/30/20	778870 GOPHER SPORT	C
01	00034312	314.97	07/30/20	322776 GRAINGERS INC	C
01	00034313	6,992.15	07/30/20	386370 HYKO SUPPLY CO	C
01	00034314	133,132.28	07/30/20	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00034315	6,845.74	07/30/20	633340 OFFICE DEPOT	C
01	00034316	226.75	07/30/20	699420 PERMA BOUND BOOKS	C
01	00034317	754.77	07/30/20	157371 STAPLES	C
01	00034318	152.60	07/30/20	111788 THE LIFEGUARD STORE	C
01	70731201	23,721.38	07/28/20	999070 HEALTH EQUITY INC	M
01	80731200	290,466.54	07/28/20	999005 UTAH STATE RETIREMENT FUND	M
01	90731201	188,671.56	07/28/20	999140 BANK OF UTAH	M
Total Bank No 01		2,730,471.40			
02	00100736	300.00	07/09/20	14575 AIRMOTIVE SERVICE	C
02	00100737	18.63	07/23/20	104321 BOX ELDER SCHOOL DISTRICT	C
02	00100738	1,000.00	07/23/20	111004 BRIDGERLAND APPLIED TECH/BATC	C
02	00100739	1,000.00	07/23/20	891181 UTAH STATE UNIVERSITY	C
02	00100740	1,000.00	07/23/20	891181 UTAH STATE UNIVERSITY	C
02	00100741	2,250.00	07/23/20	891181 UTAH STATE UNIVERSITY	C
02	00100742	2,000.00	07/23/20	891181 UTAH STATE UNIVERSITY	C
02	00100743	5,500.00	07/23/20	891181 UTAH STATE UNIVERSITY	C
02	00100744	3,000.00	07/23/20	100471 WEBER STATE UNIVERSITY	C
02	00100745	1,000.00	07/23/20	100471 WEBER STATE UNIVERSITY	C
02	00100746	1,500.00	07/23/20	100471 WEBER STATE UNIVERSITY	C
02	00100747	1,000.00	07/23/20	100471 WEBER STATE UNIVERSITY	C
02	00100748	2,000.00	07/23/20	100471 WEBER STATE UNIVERSITY	C
Total Bank No 02		21,568.63			
11	01102529	14,272.30	07/09/20	27561 A & Z PRODUCE	A
11	01102530	323.64	07/09/20	102177 BRADY INDUSTRIES LLC	A

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11	01102531	304.04	07/09/20	106437 CARSON ELEVATOR CO INC	A
11	01102532	4,267.49	07/09/20	728870 DOMINION ENERGY UTAH	A
11	01102533	155,104.95	07/09/20	107656 DWA CONSTRUCTION INC	A
11	01102534	9,474.38	07/09/20	35718 O C TANNER RECOGNITION COMPANY	A
11	01102535	6,493.14	07/09/20	100590 WAXIE SANITARY SUPPLY	A
11	01102536	43.98	07/09/20	18570 MICHELLE WESTLEY	A
11	01102537	6,325.63	07/23/20	101520 BELL JANITORIAL	A
11	01102538	794.24	07/23/20	102177 BRADY INDUSTRIES LLC	A
11	01102539	444.63	07/23/20	37192 STEVE CARLSEN	A
11	01102540	1,002.40	07/23/20	108940 CERTIFIED INSPECTION SERVICES/ C MAEDGEN	A
11	01102541	797,054.75	07/23/20	107656 DWA CONSTRUCTION INC	A
11	01102542	30.00	07/23/20	111750 MARCI HATCH	A
11	01102543	6,300.00	07/23/20	52779 POLYMERSHAPES LLC	A
11	01102544	2,175.00	07/23/20	111293 RENAISSANCE LEARNING INC	A
11	01102545	203.42	07/23/20	110487 SUPERIOR FILTRATION PRODUCTS	A
11	01102546	872.50	07/23/20	27570 UTAH TESTING & ENGINEERING	A
11	01102547	5,087.75	07/23/20	100590 WAXIE SANITARY SUPPLY	A
11	01102548	913.76	07/30/20	101520 BELL JANITORIAL	A
11	01102549	4,458.11	07/30/20	107034 CHARIOT GROUP INC	A
11	01102550	30.00	07/30/20	434 MAEGAN HEINER	A
11	01102551	3,000.00	07/30/20	45900 MHTN ARCHITECTS INC	A
Total Bank No 11		1,018,976.11			
24	13600915	52.59	07/15/20	45500 BOX ELDER SCHOOL DISTRICT	C
24	13600916	299.00	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
Total Bank No 24		351.59			
25	15000662	11.86	07/15/20	1 LESLEY COLON-MARTINEZ	C
25	15000663	18.99	07/15/20	1 MARYANN CHRISTENSEN	C
25	15000664	17.26	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
Total Bank No 25		48.11			
27	16600422	42.53	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
27	16600423	466.36	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
Total Bank No 27		508.89			
29	16800414	836.00	07/17/20	698980 PEPSI-COLA OF OGDEN	C
29	16800415	1,302.07	07/23/20	5223 SWIRE COCA-COLA	C
29	16800416	819.90	07/27/20	85738 BEAR RIVER HIGH SCHOOL	C
Total Bank No 29		2,957.97			
30	17200520	52.75	07/10/20	104321 BOX ELDER SCHOOL DISTRICT	C
Total Bank No 30		52.75			
34	30802725	24.95	07/06/20	110914 SUPERIOR WATER AND AIR INC	C
34	30802726	675.00	07/15/20	1 DALLIN SMITH	C
34	30802727	40.00	07/15/20	1 HUNTER MORGAN	C
34	30802728	25.99	07/15/20	38032 AMAZON CAPITAL SERVICES INC	C
34	30802729	150.22	07/15/20	775400 SCHWAAB INC	C
Total Bank No 34		916.16			
35	40402340	999.20	07/08/20	106378 GOLDEN SPIKE POWERSPORTS	C
35	40402341	2,614.94	07/08/20	100550 JOSTENS INC	C
35	40402342	21.03	07/08/20	489240 KENTS MARKET PL/TREMONTON	C
35	40402343	517.46	07/08/20	157371 STAPLES	C
35	40402344	379.00	07/14/20	4618 COLEMAN KNITTING MILL	C
35	40402345	274.90	07/14/20	52957 FUSION COATINGS AND ABRASIVES	C
35	40402346	495.00	07/14/20	1457 U S POSTMASTER	C
35	40402347	30.99	07/21/20	38032 AMAZON CAPITAL SERVICES INC	C

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35	40402348	2,614.94	07/21/20	100550 JOSTENS INC	C
35	40402349	330.00	07/21/20	1457 U S POSTMASTER	C
35	40402350	200.00	07/29/20	999140 BANK OF UTAH	C
35	40402351	6,735.00	07/29/20	107102 BEAR RIVER BOWLING CENTER / THE GRILL	C
35	40402352	50.00	07/29/20	105282 KELLI ANN ROSE	C
35	40402353	156.59	07/29/20	103604 SCHOLASTIC EDUCATION	C
Total Bank No 35		15,419.05			
36	40803208	666.50	07/09/20	45500 BOX ELDER SCHOOL DISTRICT	C
36	40803209	491.11	07/09/20	158220 COVER UP	C
36	40803210	271.32	07/09/20	10731 SMITH'S CUSTOMER CHARGES	C
36	40803211	209.98	07/14/20	104321 BOX ELDER SCHOOL DISTRICT	C
36	40803212	323.46	07/29/20	38032 AMAZON CAPITAL SERVICES INC	C
36	40803213	27.57	07/29/20	4960 OLD GRIST MILL BREAD	C
Total Bank No 36		1,989.94			
37	70410033	635.00	07/08/20	1 ANDREA JOHNSON	C
37	70410034	305.00	07/08/20	1 ANGELA BYINGTON	C
37	70410035	305.00	07/08/20	1 ANN BELK	C
37	70410036	360.00	07/08/20	1 CAMILLA ADAMS	C
37	70410037	610.00	07/08/20	1 CHRYSAL BUTLER	C
37	70410038	275.00	07/08/20	1 DEBRA QUINN	C
37	70410039	645.00	07/08/20	1 EMILY WIGHT	C
37	70410040	630.40	07/08/20	1 HINDI WILKINSON	C
37	70410041	3,608.10	07/08/20	1 JENIEL MICKELSEN	C
37	70410042	200.00	07/08/20	1 JENNIFER SHY	C
37	70410043	1,685.00	07/08/20	1 JENNY MURROW	C
37	70410044	880.00	07/08/20	1 JULIE HIGGS	C
37	70410045	635.00	07/08/20	1 KARALEE REES	C
37	70410046	775.00	07/08/20	1 KATIE CHRISTENSEN	C
37	70410047	195.00	07/08/20	1 KAYLEEN WINTLE	C
37	70410048	855.00	07/08/20	1 KIMBERLY BENNETT	C
37	70410049	255.00	07/08/20	1 LISA TOONE	C
37	70410050	400.00	07/08/20	1 MELISSA BOWMAN	C
37	70410051	855.00	07/08/20	1 MELODIE ASHBY	C
37	70410052	855.00	07/08/20	1 MISTY JOHNSON	C
37	70410053	415.00	07/08/20	1 SHANNON SORENSEN	C
37	70410054	440.00	07/08/20	1 TERESA WOOLLEY	C
37	70410055	775.00	07/08/20	4545 AL'S SPORTING GOODS	C
37	70410056	138.55	07/08/20	35519 AL'S TROPHIES & FRAMES, INC.	C
37	70410057	3,582.09	07/08/20	38032 AMAZON CAPITAL SERVICES INC	C
37	70410058	165.49	07/08/20	104321 BOX ELDER SCHOOL DISTRICT	C
37	70410059	9,654.50	07/08/20	104321 BOX ELDER SCHOOL DISTRICT	C
37	70410060	3,716.81	07/08/20	31658 BSN SPORTS	C
37	70410061	68.09	07/08/20	286060 FLINN SCIENTIFIC	C
37	70410062	8.63	07/08/20	327480 GREER'S HARDWARE	C
37	70410063	3,029.54	07/08/20	33790 HENRY SCHEIN INC	C
37	70410064	250.00	07/08/20	10839 HIGHLAND HIGH SCHOOL	C
37	70410065	238.76	07/08/20	4790 HOME DEPOT CREDIT SERVICE	C
37	70410066	8,151.93	07/08/20	52906 STEPHANIE IVERSON	C
37	70410067	823.62	07/08/20	109248 J W PEPPER MUSIC	C
37	70410068	156.00	07/08/20	51764 JONES SHIRTS & SIGNS	C
37	70410069	1,550.76	07/08/20	100550 JOSTENS INC	C
37	70410070	194.09	07/08/20	21296 LINCOLN ELECTRIC CO	C
37	70410071	2,800.00	07/08/20	42994 OGDEN CITY CORPORATION	C
37	70410072	146.34	07/08/20	5916 PITNEY BOWES	C

