



Utah Virtual Academy Administrative Procedures Manual

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Administration of Medication Procedures

Adopted: March 6, 2019

Revised:

These procedures are established in accordance with the Administration of Medication Policy adopted by the School's Board of Directors.

Administration of Medication by School Personnel

In order to ensure safe administration of medication to students, the procedures outlined here must be followed.

(1) The Head of School will designate a reasonable number of School employees who will be responsible for administering medication to students in the School.

(2) The Head of School will arrange for the Head of School and all designated School employees to receive adequate training from a licensed health care professional prior to administering any medication. Training should include indications for the medication, means of administration, dosage, adverse reactions, contraindications, and side effects.

(3) The student's parent or guardian must complete a student medication form requesting that medication be administered to the student during school days when the student and School personnel are physically together, such as during end of year assessments. Parents are responsible for updating the student medication form as necessary.

(4) The student's health care provider must complete the health care provider section of the student medication form indicating the child's name, the name of the medication, the purpose of the medication, the means of administration, the dosage, the time schedule for administration, the anticipated number of days the medication needs to be given at school, and possible side effects. The practitioner must also affirm that giving the medication during school hours is medically necessary.

(5) A student medication log must be maintained for any student who has medication administered at school, and all employees authorized to administer medication will be notified regarding each student to whom they are authorized to administer medication.

(6) Each time medication is given, the person who gave it must document the administration in ink on the student medication log. If the medication is not administered as scheduled, a notation must be made on the student medication log as to why the medication was not given, and the student's parent or guardian must be notified.

(7) The student medication form and student medication log will be retained in the student's records.

(8) Teachers of the student receiving medication during school hours will be notified.

(9) Medication (other than that carried by a student) must be delivered to the School by the student's parent or guardian or designated adult.

(10) Medication should be delivered to the School in a container properly labeled by a pharmacy, manufacturer or health care provider. Labeling must include the student's name, the name of the prescribing practitioner, date the prescription was filled, name and phone number of the dispensing pharmacy, name of the medication, dose, frequency of administration, and the expiration date.

(11) Medication must be stored in a secure, locked cabinet or container in a cool, dry place, except that:

a. medications that require refrigeration must be stored appropriately;

b. insulin or emergency medications such as EpiPens, Twinject Auto-Injectors, asthma inhalers and glucagon must not be stored in a locked area so that they are available when needed.

(12) Authorization for administration of medication by School personnel may be withdrawn by the School at any time following written or verbal notice to the student's parent or guardian, as long as this action does not conflict with federal laws such as IDEA and/or section 504 of the Rehabilitation Act. The Head of School may withdraw authorization for administration of medication in cases of noncompliance or lack of cooperation by parents or students unless the student's right to receive medication at school is protected by laws such as IDEA or section 504.

Self-Administration of Medication by Students

Students may possess and self-administer prescription medication if:

(1) The student's parent or guardian signs a statement:

a. Authorizing the student to self-administer the medication; and

b. Acknowledging that the student is responsible for, and capable of, self-administering the medication; and

(2) The student's health care provider provides a written statement:

- a. That it is medically appropriate for the student to self-administer the medication and be in possession of the medication at all times; and
- b. Containing the name of the medication prescribed for the student's use.

The School will provide an acceptable form for parents to request that their student be allowed to possess and self-administer prescription medication.

Application of Sunscreen

Students may possess and self-apply sunscreen without a parent or physician's authorization.

If a student is unable to self-apply sunscreen, a school employee may apply the sunscreen on the student if the student's parent or legal guardian has provided written consent.

Arrest Reporting Procedures

Adopted: November 8, 2018

Revised:

These procedures are established in order to comply with the Arrest Reporting Policy adopted by the School's Board of Directors.

Required Reports

(a) Non-USOE-licensed employees of the School, (b) Volunteers who have significant unsupervised access to students in connection with their volunteer assignment, (c) Board Members, and (d) any School employees who drive a motor vehicle as part of their employment responsibilities must report to the Principal information regarding the following matters:

- Convictions, including pleas in abeyance and diversion agreements;
- Any matters involving arrests for alleged sex offenses;
- Any matters involving arrests for alleged drug-related offenses;
- Any matters involving arrests for alleged alcohol-related offenses; and
- Any matters involving arrests for alleged offenses against the person under Title 76, Chapter 5 (i.e., assault, battery, etc.)

Timeline for Reports

Current employees of the School must provide the required reports to the School Principal within seven (7) days of receiving notification of this policy from the Principal. Thereafter, employees of the School must submit required reports to the Principal within seven (7) days of the event necessitating the report. New employees of the School must report this information prior to commencing work for the School.

Procedure for Review of Reports

The Principal will review and investigate all reports received pursuant to the policy and determine whether any employment action is necessary to protect the safety of students.

The Principal will maintain the confidentiality of the information submitted and only share such information with individuals who have a legitimate need to know. Information regarding the reports, the results of any investigation, the Principal's determination and any action taken will be maintained in a separate, confidential employment file. These records will only be kept as long as the Principal determines it is necessary to protect the safety of students.

Required Action

Any individual who reports a matter involving alleged sex offenses or other alleged offenses which may endanger students shall be immediately suspended from all student supervision responsibilities during the period of investigation.

Any individual who reports a matter involving alcohol or drugs shall be immediately suspended from transporting students, operating motor vehicles on school business, or operating or maintaining school vehicles during the period of investigation.

Training

The Principal will ensure that individuals subject to this policy receive appropriate training regarding their arrest reporting obligations.

Background Check Procedures

Adopted: November 8, 2018

Revised:

These procedures are established pursuant to the Background Check Policy established by the School's Board of Directors.

Individuals Subject to Background Checks

The School requires that the following individuals submit to a criminal background check and ongoing monitoring as provided in Utah Code § 53G-11-402 as a condition for employment or appointment: (a) each new non-USOE-licensed employee; (b) each volunteer who will be given significant unsupervised access to a student in connection with the volunteer's assignment; (c) each employee of a staffing service who works at the School; and (d) each Board Member.

Additionally, each new employee who is licensed by the Utah State Office of Education ("USOE") must obtain a background check and submit to ongoing monitoring as required in connection with USOE's licensure requirements.

By September 1, 2018, the School will collect the information described below from individuals who were employed by the School prior to July 1, 2015, and with whom the School maintains an authorizing relationship and submit that information to the Utah Bureau of Criminal Identification for ongoing monitoring.

Conducting the Background Check

Any person submitting to a background check for the School will sign a waiver notifying the individuals (a) that a criminal background check will be conducted, (b) who will see the information received as a result of the background check, and (c) how that information will be used.

The School will collect the following from an individual required to submit to a background check for the School:

- (a) personal identifying information, including but not limited to:
 - (i) current name, former names, nicknames, and aliases;
 - (ii) date of birth,
 - (iii) address,
 - (iv) telephone number,
 - (v) driver license number or other government-issued identification number,
 - (vi) social security number, and
 - (vii) fingerprints;
- (b) a fee as set forth below; and

(c) consent and waiver on a form specified by the School for the background check acknowledging that their fingerprints are being registered for ongoing monitoring by the School.

The School will submit such individuals' personal identifying information, including fingerprints, to the Utah Bureau of Criminal Identification for an initial background check and ongoing monitoring (if the results of the initial criminal background check do not contain disqualifying criminal history information as determined by the School).

Ongoing Monitoring

The School will request that the fingerprints taken for the purpose of conducting criminal background checks be registered with any rap back system maintained to provide ongoing status notifications to the School of any criminal history reported on individuals whose fingerprints are registered in the system.

Payment of Fee for Background Check

Applicants for employment, including substitutes, shall be required to pay the designated costs of background checks subject to the provisions of Utah Code Ann. § 53G-11-402(2).

