



Board of Trustees Policy Manual

August 21, 2008

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Section 1: Introduction and Administration

Introduction (May 25, 2006)

This manual contains approved statements of the policy of the Monticello Academy (MA). The purpose of these statements is to promote a broad and uniform understanding of the manner in which individual members of the academy are to operate in a collective effort to achieve chartered objectives.

Definition of Policy (May 25, 2006)

The term "Policy" is subject to widely divergent usage and definition. To insure consistency of interpretation, the following definition has been adopted: A policy is a statement of the Board of Trustees' or Administration's intent with respect to matters of broad and long-range significance to the school.

Policies exist at two levels of the organization: Board of Trustees and Administration. Within this manual, policies shall be stated at the level of the Board of Trustees and at the level of the School Administration. In all cases, policies of the school Administration are derived FROM those of the Board of Trustees and are consistent with the charter.

By expressing intent, policies specify the direction or delineate the scope of organizational action. Policies automatically result in limits on action. Therefore, to avoid unnecessary rigidity, policies are stated in general and long-lasting terms. Details are avoided wherever possible. With the exception of statutory requirements or instances where specific application of a policy is essential to the long-term welfare of MA, policies allow for flexibility and change.

The policies of the Board apply throughout the school. The subjects that they cover are extremely important and are intended to remain of such importance into the foreseeable future.

Purpose of Policies (May 25, 2006)

Policies provide administrators and staff with guides to action that have been objectively considered in anticipation of problems. Because they are developed at the level of the Board, the guides are internally consistent; decisions can be made in one area with reasonable assurance that they will be consistent with decisions made in other areas. Being long-range in scope, policies have a stability that tends to insure that today's decisions will be compatible with those made yesterday or those that will be made tomorrow.

Policies imply limits. In striving for fully coordinated effort, some restraints must be accepted. However, in the very process of establishing limits, policies provide for freedom of action by establishing standards of acceptable action. An individual can act with confidence and dispatch because he knows the Board's and the Administration's intentions and desires.

Policies establish the manner in which the school will conduct its relationships with others, such as: staff, pupils, parents, and suppliers. Thus, policies promote good human relations and an attitude of fair and consistent treatment by keeping people informed and minimizing doubt.

Policies, Objectives, and Other Guides (May 25, 2006)

Policies and objectives are closely related. "Objectives" are end results, goals, or targets set by the Board or the Administration. Policies guide and LIMIT the actions and decisions of people as they work toward achieving charter objectives. The objectives of the charter are included in this manual.

Policies are not the only guides for operations. Specific practices, procedures, and regulations also help govern actions and decisions. These must be consistent with, but not mistaken for policies.

A "practice" is a means or method of doing something. Practices are the repetitive, continuing actions of the organization; the normal or currently specified ways in which various aspects of the school's activities are conducted. Because policies establish standards of acceptable action, they serve to LIMIT the practices that may be adopted within the school.

A "practice" is a series of interrelated steps carried out in performing an activity. Procedures define how practices and other activities with the school are performed. "Regulations" or "rules" are specific directions people are expected to obey. They are generally inflexible and often narrow in scope.

A change in policy occurs infrequently, for it reflects a shift in basic intention. However, as changes occur in the environment, both internally and externally, specific practices, procedures, and regulations must be adapted to meet them. Because of the expectation that changes in specific behavior will be required with relative frequency, procedures and regulations are published in separate individual manuals to be used within specific departments.

The definition of authority relationships, responsibilities, and division of effort are outlined within this Manual.

Responsibilities (May 25, 2006)

Accountability for the effectiveness of Monticello Academy rests ultimately with the Board of Trustees. Consequently, the determination of policy is the responsibility as well as the prerogative of the Board. The Board acknowledges its responsibility to provide leadership in the achievement of Monticello Academy objectives. This manual provides one aid in discharging that responsibility.

The Administrator shall be responsible for familiarizing himself with all school policies and for communicating them to his staff.

It shall be the duty of all Monticello Academy personnel to apply school policies judiciously to actions and decisions. Only by translating policy INTO intelligent action can the integration of effort necessary to attain school objectives be achieved.

Provision for Exception (May 25, 2006)

It is possible that unusual cases may occur where the best course of action in an isolated situation differs from the actions that would be taken in accordance with expressed policy. This does not mean that an otherwise sound policy must be distorted to accommodate the exceptional case; nor would the value of the policies be undermined by ignoring the exception. In such cases the problem would be examined on its own merits and an exceptional decision made where unusual circumstances prevail. However, full awareness of the exceptional nature of the decision and of the serious ramifications of the actions must be carefully considered.

Any significant exception to an existing policy should have the authorization of the Board or the Administrator, according to the level of the organization which instituted the policy.

Mission Statement

The mission of Monticello Academy is to provide a superior education for K-8 students by:

- Placing a high priority on academic achievement and college preparation;
- Fostering traditional American values of hard work and strong moral character;
- Encouraging parents to resume their rights and responsibilities to influence the education of their children;
- Restoring strong art, music, and physical education components to the school curriculum;
- Utilizing state-of-the-art technology to enhance instruction and learning; and
- Assisting students to gain knowledge, motivation, confidence, skills, and a lifelong love of learning.

Board of Trustees (May 25, 2006)

Rights and Responsibilities

The Monticello Academy Board of Trustees has all of the powers, privileges, and authority granted to charter schools and charter schools as LEA's under Utah Code 53A. The Board possesses and exercises all rights and privileges of policy, management, and control historically intended and practiced by elected representatives of its district counterpart. The Board recognizes the Administration as an arm of the Board and delegates to the Administration responsibility for administering the school in keeping with the policies and directives established by the Board. The CEO is an ex officio, non-voting member of the Board.

Guidelines

The Board shall have the following policy rights and responsibilities:

1. Establish fundamental parameters to assure students equal access to instruction and equity in educational opportunities.
2. Institute changes in procedure and establish, modify, eliminate, and enforce rules and regulations.
3. All other policy rights and responsibilities as provided by Utah code.

The Board shall have the following business management rights and responsibilities:

1. Establish an annual budget.
2. Set financial policies and priorities.
 - Spend state funding for the Minimum School Program on programs and activities which meet or exceed the minimum education standards established by the State Board of Education.
 - Spend federal funds on the purposes and programs for which they are intended.
 - Spend funds as authorized under state law and as determined to be in the best interest of the school.
3. Institute appropriate accounting procedures and assure that internal and external audits are conducted on a regular basis.
4. Enter into contractual agreements on behalf of the school.
5. Prepare annual statistical and financial reports for the State Office of Education as required by Utah code.
6. Accept private grants, loans, gifts, endowments, and bequests to the school. Monitor the use of donations, gifts in kind, and other contributions to the school.
7. All other business management rights and responsibilities as provided by Utah code.

The Board shall have the following employer rights and responsibilities:

1. Determine the size of the work force and assure that all schools and departments are staffed appropriately.
2. Hire, promote, discipline, suspend, and discharge personnel.
3. Require criminal background checks on new employees in the interest of student safety.
4. Establish procedures for assigning, scheduling, and directing all personnel including functions, authorities, and line/staff relationships.
5. Establish evaluation criteria and assure that all staff members are evaluated on a regular basis and according to the charter.
6. Provide a safe school/worksite environment for employees.
7. Make increases or decreases in staff size in accordance with employee due process rights and the provisions of an orderly reduction in force policy.
8. Establish pay scales for all employee groups which provide opportunities for salary improvements based on training and experience.
9. Determine the employee work calendar including contract days, holidays, etc.
10. All other employer rights and responsibilities as provided by Utah code.

The Board shall have the following instructional/educational rights and responsibilities

1. Establish a philosophy of instruction and continuum of services to assure all students access to the best education possible.
2. Determine educational processes and basic curricula.

3. Determine the school calendar including days of instruction, holidays, school hours, schedules, etc.
4. Establish requirements for school enrollment and withdrawal in accordance with Utah code.
5. All other instructional/educational rights and responsibilities as provided by Utah code.

The Board shall have the following rights and responsibilities related to facilities, supplies, and equipment:

1. Take, hold, lease, sell, and convey real and personal property as the interests of the school require.
2. Purchase, sell, and improve school sites, buildings, and equipment.
3. Select site for school and authorize construction and furnishing of school buildings and other facilities.
4. Facilitate public use of school property through rental agreements, cooperative use arrangements with other government agencies, and other programs found to be advantageous to the school.
5. All other rights and responsibilities related to facilities, supplies, and equipment as provided by Utah Code.

The Board may do all things necessary to promote education in the school as set forth in the Utah Code, the rules and regulations of the State Board of Education and the Monticello Academy charter standards. Nothing contained in this policy shall be considered to deny or restrict the Board of its rights, responsibilities, and authority under Utah Code or any other law or regulation that pertains to education or its status as a corporation.

In the developmental time prior to commencement and during the inaugural year, the Board may choose at its discretion to assume additional decision making that would otherwise be delegated to the Administration. Notwithstanding, efforts should be made to limit Board items to policy, personnel and contract/budget issues.

Chief Administrative Officer (CAO) (May 23, 2007)

The Board of Trustees may appoint a corporate Chief Administrative Officer (CAO) from among its members. Normally the Chair of the Board of Trustees is the CAO. The role of the CAO is necessary and may be critical to preserving the vision of the chartered program during the school startup period, when training new administrators, in conducting business with entities outside the school, or when other executive power is necessary beyond the scope of the CEO's duties. The CAO derives his or her authority from the board and the board defines the scope of the CAO's duties and powers by policy.

Executive Duties of the Board of Trustees (May 23, 2007)

In addition to the chartered responsibility of the Board of Trustees for ultimate oversight of the entire school program, it is anticipated that the individual members of the Board may also accept assignments to perform corporate executive and administrative duties. These duties are similar to support services provided by various departments for schools in traditional school districts and may be especially necessary during the formative years of school operations. The Board reserves the right to determine the scope of its administrative

powers and duties as a whole in addition to the assignments, durations, and specific duties of each trustee and administrator.

Communicating with School Employees

Whereas the Board is a policymaking body, it is the responsibility of the Administrator and school personnel to administer the policies. Whereas the Board has collective authority, no Individual Board member has authority to make decisions or act unless it has been delegated to him by the Board. Individual Board members may communicate with employees to ask questions, etc., but shall address administrative concerns to the CEO or the Board. Individual members will not give orders to any employees, either publicly or privately, unless expressly appointed to by the Board.

Public Participation in Meetings (May 25, 2006)

It is the policy of the Board to conduct all business in compliance with the open meeting law set forth in Utah Code §52-4. Further, it is the intent of the Board to facilitate communication with parents and others by establishing orderly processes for receiving public comment. Guidelines for meetings and public comment shall be as follows:

Board Meetings

1. School board meetings, other than closed sessions, shall be open to the public.
2. Meetings shall be advertised by posting meeting agendas at the school office, by notifying the news media, and posting on the website. A yearly meeting schedule will be posted by September. Agendas will be posted no later than 24 hours before the scheduled meeting.
3. Four Board members present constitute a quorum required to conduct business.
4. The Board may receive public comment upon certain Action items after presentation of the item and prior to Board action.
5. Requirements and limitations for addressing the Board.
 - a. Parents must indicate that they wish to address the Board on the sign-up sheet provided. Parents must list their names and the agenda item or topic they wish to address. Parents shall sign up to speak no later than 15 minutes after the meeting begins.
 - b. If several individuals are concerned with the same issue and share the same opinion, they may be asked to select a spokesperson or specified number of spokespersons to represent the shared opinion.
 - c. The Chair may limit the number of comments and/or time allowed based on the volume of the agenda.
 - d. Parents presenting highly detailed or complex information are asked to provide a written outline of their comments for the Board.
 - e. The Board will not take public comment on personnel issues during board meetings.
 - f. The Board procedure will follow Roberts Rules of Order Newly Revised 10th Edition. Proper decorum is the standard expected of all participants in the public meeting, including among observers.

6. Representatives from entities outside of the school who wish to address the Board should contact the school secretary and ask to be assigned time on the agenda. Whenever possible, such requests should be submitted one week prior to the meeting.
7. Minutes shall be kept of all school board meetings. After the minutes are officially approved by the Board, which is generally at the next meeting, they will be posted on the website and maintained in Board records at the school. Minutes are subject to public view upon request. Copies of minutes may be obtained in accordance with the Records Policy and in compliance with the Government Records Access and Management Act.

Board Study Sessions

1. Study sessions shall be scheduled as necessary for the Board to review and discuss pending issues.
2. The study session agenda shall be posted in the school office, the news media and on the website. It shall include the date, time, place and agenda at least 24 hours in advance.
3. No official Board action shall be taken during a study session.
4. Study sessions shall be open to the public but time will not be provided for public comment.
5. Minutes shall be kept of all study sessions. Following official approval, study session minutes will be treated the same as Board meeting minutes.

Closed Sessions

1. Closed sessions shall be held pursuant to Utah Code §52-4-4:
 - a. Personnel issues including discussion of character, professional competence, and the physical or mental health of an individual.
 - b. Deployment of security personnel, devices, or systems.
 - c. Litigation issues.
 - d. Discussion of purchase, exchange, lease, or sale of real property.
 - e. Investigation of alleged criminal misconduct.
2. A notice of the closed session shall be posted in the school office, with the news media and on the website and shall include the date, time, place and purpose of the meeting at least 24 hours in advance.
3. Closed sessions are not open to the public or news media.
4. Records of the meetings shall be consistent with state law.

Electronic Meeting Policy (May 25, 2006)

It is the policy of the Monticello Academy Board that Trustees who participate in a meeting through electronic means, telephonic, telecommunications or computer conference, in accordance with Utah Code 52-4-7.8 shall be deemed to be present at the meeting, including for purposes of determining a quorum.

Guidelines

- No later than 24 hours prior to a meeting, the Trustee shall make known his/her intent to participate in a public meeting via electronic means. He/She will also make known his/her requirements to participate electronically.
- Notice of the agenda shall also include a description of the means by which the Trustee shall be connected to the meeting.
- Space and facilities must be provided at the anchor location for members of the public to attend, monitor and participate in the electronic meeting.
- Clear connection and audibility shall be ensured for electronic participation.
- Trustee participating electronically in a closed meeting shall assure confidentiality and this shall be noted by the Secretary.
- The Board Chair shall inform the public of any relevant gestures made by the electronic participant, and will likewise inform the electronic participant of relevant gestures made by Trustees at the anchor site.
- The Board Chair, or appropriate Trustee, shall describe any visual materials that can't be seen by the remote participant.
- All rules of procedure apply to electronic meetings.

Process for Amending the Charter (September 28, 2006)

The Monticello Academy charter is the foundation document for the school and is a contract with the State of Utah. Because the vision contained in the charter touches every aspect of the school, changing the charter is a serious matter. The Monticello charter should only be amended under compelling circumstances.

It is anticipated that from time to time, minor changes may be approved to remedy inadvertent mistakes or inconsistencies in the charter. Minor changes that do not have a significant impact on the charter vision or the operations of the school may be approved by a 2/3 vote of the Board of Trustees without an extensive process. Clarifications or detailed explanations regarding charter language should be addressed through policies approved by the Monticello Academy Board of Trustees, rather than by recommending a charter amendment.

On rare occasions substantive changes to the charter may be justified by compelling circumstances. In such cases the Board of Trustees must use the following procedure:

1. The Board of Trustees must give a 30 day notice of the proposed substantive charter amendment to the members of the Monticello Academy Parent Organization.
2. After the 30 day notice period has expired, the Board of Trustees may, at their discretion, hold a public hearing on the proposed substantive amendment.
3. The substantive amendment must be approved by a 2/3 vote of the Board of Trustees.
4. Approved amendments do not take effect until approved by the Utah State Charter School Board and the Utah State Board of Education.

Administration

Executive Limitations (May 23, 2007)

1. The CEO shall not cause or allow anything to exist or occur in the school that is illegal, immoral, unethical, or imprudent.
2. The CEO shall not cause or allow the Board of Trustees to be substantially uninformed in the operations of the school.
3. The CEO shall not cause or allow expenditures that substantially deviate from the board approved school budget or that violate the board approved purchasing policy.
4. The CEO shall not cause or allow anyone besides the board designated administrator or member of the Board of Trustees to speak for or otherwise represent the school or its programs as an official spokesperson to the public.
5. The CEO shall not cause or allow financial, personnel, or any other school resources to be used contrary to the charter prescribed academically rigorous program, with the exception of legally required support services.
6. The CEO shall not fail to constantly improve staff teaching quality by searching out and recruiting the finest teachers, nor to replace mediocre or underperforming teachers with better ones as soon as reasonably possible.
7. The CEO shall not cause or allow teachers, other employees, or school volunteers to be insubordinate, antagonistic, subversive, or to disparage in any way the Board of Trustees, actions of the Board of Trustees, or the chartered program and vision of the school.
8. The CEO shall not cause or allow school employees or volunteers to engage in unfair, unprofessional, or disrespectful treatment of students or parents.
9. The CEO shall not fail to provide adequate and necessary support and training to teachers regarding the charter, policies, curriculum, pertinent child development, methodologies and school programs.
10. The CEO shall not cause or allow unfair, unprofessional, or disrespectful treatment of teachers, other employees, or school volunteers.
11. The CEO shall not cause or allow the implementation of any practices, policies, or communications that are inconsistent with the approved policies, directives, or stated intentions of the Board of Trustees or the chartered school program.
12. The CEO shall not cause or allow the unauthorized, inappropriate, illegal, or imprudent use of the school building or other fixed or consumable school assets.

General Duties

The Administration shall administer the educational programs and support services of the school. The Administration is directly answerable to the Board and is charged to see that school operations comply with Board policy, Board directives, and all legally established rules and regulations related to public education.

Reporting and Record Keeping (September 27, 2007)

At the request of the state charter school division, the Board of Trustees has approved the following policy: Monticello Academy will comply with all reporting and record keeping mandates required in Utah law.

Reports

Annual Historical Summary

At the close of each school year, the CEO is to prepare an annual historical summary that includes the following items:

- Personnel—attach a list of all personnel, listing their major assignments, recognitions, degrees acquired, births, deaths, and so forth. (Confidential or potentially embarrassing information should not be part of the historical summary)
- Program Trend Comparisons—Report the enrollment, achievement, graduation, and other totals. Compare these numbers with the totals for the previous year for each department.
- Program results—Include the names and numbers of students who are leaving for college or other significant endeavors.
- Special Events—Describe special events such as in-service meetings, programs, family and Parent Organization activities, and so forth. List the dates, locations, attendance, and any special experiences.
- Personal experiences—Describe some of the experiences of teachers, administrators, and other staff members as well as students and families who have been served by Monticello Academy. These experiences should pertain to the programs or activities and should demonstrate the successful implementation of the charter when possible.
- Physical Facilities—Describe any buildings, new construction, additions of major renovations, serious damage, or other building related information and its effect on the school program.
- Curriculum—Identify the types of programs and the courses offered, and how well they worked for MA students.
- Graduates—List the number of graduates and attach a copy of the graduation program with their names.
- Partnerships—Describe significant partnerships with other community organizations and businesses.

One paper copy of the Annual Historical Summary (with attachments) is to be kept in the office and one copy is to be sent to the Chair of the Board of Trustees within thirty days of the close of each school year.

Financial Records

The CEO is responsible for the availability and retention of all financial records and for compliance with all financial regulations. Additional details may be found in *Section 4: Finances* in this policy manual.

Administrative Documents

There are four types of administrative documents:

The Monticello Academy Charter

The charter is the core document for the school and is a contract with the State of Utah. The charter contains the vision, the philosophy, and some specific details about the

operation of the school, and together with state and federal regulations it is the guiding document for decisions and compliance for the entire program.

Policy Manual

The Monticello Academy Policy Manual is a document that provides more detail, but is consistent with the MA charter. The policy manual is meant as a daily guide for school employees and Trustees that establishes procedures and explains the governing principles for every aspect of the school program. If there are inadvertent conflicts between the school charter and the policy manual, the charter document takes precedence.

Monticello Handbook

The Monticello Handbook is a guide for families, and contains only the information most pertinent to families from the policy manual. Generally, the language in the handbook is the same as what is in the policy manual.

Correspondence

School correspondence includes CEO memos, letters, board memos, and Parent Organization announcements. From time to time it is necessary for the school to issue notices to clarify policies, procedures, or events, or to make requests. Generally these documents are posted on the MA website and may also be sent home in backpacks with students.

Section 2: Facility (September 29, 2007)

Purpose

The Monticello Academy building is one of the finest charter school facilities in the country. The state-of-the-art building was custom designed to visually represent Jefferson's Monticello and includes unique features for the curriculum and other needs of the chartered program at the school. Although Monticello Academy is considered a public school for certain purposes in Utah law, the school building is privately owned by Monticello Academy, Inc., a non-profit corporation. Building use and access is at the sole discretion of the Board of Trustees. The Board has approved the following policies to facilitate the mission of the school and to maximize the function, efficiency, appearance, and correct use of the building.