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Bank	Check No	Amount	Date	Vendor	Type
37	70410073	135.20	07/08/20	49085 ROBOSOURCE, LLC	C
37	70410074	49.99	07/08/20	15563 ROBOT MESH	C
37	70410075	40.24	07/08/20	769715 SAM'S CLUB BUSINESS PAYMENTS	C
37	70410076	65.94	07/08/20	18660 KRISTY SPENCER	C
37	70410077	115.56	07/08/20	157371 STAPLES	C
37	70410078	141.94	07/08/20	25674 STUDIO R MEDIA	C
37	70410079	468.00	07/08/20	47872 MONA UDY	C
37	70410080	362.23	07/08/20	16535 VEX ROBOTICS	C
37	70410081	120.00	07/13/20	1 UMPIRE:	C
37	70410082	1,641.82	07/14/20	5223 SWIRE COCA-COLA	C
37	70410083	60.00	07/15/20	1 SHANTAY MADSEN	C
37	70410084	55.89	07/15/20	1724 ACE HARDWARE TREMONTON	C
37	70410085	1,389.22	07/15/20	106895 BADGER SCREEN PRINTING CO	C
37	70410086	3,069.40	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
37	70410087	8,500.00	07/15/20	1228 COLLEGE BOARD	C
37	70410088	985.05	07/15/20	20605 FREEMAN MANUFACTURING & SUPPLY	C
37	70410089	581.31	07/15/20	489240 KENTS MARKET PL/TREMONTON	C
37	70410090	43.92	07/15/20	633340 OFFICE DEPOT	C
37	70410091	100.00	07/15/20	29408 SHARON SMOOT	C
37	70410092	370.00	07/15/20	52973 UTAH AMERICAN LEGION LLC	C
37	70410093	900.00	07/16/20	53015 MOUNTAIN PEAK VOLLEYBALL	C
37	70410094	66.00	07/22/20	1 JOCELIN WITT	C
37	70410095	160.00	07/22/20	1 KRISTA MARTIN	C
37	70410096	35.00	07/22/20	1 STEPHANIE CASTRO	C
37	70410097	569.02	07/22/20	38032 AMAZON CAPITAL SERVICES INC	C
37	70410098	1,040.00	07/22/20	40266 APPLIED PRACTICE	C
37	70410099	1,571.29	07/22/20	31658 BSN SPORTS	C
37	70410100	112.00	07/22/20	107994 CERTIFIED SHRED	C
37	70410101	469.60	07/22/20	43044 ROBERT EPLING	C
37	70410102	136.20	07/22/20	53058 SODA FIXX SODA SHACK	C
37	70410103	632.50	07/22/20	1457 U S POSTMASTER	C
37	70410104	991.56	07/22/20	892964 UTAH STATE TAX COMMISSION	C
37	70410105	30.00	07/29/20	1 BECKY JOHNSON	C
37	70410106	299.21	07/29/20	38032 AMAZON CAPITAL SERVICES INC	C
37	70410107	130.00	07/29/20	104338 BOX ELDER HIGH SCHOOL	C
37	70410108	39.16	07/29/20	53104 C & J WELDING & REPAIR	C
37	70410109	500.00	07/29/20	1597 JORDAN HIGH SCHOOL	C
37	70410110	2,567.00	07/29/20	103945 SKYWAY GOLF COURSE	C
37	70410111	490.97	07/29/20	830460 TACO TIME/TREMONTON	C
37	70410112	1,400.00	07/29/20	5290 UHSAA / UTAH HIGH SCHOOL ACT ASSOC	C
37	70410113	6,696.81	07/29/20	5932 VARSITY SPIRIT FASHIONS	C
37	70410114	224.74	07/29/20	5908 WALMART COMMUNITY	C
37	70410115	1,505.28	07/29/20	43176 WALTON FEED WEST, INC	C
Total Bank No 37		90,130.75			
38	70809719	45.00	07/07/20	1 ALESSA GALVAN	C
38	70809720	105.26	07/07/20	102532 5TH WEST RENTAL & REPAIR	C
38	70809721	16,960.40	07/07/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809722	583.92	07/07/20	31658 BSN SPORTS	C
38	70809723	2,647.00	07/07/20	19178 CHEAPERTHANSHIRT	C
38	70809724	1,275.00	07/07/20	4618 COLEMAN KNITTING MILL	C
38	70809725	200.00	07/07/20	110305 DAVID H KAFTON STUDIO	C
38	70809726	2,249.00	07/07/20	13420 HUDL	C
38	70809727	134.93	07/07/20	633340 OFFICE DEPOT	C
38	70809728	100.00	07/07/20	5070 SAVON	C

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Bank	Check No	Amount	Date	Vendor	Type
38	70809729	465.78	07/07/20	10731 SMITH'S CUSTOMER CHARGES	C
38	70809730	7.50	07/07/20	47686 TNT ENGRAVING	C
38	70809731	490.17	07/07/20	892964 UTAH STATE TAX COMMISSION	C
38	70809732	393.70	07/15/20	38032 AMAZON CAPITAL SERVICES INC	C
38	70809733	1,220.00	07/15/20	6068 BACKSTAGE INC	C
38	70809734	319.00	07/15/20	52922 BOWS BY ALLY	C
38	70809735	3,247.89	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809736	57.61	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809737	573.93	07/15/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809738	50.00	07/15/20	230 CAROLINA BIOLOGICAL	C
38	70809739	306.07	07/15/20	110791 COLONIAL FLAG	C
38	70809740	1,704.90	07/15/20	23736 DANCEWEAR SOLUTIONS	C
38	70809741	43.95	07/15/20	109652 DREWES FLORAL & GIFTS	C
38	70809742	326.00	07/15/20	52965 ALYSSA ANN JENSEN	C
38	70809743	44.55	07/15/20	489250 KENTS MARKET PL/BRIGHAM	C
38	70809744	651.44	07/15/20	543168 MADDOX RANCH HOUSE	C
38	70809745	269.80	07/15/20	5010 RED MOUNTAIN WHOLESALE	C
38	70809746	75.00	07/15/20	5070 SAVON	C
38	70809747	1,200.00	07/15/20	280 RICHFIELD HIGH SCHOOL	C
38	70809748	399.14	07/15/20	52990 SPORTDECALS	C
38	70809749	49.88	07/15/20	5908 WALMART COMMUNITY	C
38	70809750	72.66	07/15/20	109804 WARD'S NATURAL SCIENCE	C
38	70809751	1,379.43	07/21/20	38032 AMAZON CAPITAL SERVICES INC	C
38	70809752	41.00	07/21/20	107994 CERTIFIED SHRED	C
38	70809753	325.00	07/21/20	7013 FELDMAN'S	C
38	70809754	462.18	07/27/20	1 AARON FINDLAY	C
38	70809755	462.18	07/27/20	1 AILEY CUMMINGS	C
38	70809756	924.36	07/27/20	1 ALICIA BOLDT	C
38	70809757	462.18	07/27/20	1 AMALIA SEPULVEDA	C
38	70809758	1,386.54	07/27/20	1 AMY BRAITHWAITE	C
38	70809759	462.18	07/27/20	1 ANDREW BURTON	C
38	70809760	1,386.54	07/27/20	1 ANNIE PETT	C
38	70809761	462.18	07/27/20	1 ASHLEY MARTIN	C
38	70809762	462.18	07/27/20	1 ASHTYN CRAYNOR	C
38	70809763	462.18	07/27/20	1 AUSTIN LEMKE	C
38	70809764	462.18	07/27/20	1 BRAIDYN GREENE	C
38	70809765	462.18	07/27/20	1 BRANDON MOFFIT	C
38	70809766	462.18	07/27/20	1 BRAYDEN LUND	C
38	70809767	462.18	07/27/20	1 BRETT CRAGUN	C
38	70809768	462.18	07/27/20	1 BROOKE DEWBERRY	C
38	70809769	462.18	07/27/20	1 BROOKLYN ROMRIELL	C
38	70809770	462.18	07/27/20	1 CALEB CHANCELOR	C
38	70809771	462.18	07/27/20	1 CAMBRIE ROPER	C
38	70809772	462.18	07/27/20	1 CAMDEN MCARTHUR	C
38	70809773	1,848.72	07/27/20	1 CARRIE HANSEN	C
38	70809774	462.18	07/27/20	1 DALLIN NIELSON	C
38	70809775	462.18	07/27/20	1 DALLIN SMITH	C
38	70809776	462.18	07/27/20	1 DARANT JOHNSON	C
38	70809777	462.18	07/27/20	1 DAVID HOWELL	C
38	70809778	462.18	07/27/20	1 EMILY BENSON	C
38	70809779	462.18	07/27/20	1 ESTHER DUTSON	C
38	70809780	462.18	07/27/20	1 ETHAN REEDER	C
38	70809781	462.18	07/27/20	1 GAGE HANCOCK	C
38	70809782	462.18	07/27/20	1 HALLE ROBINSON	C
38	70809783	1,386.54	07/27/20	1 HEATHER LINDSEY	C

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Bank	Check No	Amount	Date	Vendor	Type
38	70809784	924.36	07/27/20	1 HEIDI ANDERSON	C
38	70809785	462.18	07/27/20	1 HUNTER WEBRE	C
38	70809786	462.18	07/27/20	1 JACOB MILLSAP	C
38	70809787	462.18	07/27/20	1 JACOB RASMUSSEN	C
38	70809788	462.18	07/27/20	1 JAMES PERRY	C
38	70809789	462.18	07/27/20	1 JARED VANCE	C
38	70809790	1,386.54	07/27/20	1 JILL WALLENTINE	C
38	70809791	924.36	07/27/20	1 JOSI KILPACK	C
38	70809792	462.18	07/27/20	1 KARA ROBERTSON	C
38	70809793	924.36	07/27/20	1 KASSI CAPENER	C
38	70809794	462.18	07/27/20	1 KATHRYN BROCKBANK	C
38	70809795	462.18	07/27/20	1 KATIE COCHRAN	C
38	70809796	462.18	07/27/20	1 KENDRA BODILY	C
38	70809797	462.18	07/27/20	1 KIERSTEN LANGFORD	C
38	70809798	462.18	07/27/20	1 LANCE SMITH	C
38	70809799	462.18	07/27/20	1 LAUREN SPENCER	C
38	70809800	1,386.54	07/27/20	1 LAYNE HUFF	C
38	70809801	462.18	07/27/20	1 LAYNEE MILLBURN	C
38	70809802	462.18	07/27/20	1 LEWIS HARDIN	C
38	70809803	462.18	07/27/20	1 LINSEY HADDOCK	C
38	70809804	1,386.54	07/27/20	1 LISA SCOTT	C
38	70809805	462.18	07/27/20	1 MADISON CANNON	C
38	70809806	462.18	07/27/20	1 MANUSIU TONGA	C
38	70809807	462.18	07/27/20	1 MARLEY HUNTSMAN	C
38	70809808	462.18	07/27/20	1 MIYA QUINTERO	C
38	70809809	924.36	07/27/20	1 NATALIE HAYNIE	C
38	70809810	462.18	07/27/20	1 NOAH CASE	C
38	70809811	462.18	07/27/20	1 OLIVIA GRIESBACH	C
38	70809812	462.18	07/27/20	1 OLIVIA MOYLE	C
38	70809813	1,386.54	07/27/20	1 PATTI BANNION	C
38	70809814	924.36	07/27/20	1 RACHAEL WILDING	C
38	70809815	462.18	07/27/20	1 RACHEL BUTTS	C
38	70809816	462.18	07/27/20	1 RACHEL TAYLOR	C
38	70809817	462.18	07/27/20	1 SAGE BISCHOFF	C
38	70809818	462.18	07/27/20	1 SAGE FRANCIS	C
38	70809819	462.18	07/27/20	1 SAMANTHA BAIRD	C
38	70809820	462.18	07/27/20	1 SHAEA JENSEN	C
38	70809821	462.18	07/27/20	1 SPENCER CRONIN	C
38	70809822	462.18	07/27/20	1 SYDNIE ZUNDEL	C
38	70809823	924.36	07/27/20	1 TIFFANY DAINES	C
38	70809824	462.18	07/27/20	1 TOLMAN WALKER	C
38	70809825	462.18	07/27/20	1 TRENNEN TERRY	C
38	70809826	462.18	07/27/20	1 VALERIE LOTT	C
Total Bank No 38		82,846.37			
39	77800484	456.77	07/14/20	104321 BOX ELDER SCHOOL DISTRICT	C
39	77800485	40.00	07/16/20	45756 KELLY SORENSEN	C
Total Bank No 39		496.77			