The School shall pay the cost of the background check for current non-licensed employees and volunteers of the School.

The School will not pay the cost of fingerprinting for School employees or volunteers.

Background Check Evaluation

When making decisions regarding employment or appointment based on the information received from a criminal background check, the School will consider:

- (a) any convictions, including pleas in abeyance;
- (b) any matters involving a felony; and
- (c) any matters involving an alleged:
 - (i) sexual offense;
 - (ii) class A misdemeanor drug offense;
 - (iii) offense against the person under Title 76, Chapter 5, Offenses Against the Person;
 - (iv) class A misdemeanor property offense that is alleged to have occurred within the previous three years; and
 - (v) any other type of criminal offense, if more than one occurrence of the same type of offense is alleged to have occurred within the previous eight years.

Only those convictions which are job-related for the employee, applicant, or volunteer will be considered by the School.

Opportunity to Respond to Background Check

The School will provide an individual an opportunity to review and respond to any criminal history information received as a result of submitting for a criminal background check or through ongoing monitoring.

If a person is denied employment or appointment or is dismissed from employment or appointment because of information obtained through a criminal background check or ongoing monitoring, the person may request a review of the information received and the reasons for the disqualification and shall be provided written notice of the reasons for denial or dismissal and of the individual's right to request a review of the disqualification.

Confidentiality

Information received by the School as a result of a background check will only be (a) available to individuals involved in the hiring or background investigation process for that individual and (b) used for the purpose of assisting the School in making employment-related decisions. Any person who disseminates or uses any such information for any other purpose is subject to criminal penalties and civil liability as set forth in applicable law.

Privacy Risk Mitigation Strategy

The School will employ reasonable privacy risk mitigation strategies to ensure that the School only receives notifications for individuals with whom the School maintains an authorizing relationship. Specifically, upon (a) termination of an employee's employment with the School, (b) expiration of a Board Member's term without renewal, or (c) resignation of Board Member, the administration will ensure that the School takes any steps necessary to terminate ongoing monitoring for such individuals and will document the date on which such steps were taken. For volunteers, the administration will ensure that the School establishes a schedule of volunteers registered for ongoing monitoring, consult with School personnel to determine whether such individuals are still volunteering for the School, and ensure that ongoing monitoring for individuals is terminated as appropriate.

Child Abuse and Neglect Reporting Procedures

Adopted: November 8, 2018

Revised:

These procedures are established pursuant to the Child Abuse and Neglect Reporting Policy adopted by the Board of Directors.

1. If a School employee **has reason to believe** that a child may have been subjected to incest, molestation, sexual exploitation, sexual abuse, physical abuse, or neglect, or observes a child being subjected to conditions or circumstances which would reasonably result in such, the employee shall immediately make an oral report to the nearest peace officer, law enforcement agency or Division of Child Family Service (“DCFS”). The employee shall also make a report to the School’s Principal, but the requirement to notify the Principal does not satisfy the employee’s personal duty to report to law enforcement or DCFS.
 - a. The oral report to law enforcement or DCFS may be made with the Principal present, but must be made by the person making the report.
 - b. The reporting employee must record the name of the individual and the agency contacted to make the required report.
 - c. The reporting employee must complete and provide a copy of the Child Abuse and Neglect Reporting Form to the Principal within twenty-four (24) hours. The Principal will keep the form in a separate file, and it shall not be placed in the student’s permanent file. The form should also be sent to the agency to which the oral report was given.
 - d. The Principal will preserve the anonymity of the person making the report and any others involved in any investigation.

2. To determine whether or not there is **reason to believe** that abuse or neglect has occurred, school employees may (but are not required to) gather information only to the extent necessary to determine whether a reportable circumstance exists.
 - a. Investigations by staff prior to submitting a report shall not go beyond what is minimally necessary to support a reasonable belief that a reportable problem exists.
 - b. It is not the responsibility of the Principal or any other school employees to prove who the abuser is or that the child has been abused or neglected, or to determine whether the child is in need of protection.
 - c. School employees shall not contact the parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.

- d. School employees shall not conduct interviews with the child or contact the suspected abuser.
 - e. Notes of voluntary or spontaneous statements by the child shall be given to the investigational agency.
 3. Investigations of reports of abuse for children seventeen (17) years of age and younger are the responsibility of DCFS.
 - a. School employees shall not contact the child's parents, relatives, friends, neighbors, etc. for the purpose of determining the cause of the injury and/or apparent neglect.
 - b. School personnel shall cooperate with DCFS and share all information with the division that is relevant to the division's investigation of an allegation of abuse or neglect. Additionally, School employees shall cooperate with DCFS and law enforcement employees authorized to investigate reports of alleged child abuse and neglect, including:
 - i. allowing appropriate access to students;
 - ii. allowing authorized agency employees to interview children consistent with DCFS and local law enforcement protocols;
 - iii. making no contact with the parents or legal guardians of children being questioned by DCFS or law enforcement authorities; and
 - iv. maintaining appropriate confidentiality.
 - c. If school officials are contacted by parents about child abuse reports, school personnel shall not confirm or deny that a contact or investigation is taking place. A school employee should refer the caller to law enforcement or DCFS.
4. If the suspected perpetrator of child abuse or neglect is a School employee, the Principal shall immediately report the allegation to the Utah State Board of Education. Steps shall be taken to assure that further abuse or neglect is prevented by the suspected perpetrator.
5. Persons making reports or participating in good faith in an investigation of alleged child abuse or neglect are immune from any civil or criminal liability that otherwise might arise from those actions.
6. The Principal shall annually (a) provide each School employee with the written Child Abuse and Neglect Reporting Policy including a copy of the Child Abuse and Neglect Reporting Form and (b) notify each School employee of the mandatory reporting requirements of this Policy and Procedure and Utah Code Sections 53E-6-701 and 62A-4a-403.
7. The Principal will provide School personnel every other year with training and instruction on child sexual abuse prevention and awareness, including responding to a disclosure of child sexual abuse in a supportive, appropriate,

manner. Newly hired staff will be provided with the same training and the written policy at the beginning of their employment.

8. The training and distribution of materials will be documented.
9. Educational neglect means that, after receiving a notice of compulsory education violation under Utah Code Section 53G-6-202, the parent or guardian fails to make a good faith effort to ensure that the child receives an appropriate education.
 - a. When School personnel have reason to believe that a child may be subject to educational neglect, school personnel shall submit the report described in Utah Code Subsection 53G-6-202(8) to DCFS.
 - b. When School personnel have a reason to believe that a child is subject to both educational neglect and another form of neglect or abuse, School personnel may not wait to report the other form of neglect or abuse pending preparation of a report regarding educational neglect.

*****CONFIDENTIAL*****

Child Abuse and Neglect Reporting Form

ORAL REPORT MADE TO PRINCIPAL:	
Date:	Time:

CHILD'S INFORMATION:			
Name:	Age:	Sex:	Birth Date:
Address:			

PARENT/GUARDIAN INFORMATION:	
Father Name:	Mother Name:
Father Address:	Mother Address:
Father Phone:	Mother Phone:
Guardian #1 Name:	Guardian #2 Name:
Guardian #1 Address:	Guardian #2 Address:
Guardian #1 Phone:	Guardian #2 Phone:

CIRCUMSTANCES LEADING TO THE SUSPICION THAT THE CHILD IS A VICTIM OF ABUSE OR NEGLECT:

DATE AND TIME OF OBSERVATIONS	
Date:	Time:

ADDITIONAL INFORMATION:

Oral Report Made To:	Written Report Made To:
Agency:	Agency:
Individual's Name:	Individual's Name:
Date:	Date:
Time:	Time:

Reporting Individual:		Principal:	
Name:		Name:	
Date:		Date:	
Signature		Signature:	

****DO NOT PLACE THIS FORM IN THE STUDENT'S CUM FILE****

Concussion and Head Injury Procedures

Adopted: December 13, 2018

Revised:

These procedures are established pursuant to the Concussion and Head Injury Policy established by the School's Board of Directors.

