

MONTICELLO ACADEMY

Monticello Academy, Inc.

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I certify all information contained in this application is complete and accurate, realizing that any misrepresentation could result in disqualification from the charter application process or revocation after award. I understand that incomplete applications will not be considered.

The charter school applicant acknowledges that it has read all Utah statutes regarding charter schools and that, if approved, it is subject to and will ensure compliance with all relevant federal, state and local laws and requirements. The charter school applicant acknowledges that, if approved to operate a charter school, it must execute a charter contract with the Utah State Charter School Board within twelve months of the date of approval of the charter by the Utah State Charter School Board and must begin providing educational services within the timeframe outlined in the charter. Failure to do so may result in revocation of the charter approval and, if applicable, termination of the contract and revocation of the charter.

_____	_____	_____
Kim Coleman	Signature of Authorized Agent	Date
Authorized Agent (please print)		

All information presented in this application becomes part of the charter contract and may be used for accountability purposes throughout the term of the charter contract

An Introduction

Upon first visiting Thomas Jefferson's estate in Virginia, one cannot help but sense the overwhelming inspiration and genius of this visionary statesman. He named the place "Monticello," which in Italian means "little mountain," but the term Monticello (pronounced *mon-ti-chell-o*) has become symbolic of much more than a place. When any observer experiences the awe inspiring architecture, the immaculate grounds, the creative décor, and the refreshing vistas of Monticello, he or she instantly realizes that there is a yearning inside each of us for more light and knowledge.

Jefferson's lifelong quest for education and drive to acquire books is well documented. The donation of his personal libraries established the prestigious library at the heart of the University of Virginia. His home was always filled with the latest gadgets and inventions. Even the Library of Congress bears his imprint. It seems like his quest for enlightenment was insatiable, and he firmly believed that a nation that was well educated would be the happiest and most prosperous of all people under heaven.

"I look to the diffusion of light and education as the resource most to be relied on for ameliorating the conditions, promoting the virtue and advancing the happiness of man. (Thomas Jefferson to Cornelius Camden Blatchly, 1822.)

Nor was Mr. Jefferson an elitist when it came to enlightenment. His objective was never merely to consume learning upon himself—his aim was always to encourage better education for the masses as well. Indeed, he believed that the proverbial tide of knowledge was meant to raise all of the boats in the harbor, not only his own. In an 1808 reply to the American Philosophical Society he declared, "I feel ... an ardent desire to see knowledge so disseminated through the mass of mankind that it may, at length, reach even the extremes of society: beggars and kings."

With these Jeffersonian principles in mind, we have developed the following mission statement for Monticello Academy:

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.*

2. TITLE PAGE

Name of Proposed Charter School Monticello Academy
 New School Converted School

Name of Applicant Applying for the Charter Monticello Academy, Inc., a private corporation
 (This may be a public body, private person, or private organization.)

Authorized Agent for Applicant Kim Coleman
 (This may be the individual applicant or an authorized member of the corporate board.)

Authorized Agent Mailing Address 2782 Corporate Park Dr.

City West Valley City State Utah Zip 84120

District school will be located Granite E-mail kim.coleman@monticelloacademy.net

Daytime Phone (801) 417-8040 Fax (801) 417-8042

Form of Organization

- NonProfit Corporation
- Tribal Entity
- _____

The governing body of a charter school is responsible for the policy decisions of the school. Please indicate the makeup of this body below (updated August, 2008).

Name (if known at time of application)	Email Address	Type of Member (examples: parent, business, potential staff)	Position on Board
Kim Coleman	kim.coleman@monticelloacademy.net	Parent/Potential Staff	Founder
Joel Coleman	joel.coleman@monticelloacademy.net	Parent, Educator, City Councilman	Founder
Michael Smith	michael.smith@monticelloacademy.net	Parent, Business Leader,	Founder
Martell Winters	martell.winters@monticelloacademy.net	Parent	Elected Member

3. TARGET POPULATION

Mission Statement (use only this space):

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- 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, learning and communication;
- Assisting students to gain knowledge, motivation, confidence, skills, and a lifelong love of learning.

	GRADES SERVED													TOTAL NUMBER OF STUDENTS (Enrollment cap)
	K	1	2	3	4	5	6	7	8	9	10	11	12	
Year 1	75	75	75	75	75	75	75	75	75	0	0	0	0	675
Year 2	75	75	75	75	75	75	75	75	75	75	0	0	0	750
Year 3	75	75	75	75	75	75	75	75	75	75	0	0	0	750
Ultimate Enrollment	75	75	75	75	75	75	75	75	75	75	75	75	75	750

(The number of students should be a maximum enrollment that is being requested.)

Outreach Plan (consistent with the school's mission AND the public school law and purposes)

Monticello Academy has set aside \$5,000 in the budget to use for outreach efforts. The Board of Trustees will appoint an outreach committee to develop plans for marketing and notifying the community about Monticello Academy. Notices/ads will be placed in the West Valley Journal, which is circulated to every West Valley City resident, and on public bulletin boards. Additional efforts, such as county wide newspapers, direct mailings, fliers and billboards, will also be considered by the outreach committee. A website will be maintained. Site development will include signage that identifies the "public" school with contact information. Open houses and other public meetings will be held to inform the public. The West Valley City Council has invited Monticello to give frequent updates on the school.

School Calendar

Standard
Year

Extended School

Instructional Days: 180

Start Date: to generally coincide with the
Granite District traditional calendar

Alternative (please describe in 5 words or less)

If facility arrangements have been made, provide the information below.

Site Name Monticello Academy at Highbury
Site Address 2782 Corporate Park Dr.
City West Valley City Zip Code 84120 County Salt Lake

Site/Location Description

Monticello Academy will develop a facility within the West Valley City limits that will complement the community and be a source of pride for residents, students and families. It is anticipated that the facility will be built on approximately 6 acres. It will include adequate parking to meet or exceed city code and provide safe drop-off zones.

It is also anticipated that the facility will be approximately 40,000 square feet to safely, adequately and comfortably accommodate 675 students. The Monticello site will comply with all ADA requirements and applicable building and health codes. A spacious library will be planned that would even make Thomas Jefferson proud! Other features planned include a computer lab, teachers' lounge, special education room, large multi-purpose room with stage and numerous break-out rooms for group and specialized instruction. Outdoor facilities will include basketball courts, a soccer field and track, and fenced kindergarten play area.

Formal negotiations for site development will commence upon approval of charter application. Facilities budget forecasts represent an estimated cost based on usual and customary figures in the industry and comparable comparisons.

Title 53A-1a-503 statutorily defines seven purposes for charter schools. Please provide a detailed description of how your school will meet these defined purposes. You may attach sample lesson plans and other information that demonstrates a fulfillment of a stated purpose. If a purpose does not apply to your proposed school, please so indicate.

1. **Continue to improve student learning:**
Monticello will employ the best teaching methods, supported curriculum, and trained staff to offer an excellent academic choice for families. Monticello will emphasize, encourage and reward academic excellence with a college bound goal for all students. Student progress will be closely monitored and communicated with parents frequently to create the best circumstances for student success.
2. **Encourage the use of different and innovative teaching methods:**
Monticello will employ the best practices of proven methods of instruction, with a special emphasis on Directed Instruction. Teachers will be encouraged to use those methods

which are determined to best meet the diverse needs of students while delivering rich and effective instruction. Monticello will be the “Utah pioneers” of the highly successful Singapore Math program, as well as using state-of-the art technology in the classroom.

3. **Create new professional opportunities for educators that allow them to participate in designing and implementing the learning program:**

Many of the curriculum choices will offer new opportunities for educators. Faculty members will collaborate with the CEO and Board of Trustees to develop successful strategies for program implementation. Monticello’s independence from a larger traditional district allows for more flexibility in the school and the classroom and more direct opportunity for faculty input.

4. **Increase choice of learning opportunities for students:**

Monticello offers smaller class sizes and a rigorous and innovative curriculum. Monticello will encourage and reward academic progress and excellence. It will foster the value of seeking higher education, which is sometimes missing from traditional schools. Monticello will also provide a formal fine arts and music curriculum. The Academy will provide extra-curricular activities, such as athletics, art, music and academic games. Virtual web-based instruction will take students where they could not go otherwise.

5. **Establish new models of schools and new forms of accountability that emphasize measurement of learning outcomes and the creation of innovative measurement tools.**

Utah charter legislation allows and even requires flexibility to encourage the development and use of new, different, or alternative teaching methods, forms of measuring pupil learning and achievement, and educational visions and goals. In exchange, Monticello Academy is held accountable to performance outcomes and measures. Furthermore, charter schools are expected to be responsive and accountable to students, staff, parents, and the community. Accountability measurements will be applied to aspects of the school that represent the mission and philosophy of Monticello Academy.