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<u>Bank</u>	<u>Check No</u>	<u>Amount</u>	<u>Date</u>	<u>Vendor</u>	<u>Type</u>
				Total Manual Checks	502,859.48
				Total Computer Checks	2,444,898.90
				Total ACH Checks	1,018,976.11
				Total Other Checks	.00
				Total Electronic Checks	.00
				Total Computer Voids	.00
				Total Manual Voids	.00
				Total ACH Voids	.00
				Total Other Voids	.00
				Total Electronic Voids	.00
				Grand Total	3,966,734.49
				Number of Checks	467

<u>Batch Yr</u>	<u>Batch No</u>	<u>Amount</u>
21	000016	617,007.43
21	000017	256.96
21	000019	42,847.43
21	000020	155,104.95
21	000022	179,938.90
21	000023	12,715.59
21	000024	10,003.90
21	000025	179,483.19
21	000027	300.00
21	000029	10.50
21	000030	52,647.80
21	000031	24.95
21	000038	25,263.96
21	000044	4,152.63
21	000051	1,428.93
21	000054	52.75
21	000055	120.00
21	000062	1,641.82
21	000063	209.98
21	000067	456.77
21	000072	11,005.52
21	000073	15,154.79
21	000074	42.53
21	000075	466.36
21	000076	351.59
21	000078	891.21
21	000082	40.00
21	000085	900.00
21	000090	836.00
21	000092	48,929.19
21	000093	131.25
21	000094	44,590.97
21	000095	82,507.24
21	000096	37.54
21	000097	51,521.16
21	000098	59,307.15
21	000099	13,206.47
21	000100	266,399.40
21	000101	913,004.65
21	000102	21,268.63
21	000106	860.00
21	000110	2,975.93
21	000112	1,745.43
21	000113	5,783.17
21	000120	1,302.07

For August 12, 2020 Board Meeting

New Hires

<i>Site</i>	<i>Employee</i>	<i>Position</i>	<i>Replacing</i>
ACYI	Brenda Anderson	Teacher	
BEMS	Olivia Bailey	Teacher	
BEHS	Alli Ball	Teacher	
BEHS	Cody Barnes	Teacher	
Mountain View	Brooklyn Bott	Teacher	
BRMS	Taylor Boyce	Teacher	
BRMS	Kirstin Brimhall	Teacher	
BRHS	Tyler Brimhall	Teacher	
BRHS	Janalyn Brown	Teacher	
Fielding	Kelbi Burrell	Teacher	
BEMS	Kurt Carey	Teacher	
BEMS	Abigail Clarke	Teacher	
Three Mile Creek	Tersa Crawford	Teacher	
BRMS	Brooklyn Davis	Teacher	
BRMS	Cami Gittins	Teacher	
Fielding	Amy Harrah	Teacher	
ACYI	Jacob Hanes	Teacher	
ACYI	Kelli Hansen	Teacher	
Discovery	Michelle Heiner Vincent	Teacher	
Fielding	Jenny Hilton	Teacher	
McKinley	Heather Horricks	Teacher	
Discovery	Maegyn Ipsen	Teacher	
North Park	Julie Kent	Teacher	
Fielding	Courtney Lamborn	Teacher	
BEHS	Sarah Larsen	Teacher	
ACHI	Megan Leavitt	Teacher	
McKinley	Jacob Lott	Teacher	
BRMS	Bethany Lundgree	Teacher	
ACHI	Phil Lundgreen	Teacher	
Foothill	Sarah McConkie	Teacher	
Mountain View	Taylor McDougal	Teacher	
Three Mile Creek	Adrianna Metarref	Teacher	
Lake View	Adrienne Nelson	Teacher	
BRHS	Jessi Nye	Teacher	
Foothill	Linday Phenes	Teacher	
BEMS	Carleen Ramirez	Teacher	
Fielding	KarLee Roberts	Teacher	
BEMS	Tasia Rowher	Teacher	
ACYI	Kristina Schroeder	Teacher	
ACHI	Trina Thomson	Teacher	
BEMS	Clayton Welch	Counselor	
Garland	Brynn Westwood	Teacher	
BEMS	Oakley Whiting	Teacher	
BRMS	Evelyn Porras	DLI Teacher	
BEHS/BRHS	Lori Martinsen	CTE FACS	
BEMS	Kolt Lund	Ed Teacher	
Discovery	Laura Jons	Half Day Kindergarten	
BRHS	David Jensen	Math Teacher	

PERSONNEL ACTION

Lake View	Tonya Huntsman	1st Grade Teacher	
BRHS	Craig Day	Spanish Teacher	
BEHS	Samantha Elliott	SpEd Teacher	
BEMS	William Clayson	8th Grade Math Teacher	
BRHS	Katie Frehner Archibald	SpEd Teacher	
Garland	Carmen Arias	DLI Teacher	
Garland	Heather West	Teacher	
BRHS	Holley Viebell	Counselor	
BEMS	Robyn Mecham	PE Teacher	
ACYI	Sharon Miller	Teacher	
Fielding	Jennifer Duncan	2nd Grad Teacher	
BEMS	James Mitchell Evertsen	Art Teacher	
BEMS	Whitney Nelson	CTE FACS Teacher	
District Office	Heather Stone	Psych Intern	
Fielding	Katharine Peterson	Pre School	
ACHI	Nefi Ramirez	Teacher	

Leaving the District

<i>Site</i>	<i>Employee</i>	<i>Position</i>	<i>Reason</i>
BEMS	Hannah Vance	Art Teacher	Resigned
BRMS	Josi Hinkle	SpEd Language Arts	Resigned
Fielding	Cathrine Kirby	2nd Grade Teacher	Retired
Transportation	Valerie Staheli	Bus Aide	Retired
Park Valley	Jeannie Reeder	Teacher	Resigned
Foothill	Xia Chi	DLI Teacher	Resigned
Century	Mariana Broadus	Lunch Clerk	Retired
McKinley	Eduardo Cavazos	SpEd Preschool	Resigned
Natatorium	Chris Dokos	Head Custodian	Retired
Transportation	Perry Stamey	Bus Driver	Resigned

Suggestions for Future Board Meetings

September 9, 2020 – (tentative)

- Policy Review

October 14, 2020 – (tentative)

- Walmart Grants Presentation
- School Improvement Plans Approval – Gary Allen
- October 1 Enrollment Report – Keith Mecham
- Exemption from Compulsory Attendance (Home School) – Steve Carlsen
- Sage Accountability – Jeremy Young
- DLI Achievement Data – Jeremy Young
- Policy Review

November 11, 2020 – (tentative)

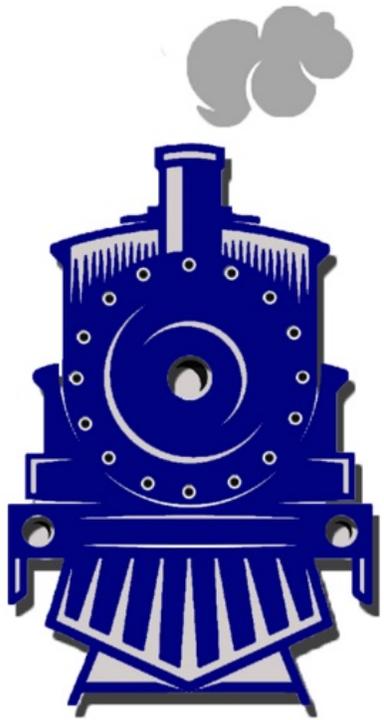
- Audit Report
- Approval of Board Meeting Calendar
- Policy Review

December 9, 2020 – (tentative)

- Approval of New Courses
- Approval of 2021-2022 School District Calendar
- Policy Review

January 13, 2021 – (tentative)

- Approval of School Fees
- SHARP Survey Results
- DLI Achievement Data
- ACT and AP Data
- Review of Policies 1034 Board of Education Code of Conduct and 135 Board Member Ethics
- Policy Review



**BOX ELDER
SCHOOL DISTRICT**

Learning is Everything

BOX ELDER SCHOOL DISTRICT
BOARD OF EDUCATION
HANDBOOK

REVISED
OCTOBER 9, 2019
BOX ELDER SCHOOL DISTRICT

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BOARD OF EDUCATION HANDBOOK INTRODUCTION

This Board of Education Handbook has been developed to capture, in one place and in plain language, the primary operating procedures and governing principles of the Box Elder County School District Board of Education.

This handbook serves as a resource for members of the board as they assume their offices and carry out their responsibilities. It will be posted on the school district's website and updated periodically.

The Box Elder County School District Board of Education has one goal and one purpose: **student learning**.

Authority and Responsibilities of the Board

The powers and mandatory duties of the Board of Education are defined in the Utah Code and State Board of Education Rule.

Principles of Board Leadership

Remembering three important principles of board leadership will help keep the Box Elder County School District Board of Education focused on its most important responsibilities:

1. The board delegates authority.
The board delegates authority to the superintendent to manage the district and provide leadership for the staff. Such authority is communicated through written policies that designate board ends and define operating limits.
2. The board monitors performance.
The board constantly monitors progress toward district goals and compliance with written board policies.
3. The board takes responsibility for itself.
The board, collectively and individually, takes full responsibility for board activity and behavior. Board deliberations and actions are limited to board work, not staff work.

[Utah Code § 53G-4](#)

Making School Board Decisions

State and federal laws, financial constraints, and local expectations must govern school districts. Nevertheless, decisions made by a local board of education create the environment in which a district will flourish or flounder.

Although the typical school board makes many different decisions, all of those decisions can be put into four general categories:

Policy decisions are the most important work of the board. The majority of a board's time should be spent on policy development, monitoring, and review. Written policies accomplish the following:

- articulate district direction and goals;
- delegate authority and define limitations on that authority;
- establish board processes, including those for monitoring progress toward district goals and ensuring compliance with laws and board policy.

