



Policy Manual

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Introduction

Pacific Heritage Academy was founded on the realization that, given creative liberties and proper support, an educational institution has a most powerful opportunity and obligation to use the education process to do more than teach subjects that might prepare students to meet the workforce needs of the current economy. Founders believed that an education worth giving would be one which truly addressed the 'whole child' with a focus on strengthening the family and the cultural context in which the child is being raised. Addressing the cultural, spiritual, and social well-being of the child through purposeful curricular and environmental supports in the school and in the home would be an effective innovation in education. Founders felt that creating such a school would require an approach that would acknowledge and pro-actively use two assets too rarely used in education settings to nurture the identity and confidence of each child. These assets were 1) the fact that heritage languages and cultures have resilient and enduring qualities which give spiritual meaning and strength to its people and 2) that the influential power of family and community relationships is also a lifelong motivator. Thus, the mission of PHA was born:

*At Pacific Heritage Academy we use
the power of education,
the endurance of language and culture,
and the virtue of relationships and community
to help young people on voyages of discovery.*

*Through thoughtful inquiry, challenging curricula, rigorous requirements,
and compassionate service
students learn who they are and what they can become.
We create learning experiences
and students find their Roots...
and their Wings.*

01—Board Governance

01-101—Committee Policy

The purpose of Committees is to assist the Board, the Director, and the Parent Teacher Family Organization in accomplishing the Mission and Charter of Pacific Heritage Academy.

The Board establishes the following standing committees to report to the Board:

- Academic Excellence
- Financial Accountability
- Capital Fundraising
- School Land Trust

The Board directs the Executive Director to establish the following standing Committees to report to the Director:

- Curriculum
- Public Relations
- Technology
- Safety

The Executive Director will establish additional committees and the Parent Teacher Family Organization leadership will establish additional PTFO committees as they deem necessary for the performance of their specific responsibilities and authority within Pacific Heritage Academy's Mission and Charter.

The Executive Director and Committees shall not cause or allow any decision, action, condition, or organizational circumstance that is illegal, imprudent, contrary to commonly accepted business practices and professional ethics, or contrary to the school's Charter and Mission.

The Academic Excellence Committee is delegated the responsibility to present to the Board annually an accountability plan for gathering data about the school's academic progress, staff, student, and parent relationships, and the Executive Director's job performance. The Academic Excellence Committee is responsible to compile the data required by the school's accountability plan and charter and present the data plus a summary to the Board. Members of the Academic Excellence Committee will be appointed by the Board.

The Financial Accountability Committee will insure proper accounting controls are implemented and utilized, prescribe and supervise the methods and systems of accounting to be followed, see that complete books and records of account are kept, prescribe and supervise an adequate system of internal audit, and oversee the preparation of statements of account showing the financial position of the Academy and the results of its operations. The Committee will present recommendations to the Board for ensuring tax and other required financial reports are filed properly and in a timely manner as well as recommendations for employing external auditors. The Treasurer will chair the Financial Accountability Committee and the Business Manager will be a

member. Other members of the Financial Accountability Committee will be appointed by the Board of Trustees.

The Capital Fundraising Committee is delegated the responsibility to raise large donations to the school for use in capital improvements and other large one-time expenses. The Capital Fundraising Committee will coordinate with other fundraising committees established by the Executive Director or Parent Teacher Family Organization [PTFO]. The Committee will recommend to the Board a plan for special honors to individuals or groups making large donations to the school. Members of the Capital Fundraising Committee will be appointed by the Board.

The Board designates elected members of the Board and the Executive Director as the members of the School Land Trust Committee. An additional member of the school staff will be elected annually by the staff to serve on the School Land Trust Committee. The School Land Trust Committee is designated to make decisions about the School Land Trust funds and given the responsibility to make a school plan consistent with Utah Code Section 53A-16-101.5.

Members of committees reporting to the Executive Director will be appointed by the Executive Director and may include board members, staff, parents, or other community members. Responsibilities of committees reporting to the Director will be delegated to the committee in writing by the Executive Director. The Executive Director will ensure that the responsibilities of the standing committees reporting to the Director are consistent with roles and duties outlined in the school's Charter, State and Federal Law, and the requirements of State and Federal grants the school has accepted.

01-102—Conflict of Interest Policy

The purpose of the following policy and procedures is to prevent the personal interest of staff members, board members, and volunteers from interfering with the performance of their duties to **Pacific Heritage Academy Charter School (School)**, or result in personal financial, professional, or political gain on the part of such persons at the expense of **School** or its members, supporters, and other stakeholders.

Definitions: Conflict of Interest (also Conflict) means a conflict, or the appearance of a conflict, between the private interests and official responsibilities of a person in a position of trust. Persons in a position of trust include staff members, officers, and board members of **School**. *Board* means the Board of Directors. *Officer* means an officer of the Board of Directors. *Volunteer* means a person -- other than a board member -- who does not receive compensation for services and expertise provided to **School** and retains a significant independent decision-making authority to commit resources of the organization. *Staff Member* means a person who receives all or part of her/his income from the payroll of **School**. *Supporter* means corporations, foundations, individuals, 501 (c) (3) nonprofits, and other nonprofit organizations who contribute to **School**.

