



BOARD OF EDUCATION
REGULAR SCHOOL BOARD MEETING
Detailed Agenda

Wednesday, September 9, 2020

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

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

A. This meeting will be available virtually. Please use the link below to join.

<https://besd.webex.com/besd/onstage/g.php?MTID=e0f4425958a63496e4d7f8ff25e9f6f42>

B. Work Session - 5:30 p.m.

1. Report to the Board: Jacqueline Whitaker

C. Administrative - 6:30 p.m.

1. Call to Order

President Karen Cronin

2. Reverence

Steve Carlsen, Superintendent

3. Flag Salute/Pledge of Allegiance

Keri Greener, Assistant Superintendent of Elementary Teaching & Learning

4. Recognitions

Tiffani Summers, Board Member

- a. Walmart Grant Presentation by

Robert Lieske - Assistant General Manager

Dawn Devoe - Human Resource Manager

Klay Hinck - Environmental, Health and Safety Manager

- b. BRHS Student - Abbie Fuhriman received the UIAAA Student Athlete Award - 2nd in Nation

- c. Katy Willis and Lauri Weaver - Homemade masks for students

4

D. Approval of Agenda - 7:00 p.m.

E. Public Comment - 7:05 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

F. Action Items - 7:15 p.m.

1. **Approval of Amendment of Return to Learn Plan 2020-21**

5

2. **Approval of Change of Board Meeting Calendar**

16

3. **Closed Session for Purchase, Exchange, or Lease of Real Property**

Corey Thompson

4. **Approval of Land Acquisition**

18

Corey Thompson

5. **Declaration of Surplus Property**

19

Corey Thompson

G. Information Items - 7:35 p.m.

1. **School Construction Report**

20

Corey Thompson

2. **Monthly Financial Report**

32

Rod Cook

3. **First Week of School Update**

Steve Carlsen

H. Policy Review - 7:50 p.m.

1. First Reading	
a. Policy 1160 Superintendent Termination	40
b. Policy 1190 District Annual Reports	43
c. Policy 3110 District Emergency Response Plan	45
d. Policy 4060 High School Graduation Requirements	51
e. Policy 4105 Sex Education	54
f. Policy 5036 Admissions and Attendance: Determining Daily Attendance	61
g. Policy 5053 School Breakfast Program	63
h. Policy 5055 Vision Screening	65
i. Policy 5100 Student Records	66
j. Policy 5225 Student Activities	85
k. Policy 5140 Education and Family Privacy Rights	92
l. Policy 5270 Student Rights and Responsibilities: Bullying, Cyberbullying, Hazing, and Abusive Conduct	95
m. Policy 5350 Student Complaints - Resolution	107
2. Second Reading	
a. Policy 1036 Conflict of Interest: Board Member and Employee	110
b. Policy 3000 Employment: Nondiscrimination	115
c. Policy 3007 Employment - Staff Code of Conduct	119
d. Policy 3010 Employee Bullying and Hazing	126
e. Policy 3015 Title IX Sexual Harassment	138
f. Policy 3120 Orderly School Termination for Employees	158
g. Policy 3210 Educator Evaluation	170
h. Policy 4037 Reading Assessment for K-3	182
i. Policy 4061 Curriculum - American Heritage	185
j. Policy 5027 Foreign Exchange Students	188
k. Policy 5275 Sexual Harassment	190
l. Policy 5282 Student Behavior Management	197
I. Board Discussion Items 8:00 p.m.	
1. <i>Learning by Doing Reading Schedule</i>	206
2. Discussion on meeting together for Virtual Regional Meeting - September 29, 2020 6:00 to 7:30	
J. Consent Items 8:15 p.m.	
1. Minutes	207
2. Claims	211
3. Personnel	222
K. Upcoming Events	
1. "Service is Peachy" BESD Foundation Service Project in conjunction with the Box Elder Chamber of Commerce - Saturday, September 12, 2020 from 9:00 a.m. to 11:00 a.m. at Lake View Elementary, Willard Elementary, and North Park Elementary	
https://www.justserve.org/projects/e5933dd3-e86b-43e7-9107-47fbc6a0472e?fbclid=IwAR2gxgi5VGNXdbo7m112I-IEFVVg9KSiPFWsaZrEJEPk5k5UeJtOQIJEGs	
https://www.justserve.org/projects/d994b90b-6d05-4dd0-9ed4-48080f296674?fbclid=IwAR2_SSUuEwJCZmm7CD5uL3BluaaPv1dO3IFx5YrIbKh15OMLz6A0htUEvYc	
https://www.justserve.org/projects/027bed59-03f7-4399-8971-f8d636da20ee?fbclid=IwAR2w_34G3JlqJwJQEE3q4RMlf5HQsdP0wSqp-OlnG1nKv3D3EARR_Cj5Dmg	
2. BESD Foundation Golf Tournament - Thursday, September 24, 2020 at Eagle Mountain Golf Course	228
3. BESD Foundation ATV Ride - Saturday, September 26, 2020	229

L. Suggestions for Future Board Meetings 8:20 p.m.

231

M. Board Handbook

232

N. Adjournment 8:25 p.m.

The next meeting of the Board of Education will be held on Wednesday, October 14, 2020, with Work Session at 5:30 and a Regular Session at 6:30 p.m., at Fielding Elementary, 50 W Main, Fielding, Utah.

School	Principal	Person Submitting	Grade	Project Name	Amount requested	Priority	Funded	Enter for School grant
BEHS	Jamie Kent	Anne Ballard	10-12	Expanded Technology for students with disabilities	\$149.00		\$150.00	
BEHS	Jamie Kent	Melanie Day	10-12	Look in a book literacy outreach: 11 elementary schools / 8	\$1,000.00	10	\$1,000.00	\$1,150.00
BRHS	AJ Gilmore	Preston Richey	10-12	VRC 2021-2021 Full Field and game element kit	\$598.00	2	\$600.00	
BRHS	AJ Gilmore	Margo Tckett	10-12	Chess Sets	\$300.00		\$300.00	\$900.00
BEMS	Lewis Whitak	Hannah Vance	8-9	Prismacolor pencil symbolic self portrait	\$192.00	22	\$250.00	\$250.00
BRMS	Eldon Peterse	Teresa Roberts	8-9	BRMS Reading Initiative	\$1,265.00	6	\$1,250.00	
BRMS	Eldon Peterse	Lisa Rampton	8-9	Project Literacy in History	\$600.00	9	\$600.00	
BRMS	Eldon Peterse	Duane Runyan	8-9	Student Assignment Scanner	\$400.00	19	\$400.00	\$2,250.00
ACYI	Jeremy Young	Hayley Anderson	6-7	Books	\$375.00	11	\$375.00	
ACYI	Jeremy Young	JoJo Perea / Toree Sor	6-7	Fit Friday	\$300.00		\$300.00	\$675.00
ACHI	Allison Willia	Kim Miller / Jessica Pri	6-7	Wellness Ctr & Pantry	\$2,000.00	23	\$1,000.00	\$1,000.00
Century	Jason sparks	Lynette Burrell	K-5	Flexible Seating Options	\$740.00	17	\$750.00	\$750.00
Discovery	Jeff Morris	Chelsea Montgomery	K-5	Mentor Program	\$500.00	16	\$500.00	
Discovery	Jeff Morris	Robert Johnson / Ann	K-5	Ecosystem awareness	\$180.00	5	\$200.00	\$700.00
Fielding	Kristi Capene	Tory Birkinshaw	K-5	School Counseling	\$800.00	14	\$800.00	
Fielding	Kristi Capene	Tina Gregory	K-5	Flags for Fieldtrip to cemetary	\$403.00	18	\$400.00	
Fielding	Kristi Capene	Kimber Lear	K-5	STEM Education	\$200.00	4	\$200.00	
Fielding	Kristi Capene	1st Grade Team: Kelly	K-5	Helping Young Learners Succeed	\$800.00	3	\$800.00	\$2,200.00
Garland	Mark Johnso	Trisha Day	K-5	Scholastic Storyworks	\$375.00		\$375.00	
Garland	Mark Johnso	Manuel Zuniga Sanche	K-5	Learning A-Z science subscription for duel immersion progr	\$210.00		\$210.00	\$585.00
Lake View	Teryl Jeffs	Jennifer Mortensen, J	K-5	Reading without walls challenge	\$639.00	8	\$650.00	\$650.00
McKinley	Corynn Areh	Jennifer Delaney	K-5	Special Education Preschool Gym equipment	\$547.00		\$550.00	
McKinley	Corynn Areh	Kellie Garrison	K-5	Mindfulness at McKinley	\$806.00	13	\$800.00	\$1,350.00
North Park	Shaylyn Ekins	Dianna Serfustini	K-5	Calm Down Corner	\$1,000.00	12	\$1,000.00	\$1,000.00
Three Mile C	Catherine All	Carol Pyle	3-5	Literacy & Growth Mindset	\$350.00	9	\$350.00	
Three Mile C	Catherine All	Paula Cotrina	3-5	Science Stem activities & manipulatives	\$1,186.00	1	\$1,190.00	\$1,540.00
							\$15,000.00	\$15,000.00

Recommendation to approve

Submitted by: Superintendent Steve Carlsen

Recommendation:

It is recommended that the Box Elder Board of Education adjust the Return to Learn Plan 2020. At the time the plan was presented and approved on July 15, 2020 it was our understanding that once inside if children could be appropriately physical distanced (6 ft. apart) that masks could be taken off. In the **STATE PUBLIC HEALTH ORDER** dated August 14, 2020 it was clarified that once inside the school building or inside the school bus the students have to have their masks on at all times. Eating breakfast or lunch is an exception.

Recommended Motion:

I move that the Box Elder Board of Education amend the “Return to Learn Plan 2020”. The amendment needs to include information from the **STATE PUBLIC HEALTH ORDER** dated August 14, 2020 that states masks are to be worn at all times when in a school building or on a school bus. Eating breakfast and lunch are exceptions. Also included in this motion is that the Box Elder Board of Education accept any new mandates that are issued by the State Health Department or the Governor’s Office.

Background: Once again the STATE PUBLIC HEALTH ORDER from August 14, 2020 clarified the mask mandate as stated above.

Policy Implications: None

Financial Implications: None

Staff Implications: It means staff will have to do a little more policing of the masks.



State of Utah

GARY R HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

**Utah Department of Health
Executive Director's Office**

Joseph K. Miner, M.D., M.S.P.H., F.A.C.P.M.
Executive Director

Marc E. Babitz, M.D.
Deputy Director

Nate Checketts
Deputy Director
Director, Medicaid and Health Financing

STATE PUBLIC HEALTH ORDER

WHEREAS, on March 6, 2020, Governor Gary R. Herbert issued Executive Order 2020-1, declaring a state of emergency due to novel coronavirus disease 2019 (COVID-19);

WHEREAS, on March 13, 2020, Donald J. Trump, President of the United States issued the Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak;

WHEREAS, COVID-19 is caused by a virus that spreads easily from person to person, may result in serious illness or death, and has been characterized by the World Health Organization as a worldwide pandemic;

WHEREAS, COVID-19 can spread between individuals in close proximity through respiratory droplets produced when an infected individual speaks, coughs, or sneezes;

WHEREAS, an infected individual can transmit COVID-19 even if the individual does not present symptoms or know that the individual is infected;

WHEREAS, the United States Centers for Disease Control and Prevention and the Utah Department of Health have recommended the use of face masks or other face coverings to mitigate the transmission of COVID-19;

WHEREAS, I have determined that it is appropriate to require individuals to wear face coverings while in a school or school bus to protect public health;

WHEREAS, recent data show a large increase in the transmission rate of COVID-19 in Utah, and the Utah State Epidemiologist announced that Utah is experiencing a dramatic rise in the spread of COVID-19 across Utah;

WHEREAS, under Utah Code §§ 26-1-30(3), (5), and (6), the Utah Department of Health has the power and duty to promote and protect the health and wellness of the people within the state; to control the causes of epidemic, infectious, communicable, and other diseases affecting the public health; and to prevent and control communicable, infectious, acute, chronic, or any

other disease or health hazard that the Department considers to be dangerous, important, or likely to affect the public health.

Based on the foregoing, in accordance with the authority vested in me as the Interim Executive Director of the Utah Department of Health by Utah Code §§ 26-1-10, 26-1-30, and 26-6-3, and being fully advised and finding the factual basis and legal requirements have been established;

NOW, THEREFORE, I, Richard Saunders, Interim Executive Director of the Utah Department of Health, hereby order the following:

1. As used in this Order:
 - a. "Face mask" means a face covering that:
 - i. covers the nose and mouth without openings that can be seen through;
 - ii. is made of synthetic or natural fabrics;
 - iii. secures under the chin;
 - iv. fits snugly against the nose and sides of the face; and
 - v. does not have an exhalation valve or vent.
 - b. "Face shield" means a face covering that:
 - i. covers the entire face;
 - ii. protects the eyes of the wearer;
 - iii. is made of clear plastic or similar nonpermeable transparent material;
 - iv. secures around the top of the head;
 - v. does not secure under the chin;
 - vi. does not fit snugly against the nose or sides of the face; and
 - vii. can be used in conjunction with a mask for enhanced protection.
 - c. "School" means a local education entity or private school that provides any kindergarten through grade-12 program or service, including a residential treatment center that provides any kindergarten through grade-12 program or service.
 - d. "School bus" means a vehicle used for district- or school-provided transportation that transports a student to or from a school or a school-sponsored activity.
 - e. "School property" means any real property, including any building, structure, facility, or part thereof, that is owned, leased, occupied, or controlled by a school.
2. Each individual on school property or on a school bus shall wear a face mask, except as provided in Section (3).
3. Section (2) does not apply to:
 - a. an individual who is outdoors while maintaining a physical distance of at least six feet from any other individual who is not from the same household or residence;

- b. an individual who is eating or drinking while indoors and maintains a physical distance of at least six feet from any other individual who is not from the same household or residence;
 - c. a child who is younger than three years of age;
 - d. an individual with a medical condition, mental health condition, or disability that prevents wearing a face mask, including an individual with a medical condition for whom wearing a face mask could cause harm or dangerously obstruct breathing, or who is unconscious, incapacitated, or otherwise unable to remove a face mask without assistance;
 - e. an individual engaged in an activity where the ability to see the mouth is essential for communication, including an individual who is deaf or hard of hearing while communicating with others, an individual who is communicating with an individual who is deaf or hard of hearing, or a teachers-student dyad participating in speech therapy, in which case the individual shall wear a face shield without a mask or use alternative protection, including a plexiglass or similar barrier;
 - f. an individual who has an Individualized Education Program (IEP) under the Individuals with Disabilities Education Act, 20 U.S.C. section 1414, or an accommodation under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. section 794, that would necessitate exempting the individual from wearing a face mask;
 - g. an individual who is receiving or providing a service involving the nose or face for which temporary removal of the face mask is necessary to perform the service; or
 - h. an individual participating in a school sponsored activity or physical education class as long as the individual complies with Appendix C of the Phased Guidelines for the General Public and Businesses to Maximize Public Health and Economic Reactivation.
4. A school may require an individual to provide a medical directive from a Doctor of Medicine (MD), Doctor of Osteopathic Medicine (DO), Physician Assistant (PA), Advanced Practice Registered Nurse (APRN), documenting a need for an exemption under Subsection (3)(d).
 5. For an individual described in Subsection (3)(f), a local education agency shall document the accommodation in accordance with 34 CFR 104.33(a) as part of the student's IEP or Section 504 accommodation plan.
 6. This Order supersedes Utah Public Health Order 2020-10.

This Order is effective immediately and shall remain in effect until 11:59 p.m. December 31, 2020, unless otherwise modified, amended, rescinded, or superseded.

Made at 14 day of August, 2020.



Richard G. Saunders
Interim Executive Director
Utah Department of Health



September 8, 2020

Hi Box Elder School District:

Due to the Governor's Mask Mandate on August 14, 2020, we have made revisions to the Return to Learn Plan 2020. These changes are in red.

Even though the spring and summer of 2020 have been some of the most unique times in most of our lives, we sincerely hope you have been able to enjoy some great family time and make some positive and happy memories. We at Box Elder School District (BESD) are excited to welcome you back to school in what we are calling our "Return to Learn 2020".

We truly enjoy working with the students, parents, and patrons of BESD and we are elated to be able to present our plan to return to learn, in person, this August 31, 2020. We are planning a normal school opening with added implementation of protocols to help us prevent the spread of COVID-19. Taking guidance from Governor Herbert, State Superintendent of Public Instruction Sydnee Dickson, the CDC Guidelines, the Utah State Health Department, the Bear River Health Department (BRHD), and BESD's personnel we have developed a plan to "Return to Learn".

The Following are guidelines we are going to use to help us "Return to Learn" as safely and productively as we possibly can.

As Employees of BESD this is what we are committed to do:

- Learn all we can about the COVID-19 virus and do all we can help prevent the spread of the virus.
- Encourage physical distancing, (six feet apart), proper hand washing, sanitizing, wearing masks inside the school building. When students and staff are outside masks are not required. Hallway flow adjustments, common areas spacing, adjustments to lunch times and seating, and recess modifications.
- Be watchful of Covid-19 symptoms in students and alert family if a student exhibits symptoms.
- Working with the BRHD to monitor COVID-19 hot spots in Box Elder County and BESD to determine modified school schedules, in-school adjustments, or possible school closures.
- Continue to improve our skills to deliver high quality online instruction when and if the need arises.
- Develop and refine our digital curriculum to allow us to be nimble enough to go from in-person instruction to on-line instruction and back with very short notice.

What we would like parents to do:

- **PLEASE** understand these guidelines and the plan to "Return to Learn" have been developed using the best knowledge that we have been able to learn and glean from the aforementioned people and organizations and that we are sincerely giving every effort to keep your children safe while keeping our employees safe and still providing a top tier educational experience for your children.
- **PLEASE** keep your child or children home if they have a fever, cough, cold or flu like symptoms and keep them home until their symptoms have subsided.
- **PLEASE** talk to and work with your child or children to help them understand that the changes they may see at school are put into place to keep them and those around them as safe as possible.

- **PLEASE** send your child to school with a mask.
- **PLEASE** help them to understand that change is possible at any time. Things can evolve quickly as we saw this past spring and this year our hope is that if we do go to soft closure and have online learning, we will more than likely return to in-person learning. It is imperative that each student keep up with their learning to be prepared to come back to school.
- **PLEASE** be aware that you can choose to send your children to school for the traditional in-person instruction or we will have a BESD online education available if you choose. We are happy to assist you as you make the decision to come for in-person or online education.
- **PLEASE** know we are aware and support your rights as parents to keep your child or children at home at any time for the safety of your child or children.

Box Elder Online Education:

- **In order to have your child or children enroll in Box Elder Online, they will need to complete the google form on the district webpage. This will be available Tuesday, July 21st through Friday, August 7th.** When making this decision, please understand that you will need to be committed to this decision for a trimester. They will have a Box Elder School District teacher but it probably will not be a teacher from their home school. For elementary students K-3, we will stress strictly mathematics and language arts. For 4th and 5th graders, we will stress mathematics, language arts, and science. The curriculum from 6th grade and up, will be very similar to what you would find in the traditional school setting.
- Grading will be more robust and closer to in-person school grading than what we experienced with grading in the soft school closure in the last three months of school. Our hope is that we can work with your child and keep them in line with their peers who are attending in person so that if the desire arises they can return to in-person and be right on par with their peers.
- **All students selecting BESD Online will register with their boundary school and pay the required fees. This will be available beginning August 4th.**
- **Dual Language Immersion** will not be offered online due to the unique challenges with the language for K-6. For secondary DLI students a dual enrollment option may be available. Please see the Dual Enrollment page in this document.

Overall, circumstances will likely vary from school to school and program to program, each with unique challenges and solutions. Specific details will be communicated to you directly by the administration of the school your child attends.

Located on the Box Elder School District Web page www.besd.net you will find a tab that will have all information you need to know what your options are on what the "Return to Learn" plan is to help you with decisions of what to do and how best to help your child be ready to go back to school on Aug. 31. **This tab will be "Return to Learn" Covid-19 Information.** It will be front and center on our school district web page.

Thank you for your support and for all your efforts to help us in these unprecedented times to do all we can to educate your children while keeping them and all of the adults in the building as safe as possible.