A concussion is a type of traumatic brain injury that interferes with normal function of the brain. It occurs when the brain is rocked back and forth or twisted inside the skull as a result of a blow to the head or body. What may appear to be only a mild jolt or blow to the head or body can result in a concussion. A concussion can occur even if a player or student in an activity is not knocked out or loses consciousness.

The School will ensure that each agent of the School is familiar with, and has a copy of, the Concussion and Head Injury Policy and these Procedures. Before permitting a child to participate in a sporting event of the School, the School will:

- (a) provide a written copy of the Concussion and Head Injury Policy and these Procedures to a parent or legal guardian of a child; and
- (b) obtain the signature of a parent or legal guardian of the child, acknowledging that the parent or legal guardian has read, understands, and agrees to abide by, the Concussion and Head Injury Policy and these Procedures.

The following definitions apply to these Procedures:

- (1) "Agent" means a coach, teacher, employee, representative, or volunteer.
- (2) "Qualified health care provider" means a health care provider who:
 - (a) is licensed under Title 58, Occupations and Professions; and
 - (b) may evaluate and manage a concussion within the health care provider's scope of practice.
- (3) "Sporting event" means any of the following athletic activities that is organized, managed, or sponsored by the School:
 - (a) a game;
 - (b) a practice;
 - (c) a sports camp;
 - (d) a physical education class;
 - (e) a competition; or
 - (f) a tryout.
- (4) "Traumatic head injury" means an injury to the head arising from blunt trauma, an acceleration force, or a deceleration force, with one of the following observed or self-reported conditions attributable to the injury:
 - (a) transient confusion, disorientation, or impaired consciousness;
 - (b) dysfunction of memory;
 - (c) loss of consciousness; or
 - (d) signs of other neurological or neuropsychological dysfunction, including:
 - (i) seizures;
 - (ii) irritability;

- (iii) lethargy;
- (iv) vomiting;
- (v) headache;
- (vi) dizziness; or
- (vii) fatigue.

The following signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion:

Signs (observed by others):

- Student appears dazed or stunned
- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Moves clumsily (altered coordination)
- Balance problems
- Personality change
- Responds slowly to questions
- Forgets events prior to hit
- Forgets events after the hit
- Loss of consciousness (any duration)

Symptoms (reported by student):

- Headache
- Fatigue
- Nausea or vomiting
- Double vision, blurry vision
- Sensitive to light or noise
- Feels sluggish
- Feels “foggy”
- Problems concentrating
- Problems remembering

The School will (a) immediately remove a child from participating in a sporting event of the School if the child exhibits signs, symptoms, or behaviors consistent with a concussion or is otherwise suspected of sustaining a concussion or a traumatic head injury; and (b) prohibit the child from participating in a sporting event of the School until the child:

(i) is evaluated by a qualified health care provider who is trained in the evaluation and management of a concussion; and

(ii) provides the School with a written statement from the qualified health care provider described in Subsection (1)(b)(i) stating that:

(A) the qualified health care provider has, within three years before the day on which the written statement is made, successfully completed a continuing education course in the evaluation and management of a concussion; and

(B) the child is cleared to resume participation in the sporting event of the School.

The School will follow any return-to-play guidelines established by the student's qualified health care provider.

Emergency Procedures

The following situations constitute a medical emergency and require notification of emergency medical personnel:

- (1) Any student with a witnessed loss of consciousness (LOC) of any duration should be spine boarded and transported immediately to nearest emergency department via emergency vehicle.
- (2) Any student who has symptoms of a concussion, and who is not stable (i.e., condition is worsening), should be transported immediately to the nearest emergency department via emergency vehicle.
- (3) A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle:
 - a. Deterioration of neurological function
 - b. Decreasing level of consciousness
 - c. Decrease or irregularity in respirations
 - d. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
 - e. Mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation
 - f. Seizure activity

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

Guidelines and Procedures for Coaches and Teachers Supervising Contests and Games

Recognize concussion

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

Remove from activity

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

Refer the athlete/student for medical evaluation

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

Concussion and Head Injury Policy Acknowledgement

I acknowledge that I have read, understand, and agree to abide by, the Concussion and Head Injury Policy and Procedures.

Name of Student: _____

Name of Parent/Guardian: _____

Signature of Parent/Guardian: _____

Date: _____

Equipment Acquired with Federal Funds

Adopted: April, 2024

Utah Virtual Academy (the “School”) will purchase, use, manage, and dispose of equipment and other capital assets acquired in whole or in part with federal funds in accordance with applicable federal law, including 2 CFR 200.439 and 2 CFR 200.313(c)-(e).

Definitions

The definitions in 2 CFR 200.1 apply to this administrative procedure, including but not limited to the following:

“Capital assets” means:

- a. Tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:
 - i. Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, exchange, or through a lease accounted for as financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards; and
 - ii. Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).
- b. For purpose of this procedure, capital assets do not include intangible right-to-use assets (per GASB) and right-to-use operating lease assets (per FASB). For example, assets capitalized that recognize a lessee's right to control the use of property and/or equipment for a period of time under a lease contract. See also § 200.465.

“Capital expenditures” means expenditures to acquire capital assets or expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life.

“Equipment” means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the School for financial statement purposes, or \$5,000.

“General purpose equipment” means equipment which is not limited to research, medical, scientific or other technical activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.

“Special purpose equipment” means equipment which is used only for research, medical, scientific, or other technical activities. Examples of special purpose equipment include microscopes, x-ray machines, surgical instruments, and spectrometers.

Equipment

Management Requirements

With respect to managing equipment acquired in whole or in part with federal funds, the School will:

- a. Maintain property records that include:
 - i. A description of the equipment;
 - ii. A serial number or other identification number for the equipment;
 - iii. The source of funding for the equipment;
 - iv. Who holds title to the equipment;
 - v. The date the equipment was acquired by the School;
 - vi. The cost of the equipment;
 - vii. The percentage of participation in the project costs for the federal award under which the equipment was acquired;
 - viii. The location of the equipment;
 - ix. The use and condition of the equipment; and
 - x. Any ultimate disposition data with respect to the equipment, including the date of disposal and sale price of the equipment.
- b. Take physical inventory of the equipment and update/reconcile the property records accordingly at least once every two years.
- c. Develop and implement a control system that will provide adequate safeguards to prevent loss, damage, or theft of the equipment.
- d. Investigate any loss or damage to or theft of the equipment.
- e. Regularly maintain and/or service the equipment to help ensure the equipment remains in good condition.
- f. If authorized or required to sell the equipment, engage in a sales process that will help ensure the School receives the highest possible return on the sale of the equipment.

Use and Disposition Requirements

Regarding the use and disposition of equipment acquired with federal funds, the School will follow the requirements in 2 CFR 200.313(c) and (e).

Purchasing Requirements

The School shall follow the procedure below in order to purchase equipment with federal funds.

Capital Expenditures

The School shall comply with federal law in connection with purchasing equipment and other capital assets with federal funds, including but not limited to 2 CFR 200.439.

Below are some of the purchasing rules the School shall follow:

- a. The School shall not use federal funds to pay for improvements to land, buildings, or equipment which materially increase their value or useful life unless the School receives prior written approval of the federal awarding agency or the pass-through entity (the USBE) to do so (note: this applies to School construction, alteration, or repair projects);
 - a. And with respect to construction, alteration, or repair projects that cost in excess of \$2,000, the School shall not use federal funds to pay for such projects unless the School follows other applicable laws, including but not limited to the Davis-Bacon and Related Acts;
- b. The School shall not use federal funds to purchase general purpose equipment (note: this includes, for example, computers and other tech devices), buildings, or land unless the School receives prior written approval of the federal awarding agency or the pass-through entity (the USBE) to do so; and
- c. The School may use federal funds to purchase special purpose equipment; however, if any such item of equipment has a unit cost of \$5,000 or more, the School shall obtain prior written approval of the federal awarding agency or the pass-through entity (the USBE) in order to purchase those items with federal funds.