The board is empowered to make policy decisions for district schools. Board members act as trustees for the community; therefore, policies are often understood as expressions of the community's aspirations for its public schools.

Problem solving decisions come in response to a crisis or opportunity that cannot be resolved by the superintendent or is not fully addressed in existing board policy. For example, in the face of declining enrollment, a typical school board would not expect its superintendent to make a final decision on which building to close. Although the superintendent would be expected to provide information and make recommendations, the school board would make the final decision, after deliberating alternatives and consulting policy statements.

Problem-solving decisions usually have isolated, one-time impacts. However, such decisions can establish a precedent that may have the force of policy. For example, a school board's decision to grant a benefit to one group of students may obligate it to grant the same benefit to another group in a similar situation.

Managerial decisions required of each local Utah school board are set forth in the statutes, most notably in [Utah Code § 53G-4-402](#). For example, a school board is required to do the following:

- implement the core curriculum
- administer tests,
- implement training programs,
- enroll children in school,
- establish school libraries, and

- establish school safety traffic committees
- ensure that school community councils receive the required annual training and review and approve the school improvement plans developed by the school community councils.

With few exceptions, managerial duties are delegated to the superintendent. Where there is good communication and high level of trust between the board and superintendent, combined with sound policies that set directions and establish parameters, routine managerial duties will consume only a small amount of time at public board meetings. Legally required board actions can usually be accomplished through approval of consent agendas.

School boards must learn to distinguish policy decisions from problem-solving decisions. Sometimes this is challenging but, in general, boards that emphasize policy development will need to make fewer decisions in response to routine problems. Superintendents who have strong policy guidance are able to resolve a wider array of problems without bringing them to the board for action. Good policy development and review processes allow boards to operate at the systemic level - dealing with mission, purpose, direction, and results.

Conversely, boards without up-to-date written policies often find their meetings running late into the night. Their superintendents must bring numerous issues for discussion and action, which wastes time and yields inconsistent results.

Personnel decisions represent a special category of managerial decisions. Most school boards delegate personnel matters to the superintendent and use policies to express their desired standards for hiring, evaluation, compensation, discipline, and dismissal. This approach avoids the quagmire of wrestling directly with hiring or disciplining employees other than the superintendent and business administrator. Personnel actions, therefore, are usually found on the consent agenda, because a board is required by law to approve all employment contracts, salaries, benefits, and dismissals.

The superintendent is an appointed public official, the district's chief executive, and an employee of the board. Only the board can employ, evaluate, discipline, or dismiss the superintendent.

Holding Closed Meetings

A closed meeting may be held if:

1. A quorum is present.
2. The meeting is an open meeting for which specific notice for a closed meeting has been given with the stated purpose defined.

3. Two-thirds of the members present vote to close the meeting. Voting must be taken by roll call. Name and vote.

Minutes of the closed meeting shall contain:

1. Reason for holding the meeting.
2. Location of the meeting.
3. Vote by name, of each member of the board, either for or against the motion to hold the closed meeting.

Purpose of a closed meeting:

1. Discussion of the character, professional competence, or physical or mental health of individual.
2. Strategy sessions to discuss collective bargaining.
3. Strategy sessions to discuss pending or reasonably imminent litigation.
4. Strategy sessions to discuss the purchase, exchange, or lease of real property including any form of a water right or water shares if public discussion of the transaction would:
 - a. Disclose the appraisal or estimated value of the property under consideration; or
 - b. Prevent the board from completing the transaction on the best possible terms.
5. Strategy sessions to discuss the sale of real property, including any form of water right or water shares if public discussion of the transaction would:
 - a. Disclose the appraisal or estimated value of the property under consideration; or
 - b. Prevent the board from completing the transaction of the best possible terms.
6. Discussion regarding deployment of security personnel, devices or systems.
7. Investigative proceedings regarding allegations of criminal misconduct.

A Board may not interview a person applying to fill an elected position in a closed meeting.

Record of closed meetings:

1. A recording shall be made of the closed portion of the meeting.
2. Detailed written minutes may be kept that disclose the content of the closed portion of the meeting.
3. A recording of a closed meeting shall be complete and unedited from the commencement of the closed meeting through adjournment.
4. The recording and any minutes of a closed meeting shall include:
 - a. Date, time, and place of the meeting.
 - b. Name of the members present and absent.
 - c. Names of all others present except where the disclosure would infringe on the confidentiality necessary to fulfill the original purpose of the closing the meeting.
5. No recording or minutes will be taken if the purpose of the closed meeting is for the discussion of the character, professional competence, or physical or mental health of an individual.

- a. A sworn statement must be signed by the presiding member of the board that the sole purpose for closing the meeting was to discuss the character, professional competence, or physical or mental health of an individual.

Collaborative Relationships: Shared Governance

The Box Elder County School District Board of Education has the exclusive right and responsibility to determine the goals and direction of the schools and use all its resources to achieve such goals, within the bounds of state and federal law and rules of the Utah State Board of Education.

Box Elder School District is a complex organization, which can succeed only if we enlist the energy, creativity, and effort of many people to accomplish our goals. The board believes that ideal conditions for student learning can be realized when shared governance is thoughtfully used to support student achievement.

Board decisions should accurately reflect the public's interests. Statutes of the state of Utah require local school boards to make decisions by majority vote; thus the obligation to seek consensus under shared governance does not bind the board in its decision-making.

The board delegates to school sites and departments the right to make some decisions using the shared governance process. Site-based decisions must conform to legal requirements, state and federal rules and regulations, the district's Student Achievement Plan, policies, procedures, guidelines, and contractual obligations, including negotiated employee agreements.

Essentials of A Professional Learning Community

- A. The Superintendent and district administrators will ensure that all of the schools in the district function as professional learning communities. Professional learning communities are defined as educators committed to working collaboratively in ongoing processes of collective inquiry and action research to achieve better results for the students they serve. Professional learning communities operate under the assumption that the key to improved learning for students is continuous, job-embedded learning for educators.
 1. The Board, district, and school administrators will ensure that time is available, within the contract day, for educators to meet together regularly in collaborative teams.

2. District/school administrators will ensure this time is reserved for activities directly related to the process of collective inquiry and action research to achieve better achievement results for our students.
3. Collaborative teacher teams will focus on the following four questions:
 - a. What is it that our students are expected to know and do?
 - b. How will we know if they know and can do what is expected?
 - c. How will we respond if they don't know and can't do what is expected?
 - d. How will we respond if they already know and can do it?

District and school administrators will ensure that ongoing training and professional learning opportunities are provided to ensure that all Box Elder School District educators are proficient in the philosophies and practices related to professional learning communities/collaborative teacher teams.

Authority of Individual Board Members

Power belongs not to individual members of a Board of Education but to the Board of Education acting as a corporate body through collective action. Board members have authority only when acting as a Board of Education in a legally constituted session, with a quorum present. The statement or action of an individual member or group of members of the Board of Education does not bind the Board of Education itself, except when that statement or action is specifically authorized by an official act of the board. This does not preclude individual board members from representing the board at meetings and ceremonial events or speaking to constituent groups in their capacity as board members.

Nominations and Elections for Board Leadership

Nominations

- A. An office must be created by Board Policy or by a motion to that effect before it can be filled by election or otherwise.
- B. The Board President must call for nominations.
- C. Nominations do not require a second. However, any number of persons may second a given nomination just to show their support of that nominee.
- D. The motion "to close nominations" is not in order until the assembly is ready to close nominations.
 1. When there are two or more nominees for the office the motion to close nominations requires a two-thirds vote. (This motion must be seconded.)
 2. A negative vote on the motion signifies that there are additional nominations forthcoming.
 3. If and when there are no further nominations the Board President may then put the motion to close nominations to a vote without waiting for a second.

Elections

- A. Elections and nominations must conform to the procedure prescribed by the Utah State Law and Board Policy.
- B. In case of a tie vote, the election is decided by lot unless the organization adopts a motion to do otherwise.
- C. Elections are decided by a roll call vote, not by secret ballot. Election to the office is determined by a simple majority.

Board Leadership Responsibilities

The board president will:

- 1. Conduct meetings of the board in accordance with law and policy.
- 2. Communicate regularly with the superintendent, business administrator, and members of the board to set meeting agendas, facilitate the flow of necessary information, and respond to community issues and queries.
- 3. Sign legal assurances, correspondence, and contracts on behalf of the board as required by law, policy, or vote of the board.
- 4. Represent the board, or designate others to represent the board, as requested, in executive meetings with community and business leaders or elected officials to promote perform their duties.

The board vice president will:

- 1. Advise and assist the president as needed.
- 2. Substitute for the president as required.
- 3. Attend meetings with or at the request of the president and superintendent.
- 4. Keep the board appropriately informed of issues or data that would help members

Board leadership may speak for the board, or designate others to speak for the board, when requested to do so by vote or consensus of the board communication, without binding the board to a specific decision or position.

New Board Member Orientation

Following the election or appointment of new members, the superintendent and board leadership will provide for an orientation, as to the board's operation and processes, the working relationships with the Superintendent of Schools and staff of the Box Elder School District, and substantive background information pertaining to school system issues and procedures. A copy of this handbook will be provided online. New board members are also encouraged to attend the orientation session organized by the Utah School Boards Association (USBA).

Board of Education Code of Conduct

The members of the Board of Education agree to abide by the following norms of behavior, both as they govern the conduct of board meetings and as they govern the actions of individual board members. These norms will provide an orderly way to conduct public business, promote an atmosphere of mutual respect, and establish a level of expectation for those who aspire to become school board members in the future.

Board members shall:

1. Represent the Board with dignity, honesty, and integrity.
2. Attend meetings regularly, prepared, professional, engaged, and dedicated to accomplishing and adhering to the agenda.
3. Support efforts to focus on the important matters, remembering that the student is always our most important matter.
4. Communicate effectively, early, and often with each other and with others concerned, seeking to make your own ideas clear while respecting the different opinions of others.
5. Be loyal to the Board and work to achieve unity by supporting its decisions, even though you may personally espouse a different view.
6. Value civility and avoid contention realizing conflict on some issues is inherent and not undesirable.
7. Represent and seek to understand the needs of all students, staff and citizens in the District without partisanship.
8. Work effectively with the Superintendent, and through him/her, with the staff throughout the District.
9. Develop and improve Board skills by establishing goals, measuring progress, and participating in a variety of training opportunities
10. If at all possible Board members should notify the Superintendent or the Board President well in advance of any concerns or questions regarding the Board agenda so that they can be resolved in advance if possible.