Shared Use (January 24, 2007)

Because the school land, building, furnishings, fixtures, and equipment are the property of Monticello Academy, Inc., a private, non-profit corporation and not a government entity, other groups do not have the same access and use rights that they would for a publicly owned school facility. The Monticello Academy Board of Trustees reserves all rights to determine use of the facility, to limit access and use of its properties, to assess fees, and to discriminate based upon acceptable risk factors, the compatibility of individuals or groups with the school mission and character model, or any other relevant criteria the board chooses to consider that is not prohibited by law. All rental agreements or requests to use the school facility by other organizations must be approved by the Board of Trustees. Groups who desire to use school property must submit a completed *Building Use Request* form and proof of insurance at least one week prior to the use date.

Building Rental Fee Schedule (August 21, 2008)

	Category 1	Category 2	Category 3
Gym/Stage	No Charge	\$100/hr.	\$300/hr.
Kitchen*	No Charge	\$100/hr.	\$300/hr.
Cafeteria	No Charge	\$50/hr.	\$150/hr.
Library**	No Charge	\$50/hr.	\$150/hr.
Classroom**	No Charge	\$50/hr.	\$100/hr.
Field	No Charge	\$100/hr.	\$300/hr.

Category I: Charitable or non-commercial organizations, municipalities and other tax-supported agencies for single-use such as for town meetings, Meet the Candidate Nights, etc.

Category II: Extended use of facilities by charitable or non-commercial organizations, municipalities or tax-supported agencies for plays, productions, or multiple night events, not charging fees.

Category III: Commercial organizations.

Computer labs and other school spaces not listed are not to be rented. Above costs are for space only. Personnel costs are added by agreement at a rate of \$30 per hour for each supervisor, custodian, technician, or kitchen worker, librarian, or teacher

*Kitchen rental always requires a school kitchen worker

**Library and Classroom use may require the librarian or teacher

Building Security

Building security is critical to the safety of students, staff, and authorized volunteers at Monticello Academy. All outside doors are to remain secured (locked and latched) during the day unless they are in use. Visitors must be admitted by the office staff after communicating through the main entrance intercom and must wear a clearly visible temporary visitor ID badge for the duration of their stay.

Employees should not be alone in the building between the hours of 10:00 PM and 6:00 AM. Employees also agree to abide by any additional policies or restrictions regarding building access implemented by the Board of Trustees or the school administration.

Building Keys

Prior to receiving building keys, employees are required to sign the *Building Key Agreement* to acknowledge their understanding and commitment to maintaining a strict obligation and commitment to site security.

All keys are the property of Monticello Academy and must be returned immediately upon request. Electronic “FOBs” are to be kept separate from Monticello Academy identification. Misplaced or stolen FOBs, Keys, or ID cards must be reported immediately to the CEO or the Business Manger. Keys are non-transferable and access codes are confidential. Lost or stolen keys may also result in a replacement fee, depending on the circumstances. Monticello Employees may not share keys or allow unauthorized access to the school building. Making unauthorized copies of building keys or access code cards is strictly prohibited.

Cleaning and Maintenance

Everyone associated with the school has some responsibility for the function and appearance of the building. School staff, volunteers, students, and families all have distinct assignments in connection to their relationship with the school. The entire MA family should become accustomed to doing their part and encouraging others to adopt the same mindset. Simply stated, the underlying philosophy regarding the facility at Monticello Academy is that *we all take pride in the school and pitch in to keep the place beautiful.*

Custodial Staff

School employees who are hired specifically for building related matters have a specific list of duties and responsibilities. These duties include, but are not limited to the following: Repairs and maintenance of existing building fixtures, furnishings, and equipment, floor maintenance, general cleaning, landscape maintenance, cafeteria setup and cleanup, preparation and takedown for assemblies or other special events, and any other major building needs not covered by service agreements with outside vendors. Part time sweepers are hired to vacuum and empty trash cans each day.

Contract Vendors

Service agreements specify the expectations for contract vendors, and may include some landscape maintenance, specialized repairs, occasional building improvements, or other necessary services.

Other Employees

All staff members, including teachers, office staff, and any other employees are responsible for the basic cleanliness and appearance of their work space beyond the duties of the custodial staff. Teachers, for example, should clean up after messy classroom activities and should maintain clean surfaces in their respective classrooms, including countertops, whiteboards, and interior window surfaces. Office employees should perform similar tasks in their individual office spaces.

Volunteers

Each MA family is encouraged to donate at least 40 hours of volunteer service to the school annually. To fulfill this quota, many assignments may include building related services.

Students

As part of the character model and basic training as a student at Monticello Academy, teachers should constantly reinforce correct principles and expectations regarding school pride and personal responsibility with students. For example, students should be trained with the expectation that they stack chairs, clean up after their activities, and pick up litter on campus when necessary.

Lockers

All lockers on school premises are the property of Monticello Academy. The school reserves the right to inspect any locker and its contents to ensure that it is being used in accordance with its intended purpose, and to eliminate hazards, maintain sanitary conditions, attempt to locate lost or stolen material, prevent unauthorized use, and perform maintenance. Unauthorized items may be seized and held for evidence in disciplinary proceedings and/or turned over to law enforcement officials where appropriate.

Hall lockers and P.E. lockers are made available as a courtesy to students for storage of school supplies and personal items necessary for use at school. Lockers are not

to be used to store items which may cause interference with school operation, or which are forbidden by school rules or by law. Food or drinks should not be stored in lockers overnight. Locker assignments are final, except in cases where an exception is needed due to medical necessity.

Students should keep their lockers locked at all times and should never share their combination with others. New combinations will not be issued because a student did not keep their combination private. Students should not write in or on the lockers, and will be held responsible for any damage to the locker assigned to them, unless the damage is vandalism caused by another person and is reported as such to the office immediately. No decorations should be placed on the outside of the lockers, and only removable decorations are allowed on the inside (for example, stickers are not allowed). No decorations will be allowed which are deemed to be offensive or inappropriate by school officials. Students may not use their own locks on hall lockers under any circumstances, and may only be used on P.E. lockers with prior approval from the CEO. Unauthorized locks may be removed without notice, which usually results in destruction of the lock.

Locker room lockers are for use only during a student's scheduled P.E. class. All contents must be removed from P.E. lockers at the end of the class period to allow the locker to be used by the next class. Items remaining in locker room lockers at the end of class will be considered abandoned and placed in the lost & found.

Monticello Academy assumes NO responsibility for loss or damage to any item in a locker, or items which are abandoned in locker room lockers. Use of school lockers implies consent, and agreement to abide by this policy. A copy of this policy will be made available to students and parents/guardians in print and/or on the school website.

Defacing or Injuring School Property (February 28, 2008)

The Board of Trustees has adopted the following policy regarding defacing or injuring school property, consistent with Utah code 53A-11-806:

Any student who willfully defaces or otherwise injures any school property may be suspended or otherwise disciplined. The school may withhold the issuance of official written grade reports, diploma, and transcripts of the student responsible for school property that has been lost or willfully cut, defaced, or otherwise injured until the student or the student's parent or guardian has paid for the damages. The student's parent or guardian is liable for damages.

If the student and the student's parent or guardian are unable to pay for the damages or if it is determined by the school in consultation with the student's parents that the student's interests would not be served if the parents were to pay for the damages, then, the school may provide for a program of voluntary work for

the student in lieu of the payment. The school shall release the official grades, diploma, and transcripts of the student upon completion of the voluntary work.

The Board of Trustees shall adopt procedures to insure that the student's right to due process is protected before any penalties are assessed under this policy. No penalty may be assessed for damages which may be reasonably attributed to normal wear and tear.

If the Department of Human Services or a licensed child-placing agency has been granted custody of the student, that student's records, if requested by the department or agency, may not be withheld from the department or agency for nonpayment of damages under this policy.

Section 3: Information Systems and Data Management

Information Security

Personnel and Student information is confidential and may only be accessed by authorized employees. MA will develop a protocol for accessing confidential files which preserves sensitive information and protects the privacy of employees and students. Any employee may review his or her own personnel file upon written request, but may not remove anything from the file. Personnel files are the property of the school. Employees with access to personnel and student files are under strict obligation to preserve confidentiality and to never reveal sensitive information. Each employee is required to sign the Monticello Academy Privacy Policy. *(Note: This paragraph is also contained in Section 5: Employees)*

Information created or used by MA should be secured by passwords and other security measures against unauthorized access, change, destruction, or disclosure. The information in MA databases accessed by MA employees may not be shared with others or used for political, commercial, or personal purposes. Any exceptions must be approved by the Board of Trustees.

Data files should be backed up regularly to assure business continuity in the event of fire, theft, hardware failure, and so forth. A copy of backup files should be maintained at a secure off site location. In the event that an outside vendor is approved for remote access to MA computers (such as for HVAC control, computer maintenance, or other necessary services), they should not be permitted to have unmonitored or open access to the school network.

Intellectual Property and Work Products

All Intellectual Property of the school—including, but not limited to marketing, logos, slogans, copyrights, patents, colors, themes, policies, manuals, agreements, documents, and data—belongs to Monticello Academy, Inc. Any intellectual property developed by volunteers or employees on behalf of the school becomes the property of Monticello Academy, Inc. Any negotiations or exceptions must be approved in advance by the Board of Trustees.

By law, work products developed by MA employees during working hours or using MA equipment, including computers, in connection with MA employment are considered copyrightable materials belonging to the school. MA rights to these materials extend beyond possible change of employment. MA employees should promptly disclose to the administration any personal MA-related work they may be considering for patent or copyright. Educational research conducted using a MA computer is not considered to be a “work product.” Studies or research on MA programs or using MA data must be approved by the Board of Trustees prior to the research or study being conducted. Research results must be shared with the Board of Trustees.

Equipment and Network Access

MA computers and networking equipment is provided primarily to accomplish the educational purposes of the school, including professional use by MA employees to accomplish the objectives of the school. MA computers must not be used for non-school, commercial purposes. Occasional personal use of school computers and e-mail accounts is permitted. However, personal data stored on MA-owned computers does not carry an expectation of privacy and is subject to review by the school. Personal use must not interfere with job performance. Adequate care should be taken to ensure that computers are not lost, stolen, or damaged. Although laptop computers may be taken home on evenings and weekends, a MA computer may not be used as a family computer.

All employees authorized to use school computers are expected to make regular use of e-mail and online training and are to take advantage of appropriate internet resources, such as www.monticelloacademy.net and the school intranet.

Access to MA computers should be protected through logins and passwords. Logins and passwords must only be created for MA employees who require computer and network access to perform in their assignments. Generally, volunteers should not have access to MA computers or the network. Any exceptions must be approved by the Board of Trustees. Individuals who are authorized to access the MA network must first sign the *Monticello Academy Network User Agreement* before network access is approved.

Logins and passwords are not to be shared with others. Students are not authorized to use teacher computers or any other computers not meant specifically for student use. Generally, privately owned personal computers are not authorized for connection to the MA school network. However, a separate network may be established solely for guest internet access.

E-mail and Internet Use

The intended use of the school's electronic communication systems (such as e-mail, network, the Internet and Intranet, etc.) is for school-related purposes. Incidental and occasional personal use of these systems is permitted. However, the school reserves the right to access and, when appropriate, disclose all messages created, sent, or received electronically and any and all internet usage. Electronic usage is available for review by the administration and the Board of Trustees. Employees should not use school electronic communication systems for personal communications which should be kept confidential.

MA employees are expected to exemplify the high standards upon which the school was founded. Employees who use MA equipment improperly or who access or download inappropriate material—including, but not limited to, the circumstances listed below—are in violation of the standards for MA employee conduct and shall be subject to dismissal from employment.

- Obtaining or viewing pornography from the Internet or any other source. If an employee inadvertently becomes connected to an Internet site containing inappropriate material, the connection should immediately be terminated and the employee should never connect to that site again. As a protection, the employee should immediately report any inadvertent connection on MA computer equipment to the school administration.
- Illegally downloading copyrighted or proprietary material.
- Excessive personal use of the computer or Internet that interferes with an employee's job functions or performance.
- Removal, alteration, disabling, or replacing filtering software on MA computer equipment.

Copyrights and Software Licenses

MA employees must respect the intellectual property of others. Care should be taken to avoid the illegal use of copyrighted material in presentations, productions, computer programs, or other work products. Copyrighted materials must not be installed, downloaded, copied from home, reproduced, or distributed on MA computers in violation of copyright laws. This includes but is not limited to software, music, visual images, and so forth. Even when legally obtained, care should be taken to ensure that use for classroom or training presentations adheres to the "fair use" guidelines allowed by law.

Software necessary for the school programs is provided by Monticello Academy. Personal software may only be installed on teacher computers with a valid user license and if approved by the school technology committee. Commercial software products require that the license documentation be physically stored at the location where the product is used. By law, software manufacturers have a right to inspect the official license on site; therefore, software license documentation for all purchased products must be physically stored on site. MA will only provide technical support for software owned by the school.

PDA Synchronization

School employees who are issued a computer may synchronize a Personal Digital Assistant (PDA) device to their assigned computers. MA does not provide PDA devices or any technical support for PDA devices, nor is MA responsible for personal data loss when PDAs are connected to school computers. Data from a MA database (such as compass or SIS) may not be transferred to any non-MA computer or PDA.

School Records Access and Management (September 27, 2007)

Utah law requires charter Schools to comply with the provisions of the Government Records Access and Management Act (GRAMA). Accordingly, the Monticello Academy Board of Trustees has adopted the following policy:

Records Officer

The Board of Trustees appoints the School Records Officer. The duties of the Records Officer include:

- Oversight and coordination of School records access and management
- Reporting about records services to the Board of Trustees
- Provide training relative to records management, maintenance and access to School personnel as necessary
- Establish and maintain an active, continuing program for the economical and efficient management of the School's records
- Make and maintain adequate and proper documentation of the School's functions, policies, decisions, procedures and essential transactions designed to furnish information to protect the legal and financial rights of persons directly affected by the School's activities;
- Establish retention schedules for records
- The Records Officer may classify a particular record, record series or information within a record at any time, but is not required to classify a particular record, record series or information until access to the record is requested. The Records Officer may redesignate a record series or reclassify a record, record series or information within a record at any time.

Records Maintenance Procedures

Records maintenance procedures shall be developed by the Records Officer to ensure that due care is taken to maintain and preserve School records safely and accurately over the long term. The Records Officer shall be responsible for monitoring the application and use of technical processes in the creation, duplication and disposal of School Records, and shall monitor compliance with the required standards of quality, permanence and admissibility pertaining to the creation, use and maintenance of records.

Storage Medium

The School retains and reserves to itself the right to use any type of non-verbal or non-written format for the storage, retention and retrieval of records, including, but not limited to, audio tapes, video tapes, microforms, any type of computer, data processing, imaging or electronic information storage or processing equipment or systems, which are not prohibited by state statute and do not compromise legal requirements for records storage, retrieval, security and maintenance, to store and maintain School records. All computerized and non-written format records and data which are designated and classified in accordance with this policy shall be made available to a requester in accordance with this policy.

Records Access, Disclosure, and Public Rights

Every person has a right to inspect a public record, free of charge, and has the right to take a copy of a public record during normal School business hours, subject to the payment of reasonable costs and fees as set forth in this policy.

Student Directory

The Monticello Academy Board of Trustees has determined that when certain public records are requested, parent names and phone numbers may be released without violating the privacy of MA families, if those families consent to publishing their personal information.

No Duty To Create A Record

The School has no obligation to create a record or a record series in response to a request, if the record or record series requested is not otherwise regularly maintained or kept. Upon request, the School shall provide a record in a particular format if: (a) The School is able to do so without unreasonably interfering with the School's duties and responsibilities; and (b) The requester agrees to pay the School for its additional costs actually incurred in providing the record in the requested format. Nothing in this section requires the School to fulfill a person's record request if the request unreasonably duplicates prior record requests from that person.

Copies of Large Records

If a person requests copies of more than 50 pages of records, and, if the records are contained in files that do not contain records that are exempt from disclosure, the School may: (1) Provide the requester with the facilities for copying the requested records and require that the requester make the copies himself; or (2) Allow the requester to provide his own copying facilities and personnel to make the copies at the School's offices and waive the fees for copying the records.

Records Requests

All record requests shall be directed to the Business Manager in writing on a form provided by Monticello Academy.

Fees

Utah law allows the School to charge a reasonable fee to cover the actual cost of duplicating a record, compiling a record in a form other than that maintained by the School, postage or any other fee reasonably related to the request for the record consistent with this policy. The School may fulfill a record request without charge, when it determines that releasing the record primarily benefits the public rather than a person; the individual requesting the record is the subject of the record; or the requester's rights are directly implicated by the information in the record, and the requester is impecunious. The School shall not charge a fee for reviewing a record to determine whether it is subject to disclosure or inspecting a record.

The MA Board of Trustees has adopted the following fees:

- Compiling records in a form other than that maintained by School - Actual cost and expense for employee time or time of any other person hired and supplies and equipment; minimum charge of \$15/request.
- Fulfilling records requests shall be charged at the actual cost, which cost shall include the actual time expended in retrieving and copying the record charged at the hourly total compensation rate of the employee required to provide the record plus the copy costs listed below.
- Copy of record - \$0.10/printed page
- Postage and other costs allowed by law - actual cost to School

Appeals

Any person aggrieved by an access determination of the Records Officer under this policy may appeal the determination to the Chair of the Board of Trustees. The notice of appeal to the Chair shall be in writing and shall be filed with the Business Manager no later than 30 calendar days after the Records Officer has denied the appeal or fails to make a determination within the time period specified in this policy. The notice of appeal shall contain the following information:

- The petitioner's name, mailing address and daytime telephone number;
- A copy of any denial of the records request; and
- The relief sought.
- The petitioner shall file a short supporting statement, including a statement of facts, and a recitation of the reasons and legal authority in support of the appeal.

No later than three business days after receiving a notice of appeal, the Business Manager shall schedule a hearing for the Chair of the Board of Trustees to discuss the appeal. Unless otherwise agreed to by both parties, the Chair shall hold the hearing no sooner than 15 days and no later than 30 days after receiving the notice of appeal. At the hearing, the Chair shall allow the parties to testify, present evidence and comment on the issues. The Chair may allow other interested persons to comment on the issues. The Chair may review the disputed records.

No later than five business days after the hearing, the Chair of the Board of Trustees shall issue a signed order either granting the petition in whole or in part, or upholding the determination of the Records Officer in whole or in part. In making a determination under this policy, the Chair shall consider and, where appropriate, may limit the requester's use and further disclosure of the record in order to protect privacy interests in the case of private or controlled records, business confidentiality interests and privacy interests or the public interest in the case of other protected records. The order of the Chair shall include the following:

- A statement of reasons for the decision;
- A description of the record or portions of the record to which access was ordered or denied, or to which it refuses to amend, provided that the description does not disclose private, controlled or protected information;
- A statement that any party to the appeal may appeal the Chair's decision to the State Records Committee or directly to the district court; and

- A brief summary of the appeal and a notice that, in order to protect its right on appeal, the party may wish to seek advice from an attorney.

If the Chair fails to issue a decision within ten business days after the hearing, said failure shall be considered the equivalent of an order denying the appeal.

Delegation

The duties of the Chair may be delegated for the purposes of school records access appeals.

Section 4: Finance (August 21, 2008)

Introduction

The CEO under the direction of the Board of Trustees will oversee the finances, and is responsible for the proper implementation and utilization of accounting controls. The Business Manager under the direction of the CEO and the Audit Committee will administer revenue and expenditures and record management. Monticello Academy (MA) financial records are public and are subject to review at any time via GRAMA requests. These policies are intended to provide flexibility in the operation of MA while insuring the highest standards of fiduciary control. The Board of Trustees recognizes the delicate nature and special stewardship over these public education funds.

Budgeting

The annual budgeting process provides an opportunity to review and justify the use of funds in an effort to fulfill the mission of Monticello Academy.

Budget Preparation

The CEO has the main responsibility for planning and budgeting carefully, but every employee and volunteer should be careful in using school funds. The CEO submits the proposed MA budget by April 1 each year. Program needs, as anticipated for the next three to five years, should be under constant review. The CEO is to gather data for each school department and include it in the annual budget proposal to the budget committee. The Budget Committee will meet annually no later than May 31st to finalize the new fiscal year's budget proposal. The proposal is then submitted to the Board of Trustees for approval before July.

Budget Adjustments

Each department is expected to spend within its approved budget. Expenses should always be charged to the proper account, never to another account that has available funds. If a particular account is under budgeted, the Board of Trustees may approve an adjustment, upon written request from the CEO. The Board must approve any change to the approved budget.