Library Materials Procedures

Adopted: September 29, 2022

Revised:

These procedures are established in accordance with the Library Materials Policy adopted by the School's Board of Directors.

I. Selection of Materials for School's Library Collection

- a. The School's library point of contact will select all library materials, including from materials provided as gifts or donations to the School's library. The selection of library materials will be consistent with the School's Library Materials Policy and will be performed under the direction of the Executive Director.
- b. The following selection criteria will be used:
 - i. Overall purpose and educational significance;
 - ii. Legality;
 - iii. Age and developmental appropriateness;
 - iv. Timeliness and/or permanence;
 - v. Readability and accessibility for intended audience;
 - vi. Artistic quality and literary style;
 - vii. Reputation and significance of author, producer, and/or publisher;
 - viii. Variety of format with efforts to incorporate emerging technologies; and
 - ix. Quality and value commensurate with cost and/or need.
- c. The library point of contact may seek recommendations and work collaboratively with parents, patrons, and others in the School community during the selection process.
- d. The School's library collection will reflect a diversity of ideas, varying viewpoints, and adhere to applicable law.
- e. Any electronic databases and other web-based searches and content will be filtered through the School's state-required internet filter.

II. Library Collection Maintenance

- a. Library materials will be maintained consistent with the criteria listed above and applicable state and federal laws, including Utah Code § 53G-10-103.
- b. The library point of contact or another employee designated by the School's Executive Director will inventory the School's library collection and equipment annually or at another time interval determined by the Executive Director. The inventory may be used to:
 - i. Determine losses and remove damaged or worn materials to be considered for replacement;
 - ii. Deselect and remove materials that are inconsistent with the law or that are no longer relevant to the curriculum or of interest to students; or
 - iii. Identify gaps or deficits in the School's library collection.

III. Library Materials Review Process

- a. A library materials review request may only be made by:
 - i. A parent of a student who attends the School;

- ii. A student who attends the School; or
- iii. An employee of the School.
- b. A library materials review request must be made in writing by completing the School's Library Materials Review Request Form and submitting the Form to the School's Executive Director or another employee designated by the School's Executive Director. The requestor must provide all information requested on the Form.
- c. All library materials review requests must be based upon the concern that the material is "sensitive material" as defined in Utah Code § 53G-10-103 or upon concerns with the age-appropriateness of content in the material.
- d. To the extent practicable, the identity of a requestor will be protected and kept confidential from all individuals outside of the School's review process outlined in these procedures.
- e. The material that is subject to a review request will have restricted access (for example, by maintaining the material behind the circulation desk and requiring an access code for digital materials) until the processes described in these procedures are completed. Access to such material will be limited to students with prior parent/guardian permission only. A list of restricted materials will be made available to the public upon request.
- f. After receipt of a request for review, the School's Executive Director or another employee designated by the School's Executive Director will acknowledge receipt of the request and convene a Library Materials Review Committee (the "Review Committee") within a reasonable time according to the procedure outlined below:
 - i. The Review Committee will include a reasonable number of individuals.
 - ii. Members of the Review Committee will be selected by the Executive Director and include at least the following:
 1. The School's Executive Director or another member of the School's administration;
 2. A licensed teacher at the School (if practicable, the teacher will be an English language arts teacher or teacher who teaches a subject that is relevant to the challenged material);
 3. The School's library point of contact or another employee designated by the Executive Director; and
 4. At least two parents of current students at the School that are reflective of the School community as required in Subsection 53G-10-103(3).
 - g. The Review Committee will determine the amount of time needed for an adequate review of the challenged material to make a thorough and thoughtful decision and inform the requestor of the determined timeline. The Review Committee will strive to complete all reviews and make its final decision between thirty to sixty (30-60) days of its receipt of the request for review.
 - h. Each member of the Review Committee will receive materials to complete the review process, including the following:
 - i. A copy of the Library Materials Review Request Form that was submitted;
 - ii. Access to the challenged material;
 - iii. A copy of the School's Library Materials Policy and these procedures; and

- iv. Any relevant information about the challenged material from the School's library point of contact, including the reason(s) the material was selected to be in the School's library collection.
 - i. The Review Committee will schedule a meeting (or multiple meetings, if the Review Committee determines that is necessary) to complete the review process.
 - j. The Review Committee will determine whether the challenged material constitutes sensitive material consistent with Utah Code § 53G-10-103, the School's Library Materials Policy and these procedures, and the guidance letter provided by the Attorney General's Office dated June 1, 2022.
 - k. In deciding whether the challenged material constitutes sensitive material, the Committee will:
 - i. Consider all elements of the definitions of pornographic or indecent material as defined in Utah Code § 76-10-1235, § 76-10-1201, § 76-10-1203, and § 76-10-1227; and
 - ii. Whether the challenged material is age appropriate due to vulgarity or violence.
 - l. In deciding whether the challenged material is age appropriate due to vulgarity, violence, or content, the Review Committee must consider the challenged material taken as a whole and consider whether it has serious literary, artistic, political, or scientific value for minors, which may include the following objective criteria:
 - i. Reliable, expert reviews of the material or other objective sources;
 - ii. Review Committee members' experience and background; and
 - iii. Community standards.
 - m. In deciding whether the challenged material taken as a whole has serious literary, artistic political, or scientific value as described above, the Review Committee will consider that:
 - i. Serious value does not mean any value; and
 - ii. Greater protections should exist concerning content for a library in an elementary or middle school setting.
 - n. The Review Committee will make a final decision on a challenged material as follows:
 - i. **Retained:** the decision to maintain access in the School to the challenged material for all students;
 - ii. **Restricted:** the decision to restrict access in the School to the challenged material for certain students as determined by the Review Committee; or
 - iii. **Removed:** the decision to prohibit access in the School to the challenged material for all students.
 - o. The decision of the Review Committee will be determined by majority vote of the Review Committee members. This decision is final unless appealed in accordance with Section IV below.
 - p. The final decision of the Review Committee will be communicated in writing to the requestor and appropriate School employees within seven (7) days of the decision being made.
 - q. The challenged material may not be reviewed again for three (3) school years following the Review Committee's decision.

- r. The School will maintain a list of all materials that receive a “removed” decision from the Review Committee and share the list with all School employees. The list will also be made available to the public upon request.
- s. The School will also maintain a list of all Review Committee final decisions on challenged material and share the list with all School employees, whether the final decision was retained, restricted, or removed.
- t. If library materials review requests become unduly burdensome, the School may limit the number of review requests an individual may make in the course of a school year.