POLICY AND PRACTICES

1. Full disclosure, by notice in writing, shall be made by the interested parties to the full Board of Trustees in all conflicts of interest, including but not limited to the following:
 - a. A board member is related to another board member or staff member by blood, marriage or domestic partnership.
 - b. A staff member in a supervisory capacity is related to another staff member whom she/he supervises.
 - c. A board member or their organization stands to benefit from an **School** transaction or staff member of such organization receives payment from **School** for any subcontract, goods, or services other than as part of her/his regular job responsibilities or as reimbursement for reasonable expenses incurred as provided in the bylaws and board policy.
 - d. A board member's organization receives grant funding from **School**.
 - e. A board member or staff member is a member of the governing body of a contributor to **School**.
 - f. A volunteer working on behalf of **School** who meets any of the situations or criteria listed above.
2. Following full disclosure of a possible conflict of interest or any condition listed above, the Board of Directors shall determine whether a conflict of interest exists and, if so the Board shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict and protect **School's** best interests. Both votes shall be by a majority vote without counting the vote of any interested director, even if the disinterested directors are less than a quorum provided that at least one consenting director is disinterested.
3. A Board member or Committee member who is formally considering employment with **School** must take a temporary leave of absence until the position is filled. Such a leave will be taken

within the Board member's elected term which will not be extended because of the leave. A Board member or Committee member who is formally considering employment with **School** must submit a written request for a temporary leave of absence to the Secretary of the Board of Trustees, c/o **School's** office, indicating the time period of the leave. The Secretary of the Board of Trustees will inform the Chair of the Board of such a request. The Chair will bring the request to the Board for action. The request and any action taken shall be reflected in the official minutes of the **School**.

4. An interested Board member, officer, or staff member shall not participate in any discussion or debate of the Board of Trustees, or of any committee or subcommittee thereof in which the subject of discussion is a contract, transaction, or situation in which there may be a perceived or actual conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present board or committee member.
5. Anyone in a position to make decisions about spending **School's** resources (i.e., transactions such as purchases contracts) – who also stands to benefit from that decision – has a duty to disclose that conflict as soon as it arises (or becomes apparent); s/he should not participate in any final decisions.
6. A copy of this policy shall be given to all Board members, staff members, volunteers or other key stakeholders upon commencement of such person's relationship with **School** or at the official adoption of stated policy. Each board member, officer, staff member, and volunteer shall sign and date the policy at the beginning of her/his term of service or employment and each year thereafter. Failure to sign does not nullify the policy.
7. This policy and disclosure form must be filed annually by all specified parties.

Conflict of Interest Disclosure Form



This form must be filed annually by all specified parties, as identified in the **School** Conflict of Interest Policy Statement (ratified by Pacific Heritage Academy's Board of Trustees on {Date of ratification})

___ I have no conflict of interest to report

___ I have the following conflict of interest to report (please specify):

The undersigned, by their affixed signature, note their understanding of the implications of this policy.

Signature

Printed Name

Date

01-103—Complaint Policy

Definitions:

Complaint: A written submission from any individual within Pacific Heritage Academy community (i.e. student, parent, employee) who:

1. Sets forth the allegation that there has been a violation of any school policy, reasonable and accepted practices, or state or federal rule or law;
2. Specifically identifies the policy, practice, rule or statute violated.

Complainant: Any individual or group of individuals aggrieved by a decision or condition falling under policy, reasonable and accepted practices, or state or federal rule or law.

Organizational Structure: The hierarchy of Pacific Heritage Academy for addressing all Complaints. The organizational structure varies depending on the area of alleged violation. Below is the hierarchy used for Complaint procedures in this policy:

Classroom Instruction	Special Education	Other Operations
↓ Classroom Kumu (teacher)	↓ Special Education Kumu (teacher)	↓ Directly involved party
↓ Director of Curriculum and Instruction	↓ Special Education Director	↓ Director of Operations/Business Manager
↓ Executive Director	↓ Executive Director	↓ Executive Director
↪ Board of Trustees	↪ Board of Trustees	↪ Board of Trustees

Procedure

Step I:

Any individual alleging a Complaint is encouraged to resolve the problem, if possible, through a discussion with the person or persons suspected of a violation, beginning at the lowest level of organizational structure.

1. Students and parents should discuss classroom concerns first with classroom teachers.
2. Employees should discuss concerns first with directly involved parties.
3. When individuals hear complaints or receive formal Complaints, they should make sure that Complainants or potential Complainants have first attempted in good faith to resolve problems with persons directly involved.

Step II:

In the event that the informal discussion with directly involved parties does not resolve the issue,

the Complainant shall file a formal written Complaint form with the next responsible individual in the organizational structure. Complaint Forms are available from the Business Manager.

1. The Complaint must be filed within twenty (20) working days of the date the Complainant knew, or should have known, of the circumstances that precipitated the Complaint.
2. The responsible individual shall respond in writing, within five (5) working days following receipt of the Complaint.
3. If the next responsible party is the Executive Director, Step II does not apply, and the Complainant moves to Step III.

Step III:

If the response (decision) at Step II does not resolve the problem, the Complainant shall forward the Complaint to the Executive Director to initiate Step III.

1. The Executive Director shall investigate the complaint with the parties concerned in the Complaint within fifteen (15) working days of the Complaint having been filed at Step II. *NOTE:* The Executive Director may choose to convene a Complaint committee of two to three additional administrators or members of the faculty as part of the investigation of a complaint and in order to recommend a decision on the issue of Complaint.
2. At the conclusion of the investigation, the Executive Director shall render a decision and issue a written report setting forth his/her findings and recommendations for the resolution of the Complaint within five (5) working days.
3. The Complaint shall be considered resolved if the Complainant and the Board of Trustees accept the recommendations of the Executive Director.
4. If no written report has been issued within the time limits set forth in “3” above, or if the Complainant shall reject the recommendations of the Executive Director, the Complainant shall have the right to appeal to the Board of Trustees for review of the Complaint at Step IV.