Board Member Commitments and Ethics

The Board and its members commit to standards of conduct that are consistent with the public trust placed in elected officials. Accordingly, the Board and its members will:

1. Strive to make policies that promote the educational growth and development of all students;
2. Endeavor to appoint the most competent person available as superintendent of schools and hold that superintendent responsible for carrying out the vision, mission, and goals of the District in the administration of its schools;

3. Support and allow administrators, teachers, and staff to function in their authorized capacities while holding employees responsible for carrying out the District's vision, mission, and goals in their respective roles;
4. Seek to employ the best qualified personnel available without regard to race, color, sex, pregnancy, religion, national origin, age, marital status, disability, sexual orientation, or gender identity—except when justified to meet a bona fide occupational requirement (see 20 U.S.C. 1681 et seq.; Utah Code § 34A-5 et seq.);
5. Promulgate policies and procedures dedicated to maintaining a learning and working environment in the District free of discrimination and unlawful harassment, including sexual harassment;
6. Promulgate policies and procedures that ensure operational transparency, including directing employees to maintain, manage, and where appropriate, produce records consistent with federal and state laws (see 20 U.S.C. § 1232g; 34 C.F.R. Part 99; and Utah Code § 53E-9 et seq.);
7. Attend Board meetings, insofar as possible, being informed and prepared to discuss and act upon the items on the Board agenda;
8. Conduct Board business in compliance with the Utah Open Meetings Act (Utah Code § 52-4-1 et seq.);
9. Exercise Board authority exclusively to perform legislative and judicial functions;
10. Encourage free expression of opinion and seek regular communication and feedback from the public;
11. Work toward consensus in Board decision making and foster respectful and civil working relationships with other Board members and with the superintendent and District staff while recognizing the value of diverse perspectives and differences of opinion; and
12. Strive to be effective educational leaders by participating in professional development, studying education issues, fulfilling assigned Board duties, building relationships with community organizations and leaders, communicating with constituents, and advocating for public education.

A. Board of Education Code of Ethics

1. Members of the Board may receive compensation for services and necessary expenses in accordance with Utah Code § 53G-4-204. For purposes of Utah Retirement Systems (URS) coverage, however, duly elected members of the Board are classified as part-time employees and ineligible for URS benefits.
2. Members of the Board may not use their position, or information acquired by reason of their position, for any improper or unlawful purpose including substantially furthering personal economic interests or securing special privileges or benefits for themselves or others that would impair the members' independent judgement or interfere with the ethical performance of the members' duties in

violation of Utah Code, § 67-16-4.

3. The Board will officially accept gifts and donations on behalf of the District; such acceptance, however, shall not obligate the Board to act in any way contrary to the best interests of students and the public. Further, the Board or its members shall not request, demand, or accept personally or on behalf of the District, a loan, donation, gift of substantial value, or an economic benefit tantamount to a gift in violation of Utah Code §§ 67-16-5 to 5.6
4. The Board and its members shall not misappropriate or misuse public funds or resources and shall be responsible fiscal managers of public funds. Expenditure of public funds shall only be made in accordance with federal or state law and District policies.
5. Members of the Board shall disclose any compensation or any position (whether officer, director, agent, employee, or owner of a substantial interest) in any business entity that does business with or is subject to the regulations governing the District or other public agency in a sworn affidavit and file it with the state attorney general, the District, and any other agency involved in the business or transaction consistent with Utah Code §§ 67-16-6 to 8. Further, members of the Board shall have no personal investments and/or conduct any business creating a substantial conflict of interest between Board members' private interests and their public duties in violation of Utah Code § 67-16-9.
6. Members of the Board shall maintain the confidentiality of information obtained in executive session or other confidential information otherwise obtained in an official capacity.
7. Members of the Board have no individual authority to act on behalf of the Board and the Board only exercises its authority as a body by taking official action through voting in a duly scheduled Board meeting. Individual Members of the Board should not speak on behalf of the Board without prior Board approval.

Members of the Board shall abide by state and federal laws and District policies and refrain from personal or professional conduct that would bring censure, ridicule, damage, or reproach upon the Board or the District.

Disciplining Board Members

If a member of the Board of Education violates the Code of Conduct or the ethical assurances outlined in Board [Policies 1034](#) and [1035](#), the board president and vice president will speak to that member about his or her responsibilities. If disruptive or destructive behavior occurs, the board may issue a formal reprimand by a vote of five members.

Policies Governing the Board

Detailed information about the board's process of conducting meetings and other guidance around board operation can be found in [School Board Policy Article 1](#).

Links to other helpful resources, including specific citations to Utah Code, are included with the appropriate policy on the district's website.

Guidelines and Parliamentary Motions

The following guidelines and examples have been taken from the Utah School Boards Association book titled *Coming to Order*, which is available on the USBA website. The Box Elder School District Board of Education appoints a Business Administrator who serves as the board's parliamentarian:

1. A board should agree on and adopt an agenda format that it will follow at regular meetings.
2. Action items on the agenda require:
 - a motion by a board member,
 - a second to the motion (required by most boards but not all),
 - a discussion of the motion by board members, and
 - a vote by board members.
3. Other than the consent agenda, each motion should be limited to one idea or issue.
4. No new motion may be made while another is being discussed.
5. A motion may be amended and votes on the amendments must be taken before acting on the original motion.
6. Before a vote on a main motion is taken, business can be interrupted by a motion:
 - to table the main motion,
 - to postpone action,
 - to refer the motion to a committee,
 - to withdraw it from consideration, or
 - to adjourn the meeting.

The subsidiary motions must be disposed of prior to action on the main motion.
7. Debate can be closed formally with a motion to move the question and a two-thirds affirmative vote.
8. When a Board member wishes to speak in board meeting, he/she should request to be recognized by the Board President before speaking. He/she may gain recognition by the President by raising a hand or speaking audibly, "Mr./Mrs. President". Once recognized the Board member should address the Board.

9. When the president senses the discussion has ended, a vote may be taken without a formal motion to close debate unless a member objects.
10. Some motions, such as a motion to adjourn, are not debatable. See the “Simplified Chart of Parliamentary Motions” on page 10.
11. Before a motion is voted upon, it should be repeated aloud.
12. The president, by virtue of membership on the board, is expected to vote on each issue before the board.
13. The president should indicate before each vote whether a simple or special majority is required.
14. The president should keep readily at hand a reference guide, such as the chart of parliamentary motions.

Simplified Chart of Parliamentary Motions

Motion & Order of Precedence	You Say:	Debatable	Amendable	Vote Required
Adjourn	I move to adjourn	No	No	Majority
Recess	I move to recess for	No	No	Majority
Close Debate	I move the previous question	No	No	2/3
Postpone Definitely	I move to postpone the motion to	Yes	Yes	Majority
Refer to Committee	I move to refer the motion to	Yes	Yes	Majority
Amend the Amendment	I move to amend the amendment by	Yes	Yes	Majority
Amend or substitute	I move to amend the motion by	Yes	Yes	Majority
Main motion	I move to	Yes	Yes	Majority
Reconsider		Yes	Yes	Majority

Rescind		Yes	Yes	Majority (with notice)
Incidental Motions				
No order of precedence. Arise incidentally and decided immediately				
Point of Order (to enforce rules)	Point of Order	No	No	None
Parliamentary Inquiry	Parliamentary questions	No	No	None
Withdraw or Modify a Motion	I withdraw (or modify) my motion	No	No	Majority

Board Policies Relevant to Board of Education Legal Status, Responsibilities, and Ethics

Policy 1010 School Board’s Legal Status

- A. Promote education
 - 1. The Board has the legal power and duty to do all things necessary for the maintenance, prosperity and success of the schools and for the promotion of education and to exercise all powers given by statute. The Board’s legal powers and duties include the actions set forth in this policy, but are not necessarily limited to the listed powers and duties.
[Utah Code § 53G-4-402\(20\) \(2018\)](#)
- B. Govern
 - 1. The Board of Education recognizes that under Utah law “it is the province of the Board of Education to determine what things are detrimental to the successful management, good order, and discipline of the schools and the rules required to produce” successful management, good order, and discipline in the schools.
Beard v. Board of Education, 16 P.2d 900 (Utah 1932)
- C. Adopt rules
 - 1. Adopt such rules, regulations, and bylaws as the Board deems proper for the operation of the Board and for the control and management of the District’s schools.
[Utah Code § 53F-8-201 \(2018\)](#)

- D. Levy taxes
1. Establish tax rates each year and submit the proposed rate to the county legislative body in which the District is located according to statutory procedures:
[Utah Code § 53F-8-201\(1\) \(2018\)](#)
[Utah Code § 53F-8-202 \(2018\)](#)
[Utah Code § 53F-8-402 \(2018\)](#)
- E. Annual budget
1. Prepare, adopt, and file a budget for the next succeeding fiscal year with the county legislative body in which the District is located as required by statute.
[Utah Code § 53F-8-201 \(2018\)](#)
- F. Bequests
1. Receive bequests and donations or other monies or funds which are made for educational purposes.
[Utah Code § 53G-4-402\(12\) \(2018\)](#)
- G. Acquisition and ownership of property
1. Acquire and hold real and personal property in the name of the District, inclusive of all rights and titles, and lease and lease with an option to purchase property. The Board of Education has the direction and control of all school property in the district.
[Utah Code § 53G-4-401\(4\) \(2018\)](#)
- H. Eminent domain
1. Exercise the right of eminent domain to acquire property.
Board of Education of South Sanpete School District v. Barton, 617 P.2d 347 (Utah 1980).
Olsen v. Board of Education of the Granite School District, 571 P.2d 1336 (Utah 1977).
- I. Employ personnel
5. Employ by contract a Superintendent, Business Administrator, Principal(s), teacher(s), or other executive officer(s) and set salary schedules therefor.
[Utah Code § 53G-7-202 \(2018\)](#)
[Utah Code § 53G-4-301 \(2018\)](#)
[Utah Code § 53G-4-302 \(2018\)](#)
- J. Close schools and change school boundaries
1. Close schools or suspend operation of schools or change school attendance area boundaries as determined to be appropriate by the Board of Education after appropriate public notice and hearing as required by statute.
Allen v. Board of Education Weber County School District 236 P.2d 756 (Utah 1951)
Save Our Schools v. Board of Education of Salt Lake City, 2005 UT 55
[Utah Code § 53G-4-402\(21\) \(2018\)](#)
- K. Sue and be sued
1. Sue and be sued in the name of the District.
[Utah Code § 53G-4-401\(4\) \(2018\)](#)

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

Policy 1020 Board Power and Duties

- A. The Board of Education, on its own behalf, hereby retains and reserves unto itself, without limitation, all powers, rights, authority, duties and responsibilities conferred upon and vested in it by applicable law, rules and regulations to establish the framework of school policies and projects including, but without limitation because of enumeration, the right:
 - 1. To appoint, by contract, a district superintendent who serves as the Board's chief executive officer. [Utah Code § 53G-4-301\(1\)](#)
 - 2. To appoint a business administrator. [Utah Code § 53G-4-302\(1\)](#)
 - 3. To make and enforce policy necessary for the control and management of the district schools. [Utah Code § 53G-4-402\(15\)](#)
 - 4. To prepare and adopt a budget and make appropriations for the next fiscal year. [Utah Code § 53G-7-303\(2\)](#)
 - 5. To administer and implement Federal education programs in accordance with the Federal Programs Act. [Utah Code § 53G-4-402\(10\)](#)
 - 6. To establish, locate, and maintain elementary, secondary, and applied technology schools. [Utah Code § 53G-4-402\(5\)](#)
 - 7. To employ staff necessary to carry out the functions of the school district. The Board shall also determine qualifications, conditions of employment, salary schedules, dismissal, demotion, promotion and work assignments.
 - 8. To establish and supervise the program of instruction, including methods of instruction, schedules, materials, necessary staff, etc., and to make the necessary assignments for all extra-curricular programs that, in the opinion of the Board, benefit students.
 - 9. To sue and be sued in the name of the district. [Utah Code § 53G-4-401\(4\)](#)
 - 10. To take, hold, lease, sell, and convey real and personal property as the interests of the schools may require. [Utah Code § 53G-4-401\(4\)](#)
 - 11. To purchase, sell, and make improvements on school sites, buildings, and equipment and construct, erect, and furnish school buildings. [Utah Code § 53G-4-402\(3\)](#)
 - 12. To accept private grants, loans, gifts, endowments, devises, or bequests that are made for educational purposes. [Utah Code § 53G-4-402\(12\)\(a\)](#)
 - 13. To close the schools or suspend operation if necessary.
 - 14. To do all things necessary for the maintenance, prosperity, and success of the schools and the promotion of education. [Utah Code § 53G-4-402\(20\)](#)
- B. The exercise of the foregoing powers, rights, authority, duties and responsibilities by the Board, the adoption of policies, rules, regulations and practices in furtherance thereof, and the use of judgement and discretion in connection therewith shall be

limited only by the Constitution and Laws of the State of Utah and the Constitution and Laws of the United States.