Budget Committee

The MA Budget Committee works together to review the annual budget proposal, recommend budget adjustments, oversee spending and compliance with the MA finance policy, and to review large purchases. The Budget Committee includes the following members:

1. The CEO
2. The Business Manager
3. The Chair of the Board of Trustees
4. Another member of the Board of Trustees

Forms and Publications

The following forms and publications must be used to comply with the MA finance policies:

1. MA Purchase Request Form
2. MA Purchase Order
3. MA New Vendor

General Finance Policies

1. Receipts should be issued for all funds received, and the funds should be deposited in a timely manner—at least weekly.
2. Purchases are made in one of the following ways:
 - a. An authorized MA debit card
 - b. Checks that have been issued following the approved AP Work Flow Cycle
3. All transactions require either an Expense and Reimbursement Form (MA ERF) or a Purchase Requisition Form
4. All copies (including the original) of voided receipts and checks should be kept on file.
5. Income and expenditures should be coded to the correct account, regardless of the budget balance.
6. Generally, personal expenses should not be processed through MA accounts. In the case of limited personal use of certain MA resources, such as copy machines, the user is expected to reimburse MA.
7. MA funds should not be used for salary advances to employees or personal loans to anyone. Exceptions must be approved by the Board of Trustees.
8. Accounts should be reconciled monthly and a copy of the reconciliation sent to the Chair of the Board of Trustees.
9. Items should be purchased from state agencies when available.
10. Items should be purchased using statewide contracts (regardless of dollar amount) when those contracts offer products that meet MA requirements.
11. Items costing \$999 or less which are not available for purchase via statewide contract may be purchased from the best source without seeking competitive quotes. Purchase may not last more than one year in duration and no contractual agreement is signed.
12. Items costing between \$1,000 and \$5,000 require competitive quotes and the purchase should be the lowest responsible quote. Purchase cannot last more than one year in duration and may not require a contractual agreement.
13. Items costing more than \$5,001 but less than \$50,000 require the approval of the Budget Committee.
14. Purchases more than \$50,001 require the approval of Board of Trustees.
15. Purchases lasting more than one year in duration and requiring a contractual agreement must receive approval from the Board of Trustees.
16. Requisitions for items already covered under a State Contract do not require either a formal or an informal bid proposal.

Accounts Payable and Work Flow Cycle

Step 1) Purchase Requests

- A Purchase Request Form is used to request a purchase.
- Purchase requests are generated or originated by teachers, department managers, school staff personnel, parent volunteers, or others. All supportive documents must be attached with request (i.e. receipts, order forms, descriptions, brochures, and other documents)
- Strict adherence to Monticello Academy (MA) purchase guidelines & requirements is very important in order to maintain the school's use of public monies. See MA purchasing policy or purchasing flow chart for more information.
- Requests are submitted to the department chair for preliminary approval

Step 2) Approval for Purchase by Department Chair

- The department chair verifies the request as consistent with the department plans and within the department budget.
- The department chair enters department budget information, signs the form and submits it to the CEO for final approval.

Step 3) Approval for Purchase by CEO

- The CEO verifies the request as within established Budget criteria before approval is granted.
- The requests are inspected to insure all purchase guidelines are followed and satisfied before approval is granted.
- The CEO determines method of payment (purchasing card, PO, or check).
- The CEO signs the purchase request form.

Step 3) Purchase and subsequent instructions

- After a purchase request is approved by the CEO, the purchase may be executed by the Business Manager or another designee, including the requestor.
- The Vendor is entered into the accounting system
- New Vendor Form is sent to vendor – Vendor name, address, special processing information, trade application completed, IRS W-9 form completed, sales tax exemption form completed and all forms kept in vendor file
- New Vendor information entered into accounting system
- New Vendors or Purchases that require a contractual agreement, must receive Board of Trustee approval before receiving purchase approval

Step 5) Invoices

- PO matched & attached to invoice, invoice is entered in accounting system, and placed in *Accounts Payable to be paid* file
- Requests are cataloged in account payable ledger to monitor cash position requirements

Step 6) Accounts Payable Payments (2nd & 4th week recommended)

- List of Payments Requests is generated and total Cash available is determined to handle obligations.
- Payments selected – Invoices and Purchase Request Forms are reviewed by Business Manager for final payment consideration with supportive source documentation
- Final check by Business Manager to insure that all requests are within department budgets and cash requirements are satisfied
- Checks are forwarded for signatures with invoices and Purchase Request forms with source document and authorizations (purchase order or dept. manager signature) attached.

Step 7) Checks are signed

- Checks under \$500.00 require only one approved check signer & checks \$500.00 or more require two approved check signers, one signature must be from the CEO.
- A management representative other than the requestor must sign checks made to any bank account signer.
- Checks should be cut weekly for efficiency.
- After checks have been signed, they are returned to the Business Manager.

Step 8) Checks Disbursed

- Checks are released or mailed.
Invoice, check requests, or reimbursement forms are file.

Sales and Use Taxes

As a public school and a non-profit corporation, MA is exempt from sales and use taxes. MA personnel should take advantage of the legal tax exemption for purchases, lodging, and other appropriate expenditures. For exemption numbers and copies of certificates, or if there are questions, contact the MA Business Manager.

Auditing and Reporting

MA will issue financial reports in accordance with Generally Accepted Accounting Principles (“GAAP”) and the State Office of Education guidelines for Budgeting, Accounting and Auditing for Utah School Districts. An independent accounting firm, which is retained by the board, will conduct the annual audit after the fiscal year end and the results will be reported to the Board of Trustees. At its discretion the Board will appoint an audit committee or contract with a third party firm.

If the Board chooses to appoint an audit committee it should include:

- 1) Board Member appointed by the Chair
- 2) Parent or other volunteer with accounting or auditing experience appointed by the board

- 3) Parent or other volunteer with accounting or business operation experience appointed by the board
- 4) A member of the retained independent accounting firm may be appointed as an advisor to the committee at the discretion of the board.

Employees of Monticello Academy are not eligible to serve on the audit committee. The audit committee stands as the specially qualified group who can better understand, monitor, coordinate, and interpret all the financial activities for the entire board. On a monthly basis the committee will conduct a spot audit or review of the following:

- 1) Cash Processes
- 2) Receivable Processes
- 3) Payable Processes
- 4) Payrolls
- 5) General Procedures
- 6) Internal Operations
- 7) Handling of Deviations

The audit committee will create a summary report and a corrective action report. The committee will submit the summary report for the monthly board meeting.

Account Policies

Debit Card

A debit card is preferred to writing checks for incidental school expenses. The following expectations govern the use of a MA debit cards:

1. Individuals must be authorized by the Board of Trustees to have a debit card issued for school use.
2. The card may not be used to withdraw cash.
3. The card may not be used for personal purchases.
4. The card may not be given to another person to use.
5. Each card should have a daily spending limit.
6. The Monticello Academy purchasing policy must be followed at all times.
7. The card should not be used for large purchases where a PO could be used.
8. Original itemized receipts and other supporting documentation should be attached to an MA ERF and submitted to the Business Manager immediately following each purchase.

Checking Account

1. Is administered by the Business Manager.
2. Checks should only be signed after being filled out completely including the date, payee, and amount. No pre-signed checks.
3. All checks greater than \$500 requires two authorized signatures

4. The CEO, the Assistant CEO, the Business Manager, and the Chair of the Board of Trustees are authorized to sign checks. The Board of Trustees if necessary may approve others.

Purchase Orders

Purchase orders must be used with vendors for large purchases. Purchase orders must follow the approved AP cycle and work flow schedule.

Corporate Vendor Accounts

MA may establish corporate vendor accounts for purchasing services and supplies. The business manager under the direction of the CEO may establish vendor accounts.

Contractual Agreements for Purchase

No employee of MA may obligate Monticello Academy Inc. to any long-term purchase agreement or contractual agreement without approval from the Board of Trustees. The Chair of the Board of Trustees following a resolution from the Board of Trustees must execute all contracts.

Account Reconciliation

Reconcilable accounts must be reconciled within two weeks of receiving the monthly statement. The CEO should then review and sign the reconciliation report and send a copy to the Audit Committee.

General Travel Policies

MA employees should limit travel to activities that cannot be accomplished by telephone or correspondence, and then make maximum use of each trip. All travel related expenses must fit within the approved budget and be approved in advance by the business manager and CEO. The board of directors must approve travel costs that exceed the budget allotment for the fiscal year. MA does not cover costs for an employee's spouse to travel. For payment of approved travel expenses, MA employees may use a MA credit card if approved, seek a travel advance (hotel, airfare and rental car only), or use personal funds and be reimbursed. Reimbursement is obtained and expenses paid by MA credit card are reported by attaching the original receipts and other expense documents to a reimbursement request form. A credit card statement is not an acceptable substitute for the original receipts and other expense documents. All travel related expenses must be approved in advance. Employees cannot reimburse themselves or approve personal reimbursement for their own business travel. All travel expenses will be reimbursed within 30 days of receiving the MA Expense and Reimbursement Form (MA ERF).

Personal Credit Cards

When an employee uses a personal credit card for approved travel expenses, the travel expenses are billed to the employee. MA will not be liable for any charges to the credit card, and MA will not make payments directly to credit card companies or banks for MA-related charges on personal credit cards. To be reimbursed by MA, the employee should submit itemized receipts using the MA Expense and Reimbursement Form (MA ERF).

Mileage Reimbursement Rate

The current MA mileage reimbursement rate is the same as the current IRS rate. This rate is used to reimburse employees who have used a personal vehicle for authorized MA business. The mileage reimbursement rate is designed to include the cost of fuel, oil, maintenance, insurance, depreciation of the acquisition cost of the vehicle, and so forth.

Airline, Bus, and Train Fare

Reimbursement will be made for airline, bus, train, or other commercial travel costs related to MA business. Receipts, vouchers, or other supporting documents should be submitted for reimbursement. When a commercial airline flight is available, it may cost less than using a private car. If such air travel is available but an employee chooses to drive, reimbursement will be based on the lesser of the economy airfare to that destination or the mileage cost. Payment for meals or lodging will be limited to that which air travel would require.

Rented Car or Taxi

Reimbursement will be made for use of a rented car or taxi when traveling on MA business. When possible, a receipt should be obtained for taxi service.

Meals

Reimbursement for meals may be requested when MA business requires employees to travel away from home overnight. Reimbursement for meals will follow US Government Per Diem Rates for the Salt Lake Area. Administrators may occasionally purchase meals for others when conducting MA business if necessary. In such cases, meals should be modestly priced and appropriate tips may be added to the cost of the meal.

Lodging

Lodging costs will be reimbursed when an employee is required to be away from home overnight. Accommodations should be adequate and modest in price. Receipts should be attached to the reimbursement request.

Other Expenses

Telephone calls (including reasonable calls home), parking fees, laundry costs, fuel for a rented car, or other expenses incurred in travel on MA business should be itemized and included on the reimbursement request. Costs for personal items or expenses not necessary in conducting MA business should not be included. Expenses are subject to approval from the Business Manager or the CEO.

Fixed Assets

Equipment, Office, and Classroom Furnishings

All equipment, office, and classroom furnishings purchased by MA for an employee's job responsibilities, stay with the school when the employee leaves. All electronic equipment,

furniture and any other asset greater than \$500 will be tagged with a MA asset tag and logged in the MA Fixed Asset Inventory.

Equipment Inventory

The MA Fixed Asset Inventory is updated annually and is maintained by the Business Manager under the direction of the CEO. All employees should assist the CEO in this effort by communicating any of the following information:

1. The purchase of any item(s) that should be included on the inventory list (either a new item or a replacement).
2. The disposal of any inventory item(s).
3. Any other transactions that would affect the fixed asset inventory for a given unit.

Equipment Disposal

It is intended that equipment be used as long as possible. When equipment is no longer needed, regardless of the reason, the CEO should be notified. If it cannot be used elsewhere in the school, the CEO should declare it surplus and may dispose of it in one of the following ways:

1. By advertisement and sale to the public
2. By auction open to MA faculty and families
3. By donation to another non-profit or charity
4. By donation to State Surplus

Any proceeds from the sale of surplus property must be accounted and received into the MA general operating account.

Section 5: General Employee Policies (May 23, 2007)

Introduction

The MA Board of Trustees recognizes the value of excellent administrators, teachers, and other school employees. The following policies and principles insure the integrity of the chartered program while also protecting the rights of individual staff members. Violations of employee policies are extremely serious and may lead to dismissal.

Human Resource Management Policy and Procedures (May 25, 2006)

Monticello Academy is an equal opportunity employer. Discrimination on the basis of sex, disability, race, color, national origin, religion, age, or any other condition protected by various state and federal laws in regards to any aspect of employment will not be tolerated. Monticello Academy provides reasonable accommodations to the known disabilities of otherwise qualified applicants and employees. No individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of Monticello Academy.

Filling Vacant Positions (revised May 23, 2007)

The purpose of this section is to establish the procedures for the recruitment and selection of personnel employed by Monticello Academy.

Recruitment Committee

The Board of Trustees hires the CEO. The CEO hires the Principal with the consent of the Board of Trustees. The CEO hires the teaching staff and all other support staff.

A Recruitment Committee is convened as an advisory committee to the CEO for the recruitment and hiring of instructional staff, including teachers, para-educators and substitutes. The Recruitment Committee consists of at least one Board Trustee, the Parent Organization Vice President with Human Resources functions, a teacher with subject area qualifications, and any others recommended by the CEO or the Board of Trustees. The Recruitment Committee must have at least three members. Typically, committees consist of five total members so candidates are not overwhelmed. Mid-year teaching vacancies may be filled by the CEO when convening a recruitment committee is not feasible.

Job Analysis

The essential and marginal job functions as called for by the Americans with Disabilities Act and the required knowledge, skills, and abilities will be determined for the position to be filled. The minimum education, experience, knowledge, and skills taken from the Position Description that are necessary to meet the job requirements and any special qualifications and recruiting preferences will also be stated. Documentation will be maintained by the Human Resource Director showing that any preferences stated are linked to essential job functions. Any physical requirements noted in the analysis must be related to performance of the essential job functions. Special or unusual requirements (e.g., ability to speak and read a second language) will indicate the level of competency required. The need for such a requirement will be evidenced by the essential job functions.

Recruitment Procedure

- A. The job announcement will be developed from the job analysis and will contain a job summary; a statement of the salary range and starting range for the job or salary at which an applicant may be hired; and the education, experience, knowledge, and skills required for appointment at a specific pay level as well as any preference statements. The announcement will also include whether the position is permanent, temporary, and full- or part-time and will indicate what certificates, licenses, transcripts, reference letters, or other documents are to be submitted with the resume. For positions that require a minimum typing speed, a typing score from Workforce Services or an accredited high school, college, or university must accompany the application. Exceptions can be made if the applicant is currently in a position that requires the same typing speed. The announcement will also contain information about the office address, telephone number, and TDD number where information on the vacancy, including reasonable accommodation in the application process, may be obtained.
- B. The job announcement will state the closing date.
- C. It shall be the responsibility of the CEO to assemble the members of the Recruitment Committee for orientation. Committee members will be given a briefing kit containing a copy of "Instructions for Committee Members" and "EEO/ADA Interviewing Guide," position announcement, job description, the resume and other background material for each candidate. To rate each candidate there will also be a rating sheet of pre-selected questions and hoped-for answers based on essential job functions for each applicant or an appropriate rubric.
- D. Before interviewing applicants, all members shall meet and have access to the resumes and any other suitable material or information supplied by the applicants.
- E. Interviews with applicants will be scheduled at least three days in advance. Recruitment Committee members must be present during the interviewing of all applicants.
- F. The role of the interview committee is advisory. The committee will review resumes and interview applicants using the pre-selected list of questions. Based on composite ratings of all committee members, a recommendation will be made to the Board on all acceptable candidates. The top three applicants will be listed in random order or rank order as determined by the Recruitment Committee.
- G. These names, as well as the ranking of any candidates and any other information discussed during the interview process, must be kept in strict confidence by the committee, even after it has been dissolved.

Selection Process

- A. Standards and criteria used in screening applicants and selecting them for employment will be documented, reasonably explicit, and clearly related to the knowledge, skills, abilities, and essential job functions of the position for which resumes are requested.
- B. The appropriate administrator will take the list of the top-ranked or unranked candidates from the Recruitment Committee and will rank them according to his/her preference. Second hiring interviews may be conducted at this point at the discretion of the Board. These names (along with supporting documentation, resumes,

- recommended employment date, salary range, and salary) will be forwarded to the Board. The final selection of the applicant will be made by the Board.
- C. Should the Board totally reject the recommendations of the Recruitment Committee; each committee member will be formally notified of the reasons for rejecting the recommendations. Reasons for rejecting the recommendations of the screening committee will be limited to:
 - 1. Improper procedures on the part of the Recruitment Committee in interviewing, questioning, or selecting applicants for recommendation.
 - 2. Improper review or prescreening of applications that had the effect of preventing the Recruitment Committee from considering applicants with education, experience, and skills qualifications comparable to those referred to the committee for interviews.
 - 3. A change in circumstances making it impossible or unwise at the time to hire and pay a person to fill the position for which the applicants had applied.
 - 4. Other unusual circumstances which cause the Board of Trustees in the exercise of its best judgment, to believe that the good of Monticello Academy requires such rejection.
 - D. When the recommendations of the Recruitment Committee have been rejected, the Board of Trustees will determine whether and under what circumstances the position will be re-advertised. The Board Trustee over Human Resources will notify applicants.
 - E. The Board Trustee over Human Resources will notify all interviewed applicants when a position has been filled.

Procedures for All Hiring Interviews

The following procedure is intended to be a guide for proper interviewing for all hiring interviews, including screening committees, second hiring interviews, and support staff interviews.

- A. Notify the applicants in advance of the date, time, and place of the hiring interview. Applicants should receive at least three days' prior notice. Exceptions may be granted if all applicants are contacted and agree to an earlier interview time.
- B. Develop a standard set of questions to be asked, including hoped-for responses that give standardization and structure to the interview. Questions will be limited to essential job functions as determined by the pre-recruitment job analysis. The Recruitment Committee must review questions and hoped-for responses before interviewing. Marginal job function may be disclosed to applicants only as an information item and only after the final interview questions are concluded and rated. Applicants will not be asked or rated on their ability to perform marginal job functions. All questions must be specifically related to the knowledge, skills, and abilities required to perform the essential job functions or related to a bona fide occupational qualification (BFOQ). The EEO/ADA interview-questioning guide must be followed.
- C. When requested, reasonable accommodation must be made for the known disabilities of otherwise qualified applicants.

- D. Interview results, including selection criteria and reference checking must be recorded by the hiring official and maintained in secure human resources records. All applicants are to be notified of the interview results.
- E. All information obtained about individuals in this process must be kept strictly confidential. Applicants may be told how many people applied, how many were interviewed, and the name of the person selected. It is not recommended to give specific reasons for not being selected. State only that the person selected was judged to be the best qualified applicant.

Reference Checking

- A. Reference checking must be done by the hiring official on the top ranked candidate being considered, but only after the first interview. When references are unsatisfactory, the next ranked candidate's references will be checked. Reference checks from former/past supervisors or others with knowledge of past employment must have been completed on all new hires prior to making a job offer. Results must be documented and maintained in human resource records. This includes results of phone calls as well as written responses from past employers. If a previous employer refuses to provide information, the refusal must be documented. It is recommended that references, job performance verified by past supervisors, criminal convictions, gaps in employment, and declining salary history be checked.
- B. Verification of a valid driver's license, moving violations, and accidents must be done if driving a car is an essential function of the job. Verification of a valid driver's license is required if the employee will be operating a Monticello Academy's or his/her own vehicle on MA business.
- C. The Pre-Employment Reference Checking Guide must be used when checking references on disabled individuals.
- D. When reference checks are requested of USOE/USOR staff regarding a current or former employee, DHRM Rule 477-2-7 must be followed. Only the 20 items that are public information can be released with a written request. Additional information may only be released with a signed reference and liability release form.

Commitment to Fair Employment Practices

- A. Monticello Academy will ensure that any staff members involved in the reviewing, prescreening, screening, interviewing, and/or selection process shall be knowledgeable of Fair Employment Practices and committed to achieving them. Any staff member or parent volunteer involved in the reviewing, prescreening, screening, interviewing, and/or selection process that, in his/her role or decision, exercises any bias, prejudice, or discrimination because of race, color, religion, national origin, sex, age, or disability may be subject to disciplinary action.
- B. Care will be exercised to ensure that no element of conflict of interest enters into any step of the reviewing, prescreening, screening, interviewing, or selection process.

Conditions of Employment

Employment at Monticello Academy is subject to the following conditions:

- Employees must be loyal to the vision and direction of the Board of Trustees and school administration.
- Employees must be committed to all aspects of the MA charter, including the curriculum, the philosophies, and the methods of teaching.
- Employees must maintain high standards of personal conduct, including personal integrity, employment integrity, and other standards found in this policy manual.
- Employees must be teachable and willing to receive candid feedback.
- Employees must be completely honest in all of their dealings.
- Employees must understand and adequately perform the responsibilities included in the Letter of Appointment.
- Employees must be willing to improve and should desire professional development.
- Employees understand that Insubordination will not be tolerated and is grounds for termination.