IV. Appeals Process

- a. The original requestor or another individual listed in Section III(a) who was not on the Review Committee may appeal the decision of the Review Committee in writing to the School’s Board of Directors (the “Board”) within fourteen (14) days of receipt of the Review Committee’s final written decision using the School’s Library Materials Appeal Request Form.
- b. After receipt of a completed Library Materials Appeal Request Form, the Board President or another Board member designated by the Board President will acknowledge receipt of the appeal and appoint a Library Materials Appeals Committee (the “Appeals Committee”) within a reasonable time according to the procedure outlined below:
 - i. The Appeals Committee will include at least three individuals.
 - ii. Members of the Appeals Committee will be selected by the Board President or another Board member designated by the Board President and include at least the following:
 - 1. Two or more Board members;
 - 2. A School administrator and/or other School employee who did not participate in the initial Review Committee.
 - iii. The Board President or another Board member designated by the Board President may, in his/her discretion, also add to the Appeals Committee a parent or licensed teacher at the School who did not participate in the initial Review Committee.
 - iv. If a quorum of the Board is selected to serve on the Appeals Committee, the Appeals Committee will follow the Open and Public Meetings Act in its deliberations.
- c. The Appeals Committee will determine the amount of time needed for an adequate review of the challenged material to make a thorough and thoughtful decision and inform the requestor of the determined timeline. The Appeals Committee will strive to complete its review and make its final decision between thirty to sixty (30-60) days of its receipt of the appeal.
- d. Each member of the Appeals Committee will receive materials to complete the review process, including the following:
 - i. A copy of the Library Materials Review Request Form;
 - ii. A copy of the Library Materials Appeal Request Form;
 - iii. A copy of the challenged material;
 - iv. The Review Committee’s final decision and rationale for the decision; and
 - v. A copy of the School’s Library Materials Policy and these procedures.

- e. The Appeals Committee will schedule a meeting (or multiple meetings if the Appeals Committee determines that is necessary) to complete the appeals process.
- f. The Appeals Committee may make a final decision of a reviewed material as follows:
 - i. **Retained:** the decision to maintain access in a school setting to the challenged material for all students;
 - ii. **Restricted:** the decision to restrict access in a school setting to the challenged material for certain students;
 - iii. **Removed:** the decision to prohibit access in a school setting to the challenged material for all students; or
 - iv. Another decision as decided by the Appeals Committee.
- g. The decision of the Appeals Committee will be determined by majority vote. This decision is final, subject to Section V below.
- h. A challenged material may not be reviewed again for three (3) school years if the Appeals Committee votes to uphold the Review Committee's decision.
- i. The final decision of the Appeals Committee will be communicated in writing to the requestor and appropriate employees within seven (7) days of the decision.
- j. The School will maintain a list of the final decisions made by the Appeals Committee and share the list with all School employees. The list will also be made available to the public upon request.

V. Final Procedural Review (Applicable if permitted by R277-123)

- a. The requestor in Section IV(a) may, in accordance with R277-123, petition the USBE for a procedural review of the Appeals Committee's final decision.
- b. The USBE's review decision is final.

VI. Postings on Website

- a. The School will post the following on its website:
 - i. The Library Materials Policy and these procedures;
 - ii. The Library Materials Review Request Form; and
 - iii. The Library Materials Appeal Request Form.

Library Materials Review Request Form

Information about Library Material Requested to be Reviewed:

- 1) Title:
- 2) Author:
- 3) School where this library material can be accessed:

Information about Requestor:

- 1) Name:
- 2) Telephone:
- 3) Address:
- 4) Email:
- 5) Are you a student of this school? Yes No
- 6) Are you a parent of a student of this school? Yes No
- 7) Are you an employee of this school? Yes No

Information about Review Request:

- 1) Was this library material recommended, assigned, or made available through the school? If so, where?

- 2) What complaints, objections, or concerns do you have about this library material? Please provide examples, page numbers, links, or any other information to help in locating or identifying the content of concern. Please attach any images or other corroborating evidence. You may attach other additional pages as needed.

- 3) What action(s) are you requesting the Library Materials Review Committee to consider?

Requestor's Signature: _____ Date: _____

After you submit this Form, you will receive an acknowledgment of receipt and an estimated timeline for when a decision will be made by the Review Committee. The Review Committee generally completes its review and makes its final decision between thirty to sixty (30-60) days after its receipt of a request for review.

*****Below is for Internal Use Only*****

Name of Administrator Convening the Review Committee: _____

Anticipated Date by Which Review will be Completed: _____

Library Materials Appeal Request Form

Instructions:

A requestor must submit this Form along with a copy of the Review Committee's written decision within fourteen (14) days of receiving the Review Committee's written decision.

Information about Requestor:

- 1) Name:
- 2) Telephone:
- 3) Address:
- 4) Email:
- 5) Date you received Review Committee's written decision:
- 6) Are you a student of this school? Yes No
- 7) Are you a parent of a student of this school? Yes No
- 8) Are you an employee of this school? Yes No

Information about Challenged Library Material:

- 1) Title:
- 2) Author:
- 3) School:
- 4) Please provide a written statement setting forth your rationale to appeal the Review Committee's decision regarding the challenged library material (attach additional pages as needed).

Requestor's Signature: _____ Date: _____

After you submit this Form, you will receive an acknowledgment of receipt and an estimated timeline for when a decision will be made by the Appeals Committee. The Appeals Committee generally completes its review and makes its final decision between thirty to sixty (30-60) days after its receipt of an appeal.

*****Below is for Internal Use Only*****

Name of Board Member Convening the Appeals Committee: _____

Anticipated Date by Which Review will be Completed: _____

Public Education Engagement and Exit Survey Procedures

Adopted: July 8, 2021

Revised:

Utah Virtual Academy (the “School”) recognizes the importance of understanding factors that influence public educator satisfaction and the reasons public educators choose to leave the School or public education in general. The School believes that collecting such information may help the School improve their educators’ morale, engagement, and job satisfaction, as well as help the School improve its recruitment and retention of educators.

The School shall abide by Utah Code § 53G-11-304 and Utah Administrative Code Rule R277-325 with respect to the administration of the Public Education Engagement Survey and the Public Education Exit Survey.

The purpose of these administrative procedures is to help the School comply with all requirements related to the surveys as set forth in the law.

Definitions

“Educator” for purposes of these administrative procedures means:

- (a) a general education classroom teacher;
- (b) a preschool teacher;
- (c) a special education teacher; or
- (d) a school based specialist.

“Public Education Engagement Survey” for purposes of these administrative procedures means the model Public Education Engagement Survey referenced in and available at R277-325-3(2)(a).

“Public Education Exit Survey” for purposes of these administrative procedures means the model Public Education Exit Survey referenced in and available at R277-325-3(2)(b).

Administering Surveys

Public Education Engagement Survey

The School shall request that its educators complete the Public Education Engagement Survey, at a minimum, every other year beginning in the 2019-20 school year. The School shall request that its educators complete the Public Education Engagement Survey in the opposite years from those in which it administers the school climate survey described in Rule R277-623 (for example, if the School administers the school climate survey in the 2020-21 school year, the School should request that its educators complete the Public Education Engagement survey in the 2019-20 school year).

Public Education Exit Survey

The School shall request that an educator leaving the School complete the Public Education Exit Survey at the time of the educator's separation from employment with the School.

Survey Providers

The School shall use a USBE-approved online provider or a provider approved by the LEA to administer the Public Education Engagement Survey and Public Education Exit Survey. If the School administers the Public Education Engagement Survey or the Public Education Exit Survey through a provider other than a USBE-approved online provider, the School shall provide the data from the surveys to the State Superintendent by June 30 annually in a manner prescribed by the State Superintendent.

Survey Questions

The School may add additional questions to the model Public Education Engagement Survey or Public Education Exit Survey when it administers such surveys to its educators, but any additional questions:

- (a) must allow each educator to remain anonymous;
- (b) must not request the educator's CACTUS ID number; and
- (c) may ask each educator to voluntarily identify the educator's school.

Survey Results

Only the School's Head of School, Campus Directors, Board of Directors, and appropriate personnel specifically authorized by the Head of School may have access to results of the Public Education Engagement and Exit Surveys.

The Head of School shall implement whatever protective measures are necessary to prevent the identification of educators who complete the surveys, including but not limited to:

- (a) instructing educators to not share personally identifiable information in their survey responses; and
- (b) redacting any personally identifiable information that educators inadvertently (or intentionally) include in survey responses before giving access to the survey results to authorized individuals identified in the paragraph above.