Respectfully,

Steve Carlsen






Steve Carlsen
Superintendent
Box Elder School District



**BOX ELDER
SCHOOL DISTRICT**








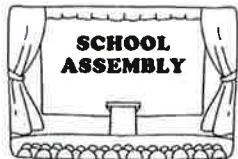

Learning is Everything

BESD Return To Learn Plan for 2020-2021

Category	Guiding Principles for the Safety and Concern of All Students
<p><u>Hygiene</u></p> 	<p>Handwashing: Reinforce handwashing with soap and water for at least 20 seconds. Hand Sanitizing: Stations will be available as students enter and exit building and classrooms, and before and after meals in the cafeteria. Respiratory: Reinforce covering coughs and sneezes with a tissue or into your elbow. Discard tissue after one use. Physical Contact: Reinforce physical distancing, including no handshakes, high fives, or hugs.</p>
<p><u>Stay Home When Sick</u></p> 	<p>Stay Home When Appropriate: If you feel sick; stay home. Monitor Symptoms: Students who present with COVID-19 symptoms during the school day will be isolated in an isolation room/area until a parent can pick them up. Accommodate High Risk Students and Staff: A plan is in place to support alternative learning for self-identified high-risk students and to mitigate risk for self-identified high risk staff.</p>
<p><u>Face Masks</u></p> 	<p>All students/adults (Substitutes) are required to wear masks at all times inside the building. When students and staff are outside masks can be removed. Strongly encourage students and employees to bring a cloth mask Visitors- non-regular staff, and volunteers will be required to wear face masks, and complete a symptom checklist. Students riding busses will be required to wear a mask.</p>
<p><u>Physical Distancing</u></p> 	<p>Layouts Modification: Classroom, cafeteria, and hallway setting will be modified to mitigate risk. Playgrounds: Safety principles and physical distancing will be reinforced on playgrounds during recess. Large Gatherings: There will be no large group gatherings during the school day unless physical distancing can be maintained.</p>
<p><u>Clean and Disinfect</u></p> 	<p>Cleaning Schedule: Custodial services will schedule increased routine cleaning and disinfection. There will be regular cleaning and disinfecting of frequently touched surfaces within the school, on playground equipment, and on school buses. Shared Objects: Sharing of items that are difficult to clean or disinfect will be minimized. Backpacks in classrooms will be allowed to keep student's belongings separated from others. Air Handling & Filters: Increase airflow throughout building and implement high efficiency filtration levels.</p>

BESD Return To Learn Plan for 2020-2021




BESD In-Person School Plan

Category	Elementary	Intermediate/MS	High School
<p><u>Transportation</u></p> 	<p>Full Capacity: All students will be required to wear masks unless granted an exemption due to a medical condition by a medical provider. Siblings will be assigned to sit together and all students will sit in an assigned seat.</p>		
<p><u>Breakfast/Lunch</u></p> 	<p>Breakfast in the classroom, Expand lunch rotation, Eat outside, weather permitting. During breakfast students should practice physical distancing. Staggered lunch times, Expand lunch rotation. Masks can be removed during breakfast and lunch.</p>	<p>During breakfast students should practice physical distancing. Staggered lunch times, Expand lunch rotation, Eat outside, weather permitting. Designate serving line flow paths. Masks can be removed during breakfast and lunch.</p>	
<p><u>Classrooms</u></p> 	<p>We will limit the sharing of supplies as much as possible. Parents are invited to provide supplies to their own students. We will minimize student movement and groupings, desk/table spacing, sanitizing routines, rethink, space/carpet activities and small group spacing/seating. Students seated in desks or tables according to seating charts and spaced according to physical distancing protocols to the greatest extent possible. Remove classroom obstacles/barriers. Classroom Physical Space will be arranged to maximize instruction and allow for physical distancing; Teachers will remove non-essential items to increase instructional space and promote physical distancing.</p>		
<p><u>Special Education Related Services</u></p> 	<p>BESD will provide plexiglass, face shields, and/or auxiliary aids for one-on-one close contact to ensure students with disabilities have equal access to information. Offer reasonable accommodations for students who are unable to wear face coverings in settings where it is required for other students.</p>		
<p><u>Speciality Classes</u></p> 	<p>Students wear masks, computer lab cleaned after each class. Physical distancing as much as possible.</p>	<p>Band & Orchestra- physical distance as much as possible Choir--go outside in the fall, common areas, gyms/auditoriums with physical distancing. PE- Students can dress while practicing physical distancing. Weight Training: dress out in rotation and clean equipment after each class. CTE courses wear masks and physical distance as much as possible.</p>	
<p><u>Breaks/Recess/Hallways</u></p> 	<p>Designate entry/exit flow paths to minimize congestion. Follow before and after school procedures as determined by the school. Adult supervision and monitoring of physical distancing. Recess: Sanitizing playground equipment, Rotations, Zones</p>	<p>Designate entry/exit flow paths to minimize congestion. Follow before and after school procedures as determined by the school. Adult supervision and monitoring of physical distancing. Students should move quickly to the next class without gathering in small groups. Follow traffic flow patterns (with travel on the right), physical distance as much as possible.</p>	
<p><u>Restrooms</u></p> 	<p>All restrooms will display signage on proper hand hygiene. Teachers should allow students to use the bathroom during class time to help limit the congestion in the bathroom between breaks.</p>		
<p><u>Large Gatherings</u></p> 	<p>Because of the need to stop the spread of COVID-19, large gatherings, such as the typical back-to-school nights, band and choir concerts, may be held differently. No assemblies that include the whole school will be held. If schools can maintain physical distancing of 6 feet, smaller assemblies or In secondary schools, the timing for class changes will be shortened to discourage congregations of students. Directional signs will indicate expected traffic flow (travel on the right). At elementary schools, students will be released at the end of the day on a staggered schedule. More information will follow as the school year approaches.</p>		
<p><u>Extra-Curricular Activities</u></p> 	<p>No after school clubs</p>	<p>Clubs can meet as long as they maintain physical distancing guidelines. Schools will follow the guidelines from the UHSAA for sports and activities. See link at uhsaa.org or https://uhsaa.org/SportsMed/UHSAA%20Return-to-Play%20Guidelines.pdf</p>	



BESD Return to Learn Plan for 2020-2021

BESD Online K-12 School

Category	Elementary	Intermediate/MS	High School
<p><u>Enrollment & Fees</u></p> 	<p>Registration will open on July 21, 2020. . If you choose to attend BESD online, there will be a link on the district webpage where you will be able to register. When making this decision, please understand that you will need to be committed to this decision for a trimester. The Fees for school will be similar to the in-person school fees with a few minor adjustments. Students that choose this option will still register at their boundary school beginning August 4th, 2020.</p>		
<p><u>Instruction</u></p> 	<p>Students will have a Canvas Language Arts, Math, Science, and Social Emotional courses for the trimester. These courses will be overseen by a BESD teacher who will communicate with these students on a regular basis. Assessments will be scheduled and be given in person.</p>	<p>Students will enroll in BESD Online School and register for the courses needed for the trimester. A BESD teacher will oversee the curriculum and will be communicating with these students on a regular basis. Assessments will be scheduled and be given in person. When students come to school to take these assessments, they will follow physical distance and face masks principles.</p>	
<p><u>Breakfast/Lunch</u></p> 	<p>Grab and Go breakfast and lunches will be available for pick up at each school. If students or parents enter the building to pick up their lunch masks must be worn.</p>		



BESD Return to Learn Plan for 2020-2021

BESD Dual Enrollment Learning

Limited elective courses will be available in our BESD Online school. If a student is interested in taking elective classes in-person and core classes online, they will need to contact their 20-21 boundary school or school you presently attend to set up your student's schedule.

Recommendation to approve

Submitted by: Superintendent Steve Carlsen

Recommendation:

It is recommended that Box Elder Board of Education approve the Board Meeting calendar for the fiscal year 2020-2021.

Recommended Motion:

I move that the Box Elder Board of Education approve the Board Meeting calendar for the fiscal year 2020-2021.

Background: We have in past had the Board Approve the calendar based on a calendar year. We are now asking the Board to approve the calendar based on the fiscal school year.

Policy Implications: None

Financial Implications: None

Staff Implications: None



Box Elder School District
School Board & Municipal Building Authority
Meeting Schedule
2020-2021 School Year

2020	Place
*July 15 6:30 p.m.	ILSC Building
August 12 6:30 p.m.	ILSC Building
September 9 6:30 p.m.	ILSC Building
*October 21 6:30 p.m.	Fielding Elementary
November 11 6:30 p.m.	ILSC Building
December 9 6:30 p.m.	ILSC Building
2021	
January 13 6:30 p.m.	ILSC Building
February 10 6:30 p.m.	ILSC Building
March 10 6:30 p.m.	ILSC Building
April 14 6:30 p.m.	ILSC Building
May 12 6:30 p.m.	Bear River Middle <i>(Retirees)</i>
June 9 6:30 p.m.	ILSC Building

***This meeting is on the third Wednesday**

Recommendation:

It is recommended that the Board authorize purchase of additional property north of Bear River High School.

Recommended Motion:

I move that Box Elder School District purchase 6.8 acres north of Bear River High School, and grant Rod Cook Business Administrator and Corey Thompson Facilities Director authority to finalize the transaction.

Background:

An individual approached the school district. He will be developing the property north of Bear River High School into housing on the north side of 1400 North. He recognizes that property is the last open land adjacent to BRHS. He is offering to sell a portion (6.8 acres) of that land to the school district. This would be an advantage to the school district for current and future needs. For example; when the time comes to replace BRMS a likely location is on the soccer field between the current building and the natatorium. The soccer field could be moved north of the BRHS football stadium either at that time or sooner. We are also in need of additional parking for BRHS which this property could address.

Policy Implications:

The state law gives the Board authority to purchase property for the school district

Financial Implications:

As per closed session discussion

Staff Implications

None at this time

Recommendation:

It is recommended that the Board authorize the sale of the Corinne School Building and property by declaring it surplus at the end of use by the Community High School.

Recommended Motion:

I move that the Corinne School building and property located at 2275 N 3900 W, Corinne Utah, be declared surplus and authorize administration to sell the property at the end of use by the Community High School.

Background:

Once we move out of the Corinne School Building, it is determined that we have no other use for the building or property. Administration has determined that an auction would be the best way to allow the public equal access to buy the property. The property will be sold to the highest bidder.

Policy Implications:

None

Financial Implications:

The sale will result in revenue from the property.

Staff Implications

None at this time



Facilities Update

Sept, 2020



Sunrise High School













Sunrise High Timeline

- CoVid-19 has shut down several crews
- Furniture arrives October 12
- Restroom doors ship October 19
- Final inspections expected end of October
- The building will open this year



New Elementary in Brigham City

- 20 foot elevation lose - south to north
- Building location middle to north
- Busses on the south, cars on the north
- Grass play area on south
- 100,000 square feet
- Investigating net zero energy

- Asbestos abatement September/October
- Demo old building November
- Begin Construction January 2021
- Completion May/June 2022 to open for 22/23 school year
- Recent bidding on large projects +- \$250 sf

MONTHLY FINANCIAL REPORT
August 31, 2020

				Current Bud vs Actual	Prev Bud vs Actual		
	Description	2020-21 Preliminary	2020-21 YTD	%	%	2019-20 YTD	2019-20 Revised
	Percent of Year completed to date			16.7%	16.7%		
	Percent of 9 month contract complete			8.7%	8.7%		
1	GENERAL FUND (M&O) FUND (10)						
2							
3	REVENUE:						
4	Local						
5	Property	22,255,309	164,114	0.7%	0.0%	0	22,279,801
6	Tuitions	645,000	19,211	3.0%	0.4%	2,718	640,000
7	Inv Earnings	445,000	15,662	3.5%	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	2,460	1.1%	1.4%	1,295	95,000
10	Other	790,000	245,953	31.1%	0.0%	0	1,218,072
11	State	69,695,271	12,076,956	17.3%	9.6%	6,626,603	69,225,000
12	Federal	4,525,000	608,426	13.4%	0.0%	0	4,525,000
13	Misc./ Fund Bal	0					
14	TOTAL M & O						
15	REVENUE	99,265,580	13,132,782	13.2%	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	98,618,928	13,132,782	13.3%	6.7%	6,630,616	99,567,102
21	EXPENDITURES:						
22	Instruction (1000)						
23	Salaries	45,233,157	3,320,728	7.3%	0.0%	12,000	45,233,157
24	Benefits	17,153,955	1,983,909	11.6%	3.9%	670,748	17,153,955
25	Purchased Serv.	2,070,500	563,547	27.2%	12.3%	253,786	2,070,500
26	Supplies/Textbooks	2,503,086	1,794,633	71.7%	9.7%	243,357	2,503,086
27	Equipment	250,000	183,642	73.5%	67.0%	267,898	400,000
28	Other	450,000	0	0.0%	0.0%	0	450,000
29	Total	67,660,698	7,846,459	11.6%	2.1%	1,447,789	67,810,698
30							
31	Student Services (2100)						
32	Salaries	3,189,715	250,163	7.8%	0.2%	7,294	3,189,715
33	Benefits	1,045,807	107,940	10.3%	0.2%	2,293	1,045,807
34	Other	350,000	936	0.3%	0.7%	2,408	350,000
35	Total	4,585,522	359,039	7.8%	0.3%	11,995	4,585,522
36							
37	Instructional Staff (2200)						
38	Salaries	1,396,821	209,983	15.0%	4.9%	65,180	1,316,821
39	Benefits	495,096	90,926	18.4%	5.0%	23,622	470,024
40	Other	450,000	23,087	5.1%	-0.4%	-1,612	450,000
41	Total	2,341,917	323,996	13.8%	3.9%	87,190	2,236,845

MONTHLY FINANCIAL REPORT
August 31, 2020

				Current Bud vs Actual	Prev Bud vs Actual		
	Description	2020-21 Preliminary	2020-21 YTD	%	%	2019-20 YTD	2019-20 Revised
	Percent of Year completed to date			16.7%	16.7%		
	Percent of 9 month contract complete			8.7%	8.7%		
42	District Administration (2300)						
43	Salaries	479,554	55,031	11.5%	7.5%	25,619	339,554
44	Benefits	219,134	33,175	15.1%	7.1%	12,430	175,258
45	Purch Services	178,000	35,014	19.7%	7.7%	13,621	178,000
46	Liabilty Insurance	250,235	0	0.0%	0.0%	0	235,235
47	Supplies	35,000	5,204	14.9%	12.9%	4,514	35,000
48	Other	25,000	20,452	81.8%	76.1%	18,258	24,000
49	Total	1,186,923	148,876	12.5%	7.5%	74,442	987,047
50	School Administration (2400)						
51	Salaries	3,854,303	558,228	14.5%	1.3%	224,351	3,854,303
52	Benefits	1,641,487	228,401	13.9%	1.2%	93,679	1,641,487
53	Prof Serv/Travel	88,000	12,717	14.5%	16.6%	242	88,000
54	Other	15,000	0	0.0%	1.5%	0	15,000
55	Total	5,598,790	799,346	14.3%	5.7%	318,272	5,598,790
56							
57	Business & Support (2500)						
58	Salaries	689,377	108,813	15.8%	7.4%	50,794	689,377
59	Benefits	247,312	42,279	17.1%	8.1%	20,106	247,312
60	Purchased Services	159,665	17,920	11.2%	9.1%	14,586	159,665
61	Other	25,000	6,624	26.5%	0.9%	230	25,000
62	Total	1,121,354	175,636	15.7%	7.6%	85,716	1,121,354
63							
64	Operation & Maintenance (2600)						
65	Salaries	5,039,094	791,058	15.7%	7.7%	355,740	4,607,094
66	Benefits	2,068,328	368,358	17.8%	7.7%	148,259	1,932,939
67	Electricity	959,212	53,159	5.5%	0.3%	2,267	857,397
68	Purchased Service	420,000	145,877	34.7%	14.5%	102,510	705,000
69	Telephone	162,750	36,568	22.5%	30.6%	67,223	220,000
70	Natural Gas	513,838	9,877	1.9%	1.0%	5,000	489,000
71	Prop Insurance	250,329	0	0.0%	0.0%	0	240,698
72	Repair	270,000	49,310	18.3%	27.5%	48,727	177,000
73	Supplies	660,300	233,498	35.4%	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	1,687,705	16.3%	9.8%	1,015,785	10,331,628
77							

MONTHLY FINANCIAL REPORT
August 31, 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				16.7%	16.7%		
Percent of 9 month contract complete				8.7%	8.7%		
78 Transportation (2700)							
79 Salaries	2,866,953	186,068		6.5%	1.2%	33,546	2,866,953
80 Benefits	835,777	99,200		11.9%	1.7%	13,952	835,777
81 Purch Serv	280,000	9,439		3.4%	0.1%	381	280,000
82 Fuel	590,000	6,173		1.0%	0.0%	77	590,000
83 Supplies	357,565	21,850		6.1%	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	1,331,410		22.4%	1.0%	58,640	5,940,295
86 Community Services (3300)							
87 Salary	627,250	82,989		13.2%	1.5%	9,256	627,250
88 Benefits	169,818	27,189		16.0%	2.4%	4,079	169,818
89 Purchased Serv	347,727	1,940		0.6%	129.9%	61,981	47,727
90 Supplies/Util	168,872	11,580		6.9%	17.7%	12,209	68,872
91 Property	87,105	996		1%	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	127,358		8.9%	9.3%	88,588	954,923
86 Total Expenditures	100,213,377	12,799,825		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	12,799,825		12.77%	3.2%	3,188,420	99,567,103

MONTHLY FINANCIAL REPORT
August 31, 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			16.7%	16.7%		
	Percent of 9 month contract complete			8.7%	8.7%		
100	School Activity Fund (21)						
101							
102	REVENUE:						
103	School Deposits	4,400,000	772,230	17.6%	3.6%	154,385	4,300,000
104							
105	Other		0			0	
106	Total Revenue	4,400,000	772,230	17.6%	3.6%	154,385	4,300,000
107	EXPENDITURES:						
108	Purchased Services	902,150	42,175	4.7%	7.3%	41,011	565,000
109	Supplies	2,882,850	334,488	11.6%	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	32,538	10.0%	4.6%	14,951	325,000
112	Total Expenditures						
113	School Activity	4,400,000	413,538	9.4%	8.4%	362,025	4,300,000
114	DEBT SERVICE FUND (31)						
115							
116	REVENUE:						
117	Property Tax	2,805,364	18,676	0.7%	0.0%	0	2,805,364
118	Interest	105,750	5,378	5.1%	0.3%	564	165,000
119	Other						0
120	Total	2,911,114	24,054	0.8%	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	3,237,436	71.5%	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
August 31, 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			16.7%	16.7%		
	Percent of 9 month contract complete			8.7%	8.7%		
130	CAPITAL OUTLAY FUND (32)						
131							
132	REVENUE:						
133	Property Tax	11,105,000	84,546	0.8%	0.0%	0	11,983,675
134	Interest	500,000	28,721	5.7%	0.0%	0	575,000
135	Other	168,000	11,584	6.9%	0.0%	0	158,000
136	State	120,000	13,667			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	139,418	1.2%	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	139,418	1.1%	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	139,418	1.1%	0.1%	9,386	13,444,002

MONTHLY FINANCIAL REPORT
August 31, 2020

				Current Bud vs Actual	Prev Bud vs Actual		
	Description	2020-21 Preliminary	2020-21 YTD	%	%	2019-20 YTD	2019-20 Revised
	Percent of Year completed to date			16.7%	16.7%		
	Percent of 9 month contract complete			8.7%	8.7%		
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	583,708	72.1%	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	58,587	5.0%	0.0%	0	1,200,000
158	Furniture/Equip	1,424,998	520,308	36.5%	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	1,996,966	34.6%	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	827,687	16.6%	0.0%	0	5,100,000
165	Brigham East Elem	800,000	140,625	17.6%	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	968,312	14.6%	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	2,965,278	23.3%	14.7%	1,974,904	13,444,003

MONTHLY FINANCIAL REPORT
August 31, 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			16.7%	16.7%		
	Percent of 9 month contract complete			8.7%	8.7%		
174	SCHOOL FOOD SERVICE FUND (49)						
175							
176	REVENUE:						
177	Lunch Sales	1,395,000	2,995	0.2%	0.1%	929	1,350,000
178	Other Local	6,100	101	1.7%	0.0%	0	6,100
179	State	1,075,000	30,960	2.9%	0.0%	0	1,075,000
180	Federal	2,872,000	258,253	9.0%	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	292,309	5.5%	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	292,309	5.3%	0.0%	929	5,787,057
189	EXPENDITURES:						
190	Salaries	2,190,899	175,883	8.0%	0.7%	15,785	2,190,899
191	Benefits	657,157	74,316	11.3%	0.7%	4,667	657,157
192	Food/Supplies	2,294,000	210,723	9.2%	4.0%	100,659	2,524,000
193	Equipment	60,000	7,895	13.2%	94.1%	111,045	118,000
194	Other Costs	50,000	3,152	6.3%	53.8%	1,075	2,000
195	Dir/Indirect Costs	300,000	139	0.0%	0.0%	0	295,000
196	TOTAL EXPENDITURES SCHOOL						
197	FOODS	5,552,056	472,108	8.5%	4.0%	233,231	5,787,056