Term of Appointment

Full time employees are appointed to teach during a specific school year. All MA Employees are “at will,” which means that they can be terminated any time, with or without cause. Teachers are committed to 194 days per year, including the two weeks immediately before school starts.

Employment Integrity

The minimum work day for full time employees is eight hours long and begins no later than 7:30 AM. “Off duty” time, when approved, is not considered part of the eight hour standard. Teachers and other full time staff should remain in the building until at least 3:30 PM, even when students are not in the building. On unusual occasions when it is necessary for an employee to leave work early, it is the responsibility of the employee to receive permission from the CEO and to make up the lost time. School meetings, job duties or special assignments may require teachers and other staff members to work more than eight hours on a particular day.

Personal Integrity

Employment by MA constitutes agreement by the employee to observe high standards of ethics and integrity. These standards include, but are not limited to:

- Observing high standards of taste and decency. Disorderly, lewd, indecent, or obscene conduct, expressions, or dress are unacceptable.
- Using good judgment to avoid any actions or statements that might be misconstrued.
- Taking care of personal matters outside of normal working hours.
- Honoring, sustaining, and obeying all laws.
- Respecting, maintaining, and safeguarding MA equipment and buildings to avoid damage or loss.
- Remembering that all MA facilities, equipment, and supplies are furnished for MA designated uses. Any personal use should not interfere with the MA designated use. If MA facilities or equipment are desired for personal use, the employee should obtain

prior approval from the appropriate administrator. The employee should reimburse any cost involved in the approved personal use of MA equipment or supplies.

- Not using, or allowing anyone else to use, any portion of MA buildings, grounds, or equipment for unauthorized commercial purposes. This includes part-time business ventures such as catering and so forth.
- Being careful, wise, and prudent in business and personal dealings. Employees should not use their MA positions to influence business or other transactions for personal benefit. They should not become involved in any activity that might compromise, or appear to compromise, MA or their own abilities to perform their duties or make decisions in their work assignments.
- Avoiding conflict of interest. A Disclosure of Possible Conflict of Interest form must be completed by each employee at the time of employment and annually thereafter.

Monticello Academy Professional Development Plan

Overview

The Board of Trustees recognizes the critical role of all staff members in the success of Monticello Academy. Accordingly, the following Professional Development Plan has been adopted to insure quality administration, excellent teaching, and to help all MA employees advance in their individual careers.

Teacher Commission and Development

Teachers are a key element in the success of student learning at Monticello Academy. Accordingly, the training and professional development of MA teachers is of high importance to the school administration. The teacher's commission is included on each letter of appointment and is divided into three main subheadings: 1) Perform like a Professional; 2) Teach with Excellence; and 3) Administer Correctly. All teacher training in the school is geared toward improving the teachers' ability to perform in those key areas.

Performance Standards for Teachers

Under the three main headings in the teacher's commission are listed examples that describe the specific performance standards for teachers and the areas of focus for professional development training. The following standards are included:

- Exemplify high character and be a positive example of the Monticello Academy character model
- Maintain Honesty and Integrity
- Take initiative in challenging situations
- Willingly accept school assignments
- Receive feedback graciously
- Willingly mentor and assist other teachers
- Maintain daily employment integrity
- Demonstrate appropriate dress and appearance
- Be subject to and governed by all rules and regulations of the Board of Trustees
- Maintain appropriate relationships
- Use the designated curriculum

- Thoroughly understand and integrate the character model
- Effectively use approved teaching methods
- Establish and maintain an appropriate setting for learning
- Enable students to become effective learners
- Consistently attend training opportunities
- Apply training and feedback in the classroom
- Thoroughly understand the charter
- Thoroughly understand the policy manual
- Assist families in the education of their children
- Communicate frequently and effectively with parents and school leaders
- Publish syllabi and calendars
- Keep accurate records
- Use team (grade level) and department (subject) meetings effectively
- Recommend solutions to challenges
- Develop potential and grow professionally
- Use wisdom in decision making

Responsibility for Professional Development

The charter assigns responsibility to the administration for providing training opportunities. Teachers are also charged with the responsibility to monitor their own progress, to take ownership of their goals, and in consultation with the CEO to be active participants in their career progress.

Professional Development Plan Requirements

The following plan elements are required by the Monticello Academy Charter:

1. Maintenance of a confidential school personnel file for each teacher and administrator, containing evaluations and any other employment-related documents signed by both the observer and the employee.
2. A “Personal Development Portfolio,” created and maintained by each teacher and administrator, containing the following:
 - Copies of evaluation documents from the school personnel file
 - Goals and outcomes of the school
 - The employee’s personal plan for meeting those goals
 - The employee’s personal plan for continuous improvement
 - Samples of classroom or school work
 - Personal reflections
 - Official employee responses, submitted and attached to written evaluations within one week
 - Any other materials of evidence of continuous improvement
3. An initial interview with each teacher and administrator to create the employee’s portfolio, to set goals and develop a career growth plan, including:
 - A review of the employee's self-assessment
 - The employee’s job description and areas of responsibility

- Measurable goals and outcomes, consistent with the school mission, charter, effectiveness goals, and character model
4. An annual professional growth plan process, including
 - Documentation of particularly good work
 - Annual parent evaluations
 - Areas for improvement and skill development
 - Progress toward goals and outcomes
 - Documentation of deficient work
 - A clear plan for improvement
 5. Ongoing formal and informal observations, including:
 - Pre-observation and Post-observation conferences with the CEO with each formal observation
 - At least two formal observations for first year teachers prior to the three month review
 - At least two additional observations for first year teachers prior to the six month review.
 - At least three formal observations before the six month review for veteran or returning teachers.
 - Informal, documented observations and feedback whenever possible
 - A formal annual, written, “end of year” teacher evaluation based on the commission of MA teachers and any additional feedback given during the year.
 6. Administrator evaluations, based on job responsibility criteria, which include:
 - Written evaluation and recommendations by school Trustees
 - Written evaluation and recommendations by Personnel Committee
 - Additional feedback by teachers and other administrators
 - Annual parent evaluations
 7. Annual performance appraisals for all non-teaching full and part time employees, including office personnel and all other support personnel. The process includes:
 - A “goals meeting” held early in the school year where the supervisor and employee discuss performance and set development goals.
 - A formal, written appraisal designed to clarify performance expectations and intended as a tool to help clarify individual job purposes, identify key performance factors, set measurable goals, and record results.
 - Ongoing informal feedback, including encouragement and correction
 - Near the end of the school year a “results meeting” should be held where performance is evaluated.
 8. An annual executive Board meeting to consider continued employment of all employees

Additional Plan Activities

In addition to the professional development requirements in the charter, the MA Professional Development Plan also anticipates several specific activities to help teachers grow during their careers. A few examples are listed below:

- **Faculty Training:** The administration will hold in-service meetings before and after school as well as some special training opportunities on days when students are released early. Monticello Academy has also employed the teachers for extra days of intensive training during the two weeks immediately preceding the opening of school each year.
- **Peer Mentoring:** Seasoned teachers are assigned to mentor newer teachers and employees seeking alternative route to licensure (ARL).
- **Team Collaboration:** Extra non-instructional time has been built into faculty work schedules to accommodate weekly team (grade level) and departmental (subject) meetings where teachers can discuss individual student needs and determine appropriate solutions.
- **Opportunities for conventions and specialized training:** Monticello policies provide allowances for approved reimbursements and leave when teachers must occasionally attend professional conferences and off-site training events.

Professional Development Forms

1. *Professional Growth Plan:* The purpose of this plan is to assist teachers and administrators as they work together to develop potential and to promote professional growth and performance. This form is used to identify areas targeted for improvement, to develop a plan of action to improve performance, and is reviewed together at certain intervals throughout the year to monitor growth toward the stated goals. The original completed form is placed in the employee file each year and a copy is given to the employee. A new form should be used each spring at the end of the school year so the employee can focus on preparation for the upcoming year during the summer months if desired.

2. *Employee Feedback Form:* This form is used to document informal feedback given to any employee of Monticello Academy and is meant to encourage better performance in a supportive manner. The administrator who gives the feedback completes all sections on the form and meets with the employee to discuss it. The signature of the employee receiving feedback acknowledges the meeting and the content of the communication. The original form is retained in the employee file and a copy is given to the employee.

3. *Training and Instruction Record:* This form is used to document training and instruction given to an employee of Monticello Academy. The school administrator who gives the training and instruction completes all sections on the form and signs it. The signature of the employee receiving training and instruction acknowledges the meeting and the content of the communication. The original form is retained in the employee file and a copy is sent to the chair of the Board of Trustees.

4. *Parent Survey*: This form is used to comply with the chartered requirement to consider parental feedback when evaluating teachers and administrators at Monticello Academy. The survey is sent to parents each spring before the end of the school year.

5. *Corrective Action Form*: This form is used to document serious and formal corrective action taken with any employee of Monticello Academy. The school administrator who gives the corrective action completes all sections on the form and meets with the employee to discuss it. The signature of the employee receiving corrective action acknowledges the meeting and the content of the communication. The original form is retained in the employee file, a copy is given to the employee and another copy is sent to the chair of the Board of Trustees.

6. *Annual Employee Performance Appraisal*: The appraisal form is used to document the appraisal process conducted with all non-teaching full and part time employees, including office personnel and all other support personnel (such as custodians, administrative aides, teacher aides, etc.) After the employee and supervisor sign the form at the end of the school year in the “results meeting,” the supervisor places the original in the employee’s school file, a copy is given to the employee, and another copy is submitted to the chair of the Board of Trustees.

7. *Annual Teacher Assessment*: This form is used by the CEO to assess each teacher before the end of the school year, usually in May. After observing the teacher throughout the year, the CEO interviews the teacher and discusses the scores and comments. This assessment is placed in the teacher’s personnel file and a copy is given to the chair of the board of trustees.

8. *Annual Administrator Evaluation*: This form is used by the board of trustees to assess each administrator (CEO, principal, assistant principal, business manager, etc.) at the end of each school year. After observing the administrator throughout the year, giving feedback from time to time, and gathering written comments from the members of the board of trustees and other administrators, the chair completes this form and the board interviews the administrator and discusses the scores and comments. The original evaluation form is placed in the administrator’s personnel file and a copy is retained by the chair of the board of trustees.

Teacher Organization and Coordination

Because the MA curriculum is more rigorous than at traditional public schools, it is imperative that teachers and parents communicate often and clearly about student expectations and progress. Therefore, teachers must be well organized and provide a detailed, written syllabus each week to help parents monitor their student’s school work. MA will also develop electronic software solutions that will provide an additional tool for families.

Teachers also meet together weekly to coordinate program needs and to help each other. Agendas for department and grade level team meetings are submitted to the CEO following

the meeting each week and include documentation of who attended, discussions regarding the needs of individual students, team plans, syllabus development, balancing homework loads, and sharing ideas for more effective teaching.

Team Meetings

Grade level team meetings are generally held weekly on Friday and are intended to accomplish the following tasks:

- Review overall curricular progress
- Discuss the needs of each student by name
- Coordinate program needs
- Provide peer training experiences
- Balance the student homework load according to MA policy (approximately 10 minutes per grade level)
- Develop a syllabus for the following week

Departmental Meetings

Department team meetings are held at least monthly and should accomplish the following:

- Coordinate, training and review of subject curriculum
- Training and review of *Six Traits* writing curriculum
- Training and review of *Core Knowledge* sequence

Staff Meetings

In addition to team and department meetings, staff meetings are also mandatory for all teachers. Meetings may be consistently scheduled in advance or called as needed.

Mentor Program

The MA Charter requires a mentor for all first year teachers and all teachers seeking an ARL. Teachers requiring mentors should request feedback often and should be willing learners themselves. They should also expect classroom observation from peers and supervisors at least monthly. The following duties apply specifically to mentor teachers:

- Observe teaching at least monthly
- Provide kind but candid feedback
- Review lesson plans at least weekly
- Meet weekly to discuss teaching needs

Discipline of Students

Almost all student discipline at Monticello Academy is handled by teachers. Only in extreme circumstances should administrative resources be required for student disciplinary matters. Before a referral occurs, however, the teacher consults with the CEO and demonstrates that several interventions have been unsuccessful. At least four behavioral interventions should be implemented. Appropriate behavioral interventions include, but are not limited to the following:

- Teacher cues that discourage the inappropriate behavior
- Direct instruction to the student requiring a change of behavior

- Changing the student's seating assignment
- Private confrontation away from classmates
- Phone conversation with parents
- Consultation in person with parents and student
- Other appropriate interventions suggested in consultation with an administrator

In-School Suspension (I.S.S.)

Monticello policy does not allow the expenditure of financial and staff resources to provide I.S.S. for errant students. Utah law allows the school to choose an alternative to I.S.S. if a student's behavior is serious enough to warrant removal from the least restrictive environment of the classroom. The alternative which has been approved by the MA Board of Trustees in such extreme cases is to have the student's parent accompany the student to his or her classes.

Information Security

Personnel and Student information is confidential and may only be accessed by authorized employees. MA will develop a protocol for accessing confidential files which preserves sensitive information and protects the privacy of employees and students. Any employee may review his or her own personnel file upon written request, but may not remove anything from the file. Personnel files are the property of the school. Employees with access to personnel and student files are under strict obligation to preserve confidentiality and to never reveal sensitive information. Each employee is required to sign the Monticello Academy Privacy Policy. *(Note: This policy is also contained in Section 3: Information Systems and Management)*

Dress and Grooming Standards

Classroom and Office Dress

Staff members should dress at least as well as uniformed students. Extreme clothing and styles are not allowed. Shoes should be in good repair and clothing should be clean and neatly pressed. Except for PE teachers, athletic or similar shoes are not acceptable. Clothing should be modest, should not be too revealing or too tight. Men are encouraged to wear ties. Dress standards for school activities away from campus should be determined by the administrator.

Grooming

Hair should be clean and neat. Extreme hairstyles are not acceptable. High standards of personal hygiene and cleanliness are expected.

Workplace Violence

Monticello Academy has a "zero tolerance policy" regarding violence in the workplace. Any employee who engages in or threatens any workplace violence is subject to employment related discipline, including immediate termination. "Workplace violence" includes physically harming another, shoving, pushing, harassing, intimidating, coercing,

brandishing weapons, and threatening or talking of engaging in those activities and any other threatening behavior.

Employees who feel threatened by another employee or by any other person at work, or who witness any incident that may involve a violation of the MA policy prohibiting workplace violence are encouraged to report their concerns to their supervisor or to another administrator.

The possession of weapons on MA property, except by those with a valid concealed carry permit or by duly authorized law enforcement personnel, is prohibited. Weapons include guns, knives, explosives, and any other items with the potential to inflict harm. Appropriate disciplinary action, up to and including termination, will be taken against any employee who violates this policy. This may include items perceived to be weapons, and also applies to object lessons and other class activities.

Family Visits at the Workplace

Brief visits from time to time are acceptable during the workday. It is not appropriate for non-enrolled children or other family members to make lengthy visits or for employees to provide day care for their children at the workplace. Enrolled children of teachers who stay with their parent after school hours must remain in their parent's classroom. Children are not allowed in the faculty lounge.

Proper Relationships

Part of the role of a MA employee is to set a good example of the character model. Therefore, employees should ensure that their actions are appropriate and do not have even the appearance of impropriety. A friendly atmosphere can be fostered without an adult becoming a member of a student's peer group in actions, dress, or vocabulary. The following guidelines should be carefully followed:

- Avoid being alone with others when it is unnecessary.
- When visiting with students, avoid long sessions and rooms without clear visibility.
- Avoid inappropriate physical contact with any student, parent, administrator, or faculty member, or otherwise giving undue attention in a way that could be misinterpreted by that person or cause speculation or rumor.

Political Neutrality

MA encourages its employees to be active citizens, to vote, and to render service in their communities. To protect the political neutrality of the school, the following guidelines have been established for MA personnel who wish to be involved in political activities:

1. MA employees may run for public office or accept opportunities to work in the political campaigns of others if these activities do not interfere with their MA employment. Before agreeing to become a candidate for public office, making an

- announcement of intent to run, or committing to give extensive campaign support, MA employees must first obtain approval from the CEO and the Board of Trustees.
2. Employees who receive approval to run for office should be especially careful to protect the MA position of neutrality and impartiality in political matters and issues.
 3. The Monticello Academy name or logo should not be used in any way to show support for any candidate or political issue, nor should MA supplies, equipment, personnel, buildings, grounds, or other resources be used for political purposes.
 4. Candidates for public office or their supporters are not to use MA records, databases, or directories to obtain lists of names or any other information for use in political campaigns.
 5. Employees must never use their positions of influence to unfairly or inappropriately indoctrinate students on political matters.

Testifying in Court

To avoid potential legal exposure, for the school or for themselves, MA employees should adhere to the following guidelines concerning testifying in court:

1. No MA employee should volunteer to testify in any legal proceeding involving another employee, a parent, or a student without first receiving approval from the Board of Trustees.
2. The Board of Trustees will confer with an attorney.
3. If a MA employee is served with a subpoena or other court order to testify in any legal proceeding involving another employee, a parent, or a student, the employee should immediately contact the CEO. The CEO will notify the Board of Trustees.

Employment of Relatives

The following policy is taken directly from the Monticello Academy charter: "It is the policy of Monticello Academy that no employee may hire or cause to be hired, nor supervise, any relative of the employee otherwise employed by Monticello Academy except with the prior approval of the Board of Trustees. In enforcing this policy it is important to keep in mind that any appearance of impropriety should be avoided."

Conflicts of Interest

MA Employees should avoid situations that present a conflict of interest whenever possible. A *Disclosure of Possible Conflict of Interest* form must be completed at the time of employment and annually thereafter.

Personal Grievances

Parents and Parent Council members should never be involved in employee grievances. The following guideline provides an effective procedure for expressing personal grievances or concerns:

1. The employee should first try to resolve work related concerns with the immediate supervisor. If the employee feels that the immediate supervisor is part of or the source of the problem, he or she may go directly to the next higher level of supervisor.
2. If the concern is not resolved, and if the chair of the Board of Trustees has not been involved in step one, the employee may request a review with the chair. The chair may or may not meet with the concerned employee, and may invite others to attend. The chair will send the employee a written response, including a final decision.

Job Discrimination

There shall be no discrimination in MA hiring, working conditions, promotion, or termination of employees based on gender, race, national origin, age, disability, or other matters covered by law. Nothing in this policy shall be used to allow those not qualified by training, temperament, physical ability, proper grade level, and so on, to be hired or retained as employees. Nothing in this policy shall be used to allow employees to disregard MA standards of conduct, both on and off the job, and continue employment.

Family Medical Leave

The Family and Medical Leave Act (FMLA) provides for qualified employees to have time off from work without pay to take care of certain personal and family obligations. Since eligible employees can take time off to take care of these obligations, they can focus their full energies on them and return to work as quickly as possible. The employee is benefited by the ability to return to work after being home when needed for up to twelve weeks. MA will comply with the requirements of FMLA.

Salaries and Confidentiality

Salaries are confidential and are a highly personal matter. Employees are prohibited from discussing their salaries with anyone other than their spouse. This includes, but is not limited to other employees, friends, relatives, and the media. Violation of this policy may be grounds for dismissal.

Benefits

The MA Board of Trustees provides certain benefits to full time employees as part of their total compensation. Employee benefits are administered through a benefits administration contractor. Due to the increasing costs of providing services, employee benefits packages and administrative contractors may change from time to time. Benefits may include health insurance, dental insurance, retirement savings plan, and supplemental insurance options.

Leave for Benefited Teachers (August 21, 2008)

Sick Leave

Full time teachers receive nine (9) days of sick leave per year. Unused sick leave is not vested and may not be cashed in for money. Sick leave may be accrued from year to year up to a maximum of 30 days. Sick leave is for bona fide illness only, must be approved by the CEO, verified by the Business Manager, and may require a doctor's note upon request of an administrator.

Annual Leave

Teachers do not receive annual leave because it is expected that they will be at work when school is in session unless they are sick or have other unusual circumstances.

Leave for Unusual Circumstances

In emergencies or other circumstances where teachers must miss work for non-illness related reasons beyond their control, up to three days of leave with pay may be approved by the CEO. Such circumstances may include the death or marriage of close family members or emergency situations (such as power failures, bad weather, poor road conditions, natural disasters, and so forth) that prevent employees from coming to work or result in their being sent home early. In extreme conditions where three days are not sufficient, up to three additional days may be approved without pay.

For the purpose of this policy, the following are considered close relatives (including step-relationships): Husband, Wife, Father, Mother, Son, Daughter, Brother, Sister, Father-in-law, Mother-in-law, and any relative, blood or in-law, who at their death was living in the home of the employee.

Benefited teachers will be allowed one day off with pay for the time required to attend the funeral of any other relatives, blood or in-law. Additional time taken off will be leave without pay. If teachers wish to attend the funerals of those other than relatives, their attendance must be approved in advance by the school director and the time taken off to attend such funerals is leave without pay.