Religion and Education Procedures

Adopted: 05.2024

Purpose

Utah Virtual Academy (the “School”) recognizes, protects, and accommodates the rights of religious practice and expression guaranteed by state and federal laws and by the constitutions of Utah and the United States.

The purpose of this procedure is to help School personnel protect and accommodate individual religious belief and rights of conscience in the School.

General Rules Regarding Religion and Education

The School expects School personnel to foster mutual understanding and respect for all individuals and beliefs. Study about religion is an important part of a complete education and is necessary to achieving an understanding of history, societies, and cultures throughout the world. School curricula – including activities, discussions, assignments, displays, and performances – may refer to religious thought and expression, provided such references are designed to achieve specific educational objectives.

School personnel should neither promote nor disparage any religious, agnostic or atheistic belief or religion in general. Teaching about religion should be objective, thus avoiding any implication that religious doctrines have the endorsement of school authority. School personnel should recognize that religious holidays are observed in various ways, or not observed at all, based upon the influence of ethnic tradition, family style, or religious conviction.

Students may refrain from participation in any aspect of school that violates a religious belief or right of conscience of the student or of the student’s parent or guardian.

The School shall not, in any aspect of school:

- a. require or incentivize a student to affirm or deny the student’s or the student’s parent or guardian’s religious belief or right of conscience;
- b. engage a student in a practice that violates or is contrary to the student’s or the student’s parent or guardian’s religious belief or right of conscience; or
- c. penalize or discriminate against a student for refraining from participation due to the student’s or the student’s parent or guardian’s religious belief or right of conscience.

A student’s parent or guardian may waive the student’s participation in any aspect of school (e.g., activities, discussions, and assignments) that the parent or guardian feels would violate the parent or guardian’s or the student’s rights of conscience or religious

belief. Such waivers must be communicated in a timely manner to the appropriate School authorities.

Procedures for Implementation

1. The Executive Director or Principal will periodically review these procedures with teachers and staff. This review will stress the School's expectation that School personnel will recognize, protect, and accommodate religious belief and individual rights of conscience in the operation of the School, while fostering mutual understanding and respect for all individuals and beliefs.
2. The School encourages teachers and employees at the School to discuss, equitably and with civility, and, if possible, resolve with students, parents, and guardians, any concerns regarding curricular content, activities, or student participation.
3. Students, parents, and legal guardians will be provided with a copy of these procedures annually through the posting of the procedures on the School's website.
4. A student or parent or legal guardian of a student may make a complaint to the Executive Director or Principal that a portion of the curriculum, a School activity, or the conduct of a School employee violates state or federal law insofar as it "endorse[s], promote[s], or disparage[s] a particular religious, denominational, sectarian, agnostic, or atheistic belief or viewpoint." See Utah Code § 53G-10-202(4).
5. The Executive Director may discuss annually with the Board any requests for accommodation, or complaints about religion in the curriculum, made within the last year in order to determine how the School can more effectively recognize, protect, and accommodate religious belief and individual rights of conscience in the operation of the School. In discussing these matters with the Board, the Executive Director will take care to protect the privacy rights of those who made complaints or requests. The Executive Director may also submit the written record of each complaint received and any decisions made regarding such complaints to the Board President.

Waivers of Participation

1. When a student refrains from participating in any aspect of school that violates the student's or the student's parent or guardian's religious belief or right of conscience, the School:
 - a. Shall promptly notify the student's parent or guardian;
 - b. May offer an alternative that does not violate the student's or the student's parent or guardian's religious belief or right of conscience; and
 - c. May not require the student or the student's parent to explain, defend, or justify the student's or the student's parent or guardian's religious belief or right of conscience.

2. In addition, if a student refrains from a portion of a course or to a course in its entirety under Utah Code § 53G-10-205, the parent and School may work together to establish an alternate academic accommodation, which allows the student to demonstrate mastery of Core Standards or alternate standard, consistent with Utah Code § 53G-6-803(7) and Utah Code § 53G-10-205(2)(b).

3. When a student's parent or guardian waives the student's participation in any aspect of school that the parent or guardian feels would violate the student's or the student's parent or guardian's religious belief or right of conscience, the parent or guardian shall communicate that waiver (preferably in writing) as soon as possible to the Executive Director or Principal so that an appropriate alternative for the student can be considered.

4. The School will keep, for a reasonable time, a written record of every waiver of participation based on religious belief or right of conscience.

Complaints Alleging Violation of Law

If a complaint is made by a minor student, the Executive Director or Principal will give written notice to the student's parent or legal guardian by email to the parent or legal guardian's last known email address.

The Executive Director or Principal, student, the student's parent or legal guardian, and the teacher or employee responsible for the program in question will meet to discuss the complaint, and the Executive Director or Principal will arrive at a decision, consistent with state and federal law, whether to alter the curriculum or activity, substitute another activity, or deny that the curriculum or activity is in violation of law. The Executive Director or Principal will give a written decision as soon as practical under the circumstances.

The School will keep, for a reasonable time, a written record of every complaint and any decisions made regarding each complaint.

Appeals Process

A student, parent, or legal guardian who is dissatisfied with a Principal's decision regarding complaints about curricula and activities perceived to be in violation of law, may appeal that decision within ten (10) days to the Executive Director. The Executive Director will review the complaint of the student, parent, or legal guardian and the decision of the Executive Director and may modify said decision.

A student, parent, or legal guardian who is dissatisfied with the Executive Director's decision regarding complaints about curricula and activities perceived to be in violation of law, may appeal that decision within ten (10) days to the Board President. The Board President will review the complaint of the student, parent, or legal guardian and the decision of the Executive Director and may modify said decision. At the sole discretion

of the Board President, a committee of his or her choosing may be formed to review the complaint and the decision of the Executive Director. If the Board President decides to form a committee to consider the appeal, the student and student's parent or guardian will be notified.

The Board will keep, for a reasonable time, a written record of every appeal and any decisions made regarding each appeal.

The decision of the Board President will be final.

Reuse and Disposal of Textbook Procedures

Adopted: February 8, 2023

Revised:

These procedures are established pursuant to the Reuse and Disposal of Textbooks Policy established by the School's Board of Directors.

Textbook Disposal

The School's Executive Director or his/her designee is authorized to determine when the School will no longer use certain textbooks. The reasons for deciding that the School will no longer use certain textbooks may be varied, including that the textbooks are outdated, have inaccurate, inappropriate, or insufficient content, and/or are in poor physical condition.

After the School's Executive Director or his/her designee determines that the School is no longer going to use certain textbooks, the School may dispose of the textbooks, subject to the notification requirements below. Textbooks may be disposed of in a variety of ways. For example, the School may donate, recycle, sell, exchange, or even throw away textbooks, as appropriate. However, whenever practical and when textbooks still have market value, the School shall attempt to sell or negotiate the exchange of the textbooks before donating, recycling, or throwing them away.

Required Notification

Prior to disposing of textbooks, the School shall notify all other LEAs in the state of the School's intent to dispose of the textbooks. The School may provide this notification by any reasonable method, including, for example, by a mass email to all other LEAs in the state or by providing the notification to the Utah State Board of Education ("USBE") who will then provide the notification to all other LEAs (such as through USBE emails to LEA curriculum directors). The notification shall describe how long the textbooks may be available and the general timeline for their disposal.

The notification requirement described above does not apply when textbooks have been damaged, mutilated, or worn out. The School may dispose of such textbooks without providing any prior notification to other LEAs.

Sex Education Instruction Procedures

Adopted: April 3, 2019

Revised:

These administrative procedures are established pursuant to the Sex Education Instruction Policy adopted by the School's Board of Directors.