MONTHLY FINANCIAL REPORT
August 31, 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			16.7%	16.7%		
	Percent of 9 month contract complete			8.7%	8.7%		
198	Foundation Fund (75)						
199							
200	REVENUE:						
201	Total Revenue	80,000	15,938	19.9%	0.0%	0	80,000
202	Available Revenue	80,000	15,938	19.9%	0.0%	0	80,000
203	EXPENDITURE:						
204	Expenses	80,000	13,214	16.5%	9.8%	13,202	135,000
205	Changes/Desg Fund Bal	0					0
206	TOTAL EXPENDITURE	80,000	13,214	16.5%	9.8%	13,202	135,000
207	Agency Fund (76)						
208							
209	REVENUE:						
210	Agent Services	105,000	2,209	2.1%	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	2,209	2.0%	1.0%	500	47,731
216	EXPENDITURE:						
217	Instruction	0	-5,766			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	-5,766	-5.1%	15.6%	6,700	42,899
223							
224							
225			SUMMARY			SUMMARY	
226							
227	GRAND TOTAL FUNDS AVAILABLE						
228	ALL FUNDS	126,038,205	14,378,940	11.4%	9.7%	12,359,178	128,046,024
229	GRAND TOTAL EXPENDITURE						
230	ALL FUNDS	127,179,596	19,479,797	15.3%	6.8%	8,590,732	127,122,561

POLICY 1160

Superintendent Termination

- A. The Superintendent may be terminated during the term of his or her contract of employment for good and just cause before the completion of the term fixed in the contract upon a vote of two-thirds of the Board.
- B. The Board's decision to terminate or dismiss the Superintendent shall not be based on the Superintendent's exercise of rights guaranteed by the Constitution, or based unlawfully on race, color, religion, sex, national origin, disability, age, pregnancy, childbirth or pregnancy-related conditions, sexual orientation or gender identity. Causes for the termination of the Superintendent may include but are not limited to:
1. Deficiencies pointed out in evaluations, supplemental memoranda, or other communications; or incompetence or inefficiency in the performance of duties; or
 2. Insubordination or failure to comply with board directives, policies or administrative regulations; or
 3. The possession, use, or being under the influence of alcohol, alcoholic beverages, illegal drugs or controlled substances while on school property, acting within the scope of the Superintendent's duties, or attending any school or District-sponsored activity; or
 4. Conviction of a felony or any crime involving moral turpitude; or
 5. Failure to meet the District or State's standards of professional conduct including, but not limited to, inappropriate use of public funds, public intoxication, use of illegal drugs or controlled substances, illegal use of prescription drugs; or
 6. Disability, not otherwise protected by law, that impairs performance of required duties; or
 7. Immorality, which is conduct the Board determines is not in conformity with the accepted moral standards of the community encompassed by the District or any activity, school-connected or otherwise, that, because of publicity given it or knowledge of it among students, faculty, or community, impairs or diminishes the Superintendent's effectiveness in the District; or
 8. Reasons specified in the individual employment contract reflecting special conditions of employment; or

9. Assault on an employee or student; or
 10. Falsification of records or other documents related to the District's activities; or misrepresentation of facts; or
 11. Mismanagement of District property or financial resources; or
 12. Failure to adequately provide for the safety of students.
- C. The Board may, by majority vote, place the Superintendent on leave with pay or place him or her in another position with equivalent pay and such action shall not constitute termination.
 - D. Before the Superintendent is terminated, the Superintendent shall be given reasonable notice, in writing, of the proposed action and the grounds set out in sufficient detail to fairly enable him or her to show any error that may exist. The Superintendent shall be advised of the names of adverse witnesses and the nature of their testimony. The notification shall be by certified mail.
 - E. If, upon written notification, the Superintendent desires to be heard and contest the proposed action of the Board, the Superintendent shall make a written request for a hearing before the Board within 15 days of receiving the written notification. The hearing shall be set on a date that affords the Superintendent reasonable time to prepare an adequate defense but not more than 30 days from the Board's receipt of the written request, unless postponed by mutual consent.
 - F. The Board will conduct the hearing in closed session ([Utah Code § 52-4-205\(1\)](#)) unless the Board and the Superintendent have mutually agreed upon a public hearing during an open session of the Board.
 - G. At the hearing before the Board, the Superintendent may be represented by an advocate of his/her choice. The Superintendent and his or her advocate has the right to hear the evidence upon which the charges are based, to cross-examine all adverse witnesses, and to present evidence of innocence or extenuating circumstances. Prior to termination, the Board shall determine the existence of good cause for termination. Such determination shall be based solely on the evidence presented in the hearing. Termination may be by a majority vote of the Board.
 - H. The Board shall notify the Superintendent of its decision, in writing, within 15 days after the hearing.
 - I. At the discretion of the Board by majority vote, the Superintendent may be placed on leave with pay pending the outcome of the termination hearing.

- J. The President of the Board shall notify the Utah ~~State Board of Education Professional Advisory Commission~~ whenever the Board becomes aware that ~~terminates or takes other employment action against~~ the Superintendent has been determined, in any judicial or administrative proceeding, to have violated any of the Utah Educator Standards ~~and the termination or action is due to a final judicial or administrative determination or determination by the Board of immorality, or of unprofessional conduct, or professional incompetence which results in termination or suspension for more than one week, or which requires mandatory licensing discipline under R277-515, or which otherwise warrants review by the Utah Professional Practices Advisory Commission.~~ If possible, this notification shall be made using the form provided by the UPPAC Executive Secretary. In submitting the notification to UPPAC, the Board 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 Board. 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)

- K. A two-year evaluation cycle will be used incorporating a formative, summative format.

POLICY 1190

District Annual Reports

A. Fiscal year

1. The District's fiscal year begins on July 1 and ends on June 30.

[Utah Code § 53G-4-403\(1\) \(2019\)](#)

B. Annual fiscal audit and report

1. The District's accounts shall be audited annually at District expense by an independent auditor who is a competent certified public accountant. The audit shall be conducted in conformance with the requirements of [Utah Code § 51-2a-102\(2\)](#), and an audit report will be prepared according to the requirements of [Utah Code § 51-2a-102\(3\)](#). **The District shall use fund and program accounting methods and standardized account codes capable of producing financial reports that comply with generally accepted accounting principles, financial reporting requirements established by the State Board of Education under [Utah Code § 53E-3-501](#), and accounting standards established by the state auditor as described in [Utah Code § 51-2a-301](#).** Copies of the audit report shall be submitted as follows:
 2. A copy of the audit report shall be submitted to the State Superintendent of Public Education by October 1.
 3. After any necessary audit adjustments are made to the audit report and verified by the auditor or auditors, the completed audit report shall be delivered to the State Superintendent of Public Education by November 30.
 4. A copy of the completed audit report shall be filed with the State Auditor no later than December 31.

[Utah Code § 51-2a-102 \(2017\)](#)

[Utah Code § 51-2a-201\(1\) \(2017\)](#)

[Utah Code § 51-2a-202 \(2019\)](#)

[Utah Code § 53G-4-404 \(2020\)](#)

[Utah Admin. Rules R277-113-5\(4\) \(June 22, 2018\)](#)

C. Other statistical and financial reports

1. The District shall forward statistical and financial reports for the preceding school year, containing items required by law or by the State Board of Education, to the State Superintendent at the times and in the forms and containing the information required by the State Board of Education.

[Utah Code § 53G-4-403 \(2019\)](#)

[Utah Code § 53G-4-404 \(2019\)](#)

[Utah Admin. Rules R277-484-1 \(August 7, 2017\)](#)

[Utah Admin. Rules R277-484-3 \(August 7, 2017\)](#)

D. Annual letter of assurances

1. Unless authorization for later submission has been obtained from the State Office of Education, by July 1 of each year, the Board shall send the State Superintendent of Public Education the Board's responses to the assurance document and other compliance forms. The Board's assurances document shall contain a signed attestation by the appropriate authority to the accuracy and validity of all responses and assurances provided by the District.

[Utah Admin. Rules R277-108-3 \(November 29, 2018\)](#)

[Utah Admin. Rules R277-108-5 \(November 29, 2018\)](#)

[Utah Admin. Rules R277-108-6 \(November 29, 2018\)](#)

POLICY 3110

District Emergency Response Plan

A. Adoption of Plan

1. Pursuant to [Utah Code § 53G-4-402\(18\)](#), the Board shall adopt and implement a comprehensive emergency response plan to prevent and combat violence in the schools, on school grounds, on school vehicles, and in connection with school-related activities and events. Existing plans shall be modified as needed to conform to the requirements of rules issued by the State Board of Education. Plans shall be reviewed at least once every three years and updated as needed.

[Utah Code § 53G-4-402\(18\)\(a\) \(2020\)](#)
[Utah Admin. Rules R277-400-3\(4\) \(January 22, 2020\)](#)

B. Emergency Response Plan Committee

1. The Board of Education shall appoint a committee to assist with development or revision or review of emergency response plans. The committee shall consist of appropriate school and community representatives and may include administrators, teachers, parents, officers of other governmental entities (municipalities, counties, or others), and fire and law enforcement personnel. The committee shall include representatives of governmental agencies and bodies vested with responsibility for directing and coordinating emergency services on local and state levels.

[Utah Admin. Rules R277-400-3\(3\) \(January 22, 2020\)](#)

C. Contents of Plan

1. The District Comprehensive Emergency Response Plan shall
 - a. include prevention, intervention, and response components;
 - b. be consistent with the student conduct and discipline policies required for school districts by statute;
 - c. require professional learning for all district and school building staff on what their roles are in the emergency response plan;
 - d. provide for coordination with local law enforcement and other public safety representatives in preventing, intervening, and responding to violence in the

- schools, on school grounds, on school vehicles, and in connection with school-related activities and events;
- e. include a process to timely notify staff of a crisis;
 - f. include a student and parent notification policy that uses safe messaging;
 - g. identify one or more SafeUT liaisons to provide information from SafeUT to relevant stakeholders, communicate with SafeUT concerning updates and feedback, and attend the annual SafeUT training provided by the State Superintendent;
 - h. include procedures to notify a student, to the extent practicable, who is off-campus at the time of a school violence emergency because the student is either participating in a school-related activity or excused from school for released-time religious instruction;
 - i. include, to the extent practicable, standards and protections for participants and attendees at school-related activities, including those off school property;
 - j. include measures to assure that during an emergency students receive reasonably adequate educational services and supervision during school hours during an emergency and for education services in an extended emergency situation;
 - k. include evacuation procedures to assure reasonable care and supervision of students until the student is released to a responsible party or as is permitted under State Board of Education regulation;
 - l. address access to school buildings by specific groups, including students, community members, lessees, invitees, and others;
 - m. require individual schools to establish a parent and student reunification plan;
 - n. include measures to assure that students receive emergency preparedness training, including age-appropriate training regarding rescue techniques, first aid, safety measures appropriate to specific emergencies, and other emergency skills;
 - o. establish a multidisciplinary team to identify interventions for students who may be highly impacted by a crisis;

- p. identify and keep a record of crisis response professionals who may assist in crisis response and resources and community partnerships for follow-up or intensive care after a crisis;
- q. identify resources and materials available for emergency training;
- r. contain procedures for assessing and providing school facilities, equipment, and personnel to meet public emergency needs; and
- s. provide procedures for recording District funds spent for emergencies (including funds spent for assessing and repairing damages) and for seeking reimbursement for such expenditures.

[Utah Code § 53G-4-402\(18\)\(b\) \(2020\)](#)

[Utah Admin. Rules R277-400-4\(4\), -5, -6\(1\), -6\(10\), -9, -10\(2\)\(b\), -11\(1\) \(January 22, 2020\)](#)

D. Formulation and Review of Plan

1. In creating the comprehensive emergency resource plan, the Board shall consider and make use of resources provided by the Utah State Board of Education, including the plan models and other resources prepared by the State Board as provided for in [Utah Code § 53G-4-402\(18\)\(c\)](#), recommendations provided by the emergency response plan committee, and may consider such other resources it finds helpful.

[Utah Code § 53G-4-402\(18\)\(c\) \(2020\)](#)

2. The Board may direct individual schools to develop and implement school-specific emergency response plans to supplement the District's plan according to the needs and features of the school.

[Utah Admin. Rules R277-400-3\(2\) \(January 22, 2020\)](#)

3. In cooperation with the appropriate local law enforcement agencies, the District shall establish a parent and student reunification plan for each school in the District. Such plan shall provide for reasonable care and supervision of students until the student is released to a responsible party. Schools shall not release students grade 8 or below unless a parent or other responsible person has been notified and assumed responsibility for the student. A school may release a student grade 9 or above without such notification if a school administrator determines that the student is reasonably responsible and that notification is not practicable.

[Utah Admin. Rules R277-400-6\(10\)\(a\) \(January 22, 2020\)](#)

[Utah Admin. Rules R277-400-5\(1\)\(b\) \(January 22, 2020\)](#)

4. The District emergency response plan shall be reviewed at least once every three years, with the assistance of the District emergency response plan committee appointed by the Board of Education. As part of the review process, each school shall review existing security measures and procedures within that school and make necessary adjustments as funding permits.

[Utah Admin. Rules R277-400-3\(4\) -7\(1\)\(c\) \(January 22, 2020\)](#)

E. Public Notice of Plan

1. A copy of the District emergency response plan and any school emergency response plans shall be filed in the superintendent's office. At the beginning of each school year, written notice of the pertinent portions of the District plan and any school plan shall be provided to the parents or guardians of students at each school and the staff of each school. Each school shall also designate an Emergency Preparedness/Emergency Response week each year before April 30.

[Utah Admin. Rules R277-400-4\(1\), \(2\), \(3\) \(January 22, 2020\)](#)

2. As part of the District's registration and enrollment process, parents shall annually be given a summary of parental expectations and notification procedures relating to the parent and student reunification plan for each school where the parent has students enrolled. This information shall also be published on each school's website.

[Utah Admin. Rules R277-400-6\(10\)\(b\), \(c\) \(January 22, 2020\)](#)

F. Emergency Preparedness Training

1. The Board of Education shall, by July 1 of each year, certify to the State Superintendent that the District emergency response plan has been practiced at the school level and has been presented to and reviewed by the District's teachers, administrators, students and their parents or guardians, and public safety representatives.

[Utah Admin. Rules R277-400-3\(1\) \(January 22, 2020\)](#)

2. The District shall provide annual training to District and school staff on their roles, responsibilities, and priorities in the emergency response plan.

[Utah Admin. Rules R277-400-7\(1\)\(a\) \(January 22, 2020\)](#)

3. Each school shall conduct emergency drills as required by [Utah Admin. Rules R277-400-6](#) and [R277-400-7\(1\)\(b\)](#).

[Utah Admin. Rules R277-400-6, -7\(1\)\(b\) \(January 22, 2020\)](#)

G. Prevention and Intervention

1. The District shall provide schools with curriculum materials regarding comprehensive violence prevention and intervention strategies such as resource lessons and materials on anger management, conflict resolution, and respect for diversity and other cultures. In so doing, the District shall make use of materials and resources provided by the State Board of Education. Schools may also provide age-appropriate instruction on firearm safety, including appropriate steps to take if a student sees a firearm or facsimile firearm at school.
2. To the extent resources permit, the District shall also develop or incorporate care teams, tiered student assistance programs, social-emotional learning, and support through multidisciplinary teams. Multidisciplinary teams, such as care teams, may review school safety related data, conduct threat assessments, consult on case-specific interventions and disciplinary actions, involve parents in the intervention process, and suggest referrals to resources as appropriate. Such teams may include administration personnel, local law enforcement (or a school SRO), a mental health professional, and a general or special education teacher.
3. In developing student assistance programs, the District may coordinate with the State Superintendent and other state agencies.

[Utah Admin. Rules R277-400-8 \(January 22, 2020\)](#)

H. School Building Access

1. With respect to building access during an emergency by various groups (including students, employees, community members, lessees, invitees, and others), the emergency response plan shall consider identified time periods and shall address possession and use of school building keys by designated administrators and employees. The plan may include restricted access for some individuals.

[Utah Admin. Rules R277-400-5\(1\)\(c\) \(January 22, 2020\)](#)

I. Cooperation With Other Government Entities

1. As appropriate, the Board of Education may enter into cooperative agreements with other governmental entities to establish proper coordination and support during emergencies.
2. The Board shall cooperate with other governmental entities to provide emergency relief services in times of public need. For statewide emergencies or emergencies involving more than one school district, the State Superintendent is the chief officer to coordinate assistance by the schools. For emergencies within the school district,

the Board of Education, through the superintendent, is the chief officer to coordinate assistance by the schools.

[Utah Admin. Rules R277-400-10 \(January 22, 2020\)](#)

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 24.0 - 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 (USB E) 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.

*During the COVID-19 pandemic there have been circumstances that have been inconsistent with BESD students being able to complete the full 19.5 required core credits and all of the 10.5 elective credits. On a case-by-case basis (in a PCCR meeting and approval by the principal) if a student has completed the required core credits (19.5) plus at least 3.5 elective credits for a total of 24 credits, the student may receive a BRHS or BEHS diploma.

POLICY 4105

Sex Education

A. The following definitions apply in this policy:

1. "Curriculum materials review committee (committee)" means a committee formed at the District or school level, as determined by the Board of Education, that includes parents, health professionals, school health educators, and administrators, with at least as many parents as school employees. The membership of the committee shall be appointed and reviewed annually by August 1 of each year by the Board, shall meet on a regular basis as determined by the membership, shall select its own officers and shall be subject to the Utah Open and Public Meetings Act.
2. Sex education instruction or instructional programs" means any course material, unit, class, lesson, activity or presentation that, as the focus of the discussion, provides instruction or information to students about sexual abstinence, human sexuality, human reproduction, reproductive anatomy, physiology, pregnancy, marriage, childbirth, parenthood, contraception, HIV/AIDS or other sexually transmitted diseases, or refusal skills. While these topics are most likely discussed in such courses as health education, health occupations, human biology, physiology, parenting, adult roles, psychology, sociology, child development, and biology, this rule applies to any course or class in which these topics are the focus of discussion.
3. "Refusal skills" means instruction
 - a. in a student's ability to clearly and expressly refuse sexual advances (by a minor or by an adult),
 - b. in a student's obligation to stop the student's sexual advances if refused by another individual,
 - c. informing a student of the student's right to report and seek counseling for unwanted sexual advances,
 - d. in sexual harassment, and
 - e. informing a student that a student may not consent to criminally prohibited activities or activities for which the student is legally prohibited from giving

- consent, including the electronic transmission of sexually explicit images by an individual of the individual or another.
4. "Maturation education" means instruction and materials used to provide fifth grade students with age appropriate, medically accurate information regarding the physical and emotional changes associated with puberty, to assist in protecting students from abuse and to promote hygiene and good health practices.
 5. "Medically accurate" means verified or supported by a body of research conducted in compliance with scientific methods and published in journals that have received peer review, ~~where appropriate~~, and recognized as accurate and objective by professional organizations and agencies with expertise in the relevant field, such as the American Medical Association.

[Utah Admin. Rules R277-474-2 \(October 8, 2019\)](#)

[Utah Code § 53G-10-402\(1\) \(2020\)](#)

[Utah Code § 53G-10-403 \(2019\)](#)

B. Sex Education Instruction Requirement

1. Subject to parental permission, a student shall receive sex education instruction on at least two occasions during the period that begins with the beginning of grade 8 and ends with the end of grade 12.

[Utah Code § 53G-10-402\(3\)\(a\) \(2020\)](#)

C. Parental Notification and Permission Form Required for Participation

1. Students may not participate in any sex education instruction or instructional program unless, prior to the student's participation, the school has on file for that student a completed parental notification form relating to that specific instruction or program which indicates that the student's parent authorizes the student to participate. The form shall
 - a. explain a parent's right to review proposed curriculum materials in a timely manner.
 - b. request the parent's permission to instruct the parent's student in identified course material related to sex education or maturation education,

- c. allow the parent to exempt the parent's student from attendance from a class period where the identified sex education or maturation instruction is presented and discussed,
 - d. be specific enough to give parents fair notice of topics to be covered, and
 - e. include a brief explanation of the topics and materials to be presented and provide a time, place and contact person for review of the identified curricular materials.
2. Completed permission forms shall be maintained in the student's education records for a reasonable period of time.

[Utah Code § 53G-10-402\(4\)\(a\) \(2020\)](#)

[Utah Code § 53G-10-403 \(2019\)](#)

[Utah Admin. Rules R277-474-2\(8\) \(October 8, 2019\)](#)

[Utah Admin. Rules R277-474-5\(9\) \(October 8, 2019\)](#)

3. If a student is exempted from participation in sex education or maturation education, the District shall either waive the participation requirement or provide a reasonable alternative to the requirement.

[Utah Admin. Rules R277-474-5\(11\) \(October 8, 2019\)](#)

D. Health and Sex Education Guidelines

1. All health and sex education shall stress the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods of preventing sexually transmitted diseases. The curriculum and education shall also stress personal skills that encourage individual choice of abstinence and fidelity in marriage.
2. At no time may instruction be provided, including responses to spontaneous questions raised by students, regarding any means or methods that facilitate or encourage the violation of any state or federal criminal law by a minor or an adult.
3. Nothing in this policy precludes an educator from responding to a spontaneous question provided that the response is consistent with this policy.