C. To work to understand and represent the interest of the community members.

Policy 1025 Administration Relations

A. District Governance

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

[Utah Code § 53G-4-402 \(2018\)](#)

Elwell v. Board of Education of Park City, 626 P.2d 460 (Utah 1981)

B. Consultation

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

[Utah Code § 53G-11-205\(4\) \(2018\)](#)

C. Exclusivity and Coercion

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

[Utah Code § 34-34-4 \(1969\)](#)

[Utah Code § 34-34-7 \(1969\)](#)

[Utah Code § 34-34-8 \(1969\)](#)

[Utah Code § 53G-11-205\(4\) \(2018\)](#)

D. Association Negotiations

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

[Utah Code § 34-34-2 \(1969\)](#)

[Utah Code § 34-34-16 \(1969\)](#)

2. The term "labor organization" means any organization of any kind, or any agency or employee, representation committee, or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with one or more employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

E. Publication of Negotiated Agreement

1. If the Board engages in negotiations with labor organizations and a negotiated or collective bargaining agreement is reached, the Board shall, within ten (10) days of ratification, post the agreement or memorandum on the District's website [Utah Code § 53G-11-207 \(2018\)](#)

F. Distribution of Organization Materials

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

G. Equal Access for Employee Associations

1. The schools in the District shall allow all employee associations equal access to distribution of information in or access to employee physical or electronic mailboxes (including school-provided email accounts), and to membership solicitation activities at new teacher or new employee training meetings or functions. (This policy does not require the school to afford association access to these activities, but requires that if access is granted to one employee association, equal access must be provided to other employee associations.)
[Utah Code § 53G-11-205\(2\), \(3\) \(2018\)](#)

H. No Endorsement of or Preference for Any Employee Association

1. The District does not endorse any one employee association, and District policies, structures, and procedures shall not be applied to favor one employee association over another or to otherwise give preferential treatment to one employee association. District calendars and publications shall not include or refer to the name of any employee association in relation to any day or break in the school calendar.
[Utah Code § 53G-11-205\(4\), \(5\) \(2018\)](#)

Policy 1034 Board of Education Code of Conduct

A. Board members shall:

1. Represent the Board with dignity, honesty, and integrity.
2. Attend meetings regularly, prepared, professional, engaged, and dedicated to accomplishing and adhering to the agenda.
3. Support efforts to focus on the important matters, remembering that the student is always our most important matter.
4. Communicate effectively, early, and often with each other and with others concerned, seeking to make your own ideas clear while respecting the different opinions of others.

5. Be loyal to the Board and work to achieve unity by supporting its decisions, even though you may personally espouse a different view.
6. Value civility and avoid contention realizing conflict on some issues is inherent and not undesirable.
7. Represent and seek to understand the needs of all students, staff and citizens in the District without partisanship.
8. Work effectively with the Superintendent, and through him/her, with the staff throughout the District.
9. Develop and improve Board skills by establishing goals, measuring progress, and participating in a variety of training opportunities.

Policy 1035 Board Member Commitments and Ethics

A. Board of Education Commitments

The Board and its members commit to standards of conduct that are consistent with the public trust placed in elected officials. Accordingly, the Board and its members will:

1. Strive to make policies that promote the educational growth and development of all students;
2. Endeavor to appoint the most competent person available as superintendent of schools and hold that superintendent responsible for carrying out the vision, mission, and goals of the District in the administration of its schools;
3. Support and allow administrators, teachers, and staff to function in their authorized capacities while holding employees responsible for carrying out the District's vision, mission, and goals in their respective roles;
4. Seek to employ the best qualified personnel available without regard to race, color, sex, pregnancy, religion, national origin, age, marital status, disability, sexual orientation, or gender identity—except when justified to meet a bona fide occupational requirement (see [20 U.S.C. 1681 et seq.](#); [Utah Code § 34A-5 et seq.](#));
5. Promulgate policies and procedures dedicated to maintaining a learning and working environment in the District free of discrimination and unlawful harassment, including sexual harassment;
6. Promulgate policies and procedures that ensure operational transparency, including directing employees to maintain, manage, and where appropriate, produce records consistent with federal and state laws (see [20 U.S.C. § 1232g](#); [34 C.F.R. Part 99](#); and [Utah Code § 53E-9 et seq.](#));
7. Attend Board meetings, insofar as possible, being informed and prepared to discuss and act upon the items on the Board agenda;
8. Conduct Board business in compliance with the [Utah Open Meetings Act \(Utah Code § 52-4-1 et seq.\)](#);
9. Exercise Board authority exclusively to perform legislative and judicial

functions;

10. Encourage free expression of opinion and seek regular communication and feedback from the public;
11. Work toward consensus in Board decision making and foster respectful and civil working relationships with other Board members and with the superintendent and District staff while recognizing the value of diverse perspectives and differences of opinion; and
12. Strive to be effective educational leaders by participating in professional development, studying education issues, fulfilling assigned Board duties, building relationships with community organizations and leaders, communicating with constituents, and advocating for public education.

B. Board of Education Code of Ethics

1. Members of the Board may receive compensation for services and necessary expenses in accordance with [Utah Code § 53G-4-204](#). For purposes of Utah Retirement Systems (URS) coverage, however, duly elected members of the Board are classified as part-time employees and ineligible for URS benefits.
2. Members of the Board may not use their position, or information acquired by reason of their position, for any improper or unlawful purpose including substantially furthering personal economic interests or securing special privileges or benefits for themselves or others that would impair the members' independent judgement or interfere with the ethical performance of the members' duties in violation of [Utah Code, § 67-16-4](#).
3. The Board will officially accept gifts and donations on behalf of the District; such acceptance, however, shall not obligate the Board to act in any way contrary to the best interests of students and the public. Further, the Board or its members shall not request, demand, or accept personally or on behalf of the District, a loan, donation, gift of substantial value, or an economic benefit tantamount to a gift in violation of [Utah Code §§ 67-16-5 to 5.6](#)
4. The Board and its members shall not misappropriate or misuse public funds or resources and shall be responsible fiscal managers of public funds. Expenditure of public funds shall only be made in accordance with federal or state law and District policies.
5. Members of the Board shall disclose any compensation or any position (whether officer, director, agent, employee, or owner of a substantial interest) in any business entity that does business with or is subject to the regulations governing the District or other public agency in a sworn affidavit and file it with the state attorney general, the District, and any other agency involved in the business or transaction consistent with [Utah Code §§ 67-16-6 to 8](#). Further, members of the Board shall have no personal investments and/or conduct any business creating a substantial conflict of interest between Board members' private interests and their

public duties in violation of [Utah Code § 67-16-9](#).

6. Members of the Board shall maintain the confidentiality of information obtained in executive session or other confidential information otherwise obtained in an official capacity.
7. Members of the Board have no individual authority to act on behalf of the Board and the Board only exercises its authority as a body by taking official action through voting in a duly scheduled Board meeting. Individual Members of the Board should not speak on behalf of the Board without prior Board approval.
8. Members of the Board shall abide by state and federal laws and District policies and refrain from personal or professional conduct that would bring censure, ridicule, damage, or reproach upon the Board or the District.

Policy 1036 Conflict of Interest: Board Member and Employee

- A. Purpose: The purpose of this policy is to set forth standards of conduct for board members and employees of the Box Elder District in areas where there are actual or potential conflicts of interest between their public duties and their private interests. This policy is intended to strengthen public confidence in the district and its employees. The policy is based on state law, [Utah Code 67-16](#).
- B. No member of the Board of Education or any employee of the Box Elder School District shall:
 1. Improperly disclose confidential information acquired by reason of his or her official position or use such information for his or her or another's private gain or benefit;
 2. Use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others;
- C. A written statement shall be filed annually with the superintendent by all board members, superintendent, business administrator, facilities administrator, coordinators of school lunch, purchasing and transportation, and any other district employee who:
 1. Accepts other employment that he or she might expect would impair his or her independence of judgment in the performance of his or her public duties; or would interfere with the ethical performance of his or her public duties.
 2. Accepts any gift, compensation, or loan that comes because of past, present, or future action directly affecting the donor. (An award publicly presented in recognition of public services or a non-pecuniary gift of less than \$50.00 value is not prohibited.)
 3. Initiates business dealings on behalf of the district with any business or individual from whom the board member or employee receives compensation or gifts in any form.
- D. Statements filed with the superintendent under "C" above, shall be signed by the board member or district employee and contain:
 1. The name and address of the board member or district employee involved;

2. The name and address of the person or business entity with whom a conflict of interest may exist;
 3. A brief description of the board member's or employee's involvement or interest with the individual or business entity named.
- E. The statement shall be filed within ten days or the earlier of:
1. The date of any agreement between the board member or district employee and the person or business entity being assisted or;
 2. The receipt of compensation from that entity.
- F. The statement is public information and shall be available for examination by the public.
- G. Penalties for violation of this policy may include removal from office, dismissal from employment, and/or criminal prosecution. Additionally, the school district may rescind or void any contract or subcontract entered into as a result of actions prohibited under this policy, and do so without returning any part of the consideration that the district may have received.