Monticello Academy’s school model and innovative practices are highlighted in the Philosophy section. Specific goals, objectives and measurement standards are outlined in further detail in the Effectiveness Goals section and include such things as

- Performance on state standardized testing
- Use of more sophisticated publisher-developed tests
- Computer-generated assessments
- Teacher assessments
- Parent Involvement and satisfaction evaluations

An Annual Standards and Accountability Report will be prepared for presentation to all parents of Monticello Academy. The Board of Trustees will consider student, parent and

teacher incentives and rewards programs for achievement. The Board of Trustees will develop improvement plans for areas identified for needed intervention as they arise.

The Annual Standards and Accountability Report will also include operational objectives and outcomes as developed in fiscal policy and reporting practices. Monticello will consult with qualified legal and other appropriate counsel as needed to keep abreast of any relevant changes to the law and will ensure that internal policies, procedures, and accountability mechanisms are closely aligned with external accountability entities.

6. **Provide greater opportunities for parental involvement in management decisions at the school level.** (See also 53A-1a-508 (3)(h)).

The founders of Monticello Academy were first concerned parents seeking a better educational choice for their own children. Parents will hold elected and appointed positions on the Board of Trustees and Parent Organization according to the organizational bylaws. The Board of Trustees will be composed of a majority of parents who will make decisions regarding the everyday operations and management of the school and its programs. Parents will have an influence in employment decisions. Since the school government is closer to the people, parents will have a greater influence in the school than they might experience in a more traditional school.

7. **Expand public school choice in areas where schools have been identified for improvement, corrective action or restructuring under the No Child Left Behind Act.**

- 50% of WVC schools received a No Pass on AYP
 - 100% of WVC Junior Highs received No Pass
 - 100% of WVC High Schools received No Pass
 - 100% of all WVC Schools perform below State Avg.
 - 63% of WVC 3rd grades perform below District Avg.
 - 74% of WVC 5th grades perform below District Avg.
 - 100% of WVC 8th grades perform below District Avg.
 - 100% of WVC 11th grades perform below District Avg.
- (source: 2003-2004 UPASS reports, Utah State Office of Education)

The above data demonstrates that opportunities for students in WVC to seek better performing schools in their own city are bleak at best. Reporting does not coincide with open enrollment windows to help parents make informed choices, and the better performing schools are usually full. Monticello is not only a choice; it is a necessary community intervention.

Utah State Charter School Board
2004 - 2005 Charter School Application

4. COMPREHENSIVE PROGRAM OF INSTRUCTION

Our Philosophy

We believe that the traditional public education system is decreasing in effectiveness, accountability and parent involvement. Therefore, the three main objectives to fulfill the mission of Monticello Academy are that:

1. Students must master and move beyond academic fundamentals,
2. The school must clearly demonstrate its ability to accomplish this, and
3. Parents must have a meaningful role in decision making regarding their children and school programs acknowledging that they are the primary stakeholders of the school.

We believe that students will rise to clear and reasonable expectations. A learning environment which cultivates the value of learning and the need to pursue knowledge through a rigorous curriculum and proven methodologies is the key to success at Monticello. Monticello will use the Core Knowledge model, an educational reform based on the premise that a grade-by-grade core of common learning is necessary to ensure a sound and fair elementary education. Accordingly, Monticello will meet and exceed state curriculum requirements in a well defined, measurable and sequential manner. We believe that music, art and physical education not only improve cognition and performance, they are also key elements that help make school enjoyable.

We believe that performance must be measured in a clear and relevant way. In traditional public schools, standardized test scores are often “norm-referenced”, meaning scores are adjusted to produce an expected range as compared to other students of similar income, ethnicity or gender within the district or the state. Since Monticello is an independent school district drawing students from a large geographical area, norm-referencing is eliminated, thus giving a more accurate assessment of the school’s performance. We believe that all students can excel regardless of income, race or gender, and that such factors should not create limitations for the student through lowered expectations or stereotypes.

We believe that real parent influence in education is not only a basic right, but also the key to effective education reform. While we acknowledge that teachers are the pedagogical professionals, we recognize that parents know their children and the community best. A symbiotic and synergistic relationship should exist between teacher and parent to best meet the needs of the student. Parents will have meaningful roles in the governing structure of Monticello as well as in the Parent Organization. Parent assessments will be a significant factor in the continued employment of the administration and faculty. Parents will drive policy and program decisions of the school.

We believe that the appropriate use of technology can assist in achieving all three objectives including enriched learning, teacher training and support, performance measurement, and school-parent and parent-parent communications. To that end Monticello has partnered with Paul Morris, Executive Director of the Utah Telecommunications Open Infrastructure Agency (UTOPIA) to help provide some of the most advanced technological applications in the world.

Methods of Instruction

Monticello will draw from the best practices of proven methods of instruction to allow for the greatest flexibility in addressing the various needs of its diverse student body. There will be special emphasis on Directed Instruction, which refers to a rigorously developed, highly scripted method for teaching that is fast-paced and provides constant interaction between students and the teacher. It was introduced in 1968, based on the work of University of Oregon Professor Siegfried Engelmann. Directed Instruction (“DI”) was the subject of the largest study ever conducted in the U.S. on teaching methods, which revealed its superiority over all other methods. The goal of DI is to accelerate learning by maximizing efficiency in the design and delivery of instruction. DI produces results along the spectrum from basic skills to teaching higher order constructs, such as deductive and inductive reasoning. Scripted presentations do not comprise the whole lesson, and the lessons do not comprise the whole school day. There are opportunities for group and independent work. A good DI teacher creates additional activities that allow students to make use of their learning in various situations. Directed Instruction is easily applied to a Core Knowledge philosophy. As appropriate some courses or lessons will utilize additional methods, such as Cooperative Learning, Problem-based Learning, Student-centered Learning and Web-based Learning.

Monticello will implement recognized and proven effective curricula, such as Great Books reading program, Write Source 6-traits writing method, and Great Source Science.

Less familiar in Utah is the Singapore Math method, which Monticello will pioneer. Monticello Academy has chosen to use the Primary Mathematics US Edition based on the Singapore Math model. Singapore Math was developed by the Singapore Ministry of Education in 1982 and was the sole math curriculum for the nation until 2001. Educators in the US first took notice of Singapore Math after the country placed first in three consecutive assessment cycles of TIMSS (Trends in International Mathematics and Science Study) in 1995, 1999 and 2003 all using the Primary Mathematics series. We can, therefore, say that the Primary Mathematics series is a time tested and documented math success story. US pilot programs involving students in Maryland, Massachusetts and New Jersey produced sizeable improvements in math assessments. Massachusetts has expanded its pilot program to district wide curriculum conversions, including those areas which already had high performance levels.

US mathematics education is commonly described as “a mile wide and an inch deep.” The primary difference with Singapore Math is that it deals with far less mathematical concepts in a year, about 10, compared to the more traditional American curriculum, about 30. It focuses more on mastery of those few concepts rather than brief exposure each year to many concepts. It relies on a more comprehensive cognitive development of math understanding, rather than just rote exercises and formulas. Lars Nordfelt, Park City School District Math Coordinator, past president of the Utah Council of Teachers of Mathematics and current member of the State Curriculum and Materials Review Committee has aligned Singapore Math to the Utah core curriculum.

Due to the location of Monticello in West Valley City, we anticipate a diverse enrollment and ethnic cross section of West Valley City students. The Singapore Math curriculum relies on visually attractive, simple and easy to understand graphic demonstrations of mathematical concepts. It has proven to be engaging and focused. At Monticello we believe that a more visual

and less language oriented lesson format will minimize cross-language and cross-cultural barriers to learning math. Evidence of this is the fact that Singapore students speak two primary languages, but they are taught math in their secondary language of English, and by the ease with which the curriculum was adapted from Asian markets to North America.

Monticello anticipates a student body comprised of students of different cultures and primary languages similar to the composition found in other local schools. Monticello will assess the needs of each student and determine what level of intervention the student may need. Monticello will employ instructors credentialed in teaching English language learners. We are dedicated to closing the achievement gap among ethnic groups of students.

Additionally, students will receive formal art and music instruction and a restored emphasis on physical fitness. After school electives will also be offered in these areas, as well as others.