[Utah Code § 53G-10-402\(2\)\(b\), \(e\)\(i\) \(2020\)](#)

4. The following may not be taught in District schools:
 - a. The intricacies of intercourse, sexual stimulation, or erotic behavior;
 - b. The advocacy of premarital or extramarital sexual activity; or
 - c. The advocacy or encouragement of the use of contraceptives methods or devices.

[Utah Admin. Rules R277-474-3\(1\) \(October 8, 2019\)](#)

[Utah Code § 53G-10-402\(2\)\(b\)\(iii\) \(2020\)](#)

E. Sexual Abuse Prevention and Awareness

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

[Utah Code § 53G-9-207\(4\), \(5\) \(2019\)](#)

F. Instructional Staff Training and In-service

1. District staff who have responsibility for some aspect of sex education instruction in the District may include administrators, teachers, counselors, teacher's assistants, or coaches, but are not necessarily limited to those categories.
2. In their first year of service or assignment, all newly hired or newly assigned District staff who have responsibility for any aspect of sex education instruction in the District will attend a State-sponsored in-service outlining the sex education curriculum and the criteria for sex education instruction in any courses offered in the public education system.

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

[Utah Admin. Rules R277-474-3\(5\) \(October 8, 2019\)](#)

[Utah Admin. Rules R277-474-5\(1\), \(2\) \(October 8, 2019\)](#)

G. Sex Education Curriculum Materials Review Committee

1. The Board of Education shall approve a District Sex Education Curriculum Materials Review Committee. This committee shall be composed of parents, health professionals, school health educators, and administrators, with at least as many parent members as school employee members. The Board shall approve the membership of the committee by August 1 of each year.
2. The District Sex Education Curriculum Materials Review Committee shall meet on a regular basis as determined by the members of the committee, shall select officers, shall establish procedures for operation, shall designate a chair, and shall comply with the Utah Open and Public Meetings Act.

[Utah Admin. Rules R277-474-2\(1\) \(October 8, 2019\)](#)

[Utah Admin. Rules R277-474-5\(3\), \(4\), \(5\) \(October 8, 2019\)](#)

H. Review of Guest Presentations Relating to Sex Education

1. Before any guest speaker or guest presenter may present any information in any District course relating to sex education instruction, the speaker and presenter and the materials to be presented must have been approved by the District Sex Education Curriculum Materials Review Committee.
2. The committee shall not authorize the use of any sex education instructional program which has not been previously approved for use in the District as set forth below regarding curriculum approval.

[Utah Admin. Rules R277-474-5\(5\)\(c\), \(6\) \(October 8, 2019\)](#)

I. Adoption of District Sex Education Instructional Materials

1. The Board of Education shall approve the sex education instructional materials which will be used in the District. The Board shall request that the District Sex Education Curriculum Materials Review Committee provide recommendations regarding the sex education instructional materials to be used in the District. Such recommended materials must be medically accurate and must be consistent with the Health and Sex Education Guidelines set forth above. Following recommendations from the Review Committee, the Board shall consider whether to adopt recommended materials at a public meeting which includes a public hearing on the issue. The proposed materials shall have been made available for review by residents of the District a reasonable time in advance of the meeting. If a majority of the Board members present vote to adopt the recommended materials, then the materials may be used in the District. **Following adoption of the materials, a resident of the District may appeal regarding the content of the materials by submitting a written appeal to the Board which specifically explains the resident's objections or concerns regarding the materials. The Board shall refer the appeal to the District Sex Education Curriculum Materials Review Committee for recommendations regarding the response to the appeal. The Board shall review the Committee's recommendations and then determine what action, if any, is appropriate.**
2. Following adoption of sex education instruction materials which have not previously been approved by the State Instructional Materials Commission, the Board shall report such adoption to the State Board of Education. That report shall provide a copy of the materials, documentation of the adoption of the materials at the Board meeting, documentation that the materials are medically accurate, documentation of the committee recommendations, and the Board's rationale for adopting the materials.
3. The Board of Education shall annually review the decision to adopt the sex education instructional materials used in the District, and shall consider whether to continue use of those materials. The Board's review shall include data for each county that the District is located in regarding teen pregnancy, child sexual abuse, and sexually transmitted diseases and infections, and also shall include data on the number of pornography complaints or other instances reported within the District.

[Utah Code § 53G-10-402\(2\)\(g\)\(ii\), \(h\), \(8\) \(2020\)](#)

[Utah Admin. Rules R277-474-6 \(October 8, 2019\)](#)

J. Monitoring of Sex Education Instruction

1. Each school in the District shall log and track all parental or community complaints and comments resulting from student participation in sex education instruction in the school, including disposition of any complaints made. This information shall be provided to District administration on a monthly basis during the school year.
2. District administration shall compile and maintain records of parental or community complaints and comments resulting from student participation in sex education instruction in the District, including disposition of complaints, and shall provide that information to the State Superintendent upon request.

[Utah Admin. Rules R277-474-5\(10\) \(October 8, 2019\)](#)

[Utah Admin. Rules R277-474-7\(3\) \(October 8, 2019\)](#)

POLICY 5036

Admissions and Attendance: Determining Daily Attendance

A. Student Attendance for In-Person Instruction

1. Daily attendance for students receiving instruction in person shall be determined through attendance checks performed and recorded by the school at least once each day.
 - a. In grades pre K-5th, daily attendance will be recorded by the classroom teacher during the morning, before 10:00 a.m. or in accordance with procedures of the individual school.
 - b. In grades 6th-12th daily attendance will be recorded by the classroom teacher at the beginning of each class period.

B. Student Attendance for Live- on-Line Instruction

1. Daily attendance for students receiving instruction on-line in real time shall be determined through attendance checks performed during each day of on-line instruction and recorded by the school.
 - a. In Grades K-5th daily attendance will be recorded by the online teacher. Attendance requirements will be to login to the online classroom during the morning before 9:00 a.m.

C. Student Attendance for On-line Instruction

1. Daily attendance for students receiving instruction on-line but not in real time (including competency- based instruction) shall be determined through records of the student's on-line activity in the instructional materials and resources, based on the student's login, and interaction with the teacher.
 - a. In Grade 6- daily attendance will be recorded by a district employee. Attendance requirements will be to log into Canvas and complete modules and assessments of online course work.
 - b. In Grades 7th -12th daily attendance will be recorded by a district employee. Attendance requirements will be to log into Edgenuity and complete modules and assessments of online course work.

2. All online teachers will correspond with students in some way at least once every ten consecutive school days i.e. email, text, zoom, telephone, face-to-face or other communication opportunities.

POLICY 5053

School Breakfast Program

A. Definitions

1. "Alternative breakfast service model" means a method of serving breakfast to a student after the instructional day begins.
2. "National School Lunch Program" means the same as that term is defined in [7 CFR § 210.2](#).
3. "School Breakfast Program" means the same as that term is defined in [7 CFR § 220.2](#).
4. "Traditional breakfast service model" means a method of serving breakfast to a student before the instructional day begins.

[Utah Code § 53G-9-205.1 \(2020\)](#)

B. Participation in School Breakfast Program

1. Unless granted an undue hardship waiver by the State Board of Education, each school in the District that participates in the National School Lunch Program shall also participate in the School Breakfast Program.

[Utah Code § 53G-9-205.1\(2\), \(3\) \(2020\)](#)

C. Alternative Breakfast Service Model

1. The following requirements apply to District schools who participate in the School Breakfast program but do not apply to a school in which 70% or more of the students who qualify for free or reduced lunch participate in the School Breakfast Program.
2. Beginning with the 2020-21 school year, a school in which 70% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
3. Beginning with the 2021-22 school year, a school in which 50% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.

4. Beginning with the 2022-23 school year, a school in which 30% or more of the students qualify for free or reduced lunch shall use an alternative breakfast service model.
5. A school which is required to use an alternative breakfast service model may also, in addition to that service model, use a traditional breakfast service model.

[Utah Code § 53G-9-205.1\(2\) \(2020\)](#)

POLICY 5055

Vision Screening

- A. A child nine years old entering a public school for the first time in Utah must present one of the following to the school:
 - 1. A completed vision screening form signed by health care professional certifying that the child has received an adequate vision; or
 - 2. A written statement signed by a parent that the child will not be screened before attending public school in the state.
- B. The District shall conduct free vision screening clinics for children who are at least 3 1/2 years old but not yet 16 years old who enrolled at a school within the boundaries of the District pursuant to [Utah Code § 53G-9-404](#).
- C. A volunteer who serves as a vision screener for a free vision screening clinic for a qualifying child must be either trained by a school nurse or complete the Department of Health online training module and must be supervised by a school nurse or and outside entity conducting screening for the District consistent with Department of Health regulations. A vision screening volunteer may not market, advertise, or promote a business in connection with assisting at the screening clinic.
- D. Screening provided under this policy shall follow the procedures and standards set out in [Utah Admin. Rules R384-201](#).

[Utah Code § 53G-9-404 \(2019\)](#)

[Utah Admin. Rules R384-201 \(July 8, 2020\)](#)

POLICY 5100

Student Records

A. Definition/Types

1. For the purposes of this policy, the term “education records” means those records, files, documents, and other materials that contain information directly related to a student and are maintained by an education agency or institution or by a person acting for such agency or institution.
2. The term “education records” does not include:
 - a. Records that contain only information about a student after he or she is no longer a student in the district.
 - b. Records made by district personnel that are kept in the sole possession of the maker and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
 - c. Records maintained by a law enforcement unit of the educational agency or institution that were created by that law enforcement unit for the purpose of law enforcement.
 - d. Records relating to an individual who is employed by an educational agency or institution, that:
 - 1) Are made and maintained in the normal course of business;
 - 2) Relate exclusively to the individual in that individual's capacity as an employee; and
 - 3) Are not available for use for any other purpose.
 - a) Records relating to an individual in attendance at the school who is employed as a result of his or her status as a student are education records and not excepted under paragraph (d).
 - e. Records on a student who is eighteen (18) years of age or older that are:

- 1) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
- 2) Made, maintained, or used only in connection with treatment of the student; and
- 3) Disclosed only to individuals providing the treatment.
 - a) For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

[20 U.S.C. § 1232g](#)
[34 CFR § 99.3](#)
[Utah Code § 53E-9-202 \(2019\)](#)

B. Notification of Significant Data Breach

1. The District shall notify the parent of a student (or the student if the student is an adult) if there is a significant data breach (as defined by the State Board of Education) at the District or a District school.

[Utah Code § 53E-9-304\(2\) \(2020\)](#)

C. Student Identification Number

1. The District shall notify the parent of a student if there is a release of the student's personally identifiable student data due to a security breach.

[Utah Code § 53E-9-304\(2\) \(2019\)](#)

2. The District will not use a social security number as a student's identification number with the District.

[Utah Code § 63G-15-201 \(2012\)](#)

D. Screening Records

1. The principal of each school shall maintain records of screening for special senses and communication disorders and spinal screening for each student in the school. Records shall be open for inspection by the state or local health department.

Individual screening records may be transferred among schools in accordance with provisions below concerning ACCESS BY OTHER PERSONS.

[20 U.S.C. § 1232g](#)

E. Immunization Records

1. The District shall maintain an individual immunization record during the period of attendance for each student admitted. The records shall be open for inspection at all reasonable times by representatives of local health departments or the Utah Department of Health. The District shall cooperate with other districts in transferring students' immunization records between schools. Specific approval from students or parents is not required prior to making such record transfers.

F. Assessment Transfers

1. The results of individual student performance on basic skills assessment instruments or other achievement tests administered by the District are confidential and may be made available only to the student, the student's parent, and to the school personnel directly involved with the student's educational program. However, overall student performance data shall be aggregated by school and District and made available to the public, with appropriate interpretations, at regularly scheduled Board meetings. The information may not contain the names or other identifying information of individual students or teachers.

G. Academic Achievement Record

1. The District shall maintain a student academic achievement record on each student enrolled in the District. This record shall reflect courses of studies completed and shall substantiate the fulfillment of course requirements toward qualifying for high school graduation. A copy of this record shall be furnished to each student transferring to another school district.

H. Access to Education Records

1. Access to the education records of a student who is or has been in attendance at a school in the District shall be granted to the parent of the student who is a minor or who qualifies as a dependent for tax purposes. "Parent" includes a natural parent, a guardian, or an individual acting as a parent in the absence of a parent.

[34 CFR § 99.3](#)

2. The District shall presume that a parent has authority to inspect and review the student's records unless it has been provided with evidence that there is a court order, state statute, or legally binding document that specifically revokes these rights.

[34 CFR § 99.4](#)

3. Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

[34 CFR § 99.5 \(a\)\(1\)](#)

[34 CFR § 99.3](#)

4. If material in the education record of a student includes information on another student, only the portion of the material relating to the student whose records were requested may be inspected and reviewed.

I. Request Procedure

1. Upon request of a properly qualified individual, access to a student's education record shall be granted within a reasonable period of time, not to exceed forty-five (45) days. The District shall respond to reasonable requests for explanations and interpretations of the records.

[34 CFR § 99.10](#)

J. Access by Other Persons

1. Personally identifiable information in education records shall not be released without the written consent of the student's parents, except to the following:
 - a. School officials including teachers, who have legitimate educational interests. An administrator or teacher is entitled to access to a student's medical records maintained by the District only if he or she has completed in-service training.
 - 1) In addition, a school employee may only access a student's records if that employee is included on the list of authorized employees and if federal and state privacy laws otherwise authorize the access.

[Utah Code § 53E-9-204\(4\)\(a\) \(2019\)](#)

- b. Officials of other schools or school systems in which the student seeks or intends to enroll, provided that the District either:
 - 1) Includes in its policies a statement that notifies the parent or student that it forwards education records on request of the other school to such officials; or
 - 2) Makes a reasonable attempt to notify the parent (unless the record transfer is initiated by the parent.)
 - a) In either case, the District shall furnish a copy of the transferred records to the parent if requested, and give the parent an opportunity for a hearing to challenge the content of the record.
- c. Authorized representatives of the Comptroller General of the United States, the Secretary of Education, or state and local educational authorities who require access to student or other records necessary in connection with the audit and evaluation of federal or state-supported education programs or in connection with the enforcement of or compliance with federal legal requirements that relate to such programs.

[34 CFR § 99.31](#)
[34 CFR § 99.35](#)
- d. Personnel involved with a student's application for, or receipt of, financial aid.
- e. State and local officials to whom such information is specifically required to be reported or disclosed by state statute.
- f. Organizations conducting studies for educational agencies or for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction. Such studies must be conducted so that personal identification of students and their parents will not be revealed to persons other than authorized personnel of the organizations conducting the studies. Such information must be destroyed when no longer needed for the original purposes of the studies.
- g. Accrediting organizations that require the information for purposes of accreditation.
- h. Parents of a student who qualifies as a dependent for tax purposes.
- i. Appropriate persons who, in an emergency, must have such information in order to protect the health or safety of the student or other person.

- j. Any person requesting directory information, as defined in local policy, after the District has given public notice of that definition.

[34 CFR § 99.31](#)
[34 CFR § 99.37](#)

2. In order for personally identifiable information in education records to be released to any individual, agency, or organization other than to the student and those listed above, written consent must be obtained from the student's parent. Such consent shall specify records to be released, the reason for such release, and to whom the records are to be released. Such information may also be released in compliance with a judicial order or subpoena provided that the District makes a reasonable effort to notify the parent and student of the order or subpoena in advance of compliance.

[34 CFR § 99.31](#)

K. Transfer Not Permitted

1. Personal information from student education records shall be transferred to a third party only on the condition that such party will not permit any other party to have access to such information without the written consent of the student's parent.

L. Notice of Behavior that may Threaten Safety

1. Notwithstanding any other provision of this policy, in the event a student is expelled for a period of more than ten (10) days for use or distribution of alcohol or a controlled substance, or for possession of an incendiary device or firearm, a record stating the cause of expulsion shall be created and provided only to the following persons:
 - a. The principal and vice-principal over students in any alternative educational setting where the student will be educated;
 - b. Any teachers of the student in the alternative education placement; and
 - c. Counselors in any school where the student attends who may provide counseling services to the student.
2. If appropriate, the record shall state also any appropriate precautions to be observed in the education of the student.

3. The Board finds that dissemination of such information to those persons identified is necessary to provide an appropriate and safe education to the student of the District. The District shall not provide copies of such private records to any persons except those identified and the parent of the student without a court order.
4. If the student is education pursuant to an Individual Education Program, then the record shall be considered by the Individual Education Program Team to determine an appropriate placement in the least restrictive environment consistent with safety and well-being of all students in the District.
5. A copy of this policy shall be made available to parents and students upon request.

M. Record of Access to Student Record

1. Each school shall maintain a record, kept with the education record of each student that indicates all individuals, agencies, or organizations that have requested or obtained access to a student's education records. The records shall include at least the name of the person or agency that made the request and the legitimate interest the person or agency had in the information. The record will be maintained as long as the District maintains the student's education record. The record of access shall be available only to parents, school officials responsible for custody of the records, and those state, local, and federal officials authorized to audit the operation of the system.

[20 U.S.C. § 1232g](#)

2. The record shall not include requests for access by, or access granted to, parents of the student or officials of the District, requests accompanied by prior written consent of the parent, requests for directory information, or a party seeking or receiving the records as directed by a Federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

[34 CFR § 99.32](#)

N. Right to Amend Records

1. The parent of a student whose records are covered by this policy may ask the District to amend the student's record if the parent believes it contains information that is inaccurate, misleading, or in violation of the student's right of privacy or other rights. If, after a reasonable time, the District decides not to amend the education

records requested, it shall inform the parent of its decision and his right to a hearing to challenge the content of the student's education records.

2. If the District decides to amend the records as a result of the hearing, it shall inform the parent in writing. If, as a result of the hearing, the District decides not to amend the records, it shall inform the parent of the right to place a statement in the records commenting on the contested information and/or stating why the parent disagrees with the decision of the District. Any explanation shall be maintained with the contested part of the record as long as the record is maintained and shall be disclosed whenever the contested portion of the record is disclosed.

[34 CFR § 99.20](#)

[34 CFR § 99.21](#)

O. Annual Notification of Rights

1. The District shall give parents of in-attendance students or the in-attendance students themselves annual notification of their rights under the [Family Educational Rights and Privacy Act of 1974](#) and of the places where copies of this policy may be located. The District shall effectively notify parents or eligible students who are disabled. The District shall effectively notify parents who have a primary or home language other than English. The notice must include:
 - a. The procedure for exercising the right to inspect and review education records.
 - b. The procedure for requesting amendment of records.
 - c. A specification of criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

[20 U.S.C. § 1232g\(e\)](#)

[34 CFR § 99.7](#)

P. Directory of Information

1. The District may release information if it has given public notice of:
 - a. The types of personally identifiable information that it has designated as directory information.
 - b. The right of the parent to refuse to permit the District to designate any or all of that information about the student as directory information.

- c. The period of time within which the parent must notify the District in writing that he or she does not want any or all of those types of information about the student designated as directory information.

[34 FR § 99.37](#)

Q. Directory Information

1. Directory information may include a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received, and the most recent previous school attended by a student.
2. Directory information shall be released to any individual or organization that files a written request with the Superintendent or designee.

[20 U.S.C. § 1232g](#)
[34 CFR § 99.3](#)

R. Fee for Copies

1. No fee shall be charged to search for or to retrieve the education records of a student. A fee may be charged for copies of education records that are made for the parents or students under this policy provided that the fee does not effectively prevent them from exercising their right to inspect and review those records. Hardship cases shall be dealt with on an individual basis.

[20 U.S.C. § 1232g](#)
[34 CFR § 99.11](#)

S. Records of Students with Disabilities

1. The District shall permit parents to inspect and review education records collected, maintained, or used for purposes of identifying, evaluating, placing, or educating students with disabilities.

[34 CFR § 300.501\(a\)](#)

T. Access Rights

1. In addition to policies applicable to all student records, the following guidelines shall apply when parents request to review or inspect District records relating to the education of their child:

2. Parents may request that a representative inspect and review the records.

[34 CFR § 300.613\(b\)\(3\)](#)

3. The District shall comply to requests without unnecessary delay and before any meeting regarding an individual education plan (IEP) or hearing relating to the identification, evaluation, or placement of the child.

[34 CFR § 300.613\(a\)](#)

4. The District shall keep a record of persons obtaining access to these student records (except access by parents and authorized employees) including name, date of access, and the purpose for which the person is authorized to use the records.

[34 CFR § 300.614](#)

U. Parental Consent

1. Parental consent must be obtained before personally identifiable information is used for any purpose other than meeting a requirement under the [Individuals with Disabilities Education Act \(IDEA\)](#) or disclosed to anyone other than officials of agencies collecting or using this information. The District may not release information from these records without parental consent except as provided in the [Family Educational Rights and Privacy Act \(FERPA\)](#).