Leave for Other Benefited Employees

Sick Leave

Year round employees receive 12 days of sick leave per year. Unused sick leave is not vested and may not be cashed in for money. Sick leave may be accrued from year to year up to a maximum of 30 days. Sick leave must be approved by the CEO and verified by the Business Manager.

Annual Leave

Year round full time employees receive twenty five (25) days of paid annual leave on January 1 each year. Annual leave is not vested and may not be cashed in for money. Up to five days of unused annual leave may roll over from a previous year for a maximum balance of thirty (30) days. When possible, annual leave should be used on days when students are not in attendance. Annual leave is always used before leave without pay.

Leave for Unusual Circumstances

In emergencies or other circumstances where benefitted employees must miss work for non-illness related reasons beyond their control, up to three days of leave with pay may be approved by the school director. Such circumstances may include the death or marriage of close family members or emergency situations (such as power failures, bad weather, poor road conditions, natural disasters, and so forth) that prevent employees from coming to work or result in their being sent home early. In extreme conditions where three days are not sufficient, up to three additional days may be approved as annual leave or leave without pay.

For the purpose of this policy, the following are considered close relatives (including step-relationships): Husband, Wife, Father, Mother, Son, Daughter, Brother, Sister, Father-in-law, Mother-in-law, and any relative, blood or in-law, who at their death was living in the home of the employee.

Benefitted employees will be allowed one day off with pay for the time required to attend the funeral of any other relatives, blood or in-law. Additional time taken off will be annual leave or leave without pay. If employees wish to attend the funerals of those other than relatives, their attendance must be approved in advance by the school director and the time taken off to attend such funerals is counted as annual leave or leave without pay.

Holidays

In addition to annual leave days, full time employees also have the following paid holidays:

- New Year's Day
- Dr. Martin Luther King, Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Pioneer Day
- Labor Day
- Thanksgiving Day (and the following day)
- Christmas Day (2 days)

Student Teachers, Aides, and Part-time Teachers

Non-licensed or part-time teachers and other employees are subject to a background check and are not eligible for additional benefits.

Use of Media in the Classroom

As used in this policy, media includes music and visual images presented via audiocassettes, videocassettes, CDs, DVDs, and computers. MA has adopted the following maximum rating standard for commercial media used in the classroom:

- Grades K – 4 G-rated movies
- Grades 5 – 9 PG-rated movies

Media, or excerpts, may only be used if all of the following factors are present when the media is used (in order to be a “fair use” exception to the exclusive rights of copyright holders):

1. It must be a “face to face” teaching situation.
2. It must be done in a classroom or similar place devoted to instruction.
3. It must be used by a nonprofit educational institution
4. It must be part of a relevant teaching experience and not merely for entertainment. (Showing rented or purchased commercial media before, during, or after class or at MA activities merely as entertainment is illegal. This would almost always be the case when a full movie is shown.)
5. Legally obtained media must be used.
6. In the case of a media recording from a television broadcast, the original recording may not be altered, merged, or combined to create a compilation.

Employees who violate the MA Media policy are subject to school discipline and are at risk of prosecution. Monticello Academy does not condone any violation of copyright law and will not indemnify or defend employees who violate copyright law.

Section 6: Students

Admissions and Lottery Policy

Application Period

The Monticello Academy Board of Trustees will designate an enrollment period. All applications received on or before the closing deadline will be eligible for enrollment consideration, regardless of the order received.

Preferential Enrollment (January 24, 2008)

Federal and State laws recognize the propriety of preferential enrollment under certain circumstances. Siblings who live in the same household as students who are enrolled at Monticello Academy and are not habitually truant are given preferential enrollment status. Preferential enrollment will also be granted to children of Trustees and Founding Committee members who have a significant role in the establishment of Monticello Academy. Additionally, children of teachers may receive preferential enrollment. Students with preferential enrollment status who are withdrawn from the school do not receive preferential status for readmission, unless the withdrawal was due to a hardship.

Lottery

If the number of applications for enrollment exceeds the maximum number of students for any grade level, students in that grade level who do not have preferential enrollment status will be selected by random lottery. Each year a new lottery is held.

Lottery Process

Each student in the lottery will have an equal opportunity to be selected for enrollment in the school. When a student is randomly selected, the siblings of that student will also be selected for enrollment, subject to space remaining in the respective grade levels of those siblings. To guarantee fairness, each student name will be mathematically weighted so that family size does not give an unfair advantage in the lottery.

Waiting Lists

Students not selected will be eligible for enrollment as space becomes available in the order determined by the lottery. Additional applications received after the enrollment period deadlines will be considered for enrollment in the order they are received after the names in the original lottery have been exhausted. Waiting lists do not extend to subsequent years.

Credit and Graduation Requirements for Transfer Students (October 25, 2007)

Monticello Academy will approve credits and grades received from accredited public or private schools that align with or are comparable to the coursework and requirements of Monticello Academy. Credit earned at a school accredited by the Utah State Board of Education or the Northwest Association of Schools and Colleges is accepted according to

equivalency. Credit earned at non-accredited schools must be reviewed by the Credit Review Committee. In addition, students who transfer to Monticello Academy must meet all Monticello Academy graduation requirements.

Student Registration

Students are officially enrolled at Monticello Academy when a parent or guardian has completed any registration paperwork required by the administration. Registration forms may include, but are not limited to, disclosures and acknowledgments regarding uniform standards, discipline policies, or any other necessary items. Students may not be enrolled without providing a current birth certificate and proof of current immunizations. Acceptance in the admission lottery does not guarantee a position in Monticello Academy. The school reserves the right to set reasonable deadlines for enrollment after a family has been notified of acceptance.

Parental Notification (October 25, 2007)

At the time of registration each year, parents are notified about state laws, rules, and key school policies. Parents are required to complete forms, sign statements of understanding, and to commit to the program standards at Monticello Academy. The *Monticello Handbook* contains policies pertaining to MA families, including information about behavior, discipline, attendance, volunteers, uniforms, fieldtrips, the school calendar, and other important matters. In addition, forms, notifications, and other compliance information required by state and federal regulations are given to parents at the time of registration. Students may not be registered without a parent or guardian completing the notification process. Parental notification materials are also found on the school website.

Student Leadership Opportunities

Each year the Parent Organization sponsors school elections so that students can serve in school or grade level leadership positions. Student leaders may also be appointed by teachers for specific classes or extracurricular activities. Students should also be encouraged to take initiative and to propose ideas that can enhance the educational experience in the school.

Students with Special Needs

Monticello Academy is subject to section 504 of the Rehabilitation Act of 1973, which states that children may not be discriminated against solely on the basis of disability for participation in public and private programs and activities that receive federal financial assistance. Additionally, Monticello is subject to the provisions of the Individuals with Disabilities Education Act (IDEA). Students with disabilities are entitled to a free appropriate public education.

IDEA also contains procedural safeguards and due process rights for parents in the identification, evaluation and placement of their child. The school will make reasonable

accommodations as required under Section 504 and ADA to provide educational and related aids and services that are designated to meet the individual needs of disabled children. (Note: More information and the Monticello Academy Special Education Plan is contained in Section 8: Special Education)

Students with Limited English Proficiency

In compliance with Title VI, Monticello will identify LEP students and provide educational services so they can learn English language skills and acquire the knowledge and skills in academic content areas that other students are required to know. Monticello will aim to reduce and eliminate the language barriers to educational equality and success by employing teachers qualified and credentialed to teach English language learners and by conducting frequent reviews of the LEP programs utilized, whether individual or larger scale. The school will also provide communications to home in alternate languages as the need demands. MA is dedicated to closing the ethnic achievement gap.

Assessment Process (October 25, 2007)

English acquisition is assessed annually by using measurable achievement data through the following process:

- The school registration card identifies students who may qualify for ELL services by asking the following questions:
 - What was the first language the child learned to speak?
 - What is the language spoken most often by the student?
 - What is the language most often spoken in the home?
 - What is the preferred language for written notification?

- Students with any language listed on the form other than English are tested for ELL services using the Utah Academic Language Proficiency Assessment (UALPA). The IPT test may also be used on occasion for student placement. Testing materials are available through the Office of the State Superintendent of Education, USOE, 250 East 500 South, PO Box 144200, Salt Lake City Utah, 84114.

- Test results are then scored into one of the following categories:
 - Pre Emergent – non English speaking
 - Emergent – formally known as level A
 - Intermediate – formally considered high B or low C
 - Advanced Intermediate – formally level D
 - Advanced – formally level E and recommended for exit from the program

Student Placement, Promotion and Retention (July 28, 2007)

At Monticello Academy, student learning, progress and mastery of course content is paramount. Utah law obligates schools to both define and assess content mastery and the MA charter states, “No student will progress through course levels without achieving passing grades in that course.” At Monticello Academy accountability is determined by

measured outcomes rather than inputs, which is a generally accepted charter school philosophy. Student accountability is measured and student placement is determined by course grades and comprehensive tests administered each school year.

A preliminary comprehensive exam is administered at midyear to assess the general mastery level and progress of each student and to prepare for the annual comprehensive exam at the end of the school year. Students who do not receive a passing score on the annual comprehensive exam will not promote to the next grade level. A make up exam will be offered in early August. Parents are responsible for the remediation and preparation of the students who desire the make up test opportunity.

Students seeking new admission to the school will be given the previous grade level's comprehensive exam and/or other appropriate placement exams and will be placed according to their performance and based on the availability of enrollment in that grade level placement.

Attendance and Tardiness

According to the Utah Compulsory Attendance Laws (Utah Code 53A-11-101-105), parents and students are responsible for regular school attendance. As part of the responsibility to learn, and as essential preparation for college, students are expected to attend regularly, to be punctual, to participate, and to prepare themselves to learn. Teachers should also be prepared to start class on time. Excessive absences prevent access to the excellent program of instruction at Monticello Academy and jeopardize a student's ability to master content and earn credit. Students who are late to class interrupt the learning environment and create a distraction for teachers and other students.

The Board of Trustees recognizes that occasionally a student must be absent for reasons which are acceptable, such as illness, medical appointments, family emergencies, or a death of a family member or close friend. An unexcused absence is a serious violation of the MA standards and may jeopardize the privilege of attending Monticello Academy. Parents should be notified by teachers about serious attendance and tardiness problems. In some cases, the parents or teacher may include the CEO's involvement to find a solution. In each case, the student's success should be the main concern. Make-up work should be provided by teachers whenever a student is absent.

Attendance Standards (25 January, 2007)

The following attendance policy has been approved by the Board of Trustees:

- Five (5) tardies per term is considered excessive and may count as an unexcused absence.
- Seven (7) days of unexcused absences per year is considered excessive.
- Students returning to school after an absence must bring a written note from a parent or an involved professional to excuse the absence. A student must be in attendance at least 5/8 of a school day to receive a full day of attendance credit.

- After five (5) unexcused absences, the school will send a Truancy Letter to the parents. The purpose of the truancy letter is to request the parents' help and to warn about the consequences of further truancy.
- After ten (10) days of unexcused absences, the school will send a Habitual Truancy Notice. The student will be placed on attendance probation and the parents must meet with the administration.
- After fifteen (15) days of unexcused absences within a school year, another Habitual Truancy Notice will be sent, and another meeting with the school administration is required. At this time, a decision will be made regarding the continued enrollment of the student.
- The MA Board of Trustees recognizes the importance of family time; however, vacations should be scheduled when school is not in session. In rare circumstances where vacations cause a student to miss school, the extended leave must be approved by the school administration. Before the absence, parents and students are responsible to obtain make-up work which is due as soon as the student returns to school.

Habitual Truancy and Enrollment Status (January 24, 2008)

Enrollment at Monticello Academy is a privilege and the State Board of Education has granted a limited number of seats in the school. Because of the unique nature and high demand for the limited enrollment at Monticello Academy, and to protect the integrity of the program and the rights of those who are waiting for placement when an opening is available, the Board of Trustees has adopted the following policy regarding habitual or chronic truancy:

Students at Monticello Academy who do not attend classes reflect a desire not to continue their enrollment. Therefore, students with fifteen or more unexcused absences choose to withdraw from the school. When this truancy threshold is reached, the CEO will report the chronic truancy to the appropriate civic authority (including DCFS, truancy courts, local law enforcement, etc.) and will honor the family's decision to discontinue the student's school enrollment. The CEO will also notify the Board of Trustees of the enrollment decision. Parents of students who discontinue enrollment should also be advised regarding the school appeal process.

Grooming (April 6, 2006)

Hygiene

Students should come to school each day with clean clothing and free from body odor, bad breath, or other hygiene related distractions to the learning environment.

Make-up and Nail Polish

- Make-up should not be worn by young girls and should be used sparingly by girls in upper grades.
- Nail polish must be clear.

- No shiny body glitter.
- No stickers, tattoos, or face paintings unless used in conjunction with a school sponsored activity.

Hairstyles

- Hair must be clean, neat, and well groomed.
- Only natural hair colors are allowed.
- Extreme hair styles, cuts, or shaves (Mohawks, Spikes, shaved words or letters, etc.) are not allowed. If a student is using gel or other products on the hair it cannot stand higher than one inch on top of the head. No spikes will be allowed.
- Girls may wear conservative, color coordinated hair accessories. Head bands cannot be worn on the forehead.

Public Displays of Affection (PDA) (May 23, 2007)

At Monticello Academy we value a healthy learning environment. Displays of romance can hinder this environment. Thus no romantic displays are permitted on school grounds either during our outside of school hours. They are also not permitted on any school-funded or school-sponsored activities whether at the school or elsewhere.

A display of romance, also called a public display of affection or PDA, includes but is not limited to holding hands, kissing, romantic hugging or inappropriate touching. The spirit of this policy also includes non physical means of romantic displays such as blowing kisses or speaking/writing romantically to another person.

At Monticello Academy we also value and encourage friendship. As hugging is a generally accepted means of demonstrating friendship to other people, this type of hugging will be permitted. Note that this type of hugging is not prolonged, but is usually short and used in greeting or saying goodbye to good friend.

Violations of this policy will be addressed using standard Monticello Academy disciplinary action.

Electronic Devices (March 22, 2007)

Monticello Academy has determined there is no educational value to students possessing cellular phones or other digital devices during the school day. The school has telephones in every classroom for immediate telephone access in an emergency. In the event that a parent needs to contact a student during school hours, calls should be made through the front office.

Digital technology has become increasingly more proficient and easier to conceal. For all of the personal benefits technology may provide, students have also found ways to misuse digital devices to compromise safety, educational integrity and individual performance. This includes, but is not limited to:

- Disruptions in the classroom
- Inappropriate photos and video files which may violate student privacy
- Cheating
- Tardies
- Mischief, i.e. arranging meetings for skipping classes, bomb threats
- Interference with emergency service communications

Therefore, the following devices are strictly prohibited during school hours:

- Cell phones or other digital devices with photo taking capability
- Cell phones or other digital devices with internet capability
- Cell phones or other digital devices with text messaging capability
- Cell phones or other digital devices with wireless data transmission (Bluetooth, infrared, "beaming" or similar technologies)
- Digital or analog music or video players

Students who bring cell phones and other electronic devices to school do so at their own risk. Monticello Academy is not responsible for devices that are lost, stolen, or damaged. Electronic devices must be kept in a backpack or locker and may not be seen, heard, or felt during school hours. Violation of this policy will result in the immediate confiscation of electronic devices.

First time violators may request the device at the end of the school day. Parents must retrieve devices for second time violators. Devices confiscated after the third violation of this policy will not be returned until the end of the term. Repeat offenders may also be subject to suspension.

Uniforms (April 6, 2006)

Purpose of Uniforms

School uniforms are required at Monticello Academy and are intended to allow students to learn in a safe environment which fosters the learning process and is free from unnecessary disruptions. Uniforms also improve school safety and discipline, help avoid the disruption of the classroom atmosphere and decorum and prevent disturbances among students, decrease violence and theft among students, and foster and promote desirable school operating conditions and a positive educational environment.

Exemptions

The uniform policy is one example of Monticello Academy's high standards of excellence in conduct, safety, and student achievement. Uniforms are mandatory for all students. Exemptions may be allowed in extenuating circumstances, such as students with physical disabilities, to accommodate religious beliefs, or other special needs. Financial assistance for obtaining uniforms may also be available for low income families. Decisions regarding exemptions and financial assistance are made by the CEO.

When Uniforms are Required

Uniforms must be worn while on campus during school hours and on field trips, except under special circumstances or as announced by a school administrator. Uniforms must be worn for all school programs that are scheduled immediately before and after school, as well as all tutoring and enrichment sessions, except on occasions when costumes or specialized clothing may be required. Uniforms are not required for any evening or weekend activities unless specified.

Dress Code Changes

From time to time, changes to the uniform dress code may be approved by the CEO or the Board of Trustees. If certain changes are more restrictive than in the previous policy, the Board of Trustees may authorize a grace period for compliance so that the changes are not a hardship for MA families.

Enforcement

When necessary, teachers and administrators will implement the following discipline policy:

- *Minor infractions:* a note, phone call, or email reminder is sent home. Minor infractions should never interrupt the student's education with an office referral. Chronic uniform violations should be tracked by the teachers and referred to the office when they meet the threshold of seriousness or as defined in policy. Citations for minor infractions should be issued and forwarded to the office at a later time and processed at convenient times for administration.
- *Major uniform infractions or excessive minor infractions:* Serious uniform infractions should be identified first in the homeroom period where telephones have been provided to allow the student to call home for a change of clothing. The student may then wait in an appropriate place out of the milieu until he is appropriately dressed before interacting with the student body. Students should not queue in the office to call home without first attempting from the homeroom classroom.

Specific Requirements

Uniform details, specific descriptions, and pictures of acceptable MA uniforms may be found on the MA website, in the *Monticello Academy Policy Manual*, and in the *Monticello Academy Handbook*. Parents and students must sign the MA dress code agreement as part of the enrollment process. Teachers and administrators will make final decisions regarding uniform questions.

Dress Code

The current dress code standards are listed below:

Shirts

1. Only uniform shirts are to be worn.

2. All shirts must be in the approved solid colors (no stripes, accent stitching, or visible logos except for the official MA logo). Polo and turtleneck colors are white and burgundy. Oxford shirts must be white. Black polo shirts and turtlenecks are also approved for 6th-8th grade students.
3. No cap sleeves are allowed.
4. Shirts must be appropriate length. When hands are raised above the head, no part of the abdomen or the back may show.
5. Uniform shirts must be worn at all times, even under a sweater.
6. Undershirts must be solid white and may not be visible.
7. Shirts must be tucked in.

Pants

1. Pants with holes or with excessive visible wear are not acceptable.
2. Pants with embroidery, beads, side pockets, or zip-off legs are not allowed.
3. All pants must be modestly fitted. This means that pants must be hemmed, may not drag on the ground, must fit in the waistline, and must not sag in the crotch.
4. Belts must be worn at all times with pants that have belt loops.
5. Khaki is the approved pant color for all grades. Black pants are also approved for 6th-8th grade students.

Shorts

1. Shorts must be hemmed and must be no shorter than three inches above the knee (measured while kneeling).
2. Shorts may only be worn when designated by the administration.
3. Khaki is the approved color for shorts.
4. Except for length, all other standards for pants are applicable for shorts, including belts, fabric, fit, and excessive wear.

Skirts and Jumpers

1. Hem lines for skirts and jumpers should extend beyond the fingertips when arms are extended straight down.
2. Girls are encouraged to wear inconspicuous shorts under skirts and jumpers.

Sweaters

1. Any uniform shirts may be worn under the approved v-neck vest. or the approved cardigan sweater

Coats and Jackets

1. Coats and jackets may not be worn in the classrooms and should be removed and properly stored when students enter the school.

Shoes, Socks, Tights, and Hose

1. Shoes must be worn at all times.
2. Shoes must be all Brown or all Black.

3. Athletic shoes with white socks may be worn during times when the administration allows shorts.
4. Combat boots, sandals, beach shoes and mules are not allowed.
5. Shoes should not have open toes or heels. Shoe heels should be no more than 2 inches high.
6. Lace up shoes must be laced and properly tied.
7. Dark socks are required for boys or girls wearing pants.
8. White or black tights are required for girls wearing jumpers or skirts.
9. No character or light-up shoes.
10. Students must bring athletic shoes to participate in PE classes.

Belts

1. Leather, woven, braided, or ribbed belts are acceptable.
2. Belts must be worn with pants and skirts that have belt loops.
3. Belts should be the appropriate length for the child. The tip of the belt must not dangle loosely more than 3 inches from the buckle.

Jewelry

1. Modest jewelry is allowed. An object that has a purpose other than jewelry cannot be worn as jewelry (e.g. animals chains or collars, safety pins, or specialized ear jewelry)
2. For safety reasons, hoop-style earrings larger than a dime or dangling earrings cannot be worn. Enlargement posts are not allowed.
3. Bracelets may not be wider than one inch and students may not exceed 1 bracelet per wrist. Bracelets cannot be wrapped around fingers.
4. Girls may not have more than one earring per ear. Boys may not wear earrings.
5. No studded bracelets or wristbands are allowed.
6. Bracelets that link to rings on the fingers are not allowed.
7. No more than one necklace may be worn (chokers included).