POLICY 1037 Employment/Assignment of Relatives (Nepotism)
(Reference - [Utah Code 52-3](#))

- A. Definition: As used in this policy, "appointee" means an employee whose salary, wages, pay, or compensation is paid from public funds; "relative" means father, mother, husband, wife, son, daughter, sister, brother, grandfather, grandmother, uncle, aunt, nephew, niece, grandson, granddaughter, first cousin, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law - "household member" means a person who resides in the same residence.
[Utah Code § 52-3-1\(1\)\(d\) \(2018\)](#)
- B. No Board member or employee of the district may employ, appoint, or vote for or recommend the appointment of a relative or household member in or to any position or employment, when the appointee will be directly supervised by a relative or household member, unless:
1. The appointee is certificated or otherwise determined eligible or qualified to be employed by the District pursuant to the State Office of Education or other state department or agency; or
 2. The appointee will be compensated from funds designated for vocational training; or
 3. The appointee will be employed for a period of 12 weeks or less; or
 4. The appointee is a volunteer as defined by the District; or
 5. The Superintendent determines that appointee is the only or best person available, qualified, or eligible for the position.
[Utah Code § 52-3-1\(2\)\(a\) \(2018\)](#)
- C. No district employee may directly supervise an appointee who is a relative or household member of the employee unless:

1. The appointee was appointed or employed before the district employee assumed his or her supervisory position, if the appointee's appointment was not unlawful at the time of the appointee's appointment; or
2. The appointee will be compensated from funds designated for vocational training; or
3. The appointee will be employed for a period of 12 weeks or less; or
4. The appointee is a volunteer as defined by the district; or
5. The appointee is the only person available, qualified, or eligible for the position; or
6. The Superintendent determines that the employee is the only person available or is best qualified to perform supervisory functions for the appointee.
7. When a District employee supervises a relative or a household member, the employee shall make a complete written disclosure of the employee's relationship with the relative or household member in a sworn statement provided to the Board of Education. The District employee may not evaluate the relative's job performance or recommend salary increases for the relative.
[Utah Code § 52-3-1\(2\)\(b\), \(c\) \(2018\)](#)
[Utah Code § 67-16-7\(2\)\(b\) \(2018\)](#)

- D. No appointee may accept or retain employment in the District if the appointee is under the direct supervision of a relative or household member, unless:
1. The relative or household member was appointed or employed before the appointee assumed the appointee's position, if the appointment of the relative or household member was not unlawful at the time of the appointment;
 2. The appointee will be compensated from funds designated for vocational training;
 3. The appointee will be employed for a period of 12 weeks or less;
 4. The appointee is a volunteer as defined by the District;
 5. The appointee is the only person available, qualified or eligible for the position;
 6. The Superintendent determines that the appointee's relative or household member is the only individual available or qualified to supervise the appointee.
[Utah Code § 52-3-1\(3\) \(2018\)](#)

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

- F. Within a town, as defined by [Utah Code § 10-1-104](#), this policy on nepotism shall not apply to the employment of uncles, aunts, nephews, nieces or cousins.
[Utah Code § 52-3-4 \(1998\)](#)

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

If an appointee is to be hired under this exception, the District shall make a written record of the proceedings in which it was established that the appointee met the criteria of this exception, which record shall include a written statement by the hiring officer

certifying that the appointee satisfies the exception, all of which shall be retained in the personnel file of the appointee.

[Utah Code § 52-3-4 \(1998\)](#)

H. Under no condition shall a husband/wife or parent/son or daughter be employed in a supervisor/employee relationship (such as principal/teacher; department head/teacher in department; head custodian/custodian; etc.). If such condition occurs as a result of transfer or promotion, it shall be resolved within one year by transfer of either husband/wife, or parent/son or daughter, to another location. Exceptions may be made, with Board approval, for necessarily existent small schools only.

Board Policies Relevant to School Board Meetings

Policy 1070 Board Meeting Procedures

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

[Utah Code § 52-4-103\(6\) \(2018\)](#)

B. Rules and Order of Procedure

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

- a. Parliamentary order and procedure;
- b. Ethical behavior; and
- c. Civil discourse.

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

- a. Conduct its public meeting in accordance with the Rules of Order and Procedure adopted by the Board of Education; and
- b. Make the Rules of Order and Procedure available to the public at each meeting of the Board of Education, and on the District's public website.

[Utah Code § 53G-4-202{1}\(c\), \(2\) \(2018\)](#)

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

- a. Disorderly conduct at the meeting;

- b. The member's direct or indirect financial conflict of interest regarding an issue discussed at or action proposed to be taken at the meeting; or
- c. Commission of crime during the meeting; or
- d. Other reasons that have been adopted by the Board.

[Utah Code § 53G-4-202\(5\) \(2018\)](#)

C. Open to the Public

- 1. Every meeting of the Board shall be open to the public unless closed pursuant to [Utah Code §§ 52-4-204 \(2018\)](#), [52-4-205 \(2014\)](#), and [52-4-206 \(2018\)](#). With the exception of those topics identified for a closed session, the Board shall deliberate and take action openly.

[Utah Code § 52-4-201\(1\) \(2006\)](#)

D. Public Hearing

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

[Utah Code § 11-14-318 \(2009\)](#)

[Utah Code § 53G-4-402\(21\) \(2018\)](#)

[Utah Code § 53G-7-303\(2\) \(1/24/2018\)](#)

[Utah Code § 53G-4-204\(2\) \(2018\)](#)

[Utah Code § 59-1-1605 \(2016\)](#)

E. Interference with Conduct of Board Meetings

- 1. Those in attendance at Board meetings are prohibited from interfering with the conduct of the meeting by demonstrations, whether audible or visual or by conduct. Those who do not abide by Board procedures for orderly presentation of comments when permitted may be asked to leave or the Board may request law enforcement to remove those disrupting the meeting.
- 2. Distribution of handbills, flyers, or other printed materials by members of the public is prohibited during Board meetings. Similarly, members of the public may not circulate petitions or similar requests for participation during a Board meeting.

F. Public recording

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

[Utah Code § 52-4-203\(5\) \(2018\)](#)

G. Attendance by Local Government Representatives

- 1. An interested mayor or interested county executive (or their designees) may attend and participate in the board's discussions in the open portions of the Board's meetings. An "interested mayor" is the mayor of the municipality

which is partly or entirely within the boundaries of the school district. An "interested executive" is the county executive or county manager of a county with unincorporated area within the boundary of the school district. These local government officials may not vote on any issue before the Board and their participation is subject to the Board President's authority to regulate the conduct of the meeting.

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

[Utah Code § 53G-7-208\(3\)\(a\) \(2018\)](#)

H. Quorum

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

[Utah Code § 52-4-103\(11\)\(a\) \(2018\)](#)

[Utah Code § 53G-4-203\(5\) \(2018\)](#)

I. USBA Training session for the Board members

1. In the event the Board or any of its members meet with representatives of the Utah School Boards Association (USBA) for the purpose of receiving or participating in instruction regarding Board functions or activities, and not for the purpose of discussing or acting upon a subject over which the Board has jurisdiction, the Board is not required to comply with the Utah Open and Public Meetings Act, [Utah Code § 52-4-101 et seq.](#)
2. If more than two Board members are present in such meetings, the Board members shall not discuss or act upon any specific matter over which it has jurisdiction. Board members will discuss only matters relative to the instruction they receive from USBA representatives.
3. If Board members determine in an instructional meeting with representatives of USBA that there is a need to discuss or act upon a subject over which the Board has jurisdiction, then the Board and its members must comply with the Open and Public Meetings Act, [Utah Code § 52-4-101 et seq.](#), prior to discussing or acting upon such matters.

Policy 1072 Board Meetings: Notice Requirements

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

[Utah Code § 52-4-202\(2\) \(2016\)](#)

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

[Utah Code § 52-4-202\(1\)\(2016\)](#)

- C. Where a meeting agenda must be included in the required public notice of a Board meeting, that agenda shall be sufficiently specific to notify the public of the topics to be considered at the Board meeting. To be sufficiently specific, the agenda shall at least list each anticipated topic under an agenda item in a manner which identifies the subject of discussion and if known the nature of the Board action being considered on the subject. The Board may not consider the topic in an open meeting which was not listed under an agenda item and included with the advance public notice of the meeting, except that if an unlisted topic is raised by the public during an open meeting the Board may, at the discretion of the presiding Board member, discuss the topic but may not take any final action on the topic during the meeting. This limitation may not apply to an emergency meeting where the requirements for holding and giving the best practicable notice of such a meeting have been met.
[Utah Code § 52-4-202\(6\)\(2016\)](#)
- D. When the Board is meeting to conduct a public hearing with respect to adopting the budget or levying a tax rate which exceeds the certified tax rate, the Board's agenda must be limited to the hearing(s) and discussion and the action on those items. (If the Board holds another meeting on the same date to address general business items, the other meeting must conclude before the meeting on the budget and/or tax rate levy.)
[Utah Code § 59-2-919\(8\)\(b\)\(i\)\(B\), \(e\), \(2019\)](#)
- E. Public notice of each Board meeting and of the Board's annual meeting schedule shall be given by:
1. Posting written notice at the local Board of Education office;
 2. Posting notice on the Utah Public Notice Website; and,
 3. Providing notice to two newspapers of general circulation within the geographic jurisdiction of the public body or to a local media correspondent.
 4. The District shall also endeavor to post notice of Board meetings on the District's web site at least 24 hours in advance of the Meeting.
 5. Notice of each Board meeting shall also be given to each mayor or interested county executive (or their designee). An "interested mayor" is the mayor of a municipality that is partly or entirely within the boundaries of the school district. An "interested county executive" is the county executive or county manager of a county with unincorporated area within the boundaries of the school district. This notice shall be provided by mail, email, or other effective means agreed to by the person to receive notice.
[Utah Code § 52-4-202\(3\), \(4\)\(2016\)](#)
[Utah Code § 63F-1-701\(4\)\(d\)\(2016\)](#)
[Utah Code § 53G-7-208\(3\)\(e\) \(2018\)](#)
- F. In case of emergency or urgent public necessity which renders it impractical to give the notice identified in the paragraphs above, the best notice practicable shall be given of the time and place of the meeting and of the topics to be considered at the meeting. No such emergency meeting of the Board shall be held unless an attempt has been made to notify all of its members and a majority of the members vote in the affirmative to hold the meeting.