[34 CFR § 300.622](#)

2. No student shall be required without parental consent to submit to testing or treatment or psychiatric examination of which the primary purpose is to reveal information concerning:
 - a. political affiliations or philosophies (except as provided in Policy ECF);
 - b. mental or psychological problems;
 - c. sexual behavior, orientation, and/or attitudes/
 - d. illegal, anti-social, self-incriminating or demeaning behavior;
 - e. critical appraisals of close family members;
 - f. any legally privileged information;

- g. income (except as required to receive financial assistance or fee waivers);
and
 - h. religious affiliations or beliefs.
3. The parent shall be notified in writing of the means and purposes of the testing and the person(s) doing the testing at least two weeks, but not more than five months, before information protected by this policy is sought. This written notice must include an internet address where the parent can view the exact test or survey to be administered.
 4. The data collected through an authorized test or survey is a private record which may not be shared except in accordance with the Family Educational Rights and Privacy Act ("FERPA").

[20 USC § 1232h](#)
[Utah Code § 53E-9-203 \(2020\)](#)

V. Confidentiality

5. The District shall protect the confidentiality of personally identifiable information in collection, storage, disclosure, and destruction of records. One official in the District shall assume responsibility for ensuring confidentiality of personally identifiable information. All persons collecting or using this information shall receive training or instruction concerning the legal requirements involved in handling these records. The District shall maintain for public inspection a current listing of the names and positions of employees who may have access to this information.

[34 CFR § 300.623](#)

W. Destruction of Information

1. The District shall inform parents when personally identifiable information pertaining to students with disabilities education is no longer needed to provide educational services to the student. Such information shall be destroyed on request of the parent. A permanent record of the student's name, address, and phone number, grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limit.

[34 CFR § 300.624](#)

X. Comprehensive System

1. The Superintendent shall develop and maintain a comprehensive system of student records and reports dealing with all facets of the school program operation. These data and records shall be stored in a safe and secure manner and shall be conveniently retrievable for use by authorized school personnel.
2. A cumulative record shall be maintained for each student from entrance into District schools until withdrawal or graduation from the District.
3. This record shall move with the student from school to school and be maintained at the school where currently enrolled until graduation or withdrawal. Records for non-enrolled students shall be retained for the period of time required by law. No permanent records may be destroyed without explicit permission from the Superintendent.

Y. Custodian of Records

1. The Principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of records for students who have withdrawn or graduated. The student handbook distributed annually to all students and parents shall contain a listing of the addresses of District schools, as well as the Superintendent's business address.

Z. Types and Locations of Records

1. Each record custodian, at the location listed in the student handbook, shall be responsible for the education records of the District. These records may include:
 - a. Admissions data, personal and family data, including certification of date of birth.
 - b. Standardized test data, including intelligence, aptitude, interest, personality, and social adjustment ratings.
 - c. All achievement records, as determined by tests, recorded grades, and teacher evaluation.
 - d. Health services records, including:
 - 1) The results of any tuberculin tests administered by the District.
 - 2) The findings of screening or health appraisal programs the District conducts or provides.

- 3) Information and follow-up to ensure that parents have been notified of identified problems and of how they can obtain needed services for the students.
- 4) Immunization records.
- 5) Attendance records.
- 6) Student questionnaires.
- 7) Records of teacher, counselors or administrative conferences with the student or pertaining to the student.
- 8) Verified reports of serious or recurrent behavior patterns.
- 9) Copies of correspondence with parents and others concerned with the student.
- 10) Records transferred from other districts the student has been enrolled in.
- 11) Records pertaining to participation in extracurricular activities.
- 12) Information relating to student participation in special programs.
- 13) Records of fees assessed and paid.
- 14) Other records that may contribute to an understanding of the student.

AA. Request Procedures

1. The cumulative record shall be made available to the parent. Records may be reviewed during regular school hours upon written request to the record custodian. The record custodian or designee shall be present to explain the record and to answer questions. The confidential nature of the student's records shall be maintained at all times, and the records shall be restricted to use only in the Superintendent's, Principal's, or counselor's office, or other restricted area designated by the record custodian. The original copy of the record or any document contained in the cumulative record shall not be removed from the school.

BB. Student Rights

1. Whenever a student has attained eighteen (18) years of age or is attending an institution of post-secondary education, the rights accorded to, and consent required of, parents transfer from the parents to the student.

[34 CFR § 99.5\(a\)\(1\)](#)

[34 CFR § 99.3](#)

[34 CFR § 300.625](#)

[Utah Code § 53E-9-204\(4\)\(b\)\(ii\) \(2019\)](#)

CC. Access by School Officials

1. For the purposes of this policy, "school officials" shall mean any employees, trustees, or agents of the District, of cooperatives of which the District is a member, or of facilities with which the District contracts for placement of students with disabilities. The term also includes attorneys, consultants, and independent contractors who are retained by the District, by cooperatives of which the District is a member, or by facilities with which the District contracts for placement of students with disabilities.
2. School officials have a "legitimate educational interest" in a student's records when they are working with the student, considering disciplinary or academic actions, or developing a student with disabilities' individual education plan; compiling statistical data; or investigating or evaluating programs.

[34 CFR § 300.622\(b\)\(1\)](#)

DD. Access by Parents

1. Parents may be denied copies of records after the student reaches age eighteen (18) and no longer qualifies as a dependent for tax purposes, when the student is attending an institution of post-secondary education, or if the parents fail to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record shall be provided at no charge.

EE. Access by School Employees

1. Each school within the District shall create and maintain a list that includes the name and position of each school employee who is authorized to have access to student education records. This list shall be provided to the Board of Education and whenever the list is updated the updated list shall be provided to the Board of Education.

2. Each person included on the list of employees authorized to have access to student education records shall complete training on student privacy laws and upon completion of such training shall sign a statement certifying that the employee completed the training and that the employee understands student privacy requirements. Each employee training certification statement shall be provided to the Board of Education
3. Unless written consent has been given by the student's parent (or the student is over 18 years of age) the school may only share student education records with or allow access to such records by those school employees included on the list of employees authorized to access student education records.

[Utah Code § 53E-9-204 \(2019\)](#)

FF. Transcripts and Transfers of Records

1. A school shall request a certified copy of a transfer student's record, directly from the transfer student's previous school, within fourteen (14) days after enrolling the transfer student unless the student is a military child (see below).
2. The District shall promptly forward education records upon request to officials of other schools or school systems in which the student intends to enroll within thirty (30) school days of the request, unless the student is a military child (see below).

[Utah Code § 53G-6-604 \(2018\)](#)

GG. Military Child's Records

1. If the parent of a military child requests an official education record and the school is unable to release the official education record, the school shall provide the parent of the military child with an unofficial education record.
2. If a school requires an official education record in order to enroll a student, the school shall enroll and appropriately place a military child based on information in an unofficial record pending validation by an official record.
3. A school that enrolls a military child shall request a certified copy of a military child's official education record, directly from the military child's previous school, simultaneously with enrolling the military child.
4. If a school receives a request to forward a certified copy of a military child's official education record, the school shall comply within ten (10) days of the request.

5. "Military child" means a child enrolled in kindergarten through grade 12 who is in the household of an active duty service member. An "active duty service member" is an individual on full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders.

[Utah Code § 53E-3-903\(1\) \(2019\)](#)

[Utah Code § 53E-3-905\(1\), \(2\) \(2018\)](#)

HH. Records of a Missing Child

1. Upon notification by the Criminal Investigations and Technical Services Division of the Department of Public Safety ("division") of a missing child, the school in which that child is currently or was previously enrolled shall flag the record of that child in a manner that whenever a copy of or information regarding the record is requested, the school is alerted to the fact that the record is that of a missing child.
2. The school shall immediately report any request concerning flagged records or knowledge as to the whereabouts of any missing child to the division. The school may not forward the record to the new school.
3. Upon notification by the division that a missing child has been recovered, the school shall remove the flag from that child's record.

[Utah Code § 53G-6-602 \(2018\)](#)

II. The Records Responsibility for Students with Disabilities

1. The official responsible for ensuring the confidentiality of any personally identifiable information in student with disabilities records shall be the Superintendent.
2. A current listing of names and positions of persons who have access to student with disabilities records is maintained at the office of the Superintendent.

JJ. Procedure to Amend

1. Within fifteen (15) school days of the record custodian's receipt of a request to amend records, the District shall notify the parents in writing of its decision on the request and, if the request is denied, of their right to a hearing. If a hearing is requested, it shall be held within ten school days after the request is received. Parents shall be notified in advance of the date, time, and place of the hearing.

2. An administrator who is not responsible for the contested records and who does not have a direct interest in the outcome of the hearing shall conduct the hearing. The parents shall be given a full and fair opportunity to present evidence, and at their own expense, may be assisted or represented at the hearing. The parents shall be notified of the decision in writing within ten school days of the hearing. The decision shall be based solely on the evidence presented at the hearing and shall include a summary of the evidence and reasons for the decision. If the decision is to deny the request, the parents shall be informed that they have 30 school days within which to exercise their right to place in the record a statement commenting on the contested information and/or stating any reason for disagreeing with the District's decision.

I. Notice of Parent and Student Rights

[Family Education Rights and Privacy Act, 20 U.S.C. § 1232g](#)

1. The Box Elder School District maintains general education records required by law. A student's school records are private and are protected from unauthorized inspection or use. A cumulative record is maintained for each student from the time the student enters the District until the student withdraws or graduates. This record moves with the student from school to school.
2. By law, both parents, whether married, separated, or divorced, have access to the records of a student who is a minor or a dependent for tax purposes, as do students who are eighteen (18) years of age or older. A parent whose rights have been legally terminated will be denied access to the records if the school is given a copy of the court order terminating these rights.
3. The principal is custodian of all records for currently enrolled students at the assigned school. The Superintendent is the custodian of all records for students who have withdrawn or graduated. Records may be reviewed during regular school hours. The record custodian or designee will respond to reasonable requests for explanation and interpretation of the records. The address of the Superintendent's office is: 960 South Main, Brigham City, UT 84302.
4. The addresses of the Principals' offices are:

Bear River High School	1450 S Main, Garland, UT 84312
Bear River Middle School	300 E 1500 S, Garland, UT 84312
Alice C. Harris Intermediate School	515 N 800 W, Tremonton, UT 84337
Box Elder High School	380 S 600 W, Brigham City, UT 84302
Box Elder Middle School	18 S 500 E, Brigham City, UT 84302
Adele C. Young Intermediate School	830 Law Dr., Brigham City, UT 84302
Dale Young Community High School	230 W 200 S, Brigham City, UT 84302
Early Learning Center	2275 N 3900 W, Corinne, UT 84307

Century Elementary	5820 N 4800 W, Bear River City, UT 84301
Discovery Elementary	820 N 500 W, Brigham City, UT 84302
Fielding Elementary	50 W Main, Fielding, UT 84311
Foothill Elementary	820 N 100 E, Brigham City, UT 84302
Garland Elementary	450 S 100 W, Garland, UT 84312
Grouse Creek Elementary and Secondary	76785 W 11900 N, Grouse Creek, UT 84313
Lake View Elementary	851 S 200 W, Brigham City, UT 84302
McKinley Elementary	120 W 500 S, Tremonton, UT 84337
Mountain View Elementary	650 E 700 S, Brigham City, UT 84302
North Park Elementary	50 E 700 N, Tremonton, UT 84337
Park Valley Elementary and Secondary	788 Education Dr., Park Valley, UT 84329
Snowville Elementary	PO Box 669, Snowville, UT 84336
Three Mile Creek Elementary	2625 S 1050 W, Perry, UT 84302
Willard Elementary	40 W 50 S, Willard, UT 84340

5. Parents of a minor or a student who is a dependent for tax purposes, the student (if 18 or older), and school officials with legitimate educational interests are the only persons who have general access to a student's records. "School officials with legitimate educational interests" include any employees, agents, or Board Members of the District, or of cooperatives of which the District is a member,' or of facilities with which the District contracts for placement of students with disabilities, as well as their attorneys and consultants, who are (1) working with the student; (2) considering disciplinary or academic actions, the student's case, or a student with disabilities' individual education plan; (3) compiling statistical data; or (4) investigating or evaluating programs.
6. Certain other officials from various governmental agencies may have limited access to the records. The District forwards a student's records on request to a school in which a student seeks or intends to enroll without the necessity of the parent's permission. Parental consent is required to release the records to anyone else. When the student reaches eighteen (18) years of age, he or she has the right to consent to release of records transfers to the student.
7. The parent's or student's right of access to, and copies of, student records does not extend to all records. Materials such as, but not limited to, teachers' personal notes on a student that are shared only with a substitute teacher and records on former students do not have to be made available to the parents or students.
8. Students over eighteen (18) and parents of minor students may inspect the student's records and request a correction if the records are inaccurate, misleading, or otherwise in violation of the student's privacy or other rights. If the District refuses

the request to amend the records, the requestor has the right to a hearing. If the records are not amended as a result of the hearing, the requestor has 30 school days to exercise the right to place a statement commenting on the information in the student's record. Although improperly recorded grades may be challenged, parents and students are not allowed to contest a student's grade in a course through this process. Parents or students have the right to file a complaint with the U.S. Department of Education if they feel that the District is not in compliance with the law regarding student records.

9. Copies of student records are available at the reasonable current rate per page, payable in advance. Parents may be denied copies of student's records (1) after the student reaches age eighteen (18) and is no longer a dependent for tax purposes; (2) when the student is attending an institution of post-secondary education; or (3) if the parent fails to follow proper procedures and pay the copying charge. If the student qualifies for free or reduced-price lunches and the parents are unable to view the records during regular school hours, upon written request of the parent, one copy of the record will be provided at no charge.
10. Certain information about District students is considered directory information. This information will be released to anyone who follows procedures for requesting it, unless the parent objects to the release of any or all directory information about his child. In connection with receiving federal funding, the District is also required by law to provide requesting military recruiters with secondary student names, addresses and telephone numbers unless the parent objects to the release of that information. (The same objection may be used for both general directory information release and release to military recruiters.) This objection must be made in writing to the Principal within ten school days after the issuance of this notice. Directory information includes: a student's name, address, telephone number, date and place of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, awards received in school, and most recent previous school attended.
11. The District's complete policy regarding student records is available from the Principal's or Superintendent's office.

[20 U.S.C. § 1232g\(e\)](#)
[Utah Code § 53E-9-202\(2\) \(2019\)](#)
[20 U.S.C. § 7908](#)

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 \(2020\)](#)

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 ~~a controlled substances~~ ~~or~~ drug paraphernalia, ~~and the use, possession, or distribution a tobacco product, of an~~ electronic cigarette product, ~~tobacco~~ or ~~an~~ 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~~ state law.

[Utah Code § 53G-8-209 \(2020\)](#)

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, drug paraphernalia, a tobacco product, an electronic cigarette product, or an alcoholic beverage 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 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.

[Utah High Schools Activities Association Handbook 2019-20, Bylaws Art. 2](#)

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 \(December 8, 2016\)](#)

[Utah High Schools Activities Association Handbook 2019-20, Bylaws Art. 2, Sec. 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 products, (including electronic cigarette 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\(2\) \(2020\)](#)

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 5140

Education and Family Privacy Rights

- A. Except as permitted below for crisis intervention, the School District prohibits the administration of any psychological or psychiatric examination, test, treatment, survey, analysis or evaluation, or the obtaining or disclosing of defined information in curriculum or other school activities unless the student's parent has been given prior written notice and the School District has obtained consent as defined in this policy if such disclosure would tend to reveal information concerning the student's or a family member's:
1. political affiliations or philosophies;
 2. mental or psychological problems;
 3. sexual behavior, orientation, or attitudes;
 4. illegal, anti-social, self-incriminating, or demeaning behavior;
 5. critical appraisals of individuals with whom the student or family member has close family relationships;
 6. religious affiliation or beliefs;
 7. legally recognized privileged and analogous relationships, such as those with attorneys, medical professionals, religious clerics, or ministers;
 8. Income, except as otherwise required by law.

[Utah Code § 53E-9-203\(1\) \(2020\)](#)

- B. At least two weeks before the identified information is obtained or disclosed, the parent of the affected student shall be given written notice of intent to obtain or disclose requested information, unless the matter has been reported to the Division of Family Services.

[Utah Code § 53E-9-203 \(2020\)](#)

- C. The notice to the parent shall state the availability of written information concerning:
1. the nature of records or information about relationships that have been requested for examination;

2. the means by which the information shall be examined;
 3. a copy of any questions to be asked of the student in obtaining the desired survey information to be made available to the school;
 4. the means by which the information is to be obtained;
 5. the identity of the person(s) or entity requesting release of the information;
 6. the purposes for which the records are needed;
 7. a method by which the parent of a student can grant permission to access or examine the personally identifiable information.
- D. If express written consent from the parent has not been obtained authorizing the collection or release of information and documents defined above, such documents and information shall not be obtained or disclosed.

[Utah Code § 53E-9-203\(2\), \(4\) \(2020\)](#)

E. Term of Consent

1. Unless specifically stated otherwise in the authorization, the authorization is valid only for the activity for which it was granted. However, the school district is authorized to request parental authorization that shall be valid until the commencement of the subsequent school year or until the student withdraws from the program in which such testing, evaluation, or survey is conducted.

[Utah Code § 53E-9-203\(5\)\(c\) \(2020\)](#)

F. Permitted Crisis Intervention

1. Notwithstanding the prohibitions stated above, if a school employee, agent, or resource officer believes a student is at risk of (a) attempting suicide, (b) physical self-harm, or (c) harming others, then the employee, agent, or officer 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.

[Utah Code § 53E-9-203\(7\) \(2020\)](#)

G. Private Information

1. The data collected through an authorized test or survey is a private record which may not be shared except in accordance with the Family Educational Rights and Privacy Act (“FERPA”). Such data also may not be included in a student’s Student Achievement Backpack, as that term is defined in [Utah Code § 53E-3-511](#).

[Utah Code § 53E-9-203\(10\) \(2020\)](#)

Policy 5270
Student Rights and Responsibilities
Bullying, Cyberbullying, Hazing, and Abusive Conduct

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 student 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, at 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 and Abusive Conduct Prohibited

1. No student may engage in bullying of a student or school employee on school property, at a school related or sponsored event, on a school bus, at a school bus stop, or while the student is traveling to or from a school location or school related or sponsored event. No student may engage in abusive conduct.
2. Students who engage in bullying or abusive conduct are in violation of this policy and verified **violations infractions** shall result in disciplinary action up to and including expulsion, consistent with the District's [Safe Schools Policy 5005](#).
3. Anonymous reports of bullying or abusive conduct alone cannot constitute the basis for formal disciplinary action.
4. The school or District may also report ~~students who engage in bullying or abusive conduct~~ **infractions** to law enforcement if that is permitted by [Utah Code § 53G-8-211](#).

[Utah Code § 53G-9-605 \(2019\)](#)

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

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

C. Hazing and Cyberbullying Prohibited

1. No student may engage in hazing or cyberbullying of a student or of a school employee at any time or at any location.
2. Students 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 expulsion as well as suspension or removal from a school-sponsored team or activity, including school sponsored transportation, consistent with the District's [Safe Schools Policy 5005](#).
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 ~~students who engage in hazing or cyberbullying~~ infractions to law enforcement if that is permitted by [Utah Code § 53G-8-211](#).

[Utah Code § 53G-9-605 \(2019\)](#)

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

D. Retaliation Prohibited

1. No ~~school employee or~~ student 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. Students who engage in retaliation are in violation of this policy and **for verified infractions** are subject to disciplinary action up to and including expulsion, consistent with the District's [Safe Schools Policy 5005](#). ~~Anonymous reports of bullying, abusive conduct, cyberbullying, or retaliation alone cannot constitute the basis for formal disciplinary action.~~
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 student may make a false allegation of bullying, abusive conduct, cyberbullying, hazing, or retaliation against a school employee or student.
2. Students who engage in making such false allegations are in violation of this policy and verified violations shall result in disciplinary action up to and including expulsion, consistent with the District's [Safe Schools Policy 5005](#).

[Utah Code § 53G-9-605\(3\)\(d\) \(2019\)](#)
[Utah Admin. Rules R277-613-4\(1\)\(a\) \(July 9, 2018\)](#)

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\(12\) \(May 26, 2020\)](#)

[Utah Admin. Rules R277-613-6\(7\) \(May 26, 2020\)](#)

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.~~
- 4) 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 students' 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 ofr students, employees, and parents;
- 5) Complement the suicide prevention program required for students and the suicide prevention training required for licensed educators; and
- 6) 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 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\(1\)\(b\) \(2020\)](#)

- g. The principal or designee responsible for reviewing and investigating allegations of bullying, cyberbullying, hazing, and retaliation shall receive training on conducting a review and investigation as provided for in this policy.

[Utah Admin. Rules R277-613-5\(1\)\(b\) \(May 26, 2020\)](#)

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 student conduct handbooks, shall be provided to the parent of each student enrolled in the District, and shall be available on the District website.
2. Each student 8 years of age and older and a parent of each student enrolled in the District shall annually provide a signed statement stating that the student and parent 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 5350

Student Complaints - Resolution

A. Purpose

1. The purpose of this policy is to facilitate prompt and equitable resolution of student complaints, including those alleging discrimination on the basis of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status at the appropriate level.