Step IV:

Complainants may appeal to the Board of Trustees for a hearing of Due Process.

1. A written request for Board of Trustees’ review of the Complaint must be submitted to the Board Secretary within 10 days of the date of the Executive Director’s report or the expiration of the time limits set forth in Step III.
2. The Board of Trustees shall review the Complaint and the Executive Director’s report, and may hold a hearing.
3. The Board of Trustees may affirm the Executive Director’s recommendations, amend the recommendations, or affirm the recommendations in part and amend in part.
4. The Board of Trustees written decision shall be issued within 21 working days of receipt of the Complainant’s written appeal by the board secretary.
5. If no written decision has been issued within the time limit set forth in “4” above or if the Complainant shall reject the decision of the Board of Trustees, the Complainant shall be free to pursue such litigation or statutory remedy as the law may provide.

MISCELLANEOUS PROVISIONS

1. Complainant will be informed that the time limits set forth in this policy may be modified or extended if mutually agreed by the employee, or his/her designated representative and the School Administration. If either party wishes to change the timeline set forth in this policy, the party will request the modification(s) from the other party and both parties will be required to agree to the modification(s). The Complaint officer will issue a letter of

- understanding to the parties outlining the modified timeline.
2. No person shall suffer recrimination or discrimination because of participation in this Complaint procedure.
 3. Employees shall be free to testify regarding any Complaint filed hereunder.
 4. Confidentiality will be observed pending resolution of the Complaint.
 5. A representative of his/her choice may accompany the Complainant in all stages of these proceedings.
 6. The Business Manager will maintain records of all Complaints. The records will be kept in a separate and confidential file. Information regarding Complaints will be classified as private.
 7. Gossip among school employees will not be tolerated. When employees have concerns they should follow the procedure in this policy to resolve such concerns. Gossip undermines the efforts of all employees to operate a successful school and may be grounds for disciplinary action, up to and including termination of employment.

COMPLAINT FORM

NAME: _____

POSITION/TITLE: _____
(If parent or student, put "parent" or "student")

DAYTIME PHONE _____

INSTRUCTIONS: The Complaint procedure has four steps. The first is informal resolution, the second and potentially third are a formal written Complaint to administration and/or the school director, and the fourth a review by the Board of Trustees. This form may be used by an employee, parent, or student to initiate a formal Complaint at Step 2. If you are considering initiating a Complaint, you should review the complete Complaint policy, available from the office manager.

STEP 1. INFORMAL RESOLUTION

Step 1 of the Complaint process is the informal resolution. You and any involved party are encouraged to resolve the issue at this step.

STEP 2. FORMAL COMPLAINT

From the date of the event, you have 15 working days to file a formal, written Complaint. The written Complaint is considered filed when it is submitted to a member of school administration or the Board of Trustees, as outlined in policy. You must provide the following information:

1. The date of the event that is a violation of law or policy leading to the complaint.

2. A specific statement of the law, rule, policy and/or acceptable practice violated. What action or conduct constituted the violation and what happened? _____

Total number of pages attached _____

3. The resolution or remedy you want. _____

Total number of pages attached _____

4. Complainant signature and date filed with administration.

Grievant's Signature

Date

Administrator's Signature

Date received

STEP 3. FORMAL COMPLAINT

If you do not resolve your Complaint at STEP 2, you may advance the Complaint to STEP 3 by notifying the school director or Board of Trustees, as outlined in policy. The notification must be in writing on this form and must be received within 10 working days of receipt of administration's response at STEP 2.

01-104—Records Management Policy

The Board of Trustees is committed to see that school records are managed in an efficient and responsible manner. Therefore, the Board delegates to the Administration the responsibility for maintaining, classifying, preserving, accessing, and destroying school records in compliance with the Government Records Access and Management Act (GRAMA), Utah Code §63-2-701.

A. Records Management

- a. The Business Manager shall be the records officer for all general school records including, Human Resource Records, and any documents related to fiscal matters such as property, budgets, payroll, accounts, contracts, etc.
- b. The Executive Director shall be the records officer for all records related to students.
- c. The Board secretary shall be the records officer for all board documents, including policies, minutes, and recordings of board meetings.

B. Records Classification

- a. All school records shall be classified as public, private, controlled, protected, or exempt as defined in statute.
- b. Public Records shall include:
 - i. Official minutes, actions and decisions of the Board of Trustees and School Administration, unless these records involve information that is classified as private, controlled, or protected.
 - ii. Official School and school policies, contracts, minutes, and accounts.
 - iii. Names, gender, job titles, job descriptions, business addresses, business telephone numbers, gross salaries, working hours, and dates of employment of all current and former employees.
 - iv. Documents showing formal criminal charges against an employee, unless, in the judgment of the Executive Director, the charges are groundless or the charges are not sustained.
 - v. Public records shall be open for public inspection during regular office hours as defined in section H Access to School Records.
- c. Private Records Private records shall include:
 - i. Personnel files including applications, nominations, recommendations, evaluations, and proposals for advancements or appointments.
 - ii. Documents related to eligibility for unemployment benefits, social services, welfare benefits, personal finances, individual medical condition, and military status.
 - iii. Individual student records.
 - iv. Private records shall be open only to the subject of the record and other authorized individuals or agencies. Access to student records shall be provided in accordance with the Family Educational Rights and Protection Act (FERPA).
- d. Controlled Records shall include:

- i. Records containing medical, psychiatric, or physiological data on an individual which, if disclosed, could be detrimental to the individual's mental health or safety.
 - ii. Controlled records shall be open only to authorized persons or agencies, but will not be open to the subject of the record.
- e. Protected Records shall include:
 - i. Any information that, if disclosed, would jeopardize the life or safety of an individual or security of school property or programs.
 - ii. Documents that, if disclosed, would place the school at a disadvantage in contract negotiations, property transactions, or bargaining position, or could enable circumvention of an audit.
 - iii. Records related to potential litigation or personnel hearings.
 - iv. Records generated in meetings which are closed in accordance with the Utah Open and Public Meetings law.
 - v. Test questions.
 - vi. Protected records shall be open only to authorized individuals and agencies or in response to court order.
- f. Exempt Records: Exempt records shall include student records that are protected by the Family Educational Rights and Protection Act (FERPA).