Cross Dressing

1. Cross dressing is not allowed.

Miscellaneous

1. Students must present a neat and clean appearance.
2. Wearing hats (including caps, visors, beanies, bandannas, etc.) is not allowed on campus during school hours or during activities immediately before or after school. Exceptions may be granted by teachers or administrators for appropriate activities (e.g. baseball caps outside during baseball games).
3. No chains may be worn on clothing or on backpacks.
4. Sunglasses are not to be worn in the school building.
5. Items not covered above but considered inappropriate, dangerous, or a distraction are subject to review by the administration.
6. A cheerful and respectful compliance is expected.
7. Students should arrive and leave the school building in uniform (car to car uniform compliance), unless a school activity requires an exception.

8. Spirit wear (such as t-shirts with a MA logo) may be worn in school and on field trips on designated “school spirit” days only.
9. No black shirts/black pants combinations.

Discipline Policy

In accordance with the philosophy and goals of Monticello Academy, a discipline policy has been developed which allows each student to grow and mature in self-discipline and personal responsibility. Students must abide by the school’s behavioral standards. Parents and students must sign the MA discipline policy agreement as part of the enrollment process.

MA requires complete conformity to appropriate standards of dignified conduct. If a disrespectful person (parent or student) threatens or disturbs the harmony of the school environment, school authorities have the responsibility (and obligation) to appropriately restore and maintain order.

The school atmosphere should allow the teacher to teach and students to learn. All staff members are responsible for encouraging good discipline and are accountable to the administration. While the discipline policy applies to students at all grade levels, the age and maturity of the student as well as special circumstances will be considered when violations occur.

To achieve optimal learning, expectations should be consistent at home and at school. One guiding principle at MA is that student success is more likely when parents are empowered through a healthy partnership with the school. In other words, everyone should be on the same team.

All faculty and staff members, including the administration, are expected to comply with and to enforce the MA discipline policy. Policy details and specific descriptions can be found on the MA website and in the *Monticello Academy Handbook*.

Monticello discipline policy and educational best practices require that the overwhelming majority of discipline happens in the classroom with a teacher. Only the most serious and egregious violations should result in an office referral.

Discipline Notification Forms (DNFs)

A Discipline Notification Form may be issued for serious violations of the Discipline Policy or for repeated offenses. The following principles should guide the use of DNFs:

1. The student should be given the opportunity to discuss and explain his/her actions to the teacher or administrator.
2. A DNF form is issued in the student’s name to the parents or guardians and should explain the situation and any actions taken by school staff. A DNF may include recommendations.

3. The DNF slip should be signed by the parent or guardian to acknowledge receipt, and returned to the school office when the student returns to school.
4. Students receiving a DNF may be placed on disciplinary probation, which is an official designation indicating that the student's conduct must improve. While on probation, the student may be excluded from all extra-curricular school activities. Probation status must be cleared by the administration.
5. Multiple DNFs may result in suspension or expulsion.

Major Infractions

Major infractions of the MA behavior code may result in immediate suspension or expulsion, and do not require progressive interventions. A sample list of major infractions may be found in the *Monticello Academy Handbook*.

Harassment

In keeping with its philosophy, MA recognizes the dignity of every human being. Therefore, the school will not tolerate at any time, in any situation, or for any reason, the harassment, by word or action, of any member of the MA community, whether on or off school property.

Threat to School Safety

Any student who acts in such a way as to threaten the safety of him/herself or any other person in the school building or is in possession of, or brings onto school property, any article or substance that endangers him/herself or any other person in the school building will be suspended immediately and may be subject to expulsion.

Search and Seizure

The administration of the school and/or their designee retains the right to search: students, student lockers, student desks, student possessions, and/or seize possessions of an inappropriate nature (for a school setting) at any time.

Speech and Publications

MA has the right to determine what is appropriate in school and at school sponsored or school related activities or events with regard to verbal or written expression. The school also reserves the right to control all publications that directly or indirectly pertain to school, school staff, or school related issues.

Suspension

"Suspension" is a short term (less than a semester) removal from school and/or exclusion from participation in some or all school activities, served in or out of school. Suspension from school is imposed for serious misbehavior and then only by school administration. The administration reserves the right to place a student on home study for conduct deemed inappropriate and contrary to the philosophy of the school. (This includes, but is not limited to, fighting or making threats toward others).

Expulsion

MA will do all within its power to assure its students the right to just and fair treatment. Sometimes, in spite of all that is done by the school personnel to guide and work with students, their continued presence in the school may be judged detrimental to their own welfare or the welfare of others. The expulsion of students will be considered only when, in the estimation of the CEO, all other means of correction fail to change unacceptable conduct. "Expulsion" is a semester long or permanent removal and exclusion of the student from school. A decision to expel a student is very serious and should only occur when all other recourse and reasonable efforts to conform a student's conduct have been exhausted. Expulsion may also result from a single major disciplinary infraction. The CEO and/or assistant CEO retain discretion in deciding such matters. The CEO and/or assistant CEO may expel or suspend students for conduct that is unbecoming a MA student. All expulsions are subject to appeal before the Monticello Academy Board of Trustees, for final decision.

All expulsions and suspensions shall result in exclusion from all school-related activities during the period of expulsion or suspension unless specifically exempted by the CEO or assistant CEO.

Corporal Punishment

Corporal punishment is not consistent with the school philosophy and goals and will not be used. All discipline matters will be handled with respect for the dignity of the individual and in a spirit of reconciliation. The administration has full authority in matters of discipline, and may waive any disciplinary rule for just cause at his/her discretion. Rules for all areas of the school day may not be listed in this handbook. Be assured that your child will be informed and reminded periodically. The consequences for breaking the rules will be covered as well.

MA strives to recognize the positive behaviors that the majority of our students do display. Rewards for good behavior will be given throughout the school year.

We feel that a child's education is an extremely important aspect of his/her life. Self-discipline is the goal of our school. Hopefully, the school and parent/guardian working together as a "team" will help us achieve the goal of every child being a "success" in school, behaviorally as well as academically.

Student Discipline Appeals (August 21, 2008)

The Monticello Academy Board of Trustees recognizes the need for fairness in student discipline. Accordingly, the Board has adopted the following policy to provide adequate due process for appealing administrative disciplinary decisions. This process should also be used as a model for other school appeals when authorized by the Board of Trustees.

1. When a student has a significant disciplinary consequence, such as expulsion from Monticello Academy, the parents are notified immediately of the right to appeal the decision in writing within five (5) days of the decision. The administrator who makes

the disciplinary decision is responsible for delivering a copy of this appeal process policy to the parents at the time of notification.

2. The chair of the Board of Trustees appoints a three (3) member appeal board from among the parents of Monticello Academy students to hear the appeal. Two (2) members of the appeal board must be school trustees.
3. The appeal board convenes within three (3) business days of the receipt of the appeal.
4. A copy of the written appeal is provided for each member of the appeal board.
5. The appeal board chooses its chair before the appeal hearing begins.
6. As a quasi-judicial body, the members of the appeal board may not participate in *ex parte* communication regarding the appeal.
7. The appeal hearing is a confidential, private meeting.
8. The appeal hearing is recorded.
9. The recording and any documentation regarding the hearing are the property of Monticello Academy, Inc.
10. The student and the parents have the right to be present during the presentation of any information regarding the appeal to the appeal board, but not during the appeal board's deliberation.
11. Only the student, the parents, and the family's legal counsel are permitted during the entire appeal hearing. To avoid unfairly influencing the appeal board, other children, spectators or participants are not allowed in the hearing.
12. The appeal board may allow additional witnesses to participate long enough to offer relevant testimony regarding the disciplinary incident. Witnesses are not permitted in the hearing before or after their testimony.
13. When the appeal hearing begins, the chair explains the process to the student and parents.
14. The student and the parents are the first to present their argument and answer questions from the appeal board.
15. After the student and parents have presented their argument, the administrator who made the disciplinary decision presents his or her argument and answers questions from the appeal board.
16. After the administrator is finished with his or her statement, the student and parents have the opportunity to give a final response.
17. The student, the parents, and the administrator are dismissed while the appeal board deliberates.
18. When the appeal board has made a decision the student and parents are invited back and the decision of the board is announced.
19. The decision of the appeal board is final, subject to judicial review.

20. The chair of the appeal board completes a *Student Discipline Appeal Report* form and submits it to the chair of the Board of Trustees. One copy is placed in the student file and another copy is delivered to the parents.

Section 7: Parents

Responsibility for Standards

Parents bear the primary responsibility for oversight and enforcement of the academic performance and behavior of the students. The high standards at Monticello Academy provide an excellent education and learning environment. Additionally, the MA faculty and administration will facilitate parents in their school related responsibilities by communicating in person and electronically. When a parent is notified about a student problem, it becomes the parent's responsibility to insure compliance with school standards.

Volunteer Service

One of the bedrock principles that led to the establishment of Monticello Academy and a key factor that affects the quality of education and academic success is parental involvement. Parents will be asked (although not required) to volunteer at least forty (40) hours each year.

The organizational structure and bylaws at Monticello also allow parents to exercise significant influence in the administration of the school. The Monticello Academy Parent Organization has leaders elected from among the ranks of the parents and guardians of Monticello students. The Parent Organization also provides structure, organization, and reporting for the thousands of hours of volunteer efforts that parents will donate at the Academy. Parents will be appointed to personnel, curriculum development, auditing, extra-curricular, and many other committees.

Visits During School Hours

Parents are always welcome to observe classes and offer meaningful assistance to teachers. While it may be necessary on occasion to bring small children, parents should avoid introducing distractions to the learning environment.

Governing Bodies and Elections (September 28, 2006)

Automatic membership in the Monticello Parent Organization, the election of its board, and the election of two parents to the Monticello Academy Board of Trustees accomplish the goal of providing meaningful leadership opportunities for those who want to become involved. The following section of the Monticello Handbook explains the policies and procedures related to these elections. Additional details can be found in the MA charter.

Board of Trustees

The seven members of the Monticello Academy Board of Trustees have the ultimate oversight and responsibility for the academy. The Board considers all of the major budgetary and policy recommendations of the CEO and also serves as an appellate body for Parent Council decisions. The Board of Trustees approves employee hiring and compensation, major policy recommendations, and other important matters, as well as having the final control and oversight of the management of the affairs and business of the

Monticello Academy. The Board of Trustees meets at least twice annually, but can also assemble more often if necessary.

One seat on the Board of Trustees is filled by a parent elected from among the parents of Monticello Academy. The elected Trustee serves a four year term, or until resignation or removal. When the term ends, the elected Trustee may be re-elected and there is no term limit. Trustees must have a student enrolled in Monticello Academy.

Parent Organization

All procedures, rights and duties for the proper operation of the Monticello Parent Organization (MPO) may be outlined by the Board of Trustees, the Parent Council, or the Parent Organization members, in that order of priority.

Parent Council

The seven member governing board of the MPO is called the Parent Council and is comprised of the Chair (or designee) of the Board of Trustees, the CEO, and five officers elected by the MPO members. The CEO is a voting member of the Council. Except for the CEO, no council members are compensated for their service. Elected Parent Council members serve two year terms, beginning at the meeting when they are elected, or until they resign or are removed.

Parent Council meetings are held regularly on the Second Thursday of each month and require a quorum of four to conduct business. The Parent Council provides assistance in the management of the affairs and business of the Monticello Academy and coordinates volunteer service efforts in the school.

Parent Council Officers

The President chairs the Parent Council meetings, appoints all committees, and is responsible for compliance with all books, reports, filings, and certificates required by law. The Vice President becomes the acting chair of the Parent Council when the Chair is absent. Duties of the other officers are outlined in the MPO bylaws.

The Secretary/Treasurer keeps the minutes and any records, is responsible for all MPO compliances, and is also responsible for timely meeting notices and all correspondence for the MPO. The Secretary/Treasurer is also responsible for the funds of the MPO, and is responsible to provide a written account of the MPO finances from time to time.

Meetings

Generally, MPO meetings are held at the school facility. Special MPO meetings may be called by the Chair of the Parent Council when necessary, and meetings are conducted by the Chair. Meeting notices and agendas are distributed to parents ahead of time. Only business that is noticed and on the agenda may be conducted at MPO meetings without unanimous consent of all members present at the meeting.

The annual MPO meeting is normally held on the second Thursday in May. Annual membership meeting business is done by a majority vote of those in attendance, and

includes Parent Council elections in years where there is a vacancy or if an elected term has expired.

Membership

Each parent or legal guardian of a MA student is a member of the MPO and has one vote on any MPO business, regardless of whether separate households are maintained. Parent membership is only valid while a student is registered at the school.

Electioneering

Both Trustee candidates and Parent Council candidates must have students enrolled at Monticello Academy. School employees who are also parents of students in the school are not eligible to serve as Trustees, but may serve on the parent council. During the campaign period, candidates may, at their own expense, send home one flier from school with each student during the campaign period. It is the candidate's responsibility to deliver the flier to the school office in sufficient time for distribution. The flier may also be posted on the school website during the campaign period.

Elections

Trustee Election: Every four years, a Trustee election is held on the third Thursday in September at the end of the previous term. Parent Organization members elect a Trustee who serves a four year term. Prior to the election, the Chair of the Board of Trustees appoints a committee of three "Elections Inspectors" to oversee the balloting, to verify voting eligibility, and to certify the elections after the votes are counted. Candidates may not be appointed as Election Inspectors. Each candidate may appoint a poll watcher. The Trustee election lasts for an extended school day, from the opening of school until 7:00 PM to accommodate all who wish to vote.

Parent Council Elections: Except for the inaugural year when they are held right after school opens, Parent Council elections are held every other year during the Spring annual meeting. MPO members elect five Parent Council members who serve two year terms. Prior to the election, the Chair of the Parent Council appoints a committee of three "Election Inspectors" to oversee the balloting and to certify the elections after the votes are counted. Candidates may not be appointed as Election Inspectors. Each candidate may appoint a poll watcher.

Voting

Voting on business at MPO meetings is generally done by voice. For Parent Council elections, however, voting is by ballot. Voting for Trustee elections is also by ballot. Elections with more than two candidates for an office use Instant Runoff Voting (IRV).

Section 8: Curriculum and School Programs (October 25, 2007)

Student Work (May 23, 2007)

Syllabus

The MA syllabus provides a consistent format with detailed work explanations for each student. The form is approved by the school administration and provides a report of what was accomplished previously as well as illustrating upcoming class work, tests, homework, special projects, and school events. Teacher team collaboration insures a consistent experience for students across grade levels, regardless of teacher, and is intended to avoid unreasonable scheduling conflicts for students and families. Grades may be appealed for assignments, tests, or projects not included on the syllabus by using the Monticello Academy *Grade Change Request Form*.

Homework

Based upon reliable studies and significant empirical evidence, in addition to the recommendations of prominent national parent and educator organizations, the MA Board of Trustees has adopted the following homework guideline for students: *homework should not exceed an average of 10 minutes of total homework each night per grade level*. This standard may be evaluated and adapted by parents in consultation with teachers for individual application as they monitor each student's achievement.

In addition, students may not be graded or punished for requests made of parents. For example, student grades may not be reduced because a parent did not sign a document from the school.

Make-up work

Teachers must provide make-up work and reasonable time to make-up tests and quizzes for students with excused absences. This means, for example, that teachers should not expect students to perform in class the day they return using material that they missed when absent. Reasonable flexibility with deadlines should be considered for students with unusual circumstances. When in conflict, teachers should consider prioritizing content mastery above rigid timing requirements.

Grading Practices (January 24, 2008)

Since grades at Monticello Academy are a fundamental measurement of student performance and achievement, it is critical that they are valid, reliable, and fair. Accordingly, the Board of Trustees has approved the following policy regarding grading practices:

Students are graded individually based upon objective and reasonable standards. Grades and performance expectations are to be consistent across grade levels, developed as a grade level team, and based upon the administration approved curriculum and 180 day teaching plans. Student learning experiences within a grade level should generally be the

same, regardless of which teacher the student has. The “whole class” grading method is not permitted for academic or citizenship grades. Like academic grades, citizenship grades are based upon objective, written criteria which must be available for parents to review. Grading policies must be approved by the CEO, and the CEO is authorized to change student grades upon appeal.

Patriotic Education

Requirements

- Shall be included and primarily taught in the social studies curricula of K-12
- All educators shall have responsibility for patriotic education
- Students shall be taught by example and role modeling the following:
 - The history of the flag
 - Etiquette for use of the flag (Title 36 US Code 173 to 175)
 - Etiquette during the Pledge of Allegiance (Title 36 US Code 172)
 - Etiquette during the National Anthem (Title 36 US Code 171)
 - Customs pertaining to display and use of the flag (Title 36 US Code 176 and 177)
 - Each individual’s rights to personal liberties associated with the flag
 - Each individual’s freedom to exercise their values as they relate to the flag
- The Pledge of Allegiance shall be recited by students at the beginning of the day
- Students and parents shall be adequately notified by posting a notice in a conspicuous location of lawful exemptions to the requirement to participate in reciting the Pledge
- A student shall be excused from reciting the Pledge upon written request to the school from the student’s parent or legal guardian
- Public schools shall display IN GOD WE TRUST, our national motto, in one or more prominent places in each school building

Monticello Training

- Patriotic education is a critical part of the Core Knowledge curriculum. It is addressed in every grade in Core Knowledge. Examples of the details of patriotic education which are taught are included with this section.
- All educators endorse and exemplify recitation of the Pledge of Allegiance in the first hour of each day. Educators in the social study related classes teach from Core Knowledge regarding early American history and patriotism.
- Basics regarding the history and etiquette of the flag are taught during the school’s opening assembly. Additional details, as prescribed above, are taught during the course of the year.
- Basics and details regarding etiquette of the Pledge of Allegiance and National Anthem are taught/reviewed by the individual teachers at the beginning of each year. Compliance and understanding of the etiquette are observed by the teachers during the school year.
- Details regarding lawful exemptions to the requirement to participate in reciting the Pledge are posted in the school library or other conspicuous location.

- The national motto IN GOD WE TRUST is displayed in prominent location(s) in the school.
- In addition to the requirements mentioned above, Monticello Academy has included the following patriotic education principles:
 - U.S. founding documents are displayed in prominent locations in the school
 - Quotes from Thomas Jefferson are prominently displayed throughout the school
 - The Monticello character model includes patriotic themes
 - The U.S. flag is raised and lowered by Monticello students, faculty and parents on a daily basis

Exemptions to Participation in the Pledge of Allegiance

Monticello Academy acknowledges that there may be those who desire to not participate in the daily recitation of the Pledge of Allegiance. Students will be expected to participate with their class in reciting the Pledge of Allegiance every morning unless excused in writing by the student's parent or legal guardian.

Selection of Educational Materials

Due to the prescriptive nature of the charter document, the selection of educational materials is a careful process. Certain materials, such as the Singapore Math curriculum and the Core Knowledge Sequence, are required in the charter. Other curriculum and materials are chosen directly by the Board of Trustees or are recommended by the parent curriculum committee and approved by the Board. In either case, the Board has the final decision regarding the use of educational materials in the school. Both the curriculum committee and the Board of Trustees are to use the written charter and the stated vision of the school founders as standards to evaluate decisions regarding the selection of educational materials.

Sexual Education

A special "Sexual Education Curriculum Review Committee" made up primarily of parents submits a sexual education instruction recommendation annually to the Board of Trustees for approval. This special committee should also include a health professional, a school administrator, and a MA health teacher. The committee must have a majority of parents and the plan should be submitted by August 1 each year.

The recommendation of the committee will include lesson plans, audio/visual materials, and proposed presenters, including any invited guests. Presenters and invited guests must be approved by the Board of Trustees to assure consistency with the high moral standards of Monticello Academy. The review committee must assure that none of the following are included in the recommendation, as they are prohibited by state law:

1. the intricacies of intercourse, sexual stimulation or erotic behavior;
2. the advocacy of homosexuality;
3. the advocacy or encouragement of the use of contraceptive methods or devices;

4. the advocacy of sexual activity outside of marriage; or
5. any religious, racial, ethnic, and/or gender bias.

The committee shall also assure that the following is included in the appropriate section of the course per Utah state law:

1. the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for preventing certain communicable diseases; and
2. personal skills that encourage individual choice of abstinence and fidelity.

The committee chair, or representative, will present the proposed course material and presenters to the Monticello Academy Board of Trustees for approval. The Board will review the information, and will approve the curriculum and materials in a public meeting prior to implementation.

Consistent with Utah law, the information provided by the committee to the Board shall include the following:

1. A copy of any human sexuality instructional materials recommended by the committee but not approved by the state Instructional Materials Commission;
2. documentation that the materials or program meets the medically accurate criteria of state rule R277-474- 6B;
3. documentation that this is the recommendation of the committee; and
4. if the committee is recommending materials not approved by the Instructional Materials Commission, a rationale for selecting such materials must be included.