In accordance with state law, all sex education instruction or instructional programs will comply with the requirements of Utah Code § 53G-10-402 through -403 and Utah Admin Code R277-474. Specifically, the School will:

- teach sexual abstinence before marriage and fidelity after marriage as methods for preventing certain communicable diseases;
- teach personal skills that encourage individual choice of abstinence and fidelity; and
- obtain prior parental consent before any sex education instruction, maturation education, or other instructional program.

The Head of School will establish a curriculum materials review committee composed of parents, school employees, and others selected by the Head of School. If possible, the committee will also include health professionals and school health educators. The committee will have at least as many parents as school employees. The School's Board of Directors will review and approve the membership of the committee on or before August 1 each year.

The curriculum materials review committee will meet on a regular basis, as determined by the members of the committee, select officers for the committee and designate a committee chair, and comply with the Open and Public Meetings Act. The committee will review and make recommendations to the School's Board of Directors regarding instructional materials to be used by the School in connection with sex education instruction or a maturation education program. Program materials and guest speakers supporting instruction on these topics must also be reviewed and approved by the curriculum materials review committee.

Instructional materials used by the School in connection with sex education instruction or a maturation education program must be approved by the School's Board of Directors in an open meeting. These materials will comply with the requirements of applicable law and will be available for parents to review for a reasonable period of time prior to consideration for adoption by the Board of Directors.

The following topics may not be taught in the School:

- The intricacies of intercourse, sexual stimulation or erotic behavior;
- The advocacy or encouragement of the use of contraceptive methods or devices; or
- The advocacy of premarital or extramarital sexual activity.

The School will comply with the Utah Family Educational Rights and Privacy Act, Utah Code § 53E-9-202 through -203 and obtain parental consent prior to any sex education instruction,

maturation education, or other instructional program. At no time will a student be in the classroom during any sex education instruction, maturation education, or other instructional program unless an approval form signed by the student's parent/guardian is on file. The parental notification form will:

- 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 for a class period where identified course material related to sex education instruction or maturation education is presented and discussed;
- d) be specific enough to give parents fair notice of topics to be covered;
- 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;
- f) be retained on file with affirmative parental consent for each student prior to the student's participation in discussion of issues protected under Section 53G-10-402; and
- g) be maintained at the School for a reasonable period of time.

Instructors may not intentionally elicit comments or questions about matters subject to parental consent requirements. Additionally, instructors' responses to questions spontaneously raised by students must be brief, factual, objective and in harmony with content requirements of this policy and state law. Responses must also be age appropriate and limited in scope to that reasonably necessary under the circumstances.

The School will ensure that all educators with any responsibility for any aspect of sex education instruction will receive appropriate professional development outlining the sex education curriculum and the criteria for sex education instruction. The School will ensure that educators receive this professional development at least once every three years. Additionally, the School will ensure that such educators are familiar with requirements of the Utah Family Educational Rights and Privacy Act.

Staff Code of Conduct

Adopted: December 10, 2018

Revised:

Purpose

Utah Virtual Academy (the “School”) is committed to providing an environment where its students and staff feel safe, respected, and comfortable. The School is also dedicated to upholding the trust that has been vested in the School by the parents of its students and the community at large. The School understands that these objectives cannot be met unless its staff engages in appropriate, responsible behavior and is held to high standards of conduct. This code of conduct establishes and sets forth the standards of conduct required of the School’s staff.

Definitions

1. “Boundary violation” means crossing verbal, physical, emotional, and social lines that an educator must maintain in order to ensure structure, security, and predictability in an educational environment.

(a) A “boundary violation” may include the following, depending on the circumstances:

- (i) isolated, one-on-one interactions with students out of the line of sight of others;
- (ii) meeting with students in rooms with covered or blocked windows;
- (iii) telling risqué jokes to, or in the presence of a student;
- (iv) employing favoritism to a student;
- (v) giving gifts to individual students;
- (vi) educator initiated frontal hugging or other uninvited touching;
- (vii) photographing individual students for a non-educational purpose or use;
- (viii) engaging in inappropriate or unprofessional contact outside of educational program activities;
- (ix) exchanging personal email or phone numbers with a student for a non-educational purpose or use;
- (x) interacting privately with a student through social media, computer, or handheld devices; and
- (xi) discussing an educator’s personal life or personal issues with a student.

(b) A “boundary violation” does not include:

- (i) offering praise, encouragement, or acknowledgment;
- (ii) offering rewards available to all who achieve;
- (iii) asking permission to touch for necessary purposes;

- (iv) giving pats on the back or a shoulder;
- (v) giving side hugs;
- (vi) giving handshakes or high fives;
- (vii) offering warmth and kindness;
- (viii) utilizing public social media alerts to groups of students and parents;
- or
- (ix) contact permitted by an IEP or 504 plan.

2. "Staff" or "staff member" means an employee, contractor, or volunteer of the School with unsupervised access to students.

Code of Conduct

1. A staff member shall avoid boundary violations, as defined in R277-515, with students.

2. A staff member shall not subject a student to:

- (a) physical abuse;
- (b) verbal abuse;
- (c) sexual abuse; or
- (d) mental abuse.

3. A staff member shall report any suspected incidents of:

- (a) physical abuse;
- (b) verbal abuse;
- (c) sexual abuse;
- (d) mental abuse; or
- (e) neglect.

4. A staff member shall not touch a student in a way that makes a reasonably objective student feel uncomfortable.

5. A staff member shall not make inappropriate contact in any communication with a student, including written, verbal, or electronic communications, regardless of the age or location of the staff member or student.

6. A staff member shall not give a gift to a student that would reasonably suggest or further an inappropriate relationship. A staff member may give small gifts or rewards to all students who achieve a certain objective or goal so long as such gifts or rewards are provided uniformly. A staff member may accept, but not solicit, a nominal appropriate personal gift from a student for the staff member's birthday, a holiday, or a teacher appreciate occasion, consistent with School policy and Utah ethics law.

7. A staff member shall not employ favoritism, provide special favors, or give preferential treatment to a student or group of students in violation of law.

8. A staff member shall not discriminate against a student on the basis of sex, race, religion, or any other prohibited class.
9. A staff member shall comply with all School policies regarding appropriate use of electronic resources, electronic devices, and social media. A staff member shall avoid interacting privately with a student through social media, computer, or handheld devices and shall never interact with a student – publicly or privately – through such means for non-academic purposes.
10. A staff member shall not possess or drink an alcoholic beverage in the School or on School grounds. In addition, a staff member shall not drink alcohol during work hours, whether on or off School grounds.
11. A staff member shall not use tobacco in any form nor use an e-cigarette (or any other similar electronic oral device) in the School or on School grounds. Staff members shall comply with the Utah Indoor Clean Air Act in the School, on School grounds, and during work hours.
12. A staff member shall not use, control, possess, distribute, sell, or arrange for the sale of an illegal drug or controlled substance, an imitation controlled substance, or drug paraphernalia in the School, on School grounds, or during work hours.
13. A staff member is required to:
 - (a) report any suspicion of child abuse or bullying to the proper authorities;
 - (b) annually read and sign all policies related to identifying, documenting, and reporting child abuse; and
 - (c) with respect to a staff member who is an employee or contractor, attend abuse prevention training required in Utah Code Ann. § 53G-9-207.
14. A staff member shall report the following to their Principal or the Head of School:
 - (a) known violations of this code of conduct; and
 - (b) known violations of the Utah Educator Standards contained in R277-515.
15. This code of conduct shall be posted on the School's website.
16. The School intends for this code of conduct to be consistent with the provisions of Utah Administrative Code R277-517.

Student Dress Code Procedures

Adopted: December 10, 2018

Revised:

Dress Code Application to Online and In-Person Student Participation

Students who attend real-time instruction or School events with the use of video cameras shall follow the School's Dress Code Guidelines, except for the guidelines on footwear. These events include but are not limited to assemblies, grade-level meetings, IEP/504/EL meetings, student council meetings, clubs, social gatherings, etc.