B. Exclusions

1. Student complaints regarding instructional materials, removal to alternative education programs, expulsion, prior review of non-school materials intended for distribution to students, or special education appeals are covered by separate procedures. Student complaints relating to sexual harassment (which is on form of sex discrimination) are addressed using the procedure in [Policy 5275 Sexual Harassment](#) instead of the procedure in this policy. (Student complaints about other forms of sex discrimination can be raised under this policy.)

C. Aggrieved Students

1. A student aggrieved by a violation of a constitutional, statutory, or common law right, or a violation of a rule adopted by the State Board of Education or a policy adopted by the Board shall be afforded a hearing in accordance with applicable law and as provided in this policy. 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.

D. Presentations and Hearings

1. In most circumstances, students shall be entitled to administrative conferences and informal presentations of the complaint to the Board as outlined in this policy.

E. Representation

1. The student may be represented by an adult at any level of the complaint.

2. If the complaint involves a problem with a teacher, the student shall in most circumstances be expected to discuss the matter with the teacher before requesting a conference with the principal at Level One.

F. Level One

1. A student who has a complaint shall request a conference with the principal within ten calendar days of the time the student knew, or should have known, of the event or series of events causing the complaint. The principal shall schedule and hold a conference with the student within five days.

G. Level Two

1. If the outcome of the conference with the principal is not to the student's satisfaction, the student has ten calendar days to request a conference with the superintendent or designee who shall schedule and hold a conference. Prior to or at the conference, the student shall submit a written complaint that includes a statement of the complaint and any evidence in its support, the solution sought, the student's signature, and the date of the conference with the principal.

H. Level Three

1. If the outcome of the conference with the superintendent or designee is not to the student's satisfaction, the student may present the complaint to the Board. Students shall request time on the agenda for the next board meeting through the superintendent. The student shall, at least 5 days before the meeting, provide a written statement identifying specifically the claimed violation and the relief requested.
2. The Board shall designate a portion of its regular monthly meeting to hear student complaints. The board president may set reasonable time limits on complaint presentations. The Board shall listen to the complaint, but is not required to respond or take action on the matter unless the complaint is from an aggrieved party and the meeting with the Board is a hearing as required by law it determines that is appropriate.

I. Closed Hearing

1. If the complaint involves complaints or charges about another person, the complaint shall be heard by the Board in a closed meeting unless the other person complained about requests the meeting to be public.

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.

Policy 1036
Reviewed
July 13, 2016
First Reading
August 12, 2020
Second Reading
September 9, 2020

- 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. Identification of the complainant as a student, employee or other person participating in or attempting to participate in a District program or activity;
 - c. Date(s) of incident(s) giving rise to the complaint;
 - d. Name(s) of respondent(s);
 - e. Description of the conduct or incident(s) giving rise to the complaint;

- f. Description of the harm caused by the incident; and
- g. 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;
 - c) The conduct alleged did not occur against a person in the United States; or
 - d) The complainant is not enrolled or employed, or seeking to be enrolled or employed at the District
 - 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;
- 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;
- g. The standard of evidence that will be applied; and
- h. Directives to the respondent not to retaliate.

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, which may be utilized any time before a final determination regarding responsibility is made; and
- e. Both parties must consent to an informal mediation in writing. 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, **per Section M of this policy**, 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 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 5027

Foreign Exchange Students

- A. Box Elder School District recognizes the value of cultural exchange in accepting students from other countries. However, the quality of the educational experiences for regular and foreign students* can be maintained only when the following policies are in place:
1. The ~~number of slots that will be available will be determined annually by the Utah State Board of Education (USBE) total number of students accepted will be limited to eight (8). The number of slots will be divided equally between high schools as much as possible. Each high school will be allowed four (4) students or,~~ Through mutual agreement a slot may be shifted between schools. ~~In no case will more than five (5) students be enrolled in any one school.~~
 2. Only students sponsored by appropriately licensed agencies with local representatives (living within the district) will be accepted. The Box Elder School District will not “reserve” slots for placement by any one foreign exchange program. When and if more requests are made than placements available, a rotation between agencies will be determined. Unless placements are unfilled by June 1, no agency will be permitted to place more than one student in the Box Elder School District during a given school year.
 3. Appropriately licensed foreign student placement agencies will be responsible for all federal, state, and other required immigration and entrance forms required of non-U.S. Citizens. Box Elder School District will not sponsor individual students. See [Utah Admin. Rules R277-612-4\(2\), \(3\) \(May 10, 2017\)](#) and [Utah Code § 53G-6-707\(5\) \(2019\)](#)
 4. The District shall provide the approved exchange student agency sponsoring a foreign exchange student with a list of names and telephone numbers of individuals not associated with the agency who could be called by an exchange student in the event of a serious problem. The agency shall make a copy of the list available to each of its exchange students in the exchange student's native language.
 5. When an appropriately licensed foreign student placement agency places a student in Box Elder School District and also sponsors a Box Elder School District student

who is enrolled in a school in a foreign country, the foreign student may attend without paying tuition. This may occur on a one-to-one basis.

6. When a local student is not involved in the exchange, foreign students will be required to pay a tuition equal to the calculated average expenditure per student for the previous year less any state reimbursement for that student through foreign exchange student fund. If more students register than allowed through state funds, foreign students will pay full tuition, this will be determined on a first come basis. The total cost of tuition must be paid prior to the student attending.
 7. All applications must be submitted to the **Assistant Superintendent over Personnel Director of Student Services** prior to beginning April 1st via email or no later than June 1 for the school year beginning in the fall. **Applications will be considered on a first come, first serve basis.**
- B. Students who attend Box Elder School District high schools for one year or less on an approved foreign exchange program shall be permitted to participate in all activities associated with completing the high school experience appropriate for the class in which they are enrolled. A one-year experience as a foreign exchange student will not qualify an individual for receipt of a diploma from Box Elder School District high schools. Students may be given a certificate of completion suitable for framing and participate in all activities associated with graduation including the wearing of cap and gown and marching with the graduates.

*Any student whose parents reside outside the boundaries of the United States and who must apply to the U.S. Immigration for entry to the United States.

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. Weyerhaeuser 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 \(2018\)](#)

Learning by Doing

3rd Edition

2020 Box Elder Board of Education
Reading Schedule

Board Meeting Date

Reading Assignment

September 9, 2020

-**About the Authors**
-**Introduction to the Third Edition**
-**Chapter #1** A Guide to Action for Professional Learning Communities at Work

October 14, 2020

-**Chapter #2** Defining a Clear and Compelling Purpose

November 11, 2020

-**Chapter #3** Building a Collaborative Culture of a Professional Learning Community

December 9, 2020

-**Chapter #4** Creating a Results Orientation in a Professional Learning Community

January 13, 2021

-**Chapter #5** Establishing a Focus on Learning

February 10, 2021

-**Chapter #6** Creating Team-Developed Common Formative Assessments

March 10, 2021

-**Chapter #7** Responding When Some Students Don't Learn

April 14, 2021

-**Chapter #8** Hiring, Orienting, and Retaining New Staff

May 12, 2021

-**Chapter #9** Addressing Conflict and Celebrating in a Professional Learning Community

June 9, 2021

-**Chapter #10** Implementing the Professional Learning Community Process Districtwide

July 14, 2021

-**Conclusion** The Fierce Urgency of Now

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

Tentative minutes of a Regular Meeting of the Board of Education, Box Elder School District, held Wednesday evening August 12, 2020 at 6:30 p.m. at the Independent Life Skills Center.

Those in attendance at the meeting included Board President Karen Cronin, Members Julie Taylor, Connie Archibald, and Nancy Kennedy. Wade Hyde, Bryan Smith and Tiffani Summers attended electronically. 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 Julie Taylor, Connie Archibald led the audience in the pledge of allegiance.

Recognition

Superintendent Steve Carlsen read the following recognitions:

Bear River High School – Gold Star 2020 Sportsmanship Award

Dr. Ed Redd for his presentation to the Board on Covid 19 strategies

Approval of Agenda

Connie Archibald made the motion to approve the agenda. Julie Taylor seconded the motion, which passed unanimously.

Public Comment

No Public Comment or online comments

Action Items

Approval of Early Literacy Plan

Keri Greener, Assistant Superintendent of Elementary Teaching and Learning, presented the Early Literacy plan to the Board for approval.

Connie Archibald made the motion to approve the recommendation to approve the Early Literacy Plan. Nancy Kennedy seconded the motion which passed unanimously.

Information/Discussion Items

COVID-19 Return to Learn Plan

Steve Carlsen, Superintendent, reviewed the issues with Covid 19 including masks, online teaching, quarantine, and air circulation.

Monthly Financial Report

Business Administrator, Rod Cook presented the Monthly Financial Report

Policy Review

Policies with No Changes

Policy 3035 Employee Criminal Background Checks and Arrest Disclosure Requirements
Policy 3045 Retirement, Purchase of Insurance Benefits
Policy 4100 Homework

Connie Archibald made the motion to approve the policies with no changes. Bryan Smith seconded the motion which passed unanimously.

First Reading

Policy 1036 Conflict of Interest: Board Member and Employee
Policy 3000 Employment – Nondiscrimination
Policy 3007 Employment – Staff Code of Conduct
Policy 3010 Employee Bullying and Hazing
Policy 3015 Title IX Sexual Harassment
Policy 3120 Orderly School Termination for Employees
Policy 3210 Educator Evaluation
Policy 4037 Reading Assessment for K-3
Policy 5275 Title IX Sexual Harassment
Policy 5282 Student Behavior Management

Bryan Smith made the motion to approve the above policies on first reading. Wade Hyde seconded the motion which passed unanimously.

Second Reading

Policy 1040 Board Member Elections/Board Officers
Policy 1225 School Size-Elementary School
Policy 2100 Gifts, Donations, and Bequests-Acceptance
Policy 2170 Buildings, Grounds & Equipment-Use by Students Employees
Policy 2210 Transportation Eligibility

Policy 3042 Educational 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

Connie Archibald made the motion to approve the above policies, with Policy 4061 and Policy 5205 to be returned for review next board meeting, on second reading. Julie Taylor seconded the motion which passed unanimously.

Board Discussion Items

Covid-19 High School Credits to Graduate

The option to allow graduation requirements to decrease to 24 credits was discussed. The Board directed Administration to add that option to the board policy for Board approval.

Consent Calendar

Nancy Kennedy moved to accept the consent items. The motion was seconded by Connie Archibald, it passed on a unanimous vote.

The Consent Calendar included the following items:

Approval of the minutes of the working and regular meetings of July 15, 2020.

Approval of claims numbered 34099-34318, 70731201, 80731200, 90731201, and the District Foundation and ACH payments as well as School Activity checks for the month of July.

Personnel Items

As detailed in agenda.

Adjournment

Nancy Kennedy made the motion to adjourn the meeting. Connie Archibald seconded the motion which passed by unanimous vote.

With the announcement that the next meeting will be held on Wednesday, September 9, 2020 at The Independent Life Skills Center with the Work Session at 5:30 p.m. and regular board meeting at 6:30 p.m. President Cronin adjourned the meeting at 8 :20 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	00034198	-148.49	08/06/20	24236 BRODY CHEMICAL	CV
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01	00034324	1,061.79	08/06/20	85748 BEAR RIVER MIDDLE SCHOOL	C
01	00034325	255.50	08/06/20	85768 BEAR RIVER SEWER DEPT	C
01	00034326	256.60	08/06/20	87120 BEEHIVE TELEPHONE CO	C
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01	00034334	2,465.39	08/06/20	111273 NUCO2 LLC	C
01	00034335	208.00	08/06/20	700077 PERRY CITY	C
01	00034336	24.99	08/06/20	810361 STANDARD PLUMBING SUPPLY	C
01	00034337	35.95	08/06/20	110914 SUPERIOR WATER AND AIR INC	C
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01	00034339	2,500.00	08/06/20	42846 VERACITY NETWORKS, LLC	C
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01	00034349	234.50	08/06/20	111727 LAVENDER HILL PRESS	C
01	00034350	4,000.00	08/06/20	53082 LEXIA LEARNING SYSTEMS LLC	C
01	00034351	2,398.00	08/06/20	109001 LINCOLN EQUIPMENT INC	C
01	00034352	577.00	08/06/20	545971 MARC / MID AMERICAN RESEARCH	C
01	00034353	15,648.96	08/06/20	586159 MOUNTAIN STATE TEXTBOOK DEP	C
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01	00034356	217,680.00	08/06/20	110840 RUSH TRUCK CENTER OF UTAH	C
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01	00034361	80.95	08/20/20	1 KEN HOGGARD	C
01	00034362	62.10	08/20/20	1 KIMBERLY GILL	C
01	00034363	112.40	08/20/20	1 TANELLE BUTERBAUGH	C
01	00034364	615.16	08/20/20	6617 ACME WATER CO	C
01	00034365	19.82	08/20/20	107488 ARCHIBALD & SONS INC	C
01	00034366	166.25	08/20/20	4260 BCI / UTAH BUREAU OF CRIMINAL IDENTIF	C
01	00034367	220.80	08/20/20	34045 VONDA BLANTHORN	C
01	00034368	5.00	08/20/20	104327 BOX ELDER COUNTY LANDFILL	C
01	00034369	790.24	08/20/20	104348 BOX ELDER MIDDLE SCHOOL	C
01	00034370	21.95	08/20/20	104370 BOX ELDER NEWS JOURNAL	C
01	00034371	2,189.00	08/20/20	111635 BRIDGERLAND BAND INSTRUMENT REPAIR	C
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A/P Summary Check Register

FPREG01A

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01	00034378	30.00	08/20/20	14958 CULLIGAN	C
01	00034379	73.95	08/20/20	109652 DREWES FLORAL & GIFTS	C
01	00034380	369.34	08/20/20	110532 ECOLAB EQUIPMENT CARE	C
01	00034381	3,879.67	08/20/20	729332 ECONO WASTE INC	C
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01	00034387	6,045.00	08/20/20	48879 KREMEDY LLC / KANNACT	C
01	00034388	1,000.00	08/20/20	26000 LEAR & LEAR LAW OFFICE, LLP	C
01	00034389	173.82	08/20/20	543168 MADDOX RANCH HOUSE	C
01	00034390	73.50	08/20/20	633340 OFFICE DEPOT	C
01	00034391	800.00	08/20/20	52400 PARADISE FIRE PROTECTION	C
01	00034392	1,157.63	08/20/20	104436 POWER ENGINEERING INC	C
01	00034393	313.71	08/20/20	937851 PRAXAIR DISTRIBUTION INC	C
01	00034394	1,596.51	08/20/20	106641 PST/PROFESSIONAL SYSTEMS TECHNOLOGY INC	C
01	00034395	631.58	08/20/20	732367 RAFT RIVER RURAL	C
01	00034396	16,555.64	08/20/20	892645 ROCKY MOUNTAIN POWER	C
01	00034397	322.49	08/20/20	769715 SAM'S CLUB BUSINESS PAYMENTS	C
01	00034398	39.95	08/20/20	110789 SECURE INSTANT PAYMENTS LLC	C
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01	00034402	262.35	08/20/20	5223 SWIRE COCA-COLA	C
01	00034403	58,357.99	08/20/20	12688 SYSCO	C
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01	00034420	709.40	08/20/20	19488 CHOP SHOP	C
01	00034421	894.00	08/20/20	100293 DELL COMPUTER	C
01	00034422	367.20	08/20/20	110099 FLUXLIGHT INC	C
01	00034423	624.73	08/20/20	322776 GRAINGERS INC	C
01	00034424	6,000.80	08/20/20	36455 HEARTLAND SCHOOL SOLUTIONS	C
01	00034425	5,121.79	08/20/20	33790 HENRY SCHEIN INC	C
01	00034426	89,424.00	08/20/20	107027 HOUGHTON MIFFLIN HARCOURT	C
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A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
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01	00034431	32,330.69	08/20/20	586159 MOUNTAIN STATE TEXTBOOK DEP	C
01	00034432	829.99	08/20/20	590870 MURPHY'S APPLIANCE & TV	C
01	00034433	3,640.91	08/20/20	633340 OFFICE DEPOT	C
01	00034434	107.24	08/20/20	699420 PERMA BOUND BOOKS	C
01	00034435	1,748.99	08/20/20	35955 PROMO PLUS	C
01	00034436	164.84	08/20/20	103604 SCHOLASTIC EDUCATION	C
01	00034437	465.86	08/20/20	101816 SCHOOL SPECIALTY	C
01	00034438	3,818.20	08/20/20	48666 SEFAC USA, INC	C
01	00034439	381.35	08/20/20	108783 SIGN PRO	C
01	00034440	1,155.44	08/20/20	157371 STAPLES	C
01	00034441	223.34	08/20/20	109887 STARFALL EDUCATION	C
01	00034442	1,493.91	08/20/20	53090 UNITED SCOPE	C
01	00034443	140,625.00	08/20/20	898860 VCBO ARCHITECTS	C
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01	00034446	17,135.00	08/20/20	109702 WENGER CORPORATION	C
01	00034447	3,871.58	08/27/20	1 BARBARA DAVIS	C
01	00034448	140.40	08/27/20	1 KAREN SHILLING	C
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01	00034450	60.00	08/27/20	102532 5TH WEST RENTAL & REPAIR	C
01	00034451	709.30	08/27/20	15458 SANDRA BOAM-DOUTRE	C
01	00034452	47.15	08/27/20	108208 MARIAN BRAITHWAITE	C
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01	00034454	1,779.73	08/27/20	890740 CENTURYLINK	C
01	00034455	581.66	08/27/20	890740 CENTURYLINK LONG DISTANCE	C
01	00034456	1,255.00	08/27/20	19178 CHEAPER THAN SHIRT	C
01	00034457	2,587.30	08/27/20	819370 CLASSICAL STRINGS / G WILHELMSEN	C
01	00034458	1,673.34	08/27/20	104223 CODALE ELECTRIC	C
01	00034459	21.00	08/27/20	106297 CROWN TROPHY	C
01	00034460	6,863.51	08/27/20	100913 BORDER STATES INDUSTRIES, INC	C
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01	00034462	421.36	08/27/20	322776 GRAINGERS INC	C
01	00034463	16,389.51	08/27/20	100774 JEPPESEN DISTRIBUTING/JEFF JEPPESEN	C
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01	00034465	1,444.70	08/27/20	937851 PRAXAIR DISTRIBUTION INC	C
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01	00034472	85.00	08/27/20	511570 UTAH LABOR COMMISSION DIVISION OF	C
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01	00034476	975.65	08/27/20	102532 5TH WEST RENTAL & REPAIR	C
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01	00034479	791,000.00	08/27/20	113116 BRYSON SALES & SERVICE	C
01	00034480	573.99	08/27/20	230 CAROLINA BIOLOGICAL	C
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A/P Summary Check Register

FPREG01A

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01	00034486	6,200.00	08/27/20	106111 INTERMOUNTAIN HOUSE LLC	C
01	00034487	187,792.85	08/27/20	586159 MOUNTAIN STATE TEXTBOOK DEP	C
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01	00034498	288.00	08/27/20	861085 TV SPECIALISTS INC	C
01	00034499	24,200.00	08/27/20	109355 VOYAGER SOPRIS LEARNING	C
01	00034500	22,245.00	08/27/20	110040 WALL 2 WALL	C
01	00034501	2,638.83	08/27/20	109804 WARD'S NATURAL SCIENCE	C
01	00034502	2,461.41	08/27/20	43079 WAYSIDE PUBLISHING	C
01	00034503	1,354.41	08/28/20	999014 AFLAC / AMERICAN FAMILY LIFE ASSURANCE	C
01	00034504	4,985.18	08/28/20	999014 AMERICAN FAMILY LIFE COMP	C
01	00034505	70.00	08/28/20	999027 B E SCHOOL BOARD FUND	C
01	00034506	1,007.03	08/28/20	999024 BOSTON MUTUAL LIFE INS CO - W	C
01	00034507	9,346.83	08/28/20	999021 BOX ELDER CREDIT UNION	C
01	00034508	176.00	08/28/20	999055 BOX ELDER FOUNDATION	C
01	00034509	1,051.00	08/28/20	999033 BUREAU CHILD SUPPORT SERV	C
01	00034510	708.66	08/28/20	4642 CREDIT SERVICE OF LOGAN	C
01	00034511	27,501.24	08/28/20	999077 DENTAL SELECT	C
01	00034512	531.09	08/28/20	999054 U.I.E.B.T.	C
01	00034513	601.66	08/28/20	999019 EDUCATORS MUTUAL	C
01	00034514	69.12	08/28/20	999017 GLOBE LIFE INSURANCE CO	C
01	00034515	21,726.96	08/28/20	999035 HORACE MANN INSURANCE COMPANY	C
01	00034516	548.12	08/28/20	999111 MEADE RECOVERY SERVICES LLC	C
01	00034517	43,646.20	08/28/20	999084 NATIONAL BENEFITS SERVICES LLC	C
01	00034518	71.14	08/28/20	999156 OLSON SHANER	C
01	00034519	3,016.19	08/28/20	999008 OPTICARE	C
01	00034520	742,041.68	08/28/20	999079 PUBLIC EMPLOYEES HEALTH P	C
01	00034521	1,865.20	08/28/20	999032 PRE-PAID LEGAL SERVICES	C
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01	00034523	440.00	08/28/20	999012 UESP	C
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01	07083120	126,415.46	08/28/20	999070 HEALTH EQUITY INC	M
01	08083120	1,161,817.47	08/28/20	999005 UTAH STATE RETIREMENT FUND	M
01	09082020	56,979.64	08/28/20	999140 BANK OF UTAH	M
01	09082120	1,216.31	08/28/20	999140 BANK OF UTAH	M
01	09083120	961,466.34	08/28/20	999140 BANK OF UTAH	M
Total Bank No 01		5,766,331.19			
02	00100749	381.73	08/06/20	38032 AMAZON CAPITAL SERVICES INC	C
02	00100750	60.00	08/06/20	85748 BEAR RIVER MIDDLE SCHOOL	C
02	00100751	210.40	08/06/20	104338 BOX ELDER HIGH SCHOOL	C
02	00100752	40.00	08/06/20	104321 BOX ELDER SCHOOL DISTRICT	C