Special Emphasis

Through its partnership with Paul Morris, Executive Director of the nation's largest fiber optic network, Utah Telecommunications Open Infrastructure Agency (UTOPIA), Monticello Academy will be able to offer unique opportunities for enhanced learning through state of the art technology. We will employ cyber learning capabilities, such as virtual field trips, web-based interactive and cooperative projects, cyber discussion groups, virtual student exchanges and web streaming. Mr. Morris is dedicated to helping Monticello become a flagship for "technology application in education" for the state and nation. Monticello is also identifying ways to apply this technology to teacher development.

Uniforms

Monticello Academy students are required to wear school uniforms. The Board of Trustees will adopt uniform guidelines consistent with Utah law.

EFFECTIVENESS GOALS

The basis for Monticello's effectiveness goals in the area of improved student learning will be performance on the Utah Performance Assessment System for Students. An impetus for starting Monticello was the fact that West Valley City schools in general perform well below the state averages and most below the district averages. Scores on the Criterion Reference Tests and the soon to be posted Iowa Tests from the surrounding schools and district will give Monticello a relevant baseline to gauge initial success. Additionally, the common practice of providing broad, vague and immeasurable goals on Student Education Plans will be replaced by the development of clear, objective and measurable goals for student, teacher and parent to adequately assess progress. All students will receive a mid-term report card to allow intervention early on in the quarter. Each student will master content in an area of study and progress as the curriculum allows.

Monticello's goals for increased accountability and parental involvement overlap to a great extent. The nature of a charter school creates a school government closer to the people, thus more accountable. Parents will have many opportunities to hold positions on governing boards and in the Parent Organization. Performance results will be discussed in frank and informative ways with the objective of confronting and resolving weaknesses. Parents will be in positions to be a part of such processes, developing policies and programs and having various forums where they may contribute ideas, criticisms and solutions.

Parents will be given increased opportunities to be directly involved in the child's education through improved communication over some traditional schools. Each teacher will offer a regular weekly conference time, establish an email protocol, and will prepare a midterm progress report to allow for more timely intervention. Some grade levels will maintain daily communication journals from school to home.

Monticello values parental satisfaction and will assess that component at least annually to consider adjustments. Monticello will inform parents of the grievance procedure, including an appeals process.

The following chart delineates the goals and objectives:

1. Improve student learning	(district means the local Granite District)	(the following scores represent a baseline, scores will increase yearly until they meet or exceed Utah state averages)
	1.a. 1 st grade students will perform at or above district average on Criterion Referenced Test	1.a. Language Arts 68% Math 71
	1.b. 2 nd grade students will perform at or above district average on CRT	1.b. Language Arts 67 Math 67
	1.c. 3 rd grade students will perform at or above district	1.c. Language Arts 65 Math 65

	average on CRT	
	1.d. 4 th grade students will perform at or above district average on CRT	1.d. Language Arts 67 Math 68 Science 51
	1.e. 5 th grade students will perform at or above district average on CRT	1.e. Language Arts 67 Math 66 Science 49
	1.f. 6 th grade students will perform at or above district average on CRT	1.f. Language Arts 67 Math 62 Science 49
	1.g. 7 th grade students will perform at or above district average on CRT	1.g. Language Arts 74 Math 60 Science 52
	1.h. 3 rd grade students will perform at or above district average on Iowa Test of Basic Skills	1.h. data not yet available
	1.i. 5 th grade students will perform at or above district average on ITBS	1.i. data not yet available
	1.j. 8 th grade students will perform at or above district average on ITBS	1.j. data not yet available
	1.l. 6 th grade students will perform at or above district average on Direct Writing Assessment	1.l. data not yet available
	1.m. Students will demonstrate mastery of curricular content	1.m. Students will receive traditional letter grades A-F on a ten point scale for course work
	1.n. Students will advance when curricular content is mastered (no social promotion)	1.n. No student will progress through course levels without achieving passing grades in that course
2. Increase parental involvement	2.a. Parents will influence school policies and programs through school governance structure	2.a. All School Board positions designated for parents will be occupied by parents through elections or appointments according to bylaws
	2.b. Parents will influence school policies and programs through participation with the Parent Organization	2.b. Parent Organization will function according to its rules and bylaws, with regular meetings and established quorum, and report its activities and recommendations at School Board meetings
	2.c. Parents will offer volunteer service for school and in classrooms, 40 hours per family per year requested but not required	2.c. The school will log volunteer hours
	2.d. Parents will have adequate	2.d-f School Board will determine

	access to information via weekly class syllabus	that these items are in place, and parent evaluations will indicate at least 80% of parents rate these measures as “helpful” or higher
	2.e. Parents will have adequate access to information via secure, web-based student accounts	
	2.f. Teachers will establish email, communication and conference protocol	
3. Increase accountability	3.a. see 2.a,b	3.a. see 2.a,b
	3.b. The small school size will increase responsiveness by creating a “government closer to the people”	3.b. Parent evaluations will indicate at least 80% of parents rate school accountability as “satisfactory” or higher
	3.c. School will report academic and fiscal standings to parents	3.c. A Standards and Accountability Report will be presented to boards and parents annually
4. Promote strong moral character	4.a. School will implement new character model	4.a. School will implement character model based on themed writings of Thomas Jefferson
	4.b. Students will demonstrate behavior based on character model	4.b. School will implement incentives for student demonstration of identified character traits and creative applications
	4.c. Students will model character traits through leadership and “community” service opportunities	4.c. A Student Council will be established according to bylaws to provide leadership and student body service opportunities and student experience with elections process
5. Provide enriched learning opportunities	5.a. Students will receive a traditional liberal arts education	5.a. School will provide language arts, science, history and formal and integrated arts and music instruction
	5.b. Students will use technology applications	5.b. Students will
	5.c. Students will have options for extra-curricular activities	5.c. School will offer after-school and/or early Friday electives and extra-curricular activities
6. Promote motivation for higher education and love of learning	6.a. Students will discover learning/academics can be fun and rewarding	6.a.1. School will facilitate school-wide (and possibly inter-charter) participation in academic games, i.e. chess, spelling bees, geography bees, quiz tournaments, etc.
		6. a.2. School will recognize and reward academic achievement via bulletin boards, newsletters, honor rolls, assemblies, etc.

5. DETAILED BUSINESS PLAN

This page intentionally left blank.
The current business plan and budget are available upon request.

6. ORGANIZATIONAL STRUCTURE AND GOVERNING BODIES

Monticello Academy has adopted a simple organizational structure to enable flexibility and increased parental involvement while maintaining the founders' vision and without jeopardizing accountability. Monticello Academy is ultimately governed by a Board of Trustees, but minor policies and implementation of the Trustees' vision are accomplished by the CEO and the Parent Council, which is a representative body modeled in part after the Community Councils that are required in traditional public schools. In addition to maintaining the vision and mission of the school, The Parent Council is a recommending body to the CEO and is also responsible for supporting the CEO in compliance and efficient operations. The Board of Trustees hires the CEO and the CEO reports directly to the Board of Trustees. Parents also play an integral part of the school through volunteerism, elections and offering assistance and counsel to the Board of Trustees during the founding process. Once Monticello Academy is established and an election is held, the Parent Council represents the Monticello Parent Organization. Finally, a Student Council will be established to give children leadership experience at a young age. The Student Council takes its direction from the CEO.

Board of Trustees

The Board of Trustees originally consists of the seven (7) founding members of Monticello Academy and has the ultimate oversight and responsibility for the academy. Nothing in this document shall be interpreted to limit the scope, authority, or power of the Board of Trustees.

Before the school opens, the founders meet together as often as necessary to develop the vision, mission, and scope of the school and to apply for the charter. After the academy opens, the Board of Trustees will meet at least twice annually, but can also assemble more often if necessary. It is anticipated that during the inaugural year the Trustees will meet at least quarterly. The Board of Trustees also functions as the Parent Council until the Council is assembled when operations commence at Monticello Academy. The Board of Trustees also serves as an appellate body for decisions of the Parent Council and may overturn any decisions of the Parent Council, regardless of appeal.

In an effort to incorporate increased democratic parent involvement on the board of Trustees, two (2) positions, elected from among the parents of Monticello, will be added to the Board of Trustees when an election is held after the school opens. The addition of these two elected Trustees will temporarily increase the Board to a total of nine (9) Trustees. The first two Trustees to resign or be removed will not be replaced, eventually restoring the Board of Trustees to a maximum of seven (7) members.

After the initial election, future Trustees are appointed by the remaining members of the Board. The minimum number of Trustees shall be in compliance with the laws governing private non-profit corporations. At least one member of the Board of Trustees must be the parent or guardian of a student enrolled in Monticello Academy during the term of service. Trustees serve with no term limits. In the event of a resignation or removal of any Trustee, the remaining Board members may review applications, interview potential candidates, and fill the vacancy by appointment.