C. Access to School Records

- a. All Requests must be submit in writing by using the Pacific Heritage Academy GRAMA Request form. Requests to view school records should be addressed to the appropriate records officer during regular business hours.
- b. Individuals requesting to view records classified as private, controlled, or protected shall be required to prove their right to access the record through personal identification, written release from the subject of the record, power of attorney, court order, or other appropriate means.
- c. The Executive Director shall determine whether access to the requested record(s) is to be granted or denied.
 - i. If the request is approved, the records shall be provided as soon as possible and not more than ten (10) working days from the date the request was received.
 - ii. If the request is denied, the records officer must specify the reason, and the requester shall be informed of the right to appeal.

D. Appeals Process

- a. Appeals to the Board of Trustees
 - i. The requester shall file a written request for a hearing with the Board Secretary at least ten days before the requested hearing date.
 - ii. Upon receiving the request, the Board Secretary shall schedule a mutually convenient date, time, and location for the hearing and notify all parties and post the meeting as required under open meetings law.
 - iii. The requester has the right to be represented by legal counsel at the hearing.

1. If the requester is to be represented by legal counsel, the administration must be notified at least 10 working days in advance of the hearing.
2. If the requester has legal counsel present at the hearing, the administration may also be represented by legal counsel.
3. Within ten (10) working days of the hearing, the Board Secretary shall notify the requester in writing of the Board's decision.
4. If the Board upholds the action of the School Administration, the requester has the right to take any legal action open to the requester.

E. Copying School Records

- a. Pacific Heritage Academy may charge a fee for duplicating school records that is equal to the actual duplication cost plus any employee time involved.
- b. Pacific Heritage Academy shall refuse to allow duplication of copyrighted materials (except in accordance with educational copyright laws and with respect to educational materials).
- c. Pacific Heritage Academy shall charge 5 cents per page for duplicating records, plus the cost of labor involved at the rate of \$12 per hour.

F. Retention of School Records

- a. Pacific Heritage Academy shall adhere to the general schedule for records retention approved by the State Records Committee.
- b. Records that are not covered by the general schedule shall be submitted to the State Records Committee for scheduling.
- c. Only those confidential records required for retention at the school as per state guidelines shall be retained. The school will not retain other confidential records.

01-105—Sponsorship and Material Display or Distribution Policy

The Board recognizes the educational value of proper and wholesome resources in the nature of individual personalities, business and institutional publications and the many materials of local, state, and national agencies.

The property, parking lots, sidewalks, and facilities of Pacific Heritage Academy and the publications of Pacific Heritage Academy are a closed forum, to be managed in the best interests of the students and patrons as determined by school Administration.

The Board of Trustees adopts the following policy relating to sponsorship of school facilities or activities by outside entities and for the distribution of advertising or other materials from outside parties on campus.

SPONSORSHIP OF FACILITIES OR ACTIVITIES

The board or administration may seek sponsorship for specific school activities or for any part of the school's facilities. All sponsors must:

1. Be approved by the School Administration
2. Not participate in any activity or produce any product that would be prohibited on school grounds by policy, rule, or statute
3. Pay a sponsorship fee (or make an in-kind donation) as negotiated with school administration

Pacific Heritage Academy and any sponsor shall enter a written agreement specifying the fee or donation, the activity or facility (or portion thereof) sponsored, and the length or term of the sponsorship. The Board may revoke the sponsorship agreement at any time by majority vote and refunding the prorated fee or donation based on the proportion of actual sponsorship compared to the agreed term.

SCHOOL PUBLICATIONS AND PRINTED MATERIALS

The Board places the responsibility for school publications and distribution of any materials with school administration. Therefore, printed material of any nature shall not be distributed on the school premises without the consent of the Executive Director. Flyers, handbills, or other printed materials which are not either approved by the Executive Director are prohibited and may not be posted or distributed on school property or placed in mail boxes that are provided for school staff. All publications shall be free of any adverse, lewd, wanton, or lascivious writings or pictures. There shall be no publications of a nature that would ridicule, defame, belittle, or otherwise injure the character of any individual or group.

Pacific Heritage Academy will not accept or publish public political advertising on ballot initiatives, constitutional amendments, and candidates for election. The Board may publicize its position on initiatives and other matters sponsored by the Board or having a direct bearing on the education of students in Pacific Heritage Academy.

Printed material advertising a private service not related to Pacific Heritage Academy or education in general may be distributed at the discretion of the Executive Director. The Executive Director may require the sponsors of such material to pay a fee to the school for the privilege of distribution within the school. Fees shall be uniformly applied, but may be waived for community events and activities sponsored by a local city or other community organization, or for services or activities that are closely related to Pacific Heritage Academy's mission. Fliers may not advertise any activity or product that would be prohibited on school grounds by policy, rule, or statute.