Notification and Consent

The school shall prepare notification of the intended sexual education course which will be sent home with the students and placed on the web site. The notification shall allow enough time for parents to preview the material at the school if they desire. The notification will invite parents to attend the class with their students.

The consent form prepared by the State Board of Education will accompany the notice to parents (see Appendix A). The consent form requires parents to declare that either their child is or is not able to participate in the course. Students must return a signed consent form to participate in the course, and a parent signature is required either way. Students who do participate in the course will be provided with make-up work. A make-up course may be offered after school hours.

Library Materials

The selection and deselection of library materials is covered separately in the *Library Collection Development* policy

Library Collection Development

Overview

The following policy has been approved by the Board of Trustees for the following purposes:

- To encourage careful thinking, planning, and a cooperative effort among parents, staff, and the Board of Trustees in making the Monticello Academy library the best school library it can be given the constraints of budget, space and resources.
- To stimulate critical evaluation of materials in order to make a determined effort to collect a well balanced, well-written, objective collection that meets the curriculum needs of the patrons.
- To better define the collection needs of the library so that acquisitions are made following the guidelines set out by the librarian under the direction of the Board of Trustees.
- To promote a wise use of available funds.
- To define guidelines defining gifts, controversial areas and challenged materials.

Library Committee and Selection Activities

The school library is obligated to provide the support materials for the school curriculum through purchases and maintenance of appropriate print and non-print materials which are used to implement, enrich, and support the school curriculum.

The authority for the selection of all instructional materials resides with the Board of Trustees. A committee composed of parents recommends library acquisitions to the Board. The school librarian is a member of the library committee but does not serve as the chair. The librarian is also responsible for coordinating the recommended selection of instructional materials with faculty and administrators. The school librarian will be the staff member responsible to purchase, organize, and oversee the broad expanse of approved library materials.

Monticello Academy has a student population of 750 students in grades K-9, plus faculty, administration and support personnel. The purpose of the school library is to support the curriculum, reading enhancement, AR reading program and information needs of the school population. It is staffed by a professionally trained librarian and with such library aides and volunteers as approved by the Board of Trustees. MA families may also utilize the county library system, with several branches in close proximity to the school and home.

The goal of selection activities is to provide materials that will implement, enrich and support the educational program of the school. The library media teacher should provide a wide range of materials on all levels of difficulty, with diversity of appeal, and the presentation of different points of view.

Objectives

We seek to reaffirm the objectives of the Standards for School Media Programs prepared by the American Association of School Libraries which assert that the responsibility of the media center is:

- To provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the pupils served.
- To provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
- To provide a background of information which will enable pupils to make intelligent judgments in their daily lives.
- To provide materials on opposing sides of controversial issues so that young citizens may develop, under guidance, the practice of critical analysis of all media.
- To provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
- To place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library media center.

Criteria

Needs of the school based on knowledge of the curriculum and of existing collection.

- Overall purpose.
- Timeliness or permanence.
- Importance of subject matter.
- Quality of the writing/production.
- Readability and popular appeal.
- Authoritativeness.
- Reputation of the publisher/producer.
- Reputation and significance of the author/artist, composer/producer, etc.
- Format and price
- Requests from faculty and students.

Procedures

In recommending learning resources, the library committee will evaluate available resources and curriculum needs and will consult reputable, professionally prepared aids to selection and other appropriate sources. Among sources to be consulted are:

1. Bibliographies (latest edition available, including supplements)
 - Booklist
 - Guide to Sources in Educational Media
 - Handbook of Contemporary Fiction for Public Libraries and School Libraries
 - Library Journal
 - Reference Books for School Libraries
 - School Librarians Source Book
 - Subject Index to Books for Intermediate Grades
2. Current Reviewing Media:

- AASA Science Books and Films
- Bulletin for the Center for Children's Books
- Horn Book
- Kirkus Reviews
- Previews
- School Library Journal
- Wilson Library Bulletin
- Other sources will be consulted as appropriate. Whenever possible, the actual resource will be examined.

Library committee recommendations for purchase should include input from administrators, teachers, students, and MA families.

Types of Media

- Since the State of Utah provides the online database access of Pioneer, the school library/media center will concentrate on purchasing books, magazines and print journals.
- Classroom sets of novels, as well as curriculum based videos and DVD's will be purchased with curriculum funds, but cared for and housed in the library. These will not be available for student circulation, but only by faculty and other staff members.
- Other forms of media as deemed necessary by the librarian.

Areas of Focus

- Local history, particularly items that concern members of the Monticello Academy Community will be heavily collected.
- Nonfiction selection will be based on teachers' curriculum needs, as well as focusing on areas that need strengthening due to old materials or lack of depth.
- Fiction will be collected as necessary for the curriculum as well as the reading interests of the patrons.
- Nonfiction and fiction books will be collected to support the AR reading program.

Library Gift Policy

Gifts of suitable books and other library materials are welcome. In order to be added to the collection, they will need to meet the same criteria as purchased materials. The library reserves the right to refuse any unsuitable materials. Once an item is received it becomes the property of the school. Duplicates and unsuitable materials may be sold or given away and will be discarded when they become worn or outdated. The proceeds from materials sold will be used to purchase additional items for the library. The librarian will make decisions concerning all gifts.

Gifts of books or materials must be able to be integrated into the general collection and will not require any special housing or extra care. Gifts of cash donations are welcome and encouraged. They will be used to purchase books, materials and other items deemed necessary by the librarian. Gifts and donations by commercial enterprises are welcome. They must meet the same criteria as other donations for inclusion in the library collection. Receipts will be given upon request. However, no appraisal or estimate of donated worth

on books and materials will be given by library staff. Beginning January 2007, donated materials will be recognized by the library in the library records and when suitable, by placement of a label of recognition.

Deselection and Discards

In an effort to keep the library current, clean, well organized and easily accessible, it is vital to have a deselection (weeding) and discard policy. Discarded books will be offered to faculty and students first, then sold to the community at a book sale coinciding with parent/teacher conferences. They will then be offered to interested charities, or thrown away. Proceeds from book sales will be used for additional library materials as recommended by the librarian and approved by the library committee.

Items will be pulled for deselection if they meet the following criteria:

- Any item that is torn, worn-out, missing pages, soiled cover or pages, will be removed from the collection. An item that still has educational value will be replaced if possible.
- Duplicate copies that are not needed due to circulation or classroom needs.
- Old editions that have been superseded with newer or revised editions will be replaced, unless some overriding reason exists to keep the outdated edition.
- Materials that are out of date or contain misinformation. Materials that contain sexual, racial or cultural stereotyping fall into this category as well.
- Circulating materials that have not circulated in the past five years, unless it is a standard work, a classic, or on a subject on which the library has little available.
- Materials that related to subject matter that is no longer a part of the curriculum or of interest to users.
- Books that are not on an appropriate level for students.

Items that fit the following criteria will not be deselected unless they are too badly worn to be useable, and then every effort will be made to replace the item.

- Items on Utah and local history.
- Out of print titles with current education value.
- Current standard core bibliography unless replacing with new editions.
- Book with unusual illustrations or illustrations done by a well-known artist.
- Work done by a local author, illustrator or editor.
- Work that describes local history or personalities.

Some weeding will be done on a continual basis, as materials are returned or found in poor repair. Otherwise, weeding will be done during the annual inventory process, one section at a time. Using a shelf list, books will be sorted in the following categories:

- Books that can be repaired.
- Books that need to be perused by a faculty member.
- Books that need to be replaced with a new edition or copy.
- Books that need to be discarded without a replacement
- Books that need to be shelved in a different section for more usage.
- Books that have not circulated in five years, double check to see if they meet standards to be retained.

At this point, the following steps need to be completed.

1. Using the shelf list, indicate which books have been withdrawn.
2. Notify the faculty, giving them a deadline for book perusal.
3. Fill out the withdrawal form (at end of policy) for each book.
4. Have faculty and/or librarian look over books for final determination.
5. Stamp each item "discarded" and remove any labels or other library identifying items from the book.
6. Remove record from library catalogue, indicating such on the shelf list.
7. Discard as appropriate or retain for book sale to students and community.

Controversial Areas

Religion - Factual, unbiased books on major religions will be included in the collection. Books that represent the many religious and cultural groups of our American and local heritage will be included. Books whose purpose is to inform rather than to indoctrinate will be selected. Materials that ridicule the religious beliefs of others will be avoided. Biographies of religious leaders of all faiths will be included if the book is well written and meets the standards of library selection criteria.

Ideology - The library will include basic factual information on the level of their reading public, any ideology that exerts a strong force, either favorable or unfavorable in government, current events, or politics. A sincere effort should be made to select quality materials that equally represent a variety of points of view. Materials on controversial topics may be included if they meet the standards of the selection policy criteria, if they are relevant to the curriculum and if they are consistent with the philosophy of the school charter. Such information will be selected on the basis of factualness and literary value. Students who are learning the process of critical thinking need access to accurate information on controversial subjects, both popular and unpopular. Politically speaking, we will not add to the collection any material whose major purpose is to advocate the overthrow of the government of the United States of America by force or revolution.

Race - Materials that are representative of the many ethnic and cultural groups and their contributions to our American heritage shall be included. Materials should be well written, factual, objective and unbiased. They should portray racial or ethnic groups in our society in such a way as to build positive images, while supplying an accurate and sound balance in the matter of historical perspective.

Sex and profanity - Materials with accents on sex shall be subjected to a stern test of literary merit and reality by the librarian who shall take into consideration the community, the laws and the accepted public moral standards. While we would not in any case include the sensational, overdramatic or pornographic, the appearance of sexual incidents or profanity shall not automatically disqualify a book. Rather the decision shall be made on the basis of whether the book presents life in its true proportions, whether the circumstances are realistically dealt with, and whether the book is of literary value. Factual material of an educational nature on the level of the students shall be included in the library collection.

Some middle school fictional books which include more mature themes, as well as art books which portray some nudity, will be accessible only to older students who have parental permission.

Narcotics, alcohol and tobacco - State law requires that we teach about the harmful effects of their use. Materials which present methodology on taking or administering these substances and pleasurable effects of their use are to be avoided.

Reconsideration Procedures

Despite the careful attention taken in selecting materials for the library, occasionally a patron of the library will challenge a particular item. The review of materials questioned by the public will be treated as objectively and routinely as possible. Difficult decisions that cannot be resolved at the school level by the librarian are appealed to the library committee and then to the Board of Trustees. Every effort should be made to resolve the matter amicably and expediently. The procedure for handling this situation is as follows.

1. Be polite. A copy of the collection development policy and the *MA Library Collection Request* form should be given to the parent with a grievance.
2. It is the parent's responsibility to properly fill out the form and return it to the librarian.
3. The request will be brought to the library committee, which will consider the request. After reading/viewing the material, the committee will meet with the complainant to discuss their decision. The committee may consider the following sources when making its decision:
 - a. The high standards of Monticello Academy,
 - b. The MA character model,
 - c. The American Library Association Library Bill of Rights,
 - d. The American Association of School Librarians School Library Bill of Rights.
4. If the parent is not satisfied, the decision may be appealed to the Monticello Academy Board of Trustees.
5. The library will keep a file of any materials likely to be questioned. The recommendation by the Library Committee will be placed in this file for future reference.

Section 9: Special Education Master Plan (July 2007)

Introduction

The following document is an overview of the Special Education plan, services and procedures in the identification, determination and delivery of special education services through the Monticello Academy Student Services department. It includes the primary and most common and anticipated definitions, rights, considerations and procedures involved in Special Education with application to Monticello Academy, its students and parents. This document is intended to be a user-friendly guide for staff, administration, parents and Board.

Primary Tenets and Purposes

Three main federal statutes impact special education services at Monticello Academy:

- Individuals with Disabilities Education Act (IDEA),
- Section 504 of the 1973 Rehabilitation Act regarding Free Appropriate Public Education (FAPE), and
- The Americans with Disabilities Act (ADA).

Additionally, Monticello is subject to Utah state laws mirroring, interpreting and regulating federal special education law. Monticello Academy recognizes the Congressional findings associated with the Individuals with Disabilities Education Improvement Act of 2004 when it codified the following:

“Almost 30 years of research and experience has demonstrated that the education of children with disabilities can be made more effective by... having high expectations for such children and ensuring their access to the general education curriculum in the regular classroom, to the maximum extent possible, in order to... meet developmental goals and, to the maximum extent possible, the challenging expectations that have been established for all children; and be prepared to lead productive and independent adult lives, to the maximum extent possible.” [IDEA 2004, Congressional Findings, Sec. 601(C)(5)Ai]

To this end Monticello Academy recognizes and is committed to the following primary tenets, purposes and definitions of special education services:

Individuals with Disabilities Education Act (IDEA)

As a public charter school, Monticello Academy must abide by federal special education laws as contained in the Individuals with Disabilities Education Act Reauthorization of 2004 (IDEA) and the associated Code of Federal Regulations (CFR).

- A. “Children with disabilities who attend public charter schools and their parents retain all rights under this part.” [CFR 34 Sec. 300.312(a)]

Free Appropriate Public Education (FAPE)

Monticello students qualifying for special education services are entitled to a free appropriate public education defined under IDEA and FAPE that includes an Individualized Education Program.

Eligibility

The term 'child with a disability' means a child with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and who, by reason thereof, needs special education and related services. [Sec. 602 (3)(A)] See Appendix E: Categorical Criteria and Tests.

A child must not be determined to be a child with a disability under 34 CFR Part 300 if the determinant factor for that determination is lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in section 1208(3) of the *ESEA*); lack of appropriate instruction in math; or limited English proficiency. [34 CFR 300.306(b)(1)] [20 U.S.C. 1414(b)(5)]

Least Restrictive Environment (LRE)

Students with disabilities have the right to be educated with students who are not disabled to the maximum extent possible. Only "when the nature or severity" of a student's disability is such "that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily" should a child be segregated. Students with disabilities are entitled to participate in the general curriculum and school programs to the extent that non-disabled students are required to. The principle of LRE is applied to nonacademic and extracurricular services and activities as well, including participation in the milieu.

General Curriculum

Under IDEA and for the purposes of LRE, the "general curriculum" is defined as the "same curriculum as for nondisabled children" [CFR 300.347(a)(1)(i)]. The following is the Monticello Academy general curriculum outline:

- 1) K-2:
 - general state core and Core Knowledge curriculum, including
 - reading/language arts,
 - mathematics, and
 - integrated curriculum to include, but not limited to, science, social studies, arts, introduction to foreign language.
- 2) 3-6:
 - reading/language arts,
 - Singapore mathematics,
 - science,
 - social studies,
 - foreign language (Mandarin or Spanish),
 - dedicated visual art class,

- dedicated music class,
 - dedicated physical education/health class,
 - dance, theatre integrated across curriculum
 - education technology and library media integrated across curriculum
- 3) 7-8:
- language arts,
 - Singapore mathematics,
 - science,
 - social studies,
 - foreign language (Mandarin or Spanish)
 - art (choice band, choir, visual art),
 - physical education,
 - health (8th grade),
 - TLC (7th grade),
 - 8th grade elective choices of journalism, speech or information technology.
- 4) 9th grade:
- pre-AP World Literature
 - Singapore Math-advanced algebra/geometry
 - pre-AP biology
 - pre-AP geography
 - foreign language II (Mandarin or Spanish)
 - art (choice band, choir, visual art)
 - physical education (participation skills, fitness for life)

Core Academic Subjects

Defined by the Elementary and Secondary Act of 1965 (reauthorized as the No Child Left Behind Act) Part A Section 9101 (11) as:

- English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography.

Student Identification and Evaluation

Child Find

- 1) Monticello Academy will identify students who are suspected of having a disability and who are in need of special education and related services.
- 2) As charter schools do not have jurisdiction over a geographical area as most traditional LEA's, the implementation of Child Find activities are only related to students actually enrolled in the charter school.

Regular Education Intervention Procedures

- 1) A teacher is often the first person to identify that a student may have a disability qualifying for special education services. Teachers should always be vigilant in monitoring the academic and behavioral successes and struggles of each

student. If a teacher suspects a student may have a disability qualifying for special education services, s/he must:

- a. appropriately and correctly implement at least 3 classroom interventions and/or programs,
- b. discuss concerns and develop these intervention strategies in a weekly team meeting with the student's other teachers who may lend additional insight to determining an appropriate intervention, and
- c. document the intervention on a **Classroom Intervention/Program** form, which includes the target concern, description of the intervention, duration of the intervention, and measurable objectives to determine results.

Referral Procedures

1) Teacher Referral:

If initial classroom interventions have not proven successful and a disability is suspected, the teacher will refer the student for special education evaluation by completing the **Referral for Evaluation** form, which shall include the Classroom Intervention/Program forms documenting the history of failed classroom interventions.

2) Parent Referral:

- a. A parent may request an evaluation of his/her child by submitting a **Parent Request for Evaluation** form to the Student Services department.
- b. The right of a parent to refer a student for evaluation shall not be denied or delayed by the procedures under I (B); however,
- c. Every effort must be made to implement the regular education intervention procedures.
- d. The student shall be evaluated within 60 days from the time the parent gives informed consent to conduct such evaluation to determine disability under Sec. 602. [sec. 613 (a)(1)(c)]

3) Notice and Consent:

- a. Parental Consent: Prior to the evaluation of any student, parents must be given a **Notice and Consent to Evaluate** form which will include:
 1. a description of the action proposed and a description of the factors relevant to the proposal,
 2. an explanation of why the action is being proposed
 3. a description of each evaluation procedure, assessment, record or report the agency will or may use as a basis for the proposed action,
 4. an attached **Procedural Safeguards** form, which will also be given to parents-
 - a) annually,
 - b) when there is an initial referral or request for evaluation,
 - c) the first time a parent files a due process complaint, and
 - d) upon parent request.

5. sources for parents to contact to obtain assistance in understanding the provisions of this part, including assistance in the native language of the parents if needed, and
 6. the notification to parents of their rights to be given the opportunity to participate in meetings with respect to the identification, evaluation, placement and provision of FAPE.,
 7. Consent to evaluate cannot be construed as consent for placement for receipt of special education and related services. [Sec. 615(c)(1)], [Sec.614(a)(1)(D)(i)]
- b. Absence of Consent: If the parent of such a child does not provide consent for an initial evaluation or the parent fails to respond to a request to provide consent, Monticello Academy may pursue the initial evaluation of the child by utilizing procedures described under the Procedural Safeguards found in IDEA Sec. 615.
1. Student Services will request that the parent indicate on the **Notice and Consent to Evaluate** form their denial of consent.
 2. Student Services will document parent's denial of consent if the parent refuses to indicate the denial in writing or fails to respond to such request.
 3. Student Services will disclose to the parent the potential that Monticello Academy may pursue the initial evaluation.
- 4) Transfer of Student with pre-existing IEP:
- a. Parents shall disclose on **Registration** form if the child has a pre-existing IEP
 - b. If special education records are not provided, Monticello Academy will promptly request the records from the previous school by mail or phone.
 - c. If the parent initiated initial evaluation procedures at a previous school, the 60 day timeline does not apply to Monticello Academy; however, Student Services will ensure that sufficient progress is being made to complete the evaluation.
 - d. Monticello Academy Student Services will consult with parents immediately to provide FAPE comparable to the previous IEP until the Monticello IEP team adopts the previous IEP or implements a new one.
 1. If records are not available, Student Services will provide a **Notice of Meeting** and develop a temporary/diagnostic IEP and program which will be used for up to 30 calendar days.
 2. If records are not received within the 30 day period, the parent can submit a **Parent Request for Evaluation** and follow the usual procedures outlined previously.
 - e. Monticello Student Services, in collaboration with the parents, will convene an IEP team within 30 calendar days to determine whether to:
 1. adopt the previously held IEP or
 2. develop, adopt and implement a new IEP
 - f. A new IEP may not be necessary if:
 1. a copy of the student's current IEP is available,

2. the parents indicate that they are satisfied with the current IEP, and
 3. Monticello Student Services determines that the current IEP is appropriate and can be implemented as written.
- g. If the student transfers from out of state within the same academic year, FAPE, including services comparable to the previously held IEP, will be provided until such time as Monticello Student Services conducts an evaluation to determine eligibility, if necessary, pursuant to Sec. 614(a)(1)(C)(i), or in other words, within 60 days.