The Board of Trustees has the authority and responsibility to approve changes in school staff titles and assignments from time to time, according to best management practices that are in the best interest of the school program and the health, safety, and welfare of the students.

Responsibilities of the Board of Trustees may include:

- Authoring the official charter.
- Amendments to the charter.
- Drafting, approving, and amending Monticello Academy policies.
- Defining school core values, principles, and policy as published in the Monticello Handbook.
- Approving appointments to key administrative positions, including the CEO.
- Signing district assurances documents and honoring other legal commitments as required by state and district code.
- Renewing employment contracts for Monticello employees.
- Overseeing all school finances, procurements and facilities management.

Advisory Board

A Board of non-voting advisors may be assembled by the Board of Trustees to assist in the initiating process for Monticello Academy. Advisors are experts who can contribute and counsel with the founders, but who may not be parents of Monticello students. Advisors may also be hired professionals who can provide contract services for the Academy but do not vote on the school policy boards.

Founding Committee

The Founding Committee consists of the Board of Trustees, the Advisory Board, and any parent volunteers that are necessary to get the school up and running. Parent volunteers make application to the Board of Trustees and are interviewed and appointed by the founding board members and play an integral role in establishing Monticello Academy. The Founding Committee may be formed into sub-committees to explore alternatives for providing school services. The Founding Committee does all the work necessary to open the school. Parent volunteers function in their founding capacity until after the school opens and the Parent Council is elected. Because of the significant time and effort donated to establish Monticello Academy, the children of Founding Committee members are given preferential enrollment in Monticello Academy and are limited to 20% of the school enrollment.

Parent Council

The Monticello Parent Council is a seven (7) member board created by statute and by election after the school opens, consisting of six (6) parents and the CEO. This Council oversees the Parent Organization and shall have a firm belief in the traditional school format. Additionally, the Parent Council shall be fully committed to the charter school concept and completely committed to using the curriculum chosen by the Board of Trustees. The Parent Council gives general administrative support to the Monticello CEO and can make minor policy recommendations to the CEO. The Parent Council is under obligation to operate within the limits of the major policies and the vision of the Board of Trustees.

The Chair of the Board of Trustees, or another designee from the Board of Trustees, and the CEO are *ex officio* (automatic) members of the Parent Council. 5 parents who are elected by the general membership of the Parent Organization also serve 2 year terms. If an elected Parent Council seat is vacated before the term expires, the remaining Council members fill the vacancy by appointment until that term would normally have expired. Parents who are elected become the officers of the Monticello Parent Organization. The CEO is ineligible to be the Chair or the Vice Chair of the Parent Council.

The composition of the Parent Council includes:

- 2 *ex officio* members: The Chair (or designate) of the Board of Trustees and the CEO of the Monticello Academy
- 5 elected parent members (2 year terms)

Responsibilities of the Parent Council include...

- Recommending Monticello policies.
- Drafting and recommending Monticello Parent Organization policies.
- Communicating school core values, principles, and policies as defined in the Monticello Academy Handbook.
- Carefully evaluating proposed volunteer activities submitted by members of the Parent Organization, approving and disapproving as necessary to maintain the Mission of the Monticello as defined by the Handbook.
- Assisting with the Student Council, under the direction of the CEO.
- Any other responsibilities delegated by the Board of Trustees.

Monticello Parent Organization

The Monticello Parent Organization (“PO”) is comprised of the parents whose students are registered to attend Monticello Academy and is a key component of the Academy, where parental input and involvement is critical to the success of students. The purpose of the PO is to provide a forum for all parents to have a voice in certain authorized school matters, to organize volunteer efforts in the Academy, to assist the administration in accomplishing the mission of Monticello Academy, and to actively participate in legislative and other political dialogue that is directly related to the charter school movement. The PO operates under its own set of bylaws, approved by the Board of Trustees, and participates in the school at the pleasure of the Board of Trustees.

Some of the responsibilities of the organization may include:

- Organizing and supporting, through volunteer service, the policies and procedures outlined in the Handbook.
- Coordinating the efforts of parent volunteers for classroom help, class activities, field trips, assemblies, extracurricular activities, car pooling and transportation of students, public relations, traffic control and other volunteer based activities.
- Raising funds for supplementary materials and activities.
- Assisting in other areas as requested by the CEO.

Monticello CEO

The CEO shall manage the school's daily operation, and as the Chief Administrative Officer of Monticello Academy will be responsible for all academic programs as well as the business operations of the school. The CEO is subject to policy defined by the Monticello Board of Trustees, and as a key representative of the school bears the considerable responsibility of upholding school standards and values at all times.

Academic responsibilities of the CEO include curriculum development and implementation, teacher training, and program development and management, in addition to any additional duties assigned by the Board of Trustees. Business operations will include oversight of the facility, timely reporting to parents, full compliance with state and federal agencies, and responsibility for human resource management. The CEO also serves on the Parent Council and is an "at will" employee who is hired by the Board of Trustees. The Board of Trustees approves all the major budgetary, human resource, and policy recommendations of the CEO.

Responsibilities of the CEO include:

- Serving as a voting member of the Monticello Parent Council.
- Recommending policy changes to the Board of Trustees.
- Promoting and overseeing school curriculum.
- Representing the school in public relations events.
- Providing arbitration services between parents and teachers
- Overseeing school finances
- Facility repairs, maintenance, security, equipment, and service contracts
- Budget adherence and purchasing oversight.
- Compliance with state and federal reporting and testing.
- Publicity through the Monticello Academy Newsletter, press releases, and communication with families.
- Human Resources duties, including hiring and firing of faculty and staff, benefits and professional development
- Other duties assigned by the Board of Trustees.

Assistant CEO

If the CEO desires an assistant CEO, the position must be approved by the Board of Trustees. If approved, the assistant CEO would also be an "at will" employee and subject to assessment from parents and supervisors.

Monticello Student Council

The Monticello Student Council offers students meaningful and fun opportunities to participate in school activities and to develop leadership abilities. At the beginning of each school year, members of the student body shall elect one representative from each class. These representatives will meet with the Student Council Coordinator and the Student Council Faculty Advisor. The coordinator shall be a member of the Parent Organization. The Parent Council shall appoint the Student Council Coordinator and the CEO shall appoint the Faculty Advisor.

Monticello Academy Organizational Chart

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7. BACKGROUND INFORMATION AND RESUMES FOR TRUSTEES

Information available upon request.

**ARTICLES OF INCORPORATION OF MONTICELLO ACADEMY, Inc. A UTAH
NONPROFIT CORPORATION**

We, the undersigned natural persons of the age of eighteen (18) years or more, acting as incorporators under the Utah Revised Nonprofit Corporation Act, Utah Code Ann. 16-6a-101 et seq., adopt the following Articles of Incorporation:

Name

The name of the Corporation is the Monticello Academy, Inc.

Duration

The period of duration of this Corporation shall be perpetual.

Purpose

This Corporation is organized as a nonprofit corporation. This Corporation is organized exclusively for charitable and educational purposes. The Corporation may receive and administer funds for educational and charitable purposes, within the meaning of Section 501(c)(3) of the Internal Revenue Code and to that end, the Corporation is empowered to hold any property, or any undivided interest therein, without limitation as to amount or value; to dispose of any such property and to invest, reinvest, or deal with the principal or the income in such manner as, in the judgment of the directors, will best promote the purposes of the Corporation, without limitation, except such limitations, if any, as may be contained in the instrument under which such property is received, these Articles of Incorporation, the By-laws of the Corporation, or any applicable laws, to do any other act or thing thereof, but not for pecuniary profit. All funds, whether income or principal, and whether acquired by gift or contribution or otherwise, shall be devoted to said purposes of the Corporation.

No part of the net earnings of the Corporation shall inure to the benefit of the Trustees, office of the Corporation, or any private persons, except that the corporation shall be authorized to make reasonable compensation for the services rendered to or for the Corporation affecting one or more of its purposes. No member, Trustee, officer of the Corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the Corporation.

No substantial part of the activities of the Corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the Corporation shall not participate in or intervene in, including the publication or distribution of statements, any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the corporation shall not carry on any other activities not permitted to be carried out by a corporation exempt from the Federal Income Tax under Section 501 (c)(3) of the Internal Revenue Code.

The Corporation shall not lend any of its assets to any officer or director of this corporation, unless such loan program is regularly conducted as part of the activities of the organization and the qualification of the individual to participate in same is determined by a panel comprised solely of non-Board members.