01-106—Board Member Code of Conduct

The Board commits itself and its members to ethical, professional, and lawful conduct, including proper use of authority and appropriate decorum when acting as board members.

1. Members must demonstrate loyalty to the charter and board policy, unconflicted by loyalties to staff, other organizations, or any personal interest as a parent, or as a friend or associate of other parents at the school.
2. Members must avoid conflict of interest with respect to their fiduciary responsibility.
 - a. There will be no self-dealing or business by a member with the school outside the scope of the conflict of interest policy. Members will annually disclose their involvements with other organizations or with vendors and any associations that might be reasonably seen as representing a conflict of interest.
 - b. When the board is to decide upon an issue about which a member has an unavoidable conflict of interest, that member shall withdraw without comment not only from the vote but also from the deliberation.
 - c. Board members will not use their board position to obtain employment at the school for themselves, family members, or close associates. A board member who applies for employment must first resign from the board.
3. Board members may not attempt to exercise individual authority over the organization.
 - a. Members' interaction with the director or other staff must recognize the lack of authority vested in individuals except when explicitly authorized by the board, and members must interact appropriately with staff when acting as the parent of a student.
 - b. Members' interaction with the public, the press, the authorizer, or other entities must recognize the same limitation and the inability of any board member to speak for the board except to repeat explicitly-stated board decisions.
 - c. Except for participation in board deliberation about whether the director has achieved any reasonable interpretation of board policy, or when expressing an appropriate opinion as the parent of a student, members will not express individual judgments of performance of employees or the director.
4. Members will respect the confidentiality appropriate to issues of a sensitive nature.
5. Members will be properly prepared and present for board deliberation.
6. Members will support the legitimacy and authority of the final determination of the board on any matter without regard to the member's personal position on the issue.
7. Members will make a personally meaningful cash donation to the school and contribute no fewer than 40 hours as operational volunteers directed by staff each year, outside their responsibility as board members.
8. Members will undergo a criminal background check prior to election to the board.

01-107—Governance Process Policy

The purpose of the board, in compliance with its approved charter, is to ensure that Pacific Heritage Academy achieves appropriate results for its students at an appropriate cost and avoid unacceptable actions and situations.

The board will govern lawfully, observing the principles of Policy Governance and the school's charter, with an emphasis on strategic leadership more than administrative details, clear distinction of board and administrative roles, encouragement of open discussion in viewpoints, united rather than individual decisions, and proactivity rather than reactivity.

The board shall produce within the above limitations:

1. Authoritative linkage between the charter and the operational organization of the school.
2. Written governing policies that realistically address the broadest levels of all organizational decisions and situations.
 - a. Outcomes: the organizational impacts, benefits, outcomes; recipients, beneficiaries, impacted groups; and their relative worth in cost or priority.
 - b. Methods: constraints on executive authority that establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
 - c. Governance Process: specification of how the board conceives, carries out, and monitors its own task.
 - d. Delegation: how power is delegated and its proper use monitored; the director's role, authority, and accountability.
 - e. Assurance of successful school performance on outcomes and methods.

01-108—Board to Administration Delegation Policy

- 1) The Board's sole official connection to the school, its achievements, and conduct will be through the school's School Director.
 - a) The Executive Director is the board's only link to school achievement and conduct, so that all performance of staff, as far as the board is concerned, is considered the performance of the Executive Director.
 - b) The board will never give instructions to persons who report directly or indirectly to the Executive Director.
 - c) The board will not evaluate, either formally or informally, any staff other than the Executive Director.
 - d) The board will view Executive Director performance as identical to school performance so that accomplishment of board stated outcomes and consistency with Executive Limitations will be viewed as successful Executive Director performance.
- 2) The board will instruct the Executive Director through written policies that define outcomes to be achieved and define situations and actions to be avoided, allowing the Executive Director to use any reasonable interpretation of these policies.
 - a) Only officially passed motions of the board are binding on the Executive Director.
 - b) Decisions or instructions of individual board members, officers, or committees are not binding on Executive Director except in rare instances when the board has specifically authorized such exercise of authority.
 - c) In the case of board members or committees requesting information or assistance without board authorization, the Executive Director can refuse such requests that require, in the school Executive Director's opinion, a material amount of staff time or funds, or are disruptive.
 - d) Consistent with the school's charter and existing policy, the Executive Director is authorized to establish all further policies and practices, make all decisions, take all actions, and pursue all activities. Such decisions of the Executive Director shall have full force and authority as if decided by the board.
- 3) The board will monitor and evaluate the Executive Director's job performance only against defined outcomes and limitations.
 - a) The board will acquire monitoring information by one or more of three methods
 1. By internal report, in which the Executive Director discloses interpretations and compliance information to the board
 2. By external report, in which an external, disinterested third party selected by the board assesses compliance with board policies
 3. By direct board inspection, in which a designated member or members of the board assess compliance with the appropriate policy criteria.
 4. The standard of compliance shall be any reasonable Executive Director interpretation of Policy. The Board will judge reasonableness by a reasonable person standard, rather than with an interpretation favored by Board Members or the board as a whole.
 5. All policies that instruct the Executive Director will be monitored at a frequency and by a method chosen by the board. The board can monitor any policy at any time by any method, but will ordinarily depend on a routine schedule:

Policy	Method	Frequency	Timing
Financial Condition	External	Annually	October
Emergency Director Succession	Internal	Annually	August
Asset Protection	Internal	Annually	July
Compensation and Benefits	Internal	Annually	June
Communication and Support to the Board	Direct Inspection	Monthly	
Outcome Focus of Grants or Contracts	Internal	As needed	
Outcome of student achievement	External	As outlined in charter agreement	As outlined in charter agreement

01-109—Costs of Governance Policy

Because poor governance costs more than learning to govern well, the board will invest in its own governance capacity.