Evaluation Procedures

- 1) Conduct of evaluation: In conducting the evaluation, Monticello Academy will:
 - a. use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information, including information provided by the parent that may assist in determining
 - whether the child is a child with a disability and
 - the content of the child's individualized education program.
 - b. not use any single measure or assessment as the sole criterion for determining whether the child is a child with a disability or determining an appropriate education program
 - c. use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
- 2) Additional requirements: Monticello Academy will ensure that:
 - a. assessments and other evaluation materials used to assess a child under this part
 1. are selected and administered so as not to be discriminatory on a racial or cultural basis,
 2. are provided and administered in the language and form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is not feasible to administer,
 3. are used for purposes for which the assessments or measures are valid and reliable,
 4. are administered by trained and knowledgeable personnel, and
 5. are administered in accordance with any instructions provided by the producer of such assessments, or irregularities in the administration of the assessment are disclosed as part of the evaluation report.
 - b. the child is assessed in all areas of suspected disability, including, if appropriate, vision and hearing
 - c. assessment tools and strategies that provide relevant information that directly assists persons in determining the educational needs of the child are provided, and
 - d. assessments of children with disabilities who transfer schools in the same academic year are coordinated with the prior school as necessary and

expeditiously as possible to ensure prompt completion and transfer of full evaluations.

- 3) Determination of eligibility and education need: Upon completion of the administration of assessments and other evaluative measures-
 - a. the determination of whether the child is a child with a disability as defined in Section 602(3) and the educational needs of the child shall be made by a team of qualified professionals and the parent of the child; and
 - b. a copy of the evaluation report and the documentation of determination of eligibility shall be given to the parent.
 - c. In determining whether a child has a specific learning disability, Monticello Academy may use a process that determines if the child responds to scientific, research-based intervention as part of the evaluative procedures described in parts 1 and 2 of this section.
- 4) Additional Requirements for Evaluations and Re-evaluations:
 - a. Review of existing evaluation data: As part of an initial evaluation and as part of any re-evaluation under this part, the IEP team and other qualified professionals, as appropriate, shall-
 1. review existing evaluation data on the child, including
 - evaluations and information provided by the parents of the child,
 - current classroom-based, local, or State assessments and classroom-based observations, and
 - observations by teachers and related services providers, and
 2. on the basis of the review, and input from the parents, identify what additional data, if any, are needed to determine-
 - whether the child is a child with a disability as defined in Section 602(3), and the educational needs of the child, or, in the case of a re-evaluation of a child, whether the child continues to have such a disability and such educational needs;
 - the present levels of academic achievement and related developmental needs of the child;
 - whether the child needs special education and related services; and
 - whether any additions or modifications to the special education and related services are needed to enable the child to meet the measurable annual goals set out in the IEP and to participate as appropriate , in the general education curriculum.

Service Delivery

Individualized Education Program (IEP) Development

- 1) The IEP Team is a multi-disciplinary team that consists of the following:
 - a. the parents of the child with a disability
 - b. at least one regular education teacher, preferably the grade level team leader if s/he is the child's teacher, or the team leader's designee,
 - c. at least 1 special education teacher or provider,
 - d. a school representative who
 1. is qualified to provide or supervise the provision of specially designed instruction to meet the unique needs of children with disabilities
 2. is knowledgeable about the general education curriculum, and
 3. is knowledgeable about the availability of resources
 - i. in the event that Monticello Academy lacks a single school representative that meets all three of the above criteria, it will ensure attendance of personnel to represent the 3 qualifying specifications in order to commit appropriate and available resources
 - e. an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described above,
 - f. other individuals who, at the discretion of the parent or Monticello, have knowledge or special expertise regarding the child, including related services personnel as appropriate, and
 - g. whenever appropriate, the child with a disability.
- 2) The IEP must:
 - a. be in effect at the beginning of the school year and shall be reviewed at least annually,
 - b. be in effect before special education and related services are provided to an eligible student,
 - c. be implemented as soon as possible following the IEP meeting in which it is developed,
 - d. be accessible to each regular education teacher, special education teacher, related service provider, and other service providers who are responsible for its implementation for the specific child,
 - e. be explained to each teacher and provider, including the specific responsibilities of each person related to implementing the IEP, and the specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP
 1. the regular education teacher member of the IEP team will offer a report and explanation of the child's IEP, including requirements of teachers, to the child's other teachers at the next weekly team meeting, and
- 3) Parent participation:

- a. Monticello will take steps to ensure that one or both parents of a student with a disability are present at each IEP meeting, or are afforded the opportunity to participate, including:
 1. notifying parents of the meeting early enough to ensure that they will have an opportunity to attend
 2. scheduling the meeting at a mutually agreed upon time
 3. providing opportunities for alternative meeting methods, such as teleconferencing, if they cannot attend.
 - b. A meeting may be conducted without a parent in attendance if Monticello is unable to convince the parents they should attend. Monticello will document its attempts to arrange mutually agreed on time and place.
 - c. Monticello will take necessary actions to ensure that the parent understands the proceedings at the IEP, including providing translator or interpreter if needed.
 - d. Parents are expected to be equal participants along with school personnel in developing, reviewing, and revising the IEP for their student. Parents will:
 1. provide critical information regarding their child and express their concerns for enhancing the education of their child,
 2. participate in the discussion about the student's need for special education and related services and supplementary aides and services, and
 3. join with the other participants in deciding how the student will be involved and progress in the general curriculum and participate in state- and district-wide assessments, and what services Monticello will provide.
 - e. Parents will be given a copy of the IEP without charge.
- 4) Notice of Meetings:
- a. Monticello will initiate and conduct IEP meetings using the **Notice of Meeting** form.
 - b. For students 14 and older, notice will indicate that the IEP will address transition services needs and will invite the student.
- 5) Development, Review and Revision of IEP: In development of the IEP, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their child and the results of the initial or most recent evaluation of the student and results of the student's performance on any general state- or district-wide assessments. The IEP team shall consider the factors below.
- a. In the case of a student whose behavior impedes his or her learning or that of others, when making decisions on interventions for decreasing student behavior, the team will refer to the selection of "Least Restrictive Behavioral Interventions" (LRBI) and strategies as more fully outlined in the Appendix

- b. In the case of a student with limited English proficiency, consider the language needs of the student as these needs relate to the student's IEP.
 - c. Provide the use of Braille for the blind or visually impaired or other appropriate reading or writing media as determined appropriate
 - d. Consider the communication and language needs of the deaf or hearing impaired, including the child's need for open communication opportunities with peers
 - e. Consider whether the student requires assistive technology devices and services, and other in order to receive FAPE.
 - f. Determine if the student needs a particular device or service for special education purposes.
 - g. The IEP, not the disability classification, determines the services to be provided
 - h. The regular education teacher shall, to the extent appropriate, participate in the development of the IEP of the child, including the determination of positive behavioral interventions and supports, and other strategies, and the determination of supplementary aids and services, program modifications, and support for school personnel consistent with this part.
- 6) Agreement: in making changes to a child's IEP after the annual IEP meeting for a school year, the parent of a child with a disability and Monticello Academy may agree not to convene an IEP meeting for the purposes of making such changes, and instead may complete an **Amendment/Modification to IEP** form. The parent and at least two other members of the IEP team must consent to any such changes and the other members of the IEP must be informed of changes.
- 7) Consolidation of IEP team meetings.--To the extent possible, Monticello encourages the consolidation of reevaluation meetings for the child and other IEP Team meetings for the child.
- 8) Amendments.--Changes to the IEP may be made either by the entire IEP Team or, as provided above, by amending the IEP rather than by redrafting the entire IEP. Upon request, a parent shall be provided with a revised copy of the IEP with the amendments incorporated.
- 9) Review and revision of IEP--
- a. In general.--the IEP Team--
 1. will review the child's IEP periodically, but not less frequently than annually, to determine whether the annual goals for the child are being achieved; and
 2. revise the IEP as appropriate to address--
 - any lack of expected progress toward the annual goals and in the general education curriculum, where appropriate
 - the results of any reevaluation conducted under this section
 - information about the child provided to, or by, the parents,
 - the child's anticipated needs,
 - or other matter

- 10) Requirement with respect to regular education teacher.--A regular education teacher of the child, as a member of the IEP Team, shall, consistent with paragraph (1)(C), participate in the review and revision of the IEP of the child.

Content of the IEP

The IEP for each student must include a statement of the student's present levels of educational performance, including:

- a. How the student's disability affects the student's involvement and progress in the general curriculum.
- b. A statement of measurable annual goals, including benchmarks or short-term objectives, related to:
 1. meeting the student's needs that result from the student's disability to enable the student to be involved in and progress in the general curriculum (i.e., the same curriculum as for non-disabled children); or for preschool students, as appropriate, to participate in activities.
 2. meeting each of the student's other educational needs that result from the
 3. A statement of the special education and related services and supplementary aids and services to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided for the student:
 - To advance appropriately toward attaining the annual goals.
 - To be involved and progress in the general curriculum and to participate in extracurricular and other nonacademic activities.
 - To be educated and participate with other students with disabilities and non-disabled students in the activities described in these Rules.
 - An explanation of the extent, if any, to which the student will not participate with non-disabled students in the regular class and in the activities described in this Rule.
 - A statement of any individual modifications in the administration of state- or district-wide assessments of student achievement that are needed in order for the student to participate in the assessment. If the IEP team determines that the student will not participate in a particular state- or district-wide assessment of student achievement (or part of an assessment), a statement of why that assessment is not appropriate for the student and how the student will be assessed.
 - The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications.
 - A statement of how the student's progress toward the annual goals described in this Rule will be measured.
 - How the student's parents will be regularly informed (through such means as periodic report cards), at least as often as parents are informed of their non-disabled students' progress of their

student's progress toward the annual goals and the extent to which that progress is sufficient to enable the student to achieve the goals by the end of the year.

- A statement of transition services for each student, beginning at age 14 (or younger if determined appropriate by the IEP team), and updated annually, a statement of the transition service needs of the student under the applicable components of the student's IEP that focuses on the student's courses of study (such as participation in advanced-placement courses or a vocational education program).

Additional Information

Physical Education

Physical Education services, specially designed if necessary, must be made available to every student with a disability receiving FAPE. Each student with a disability must be afforded the opportunity to participate in the regular physical education program available to non-disabled students, unless the student needs specially designed physical education as prescribed in the student's IEP. If specially designed physical education is prescribed in the IEP, Monticello will either provide that service or make arrangements for those services to be provided through other public or private programs.

Assistive Technology

Monticello will provide or make available any assistive technology devices or assistive technology services if required as part of the student's special education, related services or supplementary aids and services.

Accommodations vs. Modifications

Utah state law gives Monticello Academy the responsibility and discretion over determining of mastery of course content. As the stakes get higher and the performance of more children are being included in school/district/state accountability systems, it is important to note the difference between providing accommodations to students and making modifications when it comes to maintaining the validity and reliability of assessments.

"Accommodations" **do not change** or alter what is being measured and are considered changes in the way a test is given or taken (e.g. different test setting, timing, scheduling changes, translations of directions, use of assistive technology). "Modifications" **definitely change** or alter what is being measured and are considered substantial changes in the way a test is given or taken (e.g. extended time on a "timed" test for reading fluency, spell checker on a spelling test, calculator on a computation test).

Accommodations are intended to lessen the effects of a student's disability; they are not intended to reduce learning expectations. Changing, lowering or reducing learning expectations is usually referred to as a modification or alteration. Unlike accommodations, consistent use of modifications can increase the gap between the achievement of students with disabilities and the grade level expectations. This may have a negative impact on the

student's educational career as the student may not continue to progress and be able to obtain a regular diploma.

The IEP team is charged with deciding which accommodations are appropriate and needed for a student with disabilities to fully and equally participate in testing.

Termination of Services

Termination of special education/related services to a student with a disability constitutes a change in placement and is therefore subject to the notice requirements of Rule IV.D.

Termination of services must be made through a team meeting held for reviewing or changing a student's IEP. Required participants in the meeting to consider termination of services are the same as in any IEP meeting, and include the student's parents.

Discontinuation of special education services may be because:

1. The student no longer qualifies for special education services, as determined by the IEP team through the reevaluation process.
2. The parent refuses special education services. In this case services are discontinued but the student is not declassified, and eligibility for services continues until the expiration of the three-year evaluation period. Such a refusal of service must be documented in writing and signed by the parent/guardian. If school personnel disagree with the decision of the parent to terminate special education, the LEA may request a due process hearing in order to allow the services to continue.

Due Process

Students with disabilities and their parents enjoy specific rights provided under IDEA and Section 504 of the Individuals with Disabilities Act. Most of those rights have been outlined above. However, the parent is afforded rights to due process regarded as "Procedural Safeguards" below.

Procedural Safeguards (Brief Summary)

Confidentiality of Information

1. Your child's education records are kept in a confidential manner.
2. Your child's educational records are not disclosed without your consent to anyone other than staff involved with your child's education and to staff of another school or school district in which your child is seeking to enroll.
3. You have the right to inspect and receive a copy of your child's education records.
4. You have the right to request that information in your child's educational records be amended if you believe it is inaccurate or misleading.

Discipline

1. School staff may order the removal of your child from school for disciplinary reasons to the extent the removal is applied to non-disabled children, as long as the removals do not constitute a change of placement. A change in placement occurs if the child is removed from school for disciplinary reasons for more than 10 consecutive school

days or if the child is subjected to a series of removals that constitute a pattern of removal.

2. After your child has been removed from their current placement for more than 10 days during a school year, the school staff will provide services to your child to the extent necessary for your child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals in their IEP.
3. School staff may order a change of placement to an appropriate alternative setting for not more than 45 days to the extent removal for disciplinary reasons is applied to non-disabled children if your child carries a weapon to school or to a school function or knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance; or causes serious bodily injury to another person while at school or a school function. The interim alternative setting must enable your child to continue to progress in the general curriculum and to continue to receive those services and modifications that will enable your child to progress on the goals set out in their IEP.
4. If the school staff is considering a disciplinary action that involves changing your child's placement, you will be notified of that decision and a review will be conducted to determine the relationship between your child's disability and the behavior subject to the disciplinary action. If the result of this review is that the behavior was not a manifestation of your child's disability, the relevant disciplinary procedures applicable to children without disabilities may be applied to your child in the same manner in which they would be applied to children without disabilities; however, the LEA must provide services to the extent necessary to enable your child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in their IEP.
5. After changing your child's placement for disciplinary reasons, school staff will conduct a functional behavioral assessment and convene the IEP team to develop a behavioral intervention plan; or if a behavior plan was in place it must be reviewed and modified as necessary by the IEP team.
6. After your child's placement has been changed for disciplinary reasons, if your child continues to need to be removed for disciplinary reasons, the IEP team shall review your child's behavioral intervention plan and modify it to the extent the team feels is necessary.

Due Process

1. As parents of a child with a disability you have the opportunity to review your child's educational records and be included in meetings with respect to your child's evaluation, eligibility, IEP and placement
2. You may request an independent educational evaluation if you disagree with the results of an evaluation obtained by Monticello.
3. You will be given written notice before Monticello proposes or refuses to evaluate your child, identify (classify) or change the classification of your child, implement or change the implementation of your child's free appropriate public education in accordance with the IEP, or provide or change the educational placement of your child.

4. Your consent will be obtained before an initial evaluation is conducted and before special education services are provided.
5. Should any disagreement arise regarding the evaluation, eligibility, IEP or placement of your child, we will seek to resolve them in a mutually satisfactory manner. If we are unable to find agreement, a due process hearing may be necessary to resolve our disagreement.

State Complaint Procedures

Monticello is committed to fully complying with all requirements of the IDEA; however, if you believe Monticello has violated a requirement of the IDEA, you have the right to file a written complaint. You will file with the Monticello Academy Board of Trustees, who will investigate, or appoint someone to investigate your complaints, and issue a written decision of findings to you within 30 days. If you disagree with the findings, you have the right to appeal to the USOE State and Federal Compliance Officer, who will investigate and issue a final decision in writing.

Transportation as a Related Service to Students with Special Needs

Under IDEA and Section 504 of the ADA, if a school district provides transportation to general education students, then a disabled student must be provided transportation as well. If a child requires special education transportation as a related service, it must be the result of the IEP or 504 team (hereafter referred to collectively as Team) determining that he or she cannot physically, mentally, or emotionally meet the requirements for the regular education transportation. Special education transportation should not be considered for any child who is capable of participating in the “regular mode of transportation” as a provision of the Least Restrictive Environment (LRE) clause (*Letter to Hamilton*).

However, a student is not entitled to specialized transportation or transportation reimbursement to a public school of choice (*Timothy H. and Brenda H. v. Cedar Rapids Community Sch. Dist.*) when the transportation policy is facially-neutral [§53A-1a-513, R277-470-12], no action is taken to deny program access or deny the student FAPE, and when the provision of specialized transportation would fundamentally alter the main requirement of the policy, which is the obligation of parents to assume responsibility for transportation to and from the school. Conversion charter schools may have a different obligation.

Notwithstanding the acknowledgment that Monticello is exempt from the obligation to provide specialized transportation, it recognizes the considerations given to disabled students regarding specialized transportation and reserves the right to consider voluntary transportation assistance or accommodations on a case by case basis. The following discussion outlines the principles related to the provision of specialized transportation for disabled students when an LEA is legally obligated to provide it and offers a guideline to the Team in considering voluntary transportation assistance/accommodations.

Eligibility

Eligibility considerations for transportation in school districts currently include that:

1. The student's mobility restricts him/her from walking to and from the bus stop or school and necessitates curbside pick up and drop off,
2. the student's developmental deficit compromises the student's ability to make safe decisions in walking to/ from school or bus stop or waiting at the bus stop and necessitates curbside pick up and drop off,
3. the student's capacity to arrive at school on time,
4. the student's disability restricts him/her from entering/exiting or being a passenger in the regularly provided mode of transportation,
5. the student requires the transportation of medicine and/or equipment that the regular provider of transportation would not be qualified to handle, or
6. the student requires behavioral and/or physical intervention and management that the regular provider of transportation may not be qualified to administer.

Typically, when an LEA and a Team consider providing transportation as a related service to students with special needs in order for the student to access a free and appropriate education (FAPE), the following things are taken into consideration:

1. All pupils, including those receiving specialized instruction and services, are subject to the rules and policies governing regular transportation offerings within the local education agency,
2. The effect that the location of the placement will have on the length of time that a student has to travel to or from school each day,
3. A student receiving services outside of his/her residence area should have the placement reviewed at least annually in order to determine if a placement closer to the student's residence would be appropriate,
4. And that the above is in consideration that the placement represents provision of a free and appropriate education in the least restrictive environment.

Charter School Exemptions in Utah Law

As charter school student eligibility in Utah encompasses residents of the whole state, and as charter schools are not provided transportation allocations, charter schools are exempt from the statutory and regulatory requirements to provide transportation to its students. A parent choosing to enroll a student with special needs in a charter school effectively waives the above enumerated considerations. By definition, students attending a charter school are attending a school that is not their resident school [§53A-2-201, 207]. The parent waives any consideration of the distance and length of travel time to access a charter school, as do parents of all students attending a charter school. They also waive, contrary to the principles of LRE, the consideration that a placement closer to home would be appropriate for the student. In choosing a non-conversion charter school, the parent rejects the provisions under IDEA that requires that the LEA provide FAPE in the LRE as pertaining to transportation to and from the school and program offerings.

According to Utah state law [§53A-1a-513, R277-470-12] charter schools are exempt from the requirement to provide transportation and transportation systems. Parents assume all responsibility for student transportation to and from school. While not provided by Monticello, the "regular mode of transportation" for Monticello students is parent directed and assisted door to curb pick up and drop off. Therefore, students with special needs

requiring curb to curb pick up and drop off have access to this via the “regular mode of transportation” available to and required of all students. Concerns that a typical bus driver may not be qualified to handle special medicine, equipment or behavioral or physical interventions is eliminated as the regular service provider for transportation of all Monticello students is the parent. Since the regular vehicle for transportation is the student’s own family vehicle or vehicle of choice, the concern that he/she may not be able to safely access or ride in a school provided vehicle is similarly eliminated.

Exceptions and School Sponsored Activities

An exception to this policy may be in the event a student with special needs resides within walking distance of the school as defined in Utah state law [§53A-17a-127]. If the short distance to the school provides that the regular education transportation for students without disabilities would more typically be to walk to school but the student with a disability would be restricted from safely and appropriately accessing this “regular mode of transportation” as determined by the IEP team to be necessary for the student to access FAPE, the Team may consider providing transportation as a related service, although the exemption as a public school of choice more likely applies in this situation as well. The principle of “least restrictive environment” applies to all services received by a disabled child. Under CR 300.114 of IDEA, a disabled child should be transported with nondisabled children to the maximum extent possible. As the regular mode of transportation for students attending Monticello is a parent directed and assisted door to curb pick up and drop off, or in rare cases walking, Monticello may consider the following:

1. reimbursement of expenses to parent to provide transportation if the parent is willing,
2. reimbursement of expenses to a driver of the parent’s choice under the same conditions as above, and/or
3. supplying a resource aide, if indicated, to accompany the transportation provider or offer assistance in walking.

In the case of school sponsored activities occurring during the day which require transport of students, i.e. field trips, and for which transportation is provided for non-disabled students, Monticello will provide the appropriate transportation for a student with a disability in accordance with the above, including LRE, as determined by the Team and at no cost to parents.