Students who attend in-person School events shall follow the School's Dress Code Guidelines. These events include but are not limited to outings, testing sessions, graduation, family events, prom, field trips, service projects, etc.

Dress Code Guidelines

A. Condition, Wear and Safety of Clothing:

- No clothing that distracts or poses a safety hazard.
- No clothing with holes, rips, or tears that reveal the body.
- No tight-fitting or revealing clothing.

B. Content:

- No clothing with content relative to drugs, alcohol, weapons, or any other controlled substance on them.
- No clothing with explicit language or inappropriate content.

C. Tops/Skirts/Dresses:

- Tops must cover the upper and middle torso at all times.
- Skirts must cover the lower torso with no skin showing between top and skirt.
- Skirts and dresses must be at least mid-thigh in length; no mini-skirts.
- No exposed undergarments.
- No halter, tank or tube tops; no transparent, half, or muscle shirts.
- No exposed shoulders, low cut necklines, exposed cleavage, or spaghetti straps.
- No pajamas, lounge wear, or bath robes.
- Inappropriate tops may not be covered with sheer shirts.

D. Pants/Shorts:

- Must cover lower torso with no skin showing between top and pants/shorts.
- No exposed undergarments.
- No oversized sagging pants or shorts.
- No single rolled up pant leg.
- No "short-shorts" (i.e., shorts must reach to the tips of fingers when arms are extended full length at the side).
- Belt buckle monograms must be appropriate.

- No hanging or extended belt lengths.
- No cut-offs; shorts must be hemmed and at least mid-thigh in length.
- No mini-shorts or spandex shorts.

E. Head Coverings:

- No head coverings (including inappropriate hats or beanies) or sunglasses worn in a building during school events; exceptions are made for religious or medical reasons.
- No bandanas (all colors), do-rags (all colors), hairnets, or surgical/shower caps.

F. Footwear:

- Proper footwear at all times.
- No house slippers.

G. Language / Illustrations on Clothing:

- No clothing with obscene, vulgar, profane, or derogatory language or illustrations.
- No clothing with sexual overtones or anything that promotes alcohol, drugs, tobacco, gang membership, violence or something reasonably deemed a safety issue.

H. Gang Attire: All items that have been identified as gang-related by local law enforcement agencies are prohibited. (<http://www.wvc-ut.gov/DocumentCenter/View/6752/Gang-Handouts?bidId>)

These may include but are not limited to:

- No dangling belts or hanging belt lengths.
- No chains.
- No oversized sagging pants/shorts.
- No single rolled up pant leg.
- No hairnets, bandanas, or do-rags (all colors).
- No colors resembling gang attire or other colors that may be reasonably deemed inappropriate as necessary to protect student safety.
- No altered insignias or graffiti.
- No jewelry or belt buckles symbolizing any gangs.
- No graffiti in or on personal belongings symbolizing any identified gang.

Exemptions

School administration may, at any time during the school year, grant an exemption from the Dress Code Guidelines to a student because of extenuating circumstances.

Dress Code Violations

While it is inevitable that there will be differences of opinion as to the appropriateness of dress, grooming, and/or determining whether or not a student's attire is disruptive or distracting to the educational environment of the School, the final determination will be made by campus administration.

Students who choose to violate the Dress Code Guidelines will be referred to a campus administrator for clarification and/or disciplinary action. Parents will be contacted and requested to assist in a change of clothes so that the student will be in compliance with the Dress Code Guidelines. Refusal to change clothes, when possible, will constitute insubordination and result in disciplinary action. Repeated violations of the Dress Code Guidelines will be construed as insubordination and further disciplinary consequences will be incurred by the student.

Appeals

Final determinations by administration regarding Dress Code violations and resulting disciplinary actions, as well as whether or not to grant an exemption, may be challenged in accordance with the School's complaint/grievance process.

Time and Effort Procedures

Adopted: October 14, 2020

Revised:

1. All employees paid in whole or in part with federal funds, and employees whose salaries are used to meet a matching/cost sharing requirement, are required to provide time and effort documentation that accurately/reasonably represents the work that has been performed during the period being reported on.
 - a. **Semi-Annual Certification** – This certification must be submitted by/for employees who spend 100% of their time and effort on a single federal program during the six-month period being reported on.
 - i. Semi-Annual Certifications will be submitted for the periods July 1 through December 31, and January 1 through June 30.
 - ii. Semi-Annual Certifications must be submitted after the last day of the period being reported (after the fact).
 - iii. Semi-Annual Certifications must be submitted on an approved form.
 - iv. Forms will include:
 1. Name of Employee.
 2. Title of Employee.
 3. Period being reported on.
 4. A certification statement stating the employee has spent 100% of their time on the stated program.
 5. Name of the program worked on.
 6. Whether time, effort and salary are being used for cost sharing or matching purposes. If so, for which program(s).
 7. Signature of Employee.
 8. Date Signed by Employee (Note: Cannot be dated prior to the end of the period covered by the certification).
 9. Signature and Title of Direct Supervisor.
 10. Date Signed by Supervisor (Note: Cannot be dated prior to the end of the period covered by the certification).
 - b. **Personnel Activity Report (PAR)** – This report must be submitted by/for employees that:
 - i. Meet at least one of the following criteria:
 1. Work on multiple federal awards.
 2. A federal award and a non-federal award.
 3. Employees that work on a single federal award, but are paid for indirect cost activities AND direct cost activities.
 4. Employees that work on two or more indirect cost activities that are allocated using two different allocation bases.
 5. An employee that works on a federal award but on an unallowable activity and a direct or indirect cost activity.
 - ii. PARs will be submitted on a monthly basis.

- iii. PARs must be submitted after the last day of the month being report on (after the fact).
- iv. PARs must be submitted using an approved form.
- v. Forms will include:
 - 1. Employees Name.
 - 2. Period being reported on (e.g., January 1 through January 31, 2020).
 - 3. A certification statement stating that the distribution of the employee's time is an accurate representation of the work performed.
 - 4. Whether time, effort and salary are being used for cost sharing or matching purposes. If so, for which program(s).
 - 5. Distribution of time (by percentage e.g., 70% Title I, 30% SpEd) by account, Function, Program, Location.
 - 6. Time being reported must represent but cannot exceed 100%.
 - 7. Must coincide with one or more pay periods.
 - 8. Signature of Employee.
 - 9. Date Signed by Employee (Note: Cannot be dated prior to the end of the period covered by the PAR).
 - 10. Signature and Title of Direct Supervisor
 - 11. Date Signed by Supervisor (Note: Cannot be dated prior to the end of the period covered by the PAR).
 - 12. Sick time, vacation time, etc. must be coded proportionally to the different programs.
- 2. Payroll records must reconcile with the time and effort documentation.
- 3. A reconciliation of payroll records and time and effort documents will be done on a quarterly basis. Adjustments will be made and discussed, as necessary.
- 4. If an employee's salary is being used for cost sharing/matching purposes, then this needs to be identified on the employee's time and effort certification form. Once a salary has been used for matching purposes or a portion of the salary, then the salary, or portion thereof, that has been used may not be used as matching/cost sharing funds for another program.
- 5. If assignments change, it is the School's responsibility to inform the School's business administrator so that payroll records, budgets, etc. can be updated.
- 6. Upon termination of employment, an employee must submit their final time and effort documentation prior to receiving their final payment.
- 7. Procedures will be periodically reviewed by the administration. Updates due to changes in rules or regulations will be made in a timely manner, as necessary.
- 8. Employees will receive appropriate training on time and effort documentation.
- 9. The School will keep a copy of all time and effort documentation (Semi-Annual Certifications, Personnel Activity Reports, payroll reports, etc.) in accordance with the School's record retention practices or 5 years, whichever is greater (See 2 CFR 200.333).