1. Board skills, methods, and supports will be sufficient to ensure governing with excellence.
 - a. Training and retraining will be used liberally to orient new members and candidates for membership, as well as to maintain and increase existing members' skills and understanding.
 - b. Outside monitoring assistance will be arranged so that the board can exercise confident control over organizational performance.
 - c. Outreach mechanisms will be used as needed to ensure the board's ability to listen to Pacific Heritage Academy's community viewpoints and values.
2. Costs will be prudently incurred, though not at the expense of endangering the development and maintenance of superior capability.

The board will establish its Cost of Governance budget for the next fiscal year during the month of April for inclusion in the school's budget for the following fiscal year.

01-110—Executive Limitations

Global Executive Limitations Policy

The Executive Director shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, in violation of commonly accepted business, professional and educational ethics and practices, or not in accordance with the charter of Pacific Heritage Academy Treatment of Students

With respect to interactions with students or those applying to be students, the Executive Director shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The Executive Director shall not:

1. Elicit information for which there is no clear necessity.
2. Use method of collecting, reviewing, transmitting, or storing client information that fail to protect against improper access to the material and are not in compliance with State record keeping archiving policies.
3. Fail to operate facilities with appropriate accessibility and privacy including but not limited to:
 - a. Not enforcing building access procedures.
 - b. Not keeping all exterior doors locked.
 - c. Not establishing emergency lock down and evacuation procedures.
 - d. Not maintaining safe drop-off and pick-up procedures.
4. Fail to establish with students a clear understanding of academy expectations, including but not limited to:
 - a. Dress Code Standards
 - b. Academic Standards
 - c. Behavioral Standards
5. Fail to inform students of this policy or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their rights under this policy.

Treatment of Parents

With respect to interactions with students or those applying to be students, the Executive Director shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

The Executive Director shall not:

1. Elicit information for which there is no clear necessity.
2. Divulge information or opinion for which there is no clear necessity, including:
 - a. Information or opinions about a student(s) to persons other than the student's parents.
 - b. Causing or allowing staff members to disclose information or opinion about a student to persons other than the student's parents.
3. Fail to establish with parents a clear understanding of academy expectations, including:
 - a. Dress code procedures
 - b. Safe drop off and pick up procedures
 - c. Volunteer hours
 - d. 20 minute daily reading requirement outside of class

4. Fail to inform parents of this policy or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their rights under this policy.

Hiring of Staff

With respect to the hiring of staff, the Executive Director may not cause or allow conditions that are unfair, non-compliant with the Pacific Heritage Academy charter, or not in the best interest of the students.

The Executive Director shall not:

1. Discriminate on the basis of religion, race, gender, or any other legally protected class
2. Make hiring or deployment decisions that create a conflict of interest or violate any school policy or section of the charter
3. Fail to develop and follow hiring practices and procedures that ensure transparency, legal compliance, and reasonable practices
4. Fail to document the reasons for hiring decisions and compliance with policy and administrative practice

Treatment of Staff

With respect to the treatment of paid and volunteer staff, the Executive Director may not cause or allow conditions that are unfair, undignified, disorganized, or unclear.

The Executive Director shall not:

1. Operate without written personnel rules that (a) clarify rules for staff, (b) provide for effective handling of grievances, and (c) protect against wrongful conditions such as nepotism and grossly preferential treatment for personal reasons.
1. Retaliate against any staff member for non-disruptive expression of dissent.
2. Fail to acquaint staff with the Executive Director's interpretation of their protections under this policy.
3. Fail to acquaint and provide staff with copies of the Pacific Heritage Academy charter and any other documentation relevant to their employment.
4. Fail to provide staff with performance assessments and improvement suggestions.
5. Allow staff to be unprepared to deal with emergency situations.

Financial Planning/Budgeting

The Executive Director shall not cause or allow financial planning and budgeting for any fiscal year or the remaining part of any fiscal year to deviate materially from the board's Outcomes priorities, risk financial jeopardy, or fail to be derived from a multiyear budget plan.

There will be no financial plans that:

1. Are not approved by the board in a public board meeting
2. Risk incurring those situations or conditions described as unacceptable in the board policy "Financial Condition and Activities."
3. Omit credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosures of planning assumptions.

4. Provide less for board prerogatives during the year than is set forth in the “Cost of Governance” policy.
5. Provide less for instructional operations during the year than is adequate to meet stated Outcomes or to fulfill the school’s charter.

Financial Condition and Activities

With respect to the actual, ongoing financial conditions and activities, the Executive Director shall not cause or allow the development of financial jeopardy or material deviation of actual expenditures from board priorities established in Outcomes policies.

The Executive Director shall not:

1. Expend more funds than have been received in the fiscal year to date unless the board’s debt guidelines is met.
2. Incur debt in an amount greater than can be repaid by certain and otherwise unencumbered revenues within sixty days.
3. Use any long-term reserves.
4. Conduct interfund shifting in amounts greater than can be restored to a condition of discrete fund balances by certain and otherwise unencumbered revenues within thirty days without prior board approval.
5. Conduct budget cuts without prior board approval.
6. Fail to settle payroll and debts in a timely manner.
7. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.
8. Make a single purchase or commitment of greater than \$10,000.00. Splitting orders to avoid this limit is not acceptable.
9. Acquire, encumber, or dispose of real estate.
10. Fail to aggressively pursue receivables after a reasonable grace period.