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Bank	Check No	Amount	Date	Vendor	Type
02	00100753	20.00	08/06/20	85559 CENTURY ELEMENTARY	C
02	00100754	20.00	08/06/20	186330 DISCOVERY SCHOOL	C
02	00100755	240.00	08/06/20	281678 FIELDING SCHOOL	C
02	00100756	620.79	08/06/20	45560 LAKESHORE LEARNING MATERIALS	C
02	00100757	200.00	08/20/20	14575 AIRMOTIVE SERVICE	C
02	00100758	89.99	08/20/20	38032 AMAZON CAPITAL SERVICES INC	C
02	00100759	49.95	08/20/20	106497 APPLE STORE	C
02	00100760	5,500.00	08/20/20	891181 UTAH STATE UNIVERSITY	C
02	00100761	1,000.00	08/20/20	100471 WEBER STATE UNIVERSITY	C
02	00100762	479.00	08/27/20	106497 APPLE STORE	C
02	00100763	528.99	08/27/20	85748 BEAR RIVER MIDDLE SCHOOL	C
02	00100764	27.14	08/27/20	104321 BOX ELDER SCHOOL DISTRICT	C
02	00100765	514.07	08/27/20	85559 CENTURY ELEMENTARY	C
02	00100766	696.61	08/27/20	512588 LAKE VIEW SCHOOL	C
Total Bank No 02		10,678.67			
11	01102552	304.04	08/06/20	106437 CARSON ELEVATOR CO INC	A
11	01102553	1,251.40	08/06/20	134250 CEM SALES & SERVICE	A
11	01102554	3,822.97	08/06/20	728870 DOMINION ENERGY UTAH	A
11	01102555	5,719.84	08/06/20	35718 O C TANNER RECOGNITION COMPANY	A
11	01102556	21,773.54	08/06/20	100590 WAXIE SANITARY SUPPLY	A
11	01102557	12,824.00	08/20/20	109023 ARBITERPAY TRUST ACCOUNT	A
11	01102558	6,614.52	08/20/20	101520 BELL JANITORIAL	A
11	01102559	474.52	08/20/20	134250 CEM SALES & SERVICE	A
11	01102560	1,523.42	08/20/20	107034 CHARIOT GROUP INC	A
11	01102561	1,054.01	08/20/20	728870 DOMINION ENERGY UTAH	A
11	01102562	961,869.81	08/20/20	107656 DWA CONSTRUCTION INC	A
11	01102563	30.00	08/20/20	111750 MARCI HATCH	A
11	01102564	107,830.75	08/20/20	53201 ILLUMINATE EDUCATION, INC.	A
11	01102565	3,000.00	08/20/20	45900 MHTN ARCHITECTS INC	A
11	01102566	90.25	08/20/20	47686 TNT ENGRAVING	A
11	01102567	1,216.25	08/20/20	27570 UTAH TESTING & ENGINEERING	A
11	01102568	1,141.25	08/20/20	100590 WAXIE SANITARY SUPPLY	A
11	01102569	15,952.82	08/27/20	101520 BELL JANITORIAL	A
11	01102570	1,739.26	08/27/20	102177 BRADY INDUSTRIES LLC	A
11	01102571	73,933.64	08/27/20	105301 CACHE VALLEY ELECTRIC INC	A
11	01102572	8,160.00	08/27/20	52779 POLYMERSHAPES LLC	A
11	01102573	432.62	08/27/20	100590 WAXIE SANITARY SUPPLY	A
Total Bank No 11		1,230,758.91			
20	10400444	286.00	08/18/20	158220 COVER UP	C
20	10400445	49.53	08/25/20	53309 DEIDRE ORTIZ	C
20	10400446	42.90	08/26/20	53309 DEIDRE ORTIZ	C
Total Bank No 20		378.43			
24	13600917	100.00	08/27/20	1457 U S POSTMASTER	C
Total Bank No 24		100.00			
25	15000665	13.00	08/21/20	1 ANGELA PARKER	C
25	15000666	13.00	08/21/20	1 DENESE STOKES	C
25	15000667	1,209.47	08/21/20	12912 LIFETOUCH NSS	C
25	15000668	350.88	08/25/20	4960 OLD GRIST MILL BREAD	C
Total Bank No 25		1,586.35			
27	16600424	194.94	08/24/20	104321 BOX ELDER SCHOOL DISTRICT	C
27	16600425	238.00	08/31/20	4812 IDLE ISLE CAFE	C
Total Bank No 27		432.94			

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Bank	Check No	Amount	Date	Vendor	Type
28	16700994	55.00	08/07/20	1 CHARLOTTE DUNCAN	C
28	16700995	6.99	08/07/20	1724 ACE HARDWARE TREMONTON	C
28	16700996	130.00	08/07/20	22683 TK SECURE STORAGE	C
28	16700997	100.00	08/20/20	1 JUSTIN STUART	C
28	16700998	19.10	08/20/20	1 TERIANN HANKS	C
28	16700999	233.33	08/20/20	104321 BOX ELDER SCHOOL DISTRICT	C
28	16701000	6.98	08/20/20	489240 KENTS MARKET PL/TREMONTON	C
Total Bank No 28		551.40			
29	16800417	77.90	08/13/20	45934 KUNZLER CATERING	C
Total Bank No 29		77.90			
30	17200521	231.23	08/18/20	104321 BOX ELDER SCHOOL DISTRICT	C
30	17200522	166.39	08/18/20	769715 SAM'S CLUB BUSINESS PAYMENTS	C
Total Bank No 30		397.62			
33	30402348	50.00	08/06/20	1 TODD BARROW	C
33	30402349	1,359.25	08/06/20	38032 AMAZON CAPITAL SERVICES INC	C
33	30402350	570.00	08/06/20	18139 JORGENSON COMPANIES	C
33	30402351	27.41	08/13/20	104321 BOX ELDER SCHOOL DISTRICT	C
33	30402352	95.00	08/13/20	104321 BOX ELDER SCHOOL DISTRICT	C
33	30402353	370.44	08/27/20	38032 AMAZON CAPITAL SERVICES INC	C
33	30402354	3,400.00	08/27/20	104321 BOX ELDER SCHOOL DISTRICT	C
33	30402355	154.88	08/27/20	109248 J W PEPPER MUSIC	C
33	30402356	258.09	08/27/20	5908 WALMART COMMUNITY	C
33	30402357	300.00	08/27/20	110931 WEESE GLASS LLC	C
33	30402358	410.82	08/27/20	109463 WOODWIND AND BRASSWIND	C
Total Bank No 33		6,995.89			
34	30802730	189.00	08/07/20	38032 AMAZON CAPITAL SERVICES INC	C
34	30802731	803.25	08/07/20	84960 BEACON METALS INC	C
34	30802732	20,261.07	08/07/20	104321 BOX ELDER SCHOOL DISTRICT	C
34	30802733	1,725.00	08/07/20	633340 OFFICE DEPOT	C
34	30802734	540.00	08/07/20	104992 PRINT SHOP	C
34	30802735	3,131.70	08/07/20	103604 SCHOLASTIC EDUCATION	C
34	30802736	24.95	08/07/20	110914 SUPERIOR WATER AND AIR INC	C
34	30802737	218.68	08/17/20	104321 BOX ELDER SCHOOL DISTRICT	C
34	30802738	15.00	08/19/20	1 KATY REAY	C
34	30802739	50.00	08/19/20	8125 MICHELE BOWDEN	C
34	30802740	32.25	08/19/20	5908 WALMART COMMUNITY	C
34	30802741	258.80	08/24/20	38032 AMAZON CAPITAL SERVICES INC	C
34	30802742	27.22	08/24/20	8699 CLARK FUNK	C
34	30802742	-27.22	08/25/20	8699 CLARK FUNK	CV
34	30802743	737.50	08/24/20	4812 IDLE ISLE CAFE	C
Total Bank No 34		27,987.20			
35	40402354	306.30	08/07/20	38032 AMAZON CAPITAL SERVICES INC	C
35	40402355	310.04	08/12/20	38032 AMAZON CAPITAL SERVICES INC	C
35	40402356	6,895.00	08/12/20	104321 BOX ELDER SCHOOL DISTRICT	C
35	40402357	10.36	08/12/20	157371 STAPLES	C
35	40402358	15.00	08/17/20	1 JORDAN BURRUP	C
35	40402359	15.00	08/17/20	1 NATALIE OLIVERSON	C
35	40402360	907.46	08/17/20	104321 BOX ELDER SCHOOL DISTRICT	C
35	40402361	128.00	08/20/20	1 ERIN MINER	C
35	40402362	392.82	08/20/20	38032 AMAZON CAPITAL SERVICES INC	C
35	40402363	1,479.19	08/20/20	104321 BOX ELDER SCHOOL DISTRICT	C
35	40402364	50.00	08/20/20	18643 MARIA CONTRERAS	C
35	40402365	11.37	08/26/20	1 JEFFERY ALLEN	C

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Bank	Check No	Amount	Date	Vendor	Type
35	40402366	227.24	08/26/20	38032 AMAZON CAPITAL SERVICES INC	C
35	40402367	19.13	08/26/20	999140 BANK OF UTAH	C
35	40402368	50.00	08/26/20	53368 KAREN PATTERSON	C
35	40402369	50.00	08/26/20	8486 LISA RAMPTON	C
35	40402370	30.00	08/26/20	3590 JANET STARK	C
35	40402371	46.00	08/26/20	21865 VIC'S QUALITY SAFE AND KEY	C
35	40402372	33.63	08/27/20	108936 KACEE UDY	C
35	40402373	128.00	08/31/20	1 IRMA RAMIREZ	C
Total Bank No 35		11,104.54			
36	40803214	9.73	08/06/20	112046 ACE HARDWARE - BRIGHAM	C
36	40803215	201.21	08/06/20	38032 AMAZON CAPITAL SERVICES INC	C
36	40803216	4,458.11	08/06/20	104321 BOX ELDER SCHOOL DISTRICT	C
36	40803217	92.91	08/06/20	51063 SHRED IT STERICYCLE, INC	C
36	40803218	59.90	08/17/20	38032 AMAZON CAPITAL SERVICES INC	C
36	40803219	230.78	08/17/20	106055 BLICK ART MATERIALS	C
36	40803220	96.51	08/17/20	104321 BOX ELDER SCHOOL DISTRICT	C
36	40803221	1,160.00	08/17/20	106202 JOHN FINDLAY	C
36	40803222	1,112.40	08/17/20	633340 OFFICE DEPOT	C
36	40803223	96.74	08/17/20	19879 SHEET MUSIC PLUS	C
36	40803224	128.00	08/26/20	1 JASON WIESE	C
36	40803225	25.00	08/26/20	1 KORINA CHRISTENSEN	C
36	40803226	845.16	08/26/20	38032 AMAZON CAPITAL SERVICES INC	C
36	40803227	299.99	08/26/20	108543 B & H PHOTO VIDEO	C
36	40803228	144.72	08/26/20	45500 BOX ELDER SCHOOL DISTRICT	C
36	40803229	344.54	08/26/20	31658 BSN SPORTS	C
36	40803230	6,875.00	08/26/20	19178 CHEAPERTHANSHIRT	C
36	40803231	156.23	08/26/20	158220 COVER UP	C
36	40803232	494.00	08/26/20	4812 IDLE ISLE CAFE	C
36	40803233	962.47	08/26/20	543168 MADDOX RANCH HOUSE	C
36	40803234	212.09	08/26/20	633340 OFFICE DEPOT	C
36	40803235	117.66	08/26/20	19879 SHEET MUSIC PLUS	C
36	40803236	638.23	08/26/20	5908 WALMART COMMUNITY	C
Total Bank No 36		18,761.38			
37	70410116	169.06	08/07/20	1724 ACE HARDWARE TREMONTON	C
37	70410117	1,584.29	08/07/20	38032 AMAZON CAPITAL SERVICES INC	C
37	70410118	264.35	08/07/20	48585 AMERICAN REFRIGERATION LLC	C
37	70410119	115.95	08/07/20	327480 GREER'S HARDWARE	C
37	70410120	100.00	08/07/20	53155 BRETT HILL	C
37	70410121	2,257.92	08/07/20	4790 HOME DEPOT CREDIT SERVICE	C
37	70410122	125.00	08/07/20	109585 HOWELL TOWN CORPORATION	C
37	70410123	79.90	08/07/20	100522 INTERMOUNTAIN FARMERS ASSOC / IFA	C
37	70410124	333.00	08/07/20	109248 J W PEPPER MUSIC	C
37	70410125	1,711.79	08/07/20	489240 KENTS MARKET PL/TREMONTON	C
37	70410126	97.50	08/07/20	19410 LANDLOCKED DESIGN	C
37	70410127	100.00	08/07/20	7870 STEVEN LITTLEFIELD	C
37	70410128	161.26	08/07/20	111030 LOWE'S	C
37	70410129	794.69	08/07/20	769715 SAM'S CLUB BUSINESS PAYMENTS	C
37	70410130	1,975.50	08/07/20	103945 SKYWAY GOLF COURSE	C
37	70410131	181.54	08/07/20	25674 STUDIO R MEDIA	C
37	70410132	2,500.00	08/07/20	830460 TACO TIME/TREMONTON	C
37	70410133	246.46	08/07/20	53147 TRIPLE S MEATS	C
37	70410134	392.09	08/07/20	16535 VEX ROBOTICS	C
37	70410135	105.00	08/13/20	1 CANDACE SCOFFIELD	C
37	70410136	60.00	08/13/20	1 LORI ROBERTS	C

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Bank	Check No	Amount	Date	Vendor	Type
37	70410137	5,581.18	08/13/20	106895 BADGER SCREEN PRINTING CO	C
37	70410138	500.00	08/13/20	52680 BEAR RIVER LIVE	C
37	70410139	855.52	08/13/20	50202 BOW BUILDERS LLC	C
37	70410140	8,634.00	08/13/20	104321 BOX ELDER SCHOOL DISTRICT TRANSPORTATION	C
37	70410141	3,933.97	08/13/20	31658 BSN SPORTS	C
37	70410142	128.70	08/13/20	15725 COSTCO MEMBERSHIP	C
37	70410143	505.80	08/13/20	158220 COVER UP	C
37	70410144	997.71	08/13/20	43478 CHALYN ANNE DYE	C
37	70410145	1,500.00	08/13/20	13420 HUDDL	C
37	70410146	1,337.00	08/13/20	4910 NATIONAL FFA ORGANIZATION	C
37	70410147	2,000.00	08/13/20	46647 TUCKER PORTER	C
37	70410148	100.00	08/13/20	11835 STANSBURY HIGH SCHOOL	C
37	70410149	625.00	08/13/20	830460 TACO TIME/TREMONTON	C
37	70410150	2,777.01	08/13/20	7447 TD FUNDRAISERS	C
37	70410151	2,786.00	08/13/20	18244 TENNIS WAREHOUSE	C
37	70410152	80.00	08/19/20	1 MELISSA NICHOLS	C
37	70410153	157.00	08/19/20	1 MIRANDA SHORT	C
37	70410154	2,501.79	08/19/20	38032 AMAZON CAPITAL SERVICES INC	C
37	70410155	3,547.86	08/19/20	104321 BOX ELDER SCHOOL DISTRICT	C
37	70410156	500.00	08/19/20	53236 JULIA HAWKES	C
37	70410157	145.30	08/19/20	633340 OFFICE DEPOT	C
37	70410158	1,721.77	08/19/20	6173 OMNI CHEER	C
37	70410159	600.00	08/19/20	20036 SIMPLY SHELBY PHOTOGRAPHY	C
37	70410160	630.75	08/19/20	18660 KRISTY SPENCER	C
37	70410161	1,772.75	08/19/20	111790 SUNSTONE POTTERY	C
37	70410162	346.50	08/19/20	110476 TREMONTON CLEANERS	C
37	70410163	2,007.04	08/19/20	43176 WALTON FEED WEST, INC	C
37	70410164	89.30	08/26/20	1 COURTNEY ZOLLINGER	C
37	70410165	157.00	08/26/20	1 MARIA MARTINEZ	C
37	70410166	1,668.48	08/26/20	38032 AMAZON CAPITAL SERVICES INC	C
37	70410167	300.00	08/26/20	104338 BOX ELDER HIGH SCHOOL	C
37	70410168	225.54	08/26/20	104321 BOX ELDER SCHOOL DISTRICT	C
37	70410169	12,377.62	08/26/20	31658 BSN SPORTS	C
37	70410170	5,983.40	08/26/20	158220 COVER UP	C
37	70410171	650.00	08/26/20	12483 FIREWORKS WEST	C
37	70410172	16.00	08/26/20	40754 TRISHA JUDKINS	C
37	70410173	349.28	08/26/20	157371 STAPLES	C
37	70410174	1,890.00	08/26/20	25674 STUDIO R MEDIA	C
37	70410175	906.13	08/26/20	7439 SUNRISE ENVIRONMENTAL	C
37	70410176	90.00	08/26/20	830460 TACO TIME/TREMONTON	C
37	70410177	285.90	08/26/20	6149 THE LOGO SHOP	C
37	70410178	3,581.00	08/26/20	5290 UHSAA / UTAH HIGH SCHOOL ACT ASSOC	C
37	70410179	407.10	08/26/20	16535 VEX ROBOTICS	C
37	70410180	56.15	08/26/20	5908 WALMART COMMUNITY	C
37	70410181	181.00	08/26/20	33243 SANDY BUTTARS	C
Total Bank No 37		88,841.85			
38	70809827	240.00	08/05/20	36784 AMERICAN RED CROSS	C
38	70809828	1,478.16	08/05/20	20869 BELL PRINTING AND DESIGN	C
38	70809829	200.00	08/05/20	95835 JASON V BINGHAM	C
38	70809830	132.61	08/05/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809831	7,329.25	08/05/20	19178 CHEAPER THAN SHIRT	C
38	70809832	2,898.00	08/05/20	19488 CHOP SHOP	C
38	70809833	384.00	08/05/20	4618 COLEMAN KNITTING MILL	C
38	70809834	50.76	08/05/20	109652 DREWES FLORAL & GIFTS	C