Notwithstanding any other provision of these articles, the Corporation shall not carry on any other activities not permitted to be carried on by a corporation exempt from Federal Income Tax under Section 501(c)(3) of the Internal Revenue Code, as now enacted or hereafter amended.

Capital Stock

The Corporation shall not issue stock.

Distribution upon Dissolution

Upon the dissolution of the Corporation, the assets of the Corporation shall be distributed exclusively to one or more charitable and educational organizations which shall qualify under the provisions of Section 501(c)(3) of the Internal Revenue Code and its Regulations, or to the Federal Government, or to the state or local government including the Utah State Board of Education, for a public purpose.

Directors

The number of Directors constituting the Board of Directors of the Corporation shall be as from time to time provided in the Bylaws. Unless otherwise provided in the Bylaws, the Board shall consist of seven Directors. The names and residential addresses of the initial members of the Board of Directors are as follows:

Kim Coleman
West Valley City, Utah

Joel Coleman
West Valley City, Utah

Paul Morris
West Valley City, Utah

Mike Winder
West Valley City, Utah

Michael Smith
West Valley City, Utah

Wayne Pyle
West Valley City, Utah

Lars Nordfelt
West Valley City, Utah

Incorporators

The names and addresses of the Incorporators are as follows:

Kim Coleman
West Valley City, Utah

Joel Coleman
West Valley City, Utah

Paul Morris
Murray, Utah

Mike Winder
West Valley City, Utah

Michael Smith
West Valley City, Utah

Wayne Pyle
West Valley City, Utah

Lars Nordfelt
West Valley City, Utah

Registered Office and Agent

The address of the initial registered office of the Corporation is:
West Valley City, Utah

The name of initial registered agent at the listed address is:
Kim Coleman

I, Kim Coleman, hereby agree to act as Registered Agent for the Monticello Academy, Inc.

Kim Coleman

Bylaws

The Trustee shall adopt By-laws which are not inconsistent with law or these Articles of Incorporation for the regulation and management of the affairs of the Corporation. These By-laws may be amended from time to time, or repealed, pursuant to law.

Officers

The Directors may designate and appoint a Chair of the Board and may designate and appoint officers to officiate and conduct the business of the Corporation.

Members

The Corporation will have voting members as outlined and defined by the By-laws.

DATED this 24th day of June 2005.

INCORPORATORS:

Kim Coleman, Incorporator

Joel Coleman, Incorporator

Paul Morris, Incorporator

Mike Winder, Incorporator

Michael Smith, Incorporator

Wayne Pyle, Incorporator

Lars Nordfelt, Incorporator

STATE OF UTAH)
 : ss
COUNTY OF)

On the ____ day of June 2005, personally appeared before me Kim Coleman, Joel Coleman, Paul Morris, Mike Winder, Michael Smith, Wayne Pyle, and Lars Nordfelt, the Incorporators of the Monticello Academy, Inc., a Utah Nonprofit Corporation, who duly swore to me that they are the signers of the foregoing Articles of Incorporation.

Notary Public
Residing in _____County,
State of Utah

My commission expires:

BYLAWS OF THE MONTICELLO ACADEMY, A NOT FOR PROFIT CORPORATION

ORGANIZATION

1. The name of the organization shall be Monticello Academy, Inc.
2. The organization shall not have a seal but may design a logo.
3. The organization may at its pleasure by a vote of the Board of Trustees change its name with a 2/3rds vote.

PURPOSES

Monticello Academy, Inc., a Charter School, has been formed and established to provide public education pursuant to Utah Charter School laws.

MEMBERSHIP

The Monticello Academy shall have one class of members only, and each member shall have equal voting and other rights. No parent, legal guardian, or staff member shall hold more than one membership in the Monticello Academy.

Each parent or legal guardian having one or more students enrolled in the Monticello Academy, having met the admission criteria as established by state law and the policies of this non-profit corporation, is a member and shall be entitled to one vote on each matter submitted to a vote of the members. Each parent/guardian will have one vote, regardless of whether separate households are maintained.

The members shall constitute the Parent Organization. At Parent Organization meetings, all votes shall be cast in person or by proxy registered with the secretary of the Board of Trustees.

The membership and all rights of membership shall automatically terminate if the parent or legal guardian has no current students enrolled. All rights of a parent/guardian in the Monticello Academy shall cease on the termination of such membership. Termination shall not relieve the member from any obligation for charges incurred, services or benefits actually rendered, dues or fees, arising from contract or otherwise. The Board of Trustees shall retain the right to enforce any such obligation or obtain damages for its breach.

PARENT ORGANIZATION

The membership of the Parent Organization shall consist of all parents or legal guardians of students currently enrolled in Monticello Academy. Each member shall have one vote of equal value to all other members. The Parent Organization shall elect, from its members, five (5) members to serve on the Parent Council for a term of two years.

The Parent Organization will be governed by the Parent Council and all procedures, rights and duties for the proper operation of the Parent Organization may be outlined by the Board of Trustees, the Parent Council, or the Parent Organization members, in that order of priority.

The annual Parent Organization meeting of the Monticello Academy shall be held on the second Thursday in May of each and every year except if such day is a legal holiday, then and in that event, the Parent Council shall fix the day but it shall not be more than two weeks from the date fixed by these Bylaws.

The Secretary of the Parent Organization shall cause notice to be given to every member in good standing announcing the time and place of such annual meeting and the items to be discussed. Regular meetings of the Monticello Academy Parent Organization shall be held within the school facility, unless otherwise indicated.

The annual meeting shall be conducted by the Chair of the Parent Council. The business conducted during the annual membership meeting shall be done by a majority vote of those in attendance, after proper notice is given.

The business to be conducted at the annual membership meeting shall include, but not be limited to, whether notice of the business was properly given, the ratification of the newly appointed members of the Parent Council, election of the Chair and Vice-Chair of the Parent Council, election of the elected members of the Parent Council.

The Chair may call special meetings of the Parent Organization when it is deemed in the best interest of Monticello Academy. Notice of such meetings shall be given to all members at least ten (10) days before the scheduled date set for such special meeting. Such notice shall state the reasons that such meeting has been called, the business to be transacted at such meeting and by whom it was called. At the request of sixty-seven (67%) percent of the members of the Parent Council or fifty (50%) percent of the Parent Organization, the Chair shall cause a special meeting to be called but such request must be made in writing at least ten (10) days before the requested scheduled date.

No other business but that specified in the notice may be transacted at any annual or special meeting without the unanimous consent of all members present at such meeting.

VOTING

At all Parent Organization meetings, except for the election of officers, all votes shall be by voice. For election of Parent Council members, ballots shall be provided and there shall not appear any place on such ballot that might tend to indicate the person who cast such ballot.

At any regular or special Parent Organization meeting, if proper notice was given and a majority of the total membership so requires, any question may be voted upon in the manner and style provided for election of the Parent Council members. When votes by ballots are taken, the Chair of the Parent Council shall, prior to the commencement of balloting, appoint a committee of

three who shall act as "Inspectors of Election" and who shall, at the conclusion of such balloting, certify in writing to the Chair the results and the certified copy shall be physically affixed in the minute book to the minutes of that meeting. No Inspector of Election shall be a candidate for office or shall be personally interested in the question voted upon.

PARENT COUNCIL

The Monticello Academy Parent Council is the governing body of the Parent Organization and shall consist of seven (7) members. The Monticello Parent Council is comprised of (1) the Chair (or designee) of the Board of Trustees, (2) the CEO, and (3) five officers generally elected by the Members.

The elected members of the Council shall be elected at a Parent Organization meeting by a majority vote of the membership. The CEO, by virtue of his or her employment, is a voting member of the Council. Candidates for the elected members of the Parent Council are limited to parents of students enrolled at Monticello Academy.

Each elected member of the Parent Council will serve two year terms, beginning at the annual meeting, or until they resign or are removed. The CEO serves on the Parent Council until his or her employment is terminated. Any member of the Parent Council may resign at any time by delivering a written resignation to the Council.

Any elected member of the Council may be removed at any time for cause, including conduct injurious to the best interests of the Monticello Academy, by an affirmative vote of two thirds (2/3) of the remaining members of the Parent Council or by a majority of the Board of Trustees, provided that proper notice of the meeting and an opportunity to respond to the offending member is given. Any elected member of the Council may also be removed by a petition signed by a majority of the members constituting the general membership. A Parent Council vote for removal may be appealed to the Board of Trustees.

In the event of a vacancy in the elected positions, the Parent Council will appoint an acting member until the next general or special membership meeting, where the vacancy will be filled in accordance with the voting procedure.