Emergency Executive Director/Director Succession

To protect the board from sudden loss of Executive Director services, the Executive Director shall not permit there to be fewer than two other Directors (Administration) sufficiently familiar with board and Executive Director issues and processes to enable either to take over with reasonable proficiency as an interim successor.

Asset Protection

The Executive Director shall not cause or allow academy assets to be unprotected, inadequately maintained, or unnecessarily risked.

The Executive Director shall not:

1. Fail to insure adequately against theft and casualty and against liability losses to board members, staff, and the organizations itself.
2. Allow unbonded personnel access to material amounts of funds.
3. Subject facilities and equipment to improper wear and tear or insufficient maintenance.

4. Fail to ensure that the facility is clean and presentable to investors, regulators, or the general public.
5. Unnecessarily expose the organization, its board, or its staff to claims of liability.
6. Make any purchase (a) wherein normally prudent protection has not been given against conflict of interest; (b) of more than \$10,000.00 without having obtained comparative prices and quality; (c) of more than \$10,000.00 without a stringent method of assuring the balance of long-term quality and cost. Orders shall not be split to avoid these criteria.
7. Fail to protect intellectual property, information, and files from loss or significance damage.
8. Receive, process, or disburse funds under controls insufficient to meet the board-appointed auditor's standards.
9. Compromise the independence of the board's audit or other external monitoring or advice, such as by engaging parties already chosen by the board as consultants or advisers.
10. Invest or hold operating capital in insecure instruments, including uninsured checking accounts and bonds of less than AA rating at any time, or in non-interest-bearing accounts except when necessary to facilitate ease in operational transactions.
11. Endanger the organization's public image, its credibility, or its ability to accomplish Outcomes.
12. Change the organization's name or substantially alter its identity in the community.

Compensation and Benefits

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the Executive Director shall not cause or allow jeopardy to financial integrity or to public image.

The Executive Director shall not:

1. Change the Executive Director's own compensation and benefits, except as benefits are consistent with a package for all other employees.
2. Promise or imply permanent or guaranteed employment.
3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
4. Create obligations over a longer term than revenues can be safely projected, in no event longer than one year and in all events subject to losses in revenue.
5. Establish or change benefits so as to cause unpredictable or inequitable situations, including those that
 - a. Incur unfounded liabilities.
 - b. Provide less than some basic level of benefits to all full-time employees, though differential benefits to encourage longevity are not prohibited.
 - c. Allow any employee to lose benefits already accrued from any previous plan.
 - d. Treat the Executive Director differently from other key employees.

Communication and Support to the Board

The Executive Director shall not cause or allow the Board to be uninformed or unsupported in its work.

The Executive Director shall not:

1. Neglect to submit monitoring data required by the board in Board-Management Delegation policy "Monitoring Executive Director Performance" in a timely, accurate, and understandable

fashion, directly addressing provisions of board policies being monitored, and including Executive Director interpretations consistent with Board-Management Delegation policy “Delegation to the Executive Director,” as well as relevant data.

2. Allow the board to be unaware of any actual or anticipated noncompliance with any Outcomes or Executive Limitations policy of the board regardless of the board’s monitoring schedule.
3. Allow the board to be without decision information required periodically by the board or let the board be unaware of relevant to Outcomes.
4. Let the board be unaware of any significant incidental information it requires including anticipated media coverage, threatened or pending lawsuits, and material internal and external changes.
5. Allow the board to be unaware that, in the Executive Director’s opinion, the board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of board behavior that is detrimental to the work relationship between the board and the Executive Director.
6. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.
7. Allow the board to be without a workable mechanism for official board, officer, or committee communications.
8. Deal with the board in a way that favors or privileges certain board members over the others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the board.
9. Fail to submit to the board a consent agenda containing items delegated to the Executive Director yet required by law, regulation, or contract to be board-approved, along with applicable monitoring information.

Outcomes Focus of Grants or Contracts

The Executive Director may not enter into any grant or contract arrangements that fail to emphasize primarily the production of Outcomes and, secondarily, the avoidance of unacceptable means.

The Executive Director shall not:

1. Fail to prohibit particular methods and activities to preclude grant funds from being used in imprudent, unlawful, or unethical ways.
2. Fail to assess and consider an applicant’s capability to produce appropriately targeted, efficient results
3. Fund specific methods except when doing so for research purposes, when the result to be achieved is knowledge about differential effectiveness of various methods.

01-111—Data Management

Ownership and Oversight:

Pacific Heritage Academy owns and protects its data by using school-issued computers that are backed up daily (see below). Student information is stored in the state Student Information System (SIS) and a secure lottery system operated. The lottery system is held off site and backed up daily.

All student information shall be entered into SIS for use in state and federal reports, including:

- Attendance
- Retention
- Assessment
- Special Education program
- English language learning

Data Security and Compliance

1. Staff Correspondence: staff shall use a secure connection for all correspondence. Any email destined for former staff members is automatically forwarded to a designated current staff member. In the event of a sudden employee change, Pacific Heritage Academy reserves the right and has the ability to suspend email access and retrieve all email correspondence.

2. Computer Use: Pacific Heritage Academy uses a firewall to protect students from inappropriate content. All students and staff are required to sign a “Computer Use Agreement” which regulates their use of the school-owned computers.

3. Computer Security: All school computers shall be equipped with anti-virus software. The school director shall ensure that the school’s network against security threats, both internal and external.