[Utah Code § 52-4-202\(5\)\(2016\)](#)

- G. In addition to complying with the aforementioned public notice requirements, in regards to the budget hearing, the Board shall do the following:
1. Publish the required newspaper advertisement and/or electronic newspaper advertisement (see [Utah Code § 45-1-101 \(2011\)](#) and the required Utah Public Notice Website advertisement at least ten days before the day on which the hearing is held
 - a. The public hearing notice will include information on how the public may access the proposed budget.
 2. File a copy of the proposed budget with the Board's business administrator for public inspection; and
 3. Post a copy of the proposed budget on the District's internet website.
 4. In addition, if the proposed budget includes a tax rate in excess of the certified tax rate, or if the Board meeting is required to consider whether to adopt a tax rate in excess of the certified tax rate, the Board shall provide the notices and schedule the meeting as required by [Utah Code § 59-2-919](#).
[Utah Code § 53G-7-303\(2\) \(2018\)](#)
[Utah Code § 53F-8-201\(3\) \(2018\)](#)
[Utah Code § 59-2-919 \(2016\)](#)
- H. In addition to complying with the aforementioned public notice requirements, if the Board is meeting under the [Transparency of Ballot Propositions Act](#) to hear arguments for or against a ballot proposition to authorize issuance of bonds or to increase taxes, the Board must post notice of the time, date, and place of the meeting (along with the arguments for and against the proposition):
1. On the Statewide Electronic Voter Information Website for 30 consecutive days before the election on the proposition;
 2. On the [District's website](#) in a prominent place for 30 consecutive days before the election on the proposition;
 3. If the District publishes a newsletter or other periodical, in the next scheduled edition before the election on the proposition.
[Utah Code § 59-1-1604\(5\)\(2016\)](#)
[Utah Code § 59-1-1605\(2016\)](#)
 4. The meeting must begin at or after 6:00 p.m.
[Utah Code § 59-1-1605\(3\)\(b\)\(2016\)](#)
- I. In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider authorizing issuance of bonds under the Local Government Bonding Act, it shall publish notice of the intent to issue bonds in the newspaper and on the Utah Public Notice Website at least 14 days in advance of the public hearing on the bond issuance as required by [Utah Code Ann. § 11-14-318](#). The notice shall give notice that the hearing will be held to receive input from the public respecting the issuance of the bonds and the potential economic impact that the proposed improvement, facility, or property that the bonds will fund will have on the private sector.
[Utah Code § 11-14-318 \(2009\)](#)

- J. In addition to complying with the aforementioned public notice requirements, if the Board is meeting to consider a request to increase a budget appropriation, it shall publish the required newspaper notice and notice under [Utah Code § 45-1-101](#) of such meeting at least one week prior to the hearing.
[Utah Code § 53G-7-305\(6\)\(b\) \(2018\)](#)
- K. In addition to complying with the aforementioned public notice requirements, if the Board meeting is either to hold a public hearing regarding closing one or more schools or changing the attendance area boundaries for one or more schools, or to take such action, the additional notice requirements set out in Policy 1210 much also be met.
[Utah Code § 53G-4-402\(21\) \(2018\)](#)
- L. Beginning July 1, 2007, in addition to meeting the aforementioned public notice requirements, if the Board is meeting to consider adopting a new Board member compensation schedule or schedules, or to consider amending an existing compensation schedule or schedules, the notice of the meeting with public hearing shall be given at least seven days prior to the meeting by:
1. Publishing the notice at least once in a newspaper published in the county where the District is situated and which is also generally circulated within the District, and publishing notice on the Utah Public Notice Website;
 2. Posting the notice:
 - a. At each school in the District
 - b. In at least three other public places within the District; and
 - c. On the Internet in a manner that is easily accessible to citizens who use the internet.
- [Utah Code § 53G-4-204\(3\) \(2018\)](#)

Policy 1074 Board Meetings: Closed Meetings

- A. A closed meeting may be held upon a two-thirds affirmative vote of the Board members present at a meeting for which public notice was given pursuant to [Utah Code § 52-4-202](#), providing a quorum is present. No resolution, rule, regulation, contract or appointment shall be approved at a closed meeting, nor may the Board interview an applicant to fill an elected position at such a meeting. The recording and minutes of an open meeting at which the vote is taken to hold a closed meeting shall contain the reason or reasons for holding a closed meeting and the votes, by name, of the members present, either for or against the proposition to hold such a meeting.
[Utah Code § 52-4-204 \(2018\)](#)
- B. Closed meetings may only be held for the following purposes:
1. Discussion of the character, professional competence, or physical or mental health of an individual;
 - a. However, the Board may not interview a person applying to fill an elected position, midterm vacancy or temporary absence in a closed meeting

- regardless of whether the interview may include a discussion of the character, professional competence, or physical or mental health of the applicant.
2. Strategy sessions with respect to collective bargaining or pending or imminent litigation; or
 3. Strategy sessions with respect to the purchase, exchange, or lease of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms; or
 4. Strategy sessions with respect to the sale of real property (including any form of water right or water shares) if public discussion may disclose the appraised or estimated value of the property or tend to prevent the Board from obtaining the best possible terms, but only if the Board previously gave public notice that the property would be offered for sale, and the terms of the sale are publicly disclosed before the Board approves the sale; or
 5. Discussion regarding deployment of security personnel, devices, or systems;
 6. Investigative proceedings regarding allegations of criminal misconduct; or
 7. The Board is fulfilling one of the following procurement functions:
 - a. Deliberations as an evaluation committee regarding a solicitation or as protest officer regarding a protest; or
 - b. Consideration of information designated as a trade secret if the consideration is necessary to properly conduct a procurement; or
 - c. Discussion of information provided to the Board during a procurement if (at the time the Board meets) the information may not be disclosed to the public or procurement participants and the Board needs to review or discuss the information to properly fulfill its role and responsibilities in the procurement process.

- C. If the meeting is closed for any reason stated in paragraph 1 or 5 of this Section, then the person presiding must sign a sworn statement affirming that the sole purpose of closing the meeting was to discuss those specific topics, and neither a recording nor minutes shall be kept of that portion of the closed meeting.

[Utah Code § 20A-1-511\(3\)\(c\) \(2017\)](#)

[Utah Code § 52-4-205 \(2014\)](#)

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

Policy 1080 Board Committees

- A. School Board members are elected to represent the public in management of the public schools. Decisions are the right and responsibility of the Board of Education.. All committees formed and charged by the Board are advisory in nature; the Board maintains the right and responsibility to do with committee recommendations as deemed appropriate by the Board on majority vote.
- B. Special committees of Board members may be created by the Board for special assignments. When so created, each committee shall be appointed by the president and shall terminate upon completion of the assignment or by majority vote of the Board prior to completion of the assignment.

- C. The Board of Education may utilize citizen committees, as appropriate, to assist in: planning; developing education policies and programs; seeking solutions to specific problems confronting the schools; and providing interchange of ideas and points of view between school officials and members of the community.
1. Each committee shall be established by majority vote of the Board and shall be given an assignment or charge including specification of the scope of the assignment, length of time to complete the assignment, date by which the committee is to report its findings to the Board, and other specifics as deemed appropriate by the Board.
 2. Committees shall terminate upon completion of the assignments or charges given, the lapse of time specified by the Board, or by majority vote of the Board.
 3. Members of committees shall be recommended by the Superintendent and appointed by a majority vote of the membership of the Board meeting in official session.
- D. Reports, findings, and conclusions of each committee operating under a charge from the Board shall be submitted in writing to the Board at least seven (7) days prior to any consideration of the same in a meeting of the Board where the committee's work will be an issue for discussion or action.
1. All reports, findings, and conclusions developed by committees shall be the property of the Board and any dissemination of the same shall be at the sole discretion of the Board within the parameters of the [Government Records Access Management Act](#). (See [Policy 6000 Public Records Access and Management](#))
 2. Committees are expressly prohibited from releasing their reports, findings, or conclusions to any individual or group other than the Board or the Superintendent.

Policy 1090 Rules of Order

- A. The Board shall be guided by [Robert's Rules of Order, Revised](#), except where policy specifies otherwise.
- B. The Board President may discuss and have a vote on all matters before the Board.

Policy 1100 Minutes

4

- A. The Clerk shall keep, or cause to be kept, written minutes and a recording of all open school board meetings with the exception of site visits or traveling tours of the board where no vote or action is taken. Only written minutes are required during site visits or travelling tours.
- B. The written minutes of open meetings must include:
1. The date, time, and place of the meeting;
 2. The names of all members present and absent;

3. The substance of all matters proposed, discussed, or decided, which may include a summary of comments by board members;
 4. A record, by individual members, of all votes taken;
 5. The name of each person who is not a Board member who was recognized by the presiding Board member and upon recognition presented testimony or comments to the Board and a brief summary of the public testimony or comments; and
 6. Any other information that is a record of the meeting proceedings that any member requests be entered in the minutes.
 7. The requirement that the written minutes include the substance of Board discussion and of public comments may be satisfied by maintaining a publicly available online version of the minutes, which includes a link to that portion of the meeting recording, which relates to the discussion or comments.
- C. The recording of the meeting must be a complete and unedited recording of all open portions of the meeting from the commencement of the meeting through the adjournment. Those in attendance may also record the meeting as long as their recording does not interfere with the meeting.
- D. The written minutes and the recording of an open board meeting are public records and must be available upon request within three business days after the end of the meeting (recording) or within a reasonable time but no more than thirty days (written). Written minutes made available to the public should be marked in a way signifying that they have yet to be approved until the Board takes formal action to approve them.
- E. Copies of the minutes of a meeting shall be sent to the members of the Board before the meeting at which they are to be approved. Corrections in the minutes may be made at the meeting at which they are to be approved. Permanent minutes shall be signed by the president upon approval of the Board.
- F. With the exception of a closed meeting to discuss the character, professional competence, or physical or mental health of an individual or to discuss the deployment of security personnel, devices, or systems, a recording must be kept of a closed meeting. Written minutes may also be kept.
- G. A recording of a closed session must include:
1. The date, time, and place of the meeting;
 2. The names of all Board members present and absent;
 3. The names of all others present except where such disclosure would infringe on the confidence necessary to fulfill the original purpose of closing the meeting.
- H. The recording of a closed session must be a complete and unedited recording of all portions of the closed meeting.

Reference:

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

Policy 1110 Public Participation in Board Meeting

- A. Individuals, from time-to-time may wish to seek an official audience with the Board. Such matters may be placed on the printed Board Agenda by contacting the Superintendent, Superintendent's staff assistant, or Board President. All such requests should be received one week in advance of a regular Board meeting and will be confirmed in writing through the District Office. The request should be in writing and state the nature of the matter to be considered, the name of the individual who will act as spokesperson, and the name of the organization represented.
- B. All "regular meetings" of the Board will include an agenda item – "Public Comments."

During this agenda item, patrons will be able to address the Board, even if they have not followed the formal protocol outlined in "A" above. The following guidelines will be adhered to for the "Public Comments" agenda item:

1. Patrons must state their name prior to making comments.
 2. At the discretion of the Board President, individual comments may be limited to three (3) minutes per individual.
 3. Multiple individuals with the same issue should appoint a spokesperson and make one presentation rather than several. At the discretion of the Board President, group presentations may be limited to a maximum of six (6) minutes.
 4. Handouts may be used and distributed to Board Members. If handouts are distributed, all members of the Board and District staff present should receive copies of all handouts.
 5. The Board will not take final action on items presented during "Public Comments" unless the item is already on the Meeting agenda.
 6. Comments on personnel issues will not be allowed during "Public Comments." The Board will not discuss issues that affect an employee's right of privacy such as specific appointments, employment, performance or questions, complaints, or charges against particular employees. Concerns in these areas are to be referred to the Superintendent.
 7. When possible, response to the questions or comments will be provided during the meeting. If additional study is needed to respond adequately to the questions or comments, the residents will receive a written response as soon as possible. The written response will be read publicly at the next regular meeting of the Board.
 8. At the discretion of the Board President, a patron's opportunity to address the Board on the same issue may be limited to no more than once in a three-month period.
- C. At the discretion of the Board President, public comment may be taken during other portions of the meeting where the comment is directed toward a specific agenda item.