Four (4) of the voting members of the Parent Council shall constitute a quorum and the meetings of the Council shall be held regularly on the Second Thursday of each month. Each Council member shall have one vote and proxy may not do such voting. The Council may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

Excepting the CEO, no member of the Council may receive compensation for acting as a member of the Council.

The Parent Council shall have the duty, under the direction of the CEO, to provide assistance in the management of the affairs and business of the Monticello Academy. Such Parent Council

shall only act in the name of the organization when it shall be regularly convened by the Chair after due notice to all the Council members and the public of such meeting.

The names of officers (members) of the Parent Council shall be maintained in the minutes of the corporation.

The Chair of the Parent Council shall preside at all Council meetings. The Council shall appoint all committees, temporary or permanent. The Chair shall see all books, reports and certificates required by law are properly kept or filed. The CEO shall have such powers as may be reasonably construed as belonging to the chief executive of any organization.

The Vice Chair shall, in the event of the absence or inability of the Chair, become acting Chair of the Parent Council with all the rights, privileges and powers associated with that office.

The Parent Council shall select a secretary from one of its members or from the staff of Monticello Academy. The Secretary shall keep the minutes and records of the organization in appropriate books. It shall be his or her duty to file any certificate required by any statute, federal or state. The Secretary shall give and serve all notices to members of the Monticello Academy. The Secretary may be one of the officers required to sign the checks and drafts of the organization. The Secretary shall present to the Council at any meetings any communication addressed to him or her as Secretary of the organization. The Secretary shall attend to all correspondence of the organization and shall exercise all duties incident to the office of Secretary.

The CEO shall authorize the hiring and fix the compensation (subject to ratification by the Board of Trustees) of any and all employees, which he or she in his or her discretion may determine to be necessary for the conduct of the business of the organization. No Parent Council member shall for reason of his office be entitled to receive any salary or compensation, but nothing herein shall be construed to prevent an officer or Council member for receiving any compensation from the organization for duties other than as an officer.

COMMITTEES

The Parent Council may appoint all committees of the Monticello Academy and their term of office shall be for a period of one year or less if sooner terminated by the action of the Parent Council.

GOVERNANCE

The Monticello Academy shall be governed by the Board of Trustees. The duties, rights, responsibilities and authority of the Board of Trustees are as found in the charter and as outlined below. Subject to the approval of the Board of Trustees, the Parent Council for the Monticello Academy shall provide support and assist the CEO in the daily operations of the school.

BOARD OF TRUSTEES

The original Monticello Academy Board of Trustees consists of the seven (7) founding members of Monticello Academy and shall have the ultimate authority, oversight, and responsibility for the academy.

Two (2) additional Trustees will be elected from among the parents of Monticello after the school opens, which will temporarily increase the Board to a total of nine (9) Trustees. The first two non-elected Trustees to resign or be removed will not be replaced, eventually restoring the Board of Trustees to a maximum of seven (7) members. The minimum number of Trustees shall be in compliance with applicable laws governing private, non-profit corporations. Following the initial election, all future Trustees are appointed by the remaining members of the Board.

Before the school opens, the founding Board of Trustees will meet together as often as necessary to develop the vision, mission, and scope of the school and to apply for the charter. The Board of Trustees meets at least twice annually, but can also assemble more often if necessary.

The Board of Trustees functions as the Parent Council until the Parent Council is assembled after operations commence at Monticello Academy. The Board of Trustees considers all the major budgetary and policy recommendations of the CEO. The Board of Trustees also serves as an appellate body for decisions of the Parent Council and may overturn any decisions of the Parent Council, regardless of whether the decision is appealed.

At least one Trustee must be the parent of a Monticello Academy student during the term of his or her appointment. Trustees have no term limits. Any member of the Board may resign at any time by delivering a written resignation to the Board. Vacancies shall be filled by appointment upon a vote of the majority of the remaining members of the Board of Trustees.

Any member of the Board may be removed at any time for cause, including conduct injurious to the best interests of the Monticello Academy, by an affirmative vote of two thirds (2/3) of the remaining members of the Board of Trustees, provided that proper notice of the meeting and an opportunity to respond to the offending member is given. The State Board of Education will have the right to remove any member of the Board of Trustees, with or without cause, in a public meeting with a two-thirds vote of the State Board of Education.

Four (4) members of the Board of Trustees shall constitute a quorum if the Board consists of more than six members. Each board member shall have one vote and proxy may not do such voting. The Board may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

The Board of Trustees shall have the final control and oversight of the management of the affairs and business of the Monticello Academy. Such Board of Trustees shall only act in the name of the organization when it shall be regularly convened by the Chair after due notice to all the Trustees and the public of such meeting. The names of officers and members of the Board of Trustees shall be maintained in the minutes of the corporation

The Board of Trustees shall elect a Chair and a Vice Chair. The Chair of the Board of Trustees shall preside at and conduct all meetings of the Board of Trustees. The Vice Chair shall, in the event of the absence or inability of the Chair, become acting Chair of the Board of Trustees of Monticello Academy with all the rights, privileges and powers associated with that office. Monticello Academy shall provide a recorder for all meetings of the Board of Trustees, whose duty is to keep minutes and file any certificate required by any statute, federal or state.

The Board of Trustees must approve decisions of the CEO which authorize the hiring and compensation of key employees, major policy revision recommendations, or other important matters which they in their discretion may determine to be necessary for the conduct of the business of Monticello Academy. The Board of Trustees reserves the right to overturn any decision of the CEO.

No Trustee shall for reason of his or her office be entitled to receive any salary or compensation for acting as a member of the Board, but nothing herein shall be construed to prevent an officer or Trustee for receiving any compensation from the organization for duties other than as a trustee or officer.

INDEMNIFICATION

The Monticello Academy shall indemnify any and all persons who may serve or who have served at any time as Trustees, directors, Council members, officers, and their respective heirs, administrators, successors, and assigns, against any and all expenses, including amounts paid upon judgments, counsel fees, and amounts paid in settlement (before or after suit is commenced), actually and necessarily incurred by such persons in connection with the defense or settlement of any claim, action, suit, or proceeding in which they, or any of them, are made parties, or a party, or which may be asserted against them or any of them, by reason of being or having been Directors or officers of Monticello Academy, except in relation to matters as to which any such Trustee or officer or former Trustee or officer shall be adjudged in any action, suit, or proceeding to be liable for his or her own negligence or misconduct in the performance of his or her duty. Expenses of each person indemnified hereunder incurred in defending a civil, criminal, administrative or investigative action, suit or proceeding (including all appeals), or threat thereof may be paid by Monticello Academy in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Trustees, whether a disinterested quorum exists or not, upon receipt of an undertaking by or on behalf of the Board of Trustees to repay such amount unless it shall ultimately be determined that he or she is entitled to be indemnified by Monticello Academy. Such indemnification shall be in addition to any other rights to which those indemnified may be entitled under any law, bylaw, agreement, vote of members, or otherwise.

AMENDMENTS

These Bylaws may be altered, amended, repealed or added to by an affirmative vote of not less than sixty-seven (67%) percent of the Board of Trustees.

9. ADMISSION AND DISMISSAL PROCEDURES, INCLUDING SUSPENSION

Admission

Monticello Academy will comply with all federal and state laws relative to admission policies, which include an open admission. Per federal and state law preferential enrollment will be guaranteed to the children of the Board of Trustees as well as the Parent Volunteer Committee members. Monticello will limit the number of preferential enrollments to those Parent Volunteers who perform a significant role in the formation and start up of Monticello by completing 100 hours of service. Volunteers will log their time and duties for consideration by the Board of Trustees. In accordance with the direction provided by the Utah State Office of Education, the number of student preferential enrollment slots shall not exceed 20% of the total student population.

After preferential enrollment is determined, all names of prospective students shall be maintained in a secure fashion. The Board of Trustees shall establish a time frame to accept applications, a minimum of 30 days. After this application period is closed the Board of Trustees shall use a standard random number lottery program to determine the initial enrollment. The admissions procedure will then offer preference to siblings of students to ensure that family groups are enrolled together, not excluding any children when possible. Additional enrollment periods will be created if slots remain open.

Dismissal and suspension

No student will be permitted to commit any act which will prevent the teacher from teaching or prevent other students from learning or which is viewed to bring discredit to the individual, the school, or the student body, or in any way harms another person or property. The conduct of students must be such that everyone will be able to pursue their educational interests without disruption or interference from other students. Students will conduct themselves in a manner which is consistent with standards set by parents, teachers, and the community. Discipline will be handled according to frequency and severity of the offense and in accordance with a policy developed by the Board of Trustees and in compliance with 53A-11-901-907 of Utah Code. Dismissal and suspension policy will reflect a student's right to due process through a system of hearings and eventual appeal to the Board of Trustees or a discipline appeal board consisting of a majority of Trustees.