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Bank	Check No	Amount	Date	Vendor	Type
38	70809835	1,250.00	08/05/20	47635 EPIC PRODUCTIONS LLC	C
38	70809836	200.00	08/05/20	38644 GREEN CANYON HIGH SCHOOL	C
38	70809837	91.18	08/05/20	24953 PPG ARCHITECTURAL COATINGS	C
38	70809838	1,250.00	08/05/20	53139 RODRIGUEZ, BRANDON	C
38	70809839	64.53	08/05/20	10731 SMITH'S CUSTOMER CHARGES	C
38	70809840	2,400.57	08/12/20	38032 AMAZON CAPITAL SERVICES INC	C
38	70809841	10,576.84	08/12/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809842	60.00	08/12/20	53171 JENNIFER BURNETT	C
38	70809843	926.37	08/12/20	19178 CHEAPERTHANSHIRT	C
38	70809844	1,300.00	08/12/20	102017 DAVIS HIGH SCHOOL	C
38	70809845	487.59	08/12/20	19810 INTEGRATED TECHNOLOGIES	C
38	70809846	119.25	08/12/20	489250 KENTS MARKET PL/BRIGHAM	C
38	70809847	299.00	08/12/20	4960 OLD GRIST MILL BREAD	C
38	70809848	1,249.50	08/12/20	53066 SANI STAND	C
38	70809849	139.00	08/12/20	47686 TNT ENGRAVING	C
38	70809850	419.70	08/12/20	52841 TRUSCORE	C
38	70809851	822.83	08/12/20	5908 WALMART COMMUNITY	C
38	70809852	3,755.69	08/18/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809853	50.00	08/19/20	20869 BELL PRINTING AND DESIGN	C
38	70809854	50.00	08/19/20	104370 BOX ELDER NEWS JOURNAL	C
38	70809855	198.00	08/19/20	19178 CHEAPERTHANSHIRT	C
38	70809856	1,344.00	08/19/20	19593 EASTBAY INC	C
38	70809857	750.00	08/19/20	53210 EDJSPORTS, LLC	C
38	70809858	1,200.00	08/19/20	13420 HUDL	C
38	70809859	238.00	08/19/20	23337 PREMIUM MEAT COMPANY	C
38	70809860	27.99	08/19/20	52990 SPORTDECALS	C
38	70809861	50.00	08/19/20	7625 UHSTCA	C
38	70809862	55.29	08/24/20	102532 5TH WEST RENTAL & REPAIR	C
38	70809863	556.08	08/24/20	106055 BLICK ART MATERIALS	C
38	70809864	301.28	08/24/20	12408 COSTA VIDA	C
38	70809865	1,125.00	08/24/20	51772 ROCKY MOUNTAIN SCHOOL OF BASEBALL	C
38	70809866	6,516.98	08/24/20	47686 TNT ENGRAVING	C
38	70809867	157.00	08/27/20	1 JESSICA MECHAM	C
38	70809868	157.00	08/27/20	1 WENDY LINDAUER	C
38	70809869	1,300.00	08/27/20	48674 HEATHER ALLEN	C
38	70809870	3,727.46	08/27/20	38032 AMAZON CAPITAL SERVICES INC	C
38	70809871	130.18	08/27/20	104321 BOX ELDER SCHOOL DISTRICT	C
38	70809872	371.51	08/27/20	23736 DANCEWEAR SOLUTIONS	C
38	70809873	260.08	08/27/20	633340 OFFICE DEPOT	C
38	70809874	650.00	08/27/20	36510 RIDGELINE HIGH SCHOOL	C
38	70809875	220.64	08/27/20	10731 SMITH'S CUSTOMER CHARGES	C
38	70809876	150.00	08/27/20	11193 THE PEAK OF UTAH	C
38	70809877	7.50	08/27/20	47686 TNT ENGRAVING	C
38	70809878	1,435.00	08/27/20	5290 UHSAA / UTAH HIGH SCHOOL ACT ASSOC	C
38	70809879	1,440.00	08/27/20	7536 JP MORGAN CHASE	C
Total Bank No 38		60,593.82			
39	77800486	587.06	08/18/20	104321 BOX ELDER SCHOOL DISTRICT	C
Total Bank No 39		587.06			

A/P Summary Check Register

FPREG01A

Bank	Check No	Amount	Date	Vendor	Type
				Total Manual Checks	2,386,894.29
				Total Computer Checks	3,608,803.96
				Total ACH Checks	1,230,758.91
				Total Other Checks	.00
				Total Electronic Checks	.00
				Total Computer Voids	-292.01
				Total Manual Voids	.00
				Total ACH Voids	.00
				Total Other Voids	.00
				Total Electronic Voids	.00
				Grand Total	7,226,165.15
				Number of Checks	463

Batch Yr	Batch No	Amount
21	000019	44.86
21	000021	1,002.52
21	000092	-148.49
21	000095	125.60
21	000141	140,747.91
21	000196	43,169.92
21	000197	8,431.69
21	000198	18,720.44
21	000199	471,435.78
21	000200	7,268.99
21	000201	640.35
21	000212	15,568.49
21	000219	1,979.25
21	000220	4,761.96
21	000226	13,190.30
21	000227	191.99
21	000228	26,674.97
21	000231	306.30
21	000266	18,800.65
21	000269	7,215.40
21	000276	32,426.89
21	000277	122.41
21	000279	77.90
21	000289	318,650.70
21	000290	71,019.06
21	000291	12,257.59
21	000292	233,997.67
21	000293	864,363.22
21	000294	2,756.33
21	000295	218.68
21	000296	937.46
21	000297	3,755.69
21	000299	14,010.76
21	000301	286.00
21	000305	587.06
21	000307	397.62
21	000313	3,907.99
21	000318	97.25
21	000322	238,398.26
21	000324	2,050.01
21	000326	359.41
21	000332	1,235.47
21	000337	53,189.01
21	000338	15,491.38
21	000339	28,699.17

A/P Summary Check Register

FPREG01A

<u>Bank</u>	<u>Check No</u>	<u>Amount</u>	<u>Date</u>	<u>Vendor</u>	<u>Type</u>
					Batch Yr Batch No Amount
					21 000340 1,022,598.15
					21 000342 1,766.81
					21 000343 8,554.63
					21 000344 194.94
					21 000347 996.30
					21 000350 350.88
					21 000351 49.53
					21 000358 78,999.07
					21 000360 29,032.90
					21 000361 42.90
					21 000362 11,243.09
					21 000363 433.74
					21 000364 181.00
					21 000365 100.00
					21 000367 10,006.37
					21 000370 3,376,899.11
					21 000371 4,894.23
					21 000372 33.63
					21 000379 128.00
					21 000387 238.00

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

Tentative minutes of a Regular Meeting of the Board of Education, Box Elder School District, held Wednesday evening August 12, 2020 at 6:30 p.m. at the Independent Life Skills Center.

Those in attendance at the meeting included Board President Karen Cronin, Members Julie Taylor, Connie Archibald, and Nancy Kennedy. Wade Hyde, Bryan Smith and Tiffani Summers attended electronically. 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 Julie Taylor, Connie Archibald led the audience in the pledge of allegiance.

Recognition

Superintendent Steve Carlsen read the following recognitions:

Bear River High School – Gold Star 2020 Sportsmanship Award

Dr. Ed Redd for his presentation to the Board on Covid 19 strategies

Approval of Agenda

Connie Archibald made the motion to approve the agenda. Julie Taylor seconded the motion, which passed unanimously.

Public Comment

No Public Comment or online comments

Action Items

Approval of Early Literacy Plan

Keri Greener, Assistant Superintendent of Elementary Teaching and Learning, presented the Early Literacy plan to the Board for approval.

Connie Archibald made the motion to approve the recommendation to approve the Early Literacy Plan. Nancy Kennedy seconded the motion which passed unanimously.

Information/Discussion Items

COVID-19 Return to Learn Plan

Steve Carlsen, Superintendent, reviewed the issues with Covid 19 including masks, online teaching, quarantine, and air circulation.

Karen Cronin's comments at the August 12, 2020 School Board Meeting:

It is a privilege to go back to school and I know that students, my son and some of his friends, are so excited to go back to school and I think from the teachers that I've heard from, they're excited to go back to school too. However, there is also a risk. We need to let our students and our parents and our community know that this privilege comes with the precautions that we have talked about. Like the Superintendent said, we are going to be strong on those precautions and that is that we need them to stay home when they are sick or not feeling well; we need them to wear masks when they are not six feet apart, we need them to wash their hands frequently and to sanitize where they can. The Superintendent said this is a mandate by the Governor and the Public Health Director; the State School Board supports this, and as we've heard, this School Board supports this.

The Superintendent's letter today that came out, this went the principals and the School Board members. I think it's very timely. I was telling the Superintendent the other day that I went to get milk and it took me a half hour to go to the back of the store and back, just because people have questions. So I think this answers it.

Karen read Superintendent Carlsen's letter:

Attached you will see the order that we received on July 17th. It is very explicit in this order that to go to school you have to wear masks or by physical distanced (6ft or more). This is still the order that is out there and has not been replaced. I think if we consistently use this in our decisions and follow this as role models we will be able to have a consistent message that is given to us from the Executive Director of the Utah Department of Health. There is no debate, no variance, no opt out (only medical). To go to school you wear a mask!!! To ride a school bus you wear a mask!!! To be on school property at a school event you wear a mask!!!

So I think as long as we hold a tight concerted effort in enforcement of this, like he said, we will be able to help keep our students safe, our teachers and support staff safe, and our community safe. I want to echo the kudos for the very strong direction that our Superintendent has lead out and his team and just add that the School Board is 100% behind him in that.

Monthly Financial Report

Business Administrator, Rod Cook presented the Monthly Financial Report

Policy Review

Policies with No Changes

Policy 3035 Employee Criminal Background Checks and Arrest Disclosure Requirements

Policy 3045 Retirement, Purchase of Insurance Benefits

Policy 4100 Homework

Connie Archibald made the motion to approve the policies with no changes. Bryan Smith seconded the motion which passed unanimously.

First Reading

Policy 1036 Conflict of Interest: Board Member and Employee

Policy 3000 Employment – Nondiscrimination

Policy 3007 Employment – Staff Code of Conduct

Policy 3010 Employee Bullying and Hazing

Policy 3015 Title IX Sexual Harassment

Policy 3120 Orderly School Termination for Employees

Policy 3210 Educator Evaluation

Policy 4037 Reading Assessment for K-3

Policy 5275 Title IX Sexual Harassment

Policy 5282 Student Behavior Management

Bryan Smith made the motion to approve the above policies on first reading. Wade Hyde seconded the motion which passed unanimously.

Second Reading

Policy 1040 Board Member Elections/Board Officers

Policy 1225 School Size-Elementary School

Policy 2100 Gifts, Donations, and Bequests-Acceptance

Policy 2170 Buildings, Grounds & Equipment-Use by Students Employees

Policy 2210 Transportation Eligibility

Policy 3042 Educational 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

Connie Archibald made the motion to approve the above policies, with Policy 4061 and Policy 5205 to be returned for review next board meeting, on second reading. Julie Taylor seconded the motion which passed unanimously.

Board Discussion Items

Covid-19 High School Credits to Graduate

The option to allow graduation requirements to decrease to 24 credits was discussed. The Board directed Administration to add that option to the board policy for Board approval.

Consent Calendar

Nancy Kennedy moved to accept the consent items. The motion was seconded by Connie Archibald, it passed on a unanimous vote.

The Consent Calendar included the following items:

Approval of the minutes of the working and regular meetings of July 15, 2020.

Approval of claims numbered 34099-34318, 70731201, 80731200, 90731201, and the District Foundation and ACH payments as well as School Activity checks for the month of July.

Personnel Items

As detailed in agenda.

Adjournment

Nancy Kennedy made the motion to adjourn the meeting. Connie Archibald seconded the motion which passed by unanimous vote.

With the announcement that the next meeting will be held on Wednesday, September 9, 2020 at The Independent Life Skills Center with the Work Session at 5:30 p.m. and regular board meeting at 6:30 p.m. President Cronin adjourned the meeting at 8 :20 p.m.

APPROVED: _____

ATTESTED: _____

School Business Administrator
Box Elder School District

President, Board of Education

**2020-2021 Box Elder School District
LEA Specific Licenses
Requesting Board Approval**

First Name	Last Name	School	Subject	# of Years Requesting
Olivia	Bailey	BEMS	8th grade Math	3
Lori	Barber	BRHS	CTE	3
Brooklyn	Bott	Mountain View	Grade 5	3
Janalyn	Brown	BRHS	SPED	1
Duberly	Cha	Lake View	Grade 1- DLI Spanish	3
Louis	Christensen	BRHS	SPED	1
Angela	Christensen	Fielding	Grade 4	
Yi-Chou	Colver	Foothill	DLI Chinese	3
Tricia	Henrie	BEMS	SPED	1
Laura	Jons	Discovery	Kindergarten	3
Courtney	Lamborn	Fielding	Grade 4	3
Bethany	Lundgreen	BRMS	8th grade science	3
Robyn	Mecham	BEMS	PE	3
Adriana	Metarref	Three Mile	DLI Spanish	3
Evelyn	Porras	BRMS	Spanish DLI	3
Teresa	Roberts	BRMS	Librarian	3
Bonnie	Robinson	BEHS	Biology/Zoology	3
Eric	Shepherd	BEHS	Computers	3
Nancilee	Summers	McKinley	Sped	1
Jerusha	Walsh	Young	Utah Studies	3

2020 Box Elder School District Foundation Golf Tournament

Thursday, September 24

Eagle Mountain Golf Course

\$125 per golfer

\$500 per foursome

\$200 Hole Sponsor

\$1,000 Silver Sponsor (includes 2 golfers)

\$2,000 Gold Sponsor (includes (1) foursome)

AM Shotgun Scramble format

Includes: range balls, 18-holes with cart, tee-prize, snacks and beverages on the course, door prizes, hole-in-one contests, and **Maddox Ranch House** chicken dinner.

To register, complete this form and return with payment to attn: **Marci Hatch**

960 S. Main St. Brigham City, Utah 84302 phone

Please make checks payable to **Box Elder School District Foundation**

Questions? Please call (435) 734.4800 ext. 1101

Yes, I would like to support students in the Box Elder School District

Sign me up for a Single player Foursome Hole Sponsor** Silver Sponsor** Gold Sponsor** Product Donation

Name _____ Company name _____

Address _____ City _____ Zip _____

Phone _____ Email _____

Foursome names:

Player 1 _____

Player 2 _____

Player 3 _____

Player 4 _____

Hole sitter name _____

** Send high resolution logo to: marci.hatch@besd.net



Box Elder School District Foundation



5th Annual ATV Benefit Ride

Saturday, September 26, 2020

Come join us for a ride high above Farmington, UT.

Enjoy the beautiful fall colors as we travel Sunset Canyon. From there we will turn north and visit Francis Peak, site of a large communication dome. We will then head south on Skyline Drive to Farmington Flats and arrive at the Bountiful Peak Picnic Area for lunch. Following lunch the ride will continue south to Bountiful Peak and beyond.

The trip is considered easy-moderate and family friendly. It is about 35 miles and should take about 4 to 5 hours. The vistas are impressive.

Come and enjoy the day with family and friends.

Maps of ride on back!

For tickets, click on the link below

[https://app.arts-people.com/
index.php?show=117151](https://app.arts-people.com/index.php?show=117151)

Donation

\$40 per participant

\$10 for children under 12

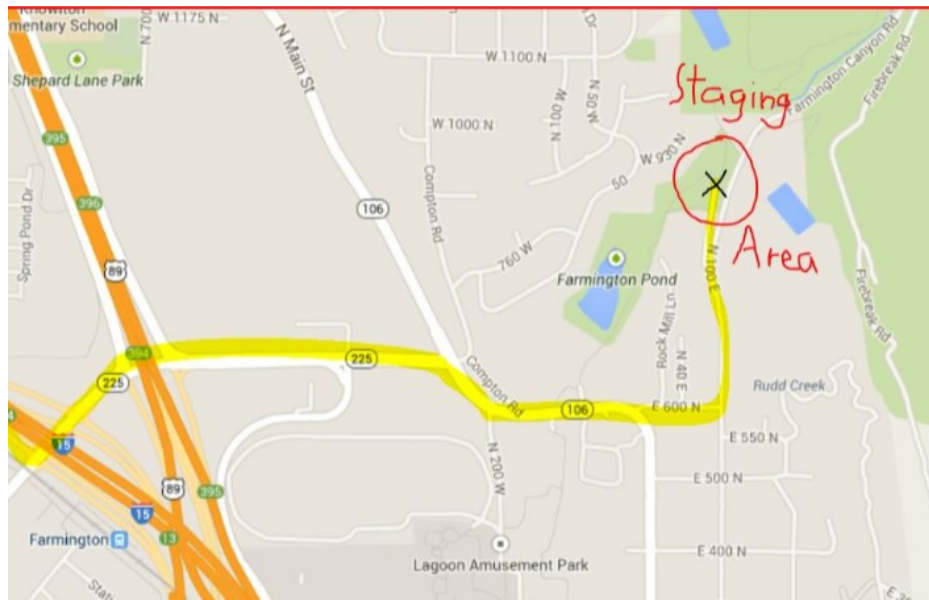
**(limited to the first 25
machines to register)**

Includes guided ATV ride

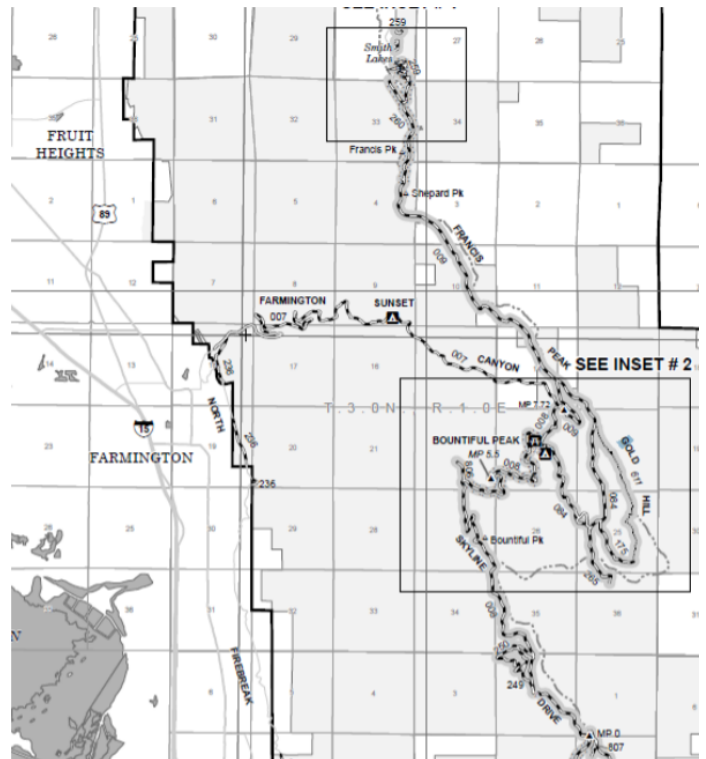
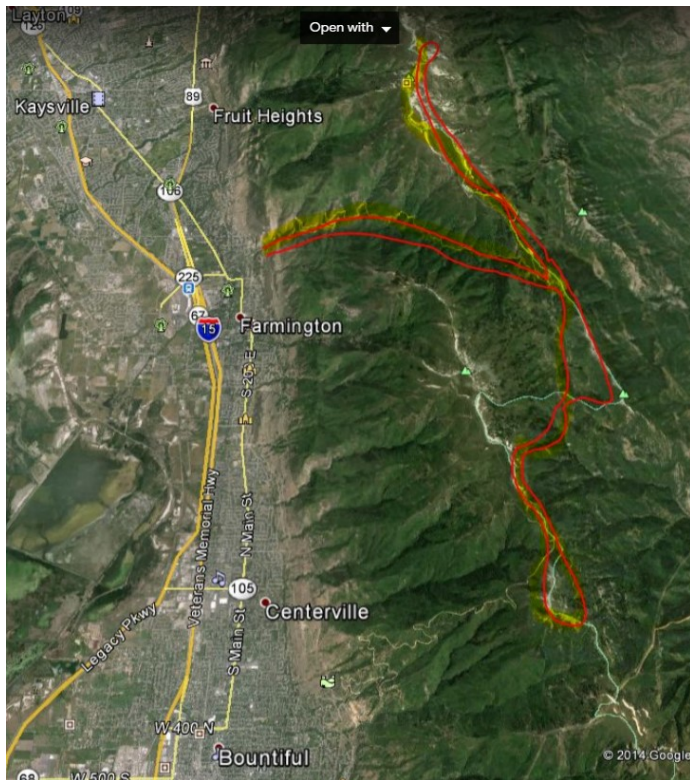
8:00 am

Meet in the **big parking lot** east of the Box Elder County Fairgrounds in Tremonton. We will travel together to the staging area about 1 mile behind Lagoon.

Staging Area/Start



Maps of the ride!



Suggestions for Future Board Meetings

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
- Construction Report – Corey Thompson
- Policy Review

November 11, 2020 – (tentative)

- Audit Report
- Approval of 2021 Board Meeting Calendar
- Construction Report – Corey Thompson
- Policy Review

December 9, 2020 – (tentative)

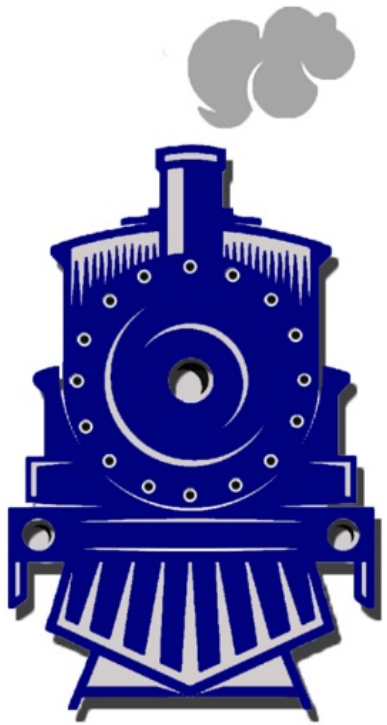
- Approval of New Courses
- Approval of 2021-2022 School District Calendar
- Construction Report – Corey Thompson
- Policy Review

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 1035 Board Member Ethics
- Construction Report – Corey Thompson
- Policy Review
- Board Committee Assignments Discussion
- USBA Conference Report

February, 2021 – (tentative)

- Approval of New 2 Year Contract for Superintendent
- Construction Report – Corey Thompson



**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

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- 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.