10. PROCEDURES TO REVIEW COMPLAINTS REGARDING THE OPERATION OF THE SCHOOL

Parental satisfaction is paramount to the mission and success of Monticello. There are many opportunities for parents to offer critique and suggestions to improve the operation or other aspects of the school. This includes an open door policy with the CEO and anonymous suggestion boxes. However, should a parent continue to be dissatisfied, a policy developed by the Board of Trustees offering redress through the ranks of the school governance shall be instituted.

Under the Federal Individuals with Disabilities Education Act (“IDEA”), Monticello Academy must provide a free and appropriate education to students with special educational needs. In the case of a complaint regarding students served under IDEA, Monticello will consider such complaint as a high priority. It is important that these students experience the least amount of disruption and that measures are taken to ensure the best practices and interventions are implemented for the optimal student success. Parents/Guardians have the right to request evaluations at the expense of Monticello. The parent or guardian may reject the results of a public evaluation and request a private evaluation. Monticello will determine if a private evaluation is appropriate or if it will adhere to the original evaluation. A parent or guardian may seek his/her own private consultation at his/her own expense. Or, the parent/guardian may initiate a hearing before the Utah State Department of Education (“USOE”) to pursue private evaluation at public expense. At each step, the parent or guardian has a right to due process, to be notified and present at all meetings and hearings, and to be free from undue delay or retribution.

11. OPPORTUNITIES FOR PARENTAL INVOLVEMENT

One of the bedrock principles that led to the establishment of Monticello Academy is the fact that one of the key factors that affect the quality of education and the academic success of the student is parental involvement. The unique elements of a charter school foster parental involvement. Parents will be asked (although not required) to volunteer in many of the same ways as at traditional schools for at least forty (40) hours each school year. Parents are always welcome to observe the class and offer meaningful assistance.

Additionally, parents will exercise significant influence in the administration of the school. Parents founded Monticello Academy. The organizational structure and bylaws at Monticello place parents at all levels of administration. A majority of parents comprise the Board of Trustees. Parents will be appointed to such committees as personnel, curriculum development, auditing, extra-curricular activities and many others as designated by the Board.

Parents will have opportunities to participate more directly in the education of their own children through student record online accounts and an open and friendly disposition of faculty who value and desire the parent partnership. The CEO will maintain an open door policy remembering that s/he is entrusted with the parents' most valued treasure.

Organizational policy, including reporting standards, creates a transparent system. Monticello Academy will maintain a website to offer immediate and easy access to information. The technological superiority of Monticello's computer network will provide seamless home integration and remote participation for Monticello families. Current plans include a proposal for live video streaming so that students who are sick at home can still experience classroom interaction via symmetrical network cameras and hardware that will provide lifelike audio and video signals on the UTOPIA network.

Additionally, the Monticello Academy Parent Organization will have leadership elected and appointed from among the ranks of the parents and guardians of Monticello. The Parent Organization will also provide structure, organization, and reporting for the thousands of hours of volunteer efforts that parents will donate at the Academy. Similarly, the Board of Trustees will be a representative body, with members elected and appointed from among the parents of Monticello Academy students. With the exception of one founding member, the original Board of Trustees consisted exclusively of parent members. The Monticello Parent Organization may also participate with other charter school parent organizations and traditional public school community councils to enable networking for sharing innovative practices and to keep abreast of legislation and other information that affects the education community.

The Parent Organization and general environment of parental involvement at Monticello Academy will be a beacon for other groups to emulate.

12. DESCRIPTION OF HOW THE SCHOOL WILL SECURE INSURANCE

Monticello Academy will secure \$2 million in liability; property insurance; comprehensive/collision; and employee dishonesty bond by participating in the State Risk Management program as is reflected in the budget.

13. AGREEMENTS OR PLANS DEVELOPED WITH SCHOOL DISTRICTS REGARDING PARTICIPATION OF MONTICELLO ACADEMY, Inc. IN EXTRACURRICULAR ACTIVITIES WITHIN THE SCHOOL DISTRICTS

At this time Monticello has made no agreements with Granite District for the participation of students in extra-curricular activities. Monticello will develop after school and/or early Friday extra-curricular programs as the demands present themselves. These may include such things as athletics, fine and performing arts, music, foreign language, quiz bowls, academic; leadership and service societies, etc. Monticello will solicit other local charter schools to participate in athletic and academic games.

14. QUALIFICATIONS TO BE REQUIRED OF TEACHERS

Monticello will only employ licensed teachers who meet state requirements. It is our aim to employ teachers who meet highly qualified standards under NCLB or who are in the process of working to meet such standards. Employees are expected to adhere to the requirements for employment described in this charter and personnel policies. Prospective employees will submit to a criminal background check according to state law. Monticello will also employ a necessary complement of teachers who have Gifted, Special Education and English as a Second Language (“ESL”) endorsements. Employees are expected to conduct themselves at all times in a manner consistent with the highest standards of personal character and professionalism when dealing with children, parents, and co-workers in a manner which reflects the mission and philosophy of Monticello Academy.

Monticello Academy will comply with all state and federal laws regarding discrimination in hiring.

15. THE SCHOOL’S INTENTION TO CREATE A LIBRARY

Thomas Jefferson is well known for his thirst for reading and his vast collections of books. Donations from his personal library helped to create the University of Virginia Library and the Library of Congress. We anticipate a 2,000 square foot library centrally located and designed for ease of use and comfort for reading. Monticello is considering implementing the Accelerated Reading program because it provides immediate reinforcement to the student, it is catalogued in the local public libraries and it uses a wide range of books for all ages, including classical literature and modern favorites.

16. ADMINISTRATIVE AND SUPERVISORY SERVICES

Administrative services shall be the primary function of the CEO. The CEO will appoint faculty with particular skills or experience to function in a supervisory role and offer support services, including instructor improvement and curriculum development. They will collaborate with the CEO to make recommendations to the Board of Trustees concerning school progress and needs. These services shall be to improve the function of the school.

The CEO shall ensure that the following are appropriately addressed; curriculum; professional development; student discipline; management of school equipment and facilities; supervision of instruction; compliance with federal and state reporting requirements; public relations; school progress; communication and participation with Board of Trustees; coordination with the Parent organization; school supplies; safety; grant writing and reporting; and other things assigned by the Board of Trustees and other things relevant to the administration of the school as defined by Board policy.

17. THE SCHOOL'S FISCAL PROCEDURES

The State Office of Education guidelines for Budgeting, Accounting and Auditing for Utah School Districts will be applied in administering and reporting school revenue and expenditures. Monticello will issue financial reports in accordance with Generally Accepted Accounting Principles ("GAAP"), which include Generally Accepted Governmental Auditing Standards. Revenue and expenditures and record management will be administered by the CEO, who will be responsible to insure proper accounting controls are implemented and utilized.

An audit will be conducted after the fiscal year end and the results reported to the Board of Trustees. The CEO shall develop and recommend a budget each year, subject to ratification by the Board of Trustees, for the following school year. At its discretion the Board of Trustees may appoint a 3 member auditing committee or contract with a third party firm. Monticello Academy will retain a payroll management firm to provide payroll functions for the school, include tax filings and submission of other required documents.

Purchasing will require the preparation of a purchase order, signed and approved by the CEO. Four persons will be authorized to sign on the account:

1. The CEO
3. The Chair of the Board of Trustees
4. The Treasurer of the Board of Trustees.

The CEO is authorized to sign on checks not exceeding \$500.00. Checks in excess of \$500.00 require two authorized signatures. Major purchases which exceed \$5,000.00 or which represent items not formerly approved in the budget will require approval of the Board of Trustees. Monticello Academy reserves the right to reallocate funds from one line item to another if purchasing practices or conservation result in an expenditure different than budgeted to the extent allowed by law.

18. THE SCHOOL'S POLICIES REGARDING EMPLOYEE TERMINATION

All employees are "at will" and serve at the pleasure of the CEO and the Board of Trustees. The CEO serves at the pleasure of the Board of Trustees. The CEO, in consultation with the Board of Trustees, may terminate or suspend the employment of any employee. In the event the school finds it necessary or desirable to terminate an employee's employment before the end of the school year, the employee shall be entitled only to the prorated salary and benefits earned through the last date of employment.

19. THE SCHOOL'S POLICY AND THE PROCEDURE REGARDING EMPLOYEE EVALUATION

Monticello will maintain a confidential personnel file for each employee. The file will contain the evaluation documents discussed in this section, as well as any other employment-related documents or correspondence. All documents placed in the personnel file will have been signed by all concerned parties.

All instructional and professional staff will create and maintain a Personal Development Portfolio containing the goals and outcomes of the school and the employee's personal plan for meeting those goals and outcomes and for continuous improvement. After an initial meeting between the CEO and employee at which time mutual goals are reviewed and a professional growth program is developed, the employee will create the Portfolio, and include samples of classroom or school work, personal reflections, and any other material deemed appropriate as evidence of continuous improvement.

All employees will be observed on an ongoing basis by the CEO, using both formal and informal observations. Formal observations will include a pre-observation conference as well as a post-observation conference. First-year employees shall have at least two formal observations prior to the three-month review. Prior to the six-month review, at least two additional formal observations will be conducted for first-year employees. Returning staff will have three formal observations prior to the six-month review. Results of formal observations, consisting of the employee's and the CEO's observations and recommendations, will be put in writing and included within the employee's own Personal Development Portfolio and the school's personnel file. Nothing in this section limits the CEO from conducting other observations of an informal or unannounced nature. Additionally, annual parent evaluations of teachers and CEO will be considered as part of the overall evaluation. Evaluation criteria will be more thoroughly developed in collaboration with the Personnel Committee of the Board of Trustees, the CEO and teacher supervisors and will include, but are not limited to, a review of the employee's self-assessment, the job description, areas of responsibility, and progress toward goals and outcomes, noting particularly good work, areas for improvement and skill development, and deficient work, and developing a clear plan for improvement.

The CEO shall be evaluated by the Personnel Committee of the Board prior to the end of each year's contract based on criteria set forth by job responsibilities. Results shall be in writing and included in the employee's Personal Development Portfolio and personnel file. The Personnel Committee shall make a continued employment recommendation, considering results of parent

satisfaction surveys, to the Board of Trustees in executive session excluding the CEO.

All employees shall have the right to make written objections to the observations or review findings within one week of receipt by stating areas of disagreement. These objections will be attached to the observation and/or evaluation and kept in the employee's personnel file.

20. THE SCHOOL'S POLICY REGARDING EMPLOYMENT OF RELATIVES

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.

21. CONVERSION

Since Monticello Academy is a new school, this section does not apply.

22. ASSURANCES

Utah State Board of Education

UTAH CHARTER SCHOOLS Assurances

The applicant charter school hereby assures and certifies to the State Superintendent of Public Instruction that:

- A. The charter school will make provision for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for all funds.
- B. The charter school will maintain a clear, written procedure and process for auditing school finances as per the requirements of the Utah State Office of Education.
- C. The charter school gives the Utah State Office of Education or the U.S. Comptroller General, through any authorized representative, the access to, and the right to examine, all records, papers, or other documents related to all funds, including the submission of reports as may be required.
- D. The charter school will annually provide written evidence of liability and other appropriate insurance coverages, including a description of the levels of coverage and the relationship of these coverages to local and state agency obligations.
- E. The charter school will make such reports, including reports of evaluations, in such form and containing such information as the State Superintendent of Public Instruction may reasonably require to carry out his legislative functions and to determine the extent to which funds have been effective in carrying out legislative purposes and project objectives.
- F. The charter school will comply with appropriate rules, regulations, and state guidelines except as specifically waived by the Utah State Board of Education or Legislature, and effective control will be maintained over, and accountability provided, for all funds, property, and other assets. The charter school will also adequately safeguard all public property and shall assure that it is used solely for authorized purposes.
- G. After settling any outstanding debt, all physical assets owned by the charter school become the property of the Utah State Board of Education upon the termination of the charter school.
- H. The charter school will comply with the requirements of the Family Educational Rights and Privacy Act of 1974.
- I. The charter school will not discriminate in program benefits, participation, employment, or treatment on the basis of race, color, religion or national origin, and will comply with the provisions of Title IX of the Education Amendments of 1972 prohibiting discrimination on the basis of gender.
- J. The charter school assures that no otherwise qualified person shall, on the basis of a disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from local, state, or federal financial assistance.
- K. The charter school will not expend program funds for any education program, activity, or service related to sectarian instruction or religious worship.

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L. The charter school will function under an open admission policy. If the number of students applying to enroll at any grade level exceeds the capacity of the school or of, classes, or grade levels within the school, then those to be admitted shall be chosen at random from among the applicants, within the allowable mandatory and optional preferences specified in Section 53A-1a-506, Utah Code Annotated.

M. The charter school assures that it will not conduct a program of instruction until such time as:

- (1) The requisite health and safety standards for the school building have been met according to the local fire and health department inspectors;
- (2) Adequate equipment, and materials are available; and
- (3) Conditions are adequate to provide for the economical operation of the school with an adequate learning environment.

N. The charter school will comply with all applicable federal and state laws, rules, and regulations regarding the recruitment, screening, selection, and evaluation of all school employees.

O. The charter school will only employ educators who hold valid Utah Professional Educator Licenses or who meet State Board requirements for alternative licensing routes or Board authorization.

P. The charter school will employ the use of the Utah State Core Curriculum as the foundation for the instructional program for the school.

Q. The charter school will employ the use of the Iowa Test of Basic Skills and the Utah State Core Course End-of-Level Tests in the grade levels required by U-PASS as a fundamental part of the overall assessment program for the school.

R. The charter school assures that resources will be available and a process established to develop a Student Education Plan/Student Education Occupation Plan (SEP/SEOP) for each student.

S. The charter school will operate with a written procedure for student suspension and dismissal, including appeal procedures.

T. The charter school will maintain an active parent/guardian involvement process including some formal mechanism for meaningful involvement in site-based decision making.

U. The charter school will not charge tuition or fees, except those fees allowed by law. Governing Boards will adopt allowable fees annually in an open board meeting.

V. The charter school will operate under the provisions of the Utah Open Meeting Law and adopt bylaws in an open meeting.

W. A copy of the charter will be supplied to interested individuals or groups on request.

X. The charter school will submit an appropriately amended application prior to any material change affecting the purpose, administration, organization, or operation of the school.

Y. A secondary charter school will be accredited or in the process of seeking accreditation.

Z. The charter school will acquire and maintain nonprofit corporate status.

AA. The charter school will follow all state procurement rules.

BB. The charter school will maintain accurate student transcripts.

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

Name (type): Monticello Academy, Inc.

Title (type): Chief Administrative Officer

Signature: _____

Date: _____

Admission Procedures

Admission is not limited based upon ethnicity, national origin, religion, gender, income level, disabling condition, proficiency in the English language or athletic ability. There are no tuition or fees charged for attending Monticello Academy Charter School except those allowed by law.

Monticello Academy Charter School will admit all eligible pupils who submit a timely application. A charter school shall give enrollment preference to children of founding or other initiating committee members, pupils returning to the charter school in the second or any subsequent year of its operation and to siblings of pupils already enrolled in the charter school. If, by the application deadline, the number of applications exceeds the capacity of a class, grade level, or building, all applications for that class, grade level or building will be selected for the available slots through a lottery, except that preference as allowed in law shall be given. After the application deadline, pupils for any remaining slots will be accepted in order of their lottery position. If an opening in the school occurs mid-year and no students remain from the original lottery, a notice for applications will be announced and applicants enrolled on the same basis as outlined above.

These admission procedures have been approved in legislation and by the Utah State Board of Education. If you have other administrative details of how you intend to facilitate acceptance of applicants to your school, they should not be in conflict with the language noted above.

Proof of Insurance

Monticello Academy Charter School will provide to the Board a certificate of insurance before the first day of school in its initial year and annually thereafter.

Electronic Data Submission

Monticello Academy Charter School will have the technology and ability to meet all of the electronic data submission requirements for charter schools.

Nonsectarian Statement

Monticello Academy Charter School is nonsectarian in its programs, admission policies and employment practices and all other operations.

Special Education/Exceptional Student Services Training

The applicant/authorized signer for Monticello Academy Charter School will take a one-day Special Education training class sponsored by the Utah Department of Education subsequent to signing the contract, but prior to the first day of instruction and annually thereafter.

Kim Coleman

CAO (please print)

CAO's Signature

Date

23. WAIVERS FROM STATE BOARD RULES

Monticello Academy is not seeking any waivers at this time.

24. ADDITIONAL INFORMATION/LETTERS OF SUPPORT

Please review the attached letters of support from key representatives and community members.

25. RETIREMENT SYSTEM STATEMENT

Monticello Academy, Inc. will participate in the Utah State Retirement System.