Data Archiving and Retention

Each staff member and student shall have a unique username and password, providing access to their data. Staff members tasked with student data use password protected web sites operated by the State of Utah to store and access data about contact information, assessment, special education, USIIS, and immunizations. Data stored in State systems is backed up by the State of Utah and archived according to their regulations.

All paper files are kept in locked file cabinets at the school. In the event that a student transfers, registration documents shall be shredded and the school file shall be mailed to the new school.

Academic Data

Pacific Heritage Academy will collect academic data from a variety of sources. These sources will include the state standardized tests; the Direct Writing Assessment for 5th and 8th grade students, DIBELS reading data for grades K through 5, and CRT data for students in 2nd through 8th grade which will provide information regarding proficiency levels in the areas of Math, Science, and Language.

Data will be gathered electronically by the state for these tests. When the school receives the results, a team will disaggregate the results in a variety of ways to determine any gaps in achievement. The resulting information will then guide focused intervention on a class wide, individual, or student population level as necessary.

02—Facilities, Safety, and Risk Management

02-101—Facilities Usage Policy

1.0 Purpose

To serve the community and provide opportunities for citizens to participate in educational and recreational activities by making available appropriate use of school facilities in accordance with law and available resources in the school.

2.0 Definition

“Facilities” means the school building, grounds, accessory buildings (i.e. storage sheds), equipment, and property belonging to Pacific Heritage Academy.

3.0 Use of School Facilities

3.1 Primary Use of School Facilities

The primary use shall be for the educational program of the school. All other uses shall be secondary and shall not interfere with the school program or purpose.

3.2 Secondary Use of School Property and Facilities

3.2.1 School Sponsored Programs, Activities, Meetings, and PTFO Use

School property and facilities may be used by the Parent Teacher Family Organization (PTFO), teachers, students, administration, and other authorized persons for school-sponsored programs and activities, including but not limited to, membership meetings, committee meetings, after-school programs, clubs, fairs, sports, and all other school-related activities.

Allowing students, faculty, parents, a school club, team or program to access an activity, or provide concessions at an activity, does not necessarily qualify the activity as a school-sponsored program.

3.2.2 Community Use

Community Use applies to citizens, youth groups, public agencies, senior citizens organizations, clubs, and associations formed for recreational, educational, political, economic, artistic, or moral activities.

3.2.3 Charitable or Non-Profit Use

Charitable and Non-Profit Use applies to organizations such as service clubs, scouting organizations, civic groups, public service organizations, church and religious organizations, and other groups that have tax-exempt status under 501c3.

3.2.4 Commercial Use

Commercial use applies to organizations or individuals whose motive is to make a profit and may include, but not be limited to, events for which admission is charged or items and/or services are sold, and teachers or persons (including those employed by the school) who are providing private instruction in any subject for a fee.

Facilities may be used for commercial purposes in accordance with regulations as long as such use is of a general interest to the public and not primarily directed toward selling products, services or entertainment to the students or employees of the facility.

3.2.5 Other Uses and Limitations

School facilities may be made available to public agencies for polling places and mass care shelters during disasters or emergencies affecting public health and welfare.

School property and equipment shall not be loaned or taken from the school for non-school affairs.

School facilities will be available for secondary use only at times other than normal school hours, except for approved school-supported events and when used as polling places. School facilities will not be available for use on Sundays or holidays.

4.0 Application and approval for rental of school facilities

The application for, approval of, and use of facilities shall be in accordance with the terms, conditions, and limitations as set forth in the policy and regulations established by the Pacific Heritage Academy Board of Trustees and administered by the Business Manager as approved by the Executive Director.

4.1 Procedures

4.1.1 An application for use of school facilities shall be submitted for all uses other than school-related purposes, and at least 10 days in advance of the requested date. Exceptions may be granted at administrative discretion.

4.1.2 The application must be signed by an adult of 21 years of age or older. The signatory is responsible for all aspects of use as outlined in the policy and regulations.

4.1.3 The Business Manager shall review an application and determine classification of use, personnel requirements, fees and any additional costs for the activity, and ensure compliance with policy.

4.1.4 The Executive Director may refuse the use of school facilities when the application is incomplete or non-compliant, or the use conflicts with another scheduled event, or the use is otherwise inadvisable.

4.1.5 Upon approval, a permit will be granted to the lessee. The school reserves the right to revoke a permit at any time.

- 4.1.6 The Business Manager shall collect any applicable rental fees in advance.
- 4.1.7 The Executive Director shall inform the Board of Trustees of all uses of the school facilities in advance.

4.2 Restrictions

- 4.2.1 The use of school facilities shall not interfere or conflict with the educational program.
- 4.2.2 No use shall be granted in such a manner as to constitute a monopoly for the benefit of an organization or individual.
- 4.2.3 No privilege of using the building or grounds shall be granted for a period of time exceeding one year. The privilege is renewable and revocable at any time.
- 4.2.4 The lease to any one religious organization may not exceed five separate or consecutive calendar days, or portions thereof, in any fiscal year unless special approval has been granted by the Board of Trustees.
- 4.2.5 Rental of laboratory facilities such as computer labs, media centers, music labs, science labs and art labs may be restricted.
- 4.2.6 Rental of the multi-purpose/lunch room shall be allowed when adequate protection of the gym floor and participants is assured by the lessee.
- 4.2.7 Any requested use that does not qualify under the provisions of this policy must be approved by the Board of Trustees.
- 4.2.8 Use by an organization or individual with prior violations of the policy may be restricted. Whenever rules and regulations have been violated, the school may permit limited use or refuse to consider future facilities use permits for the organization or individual.

5.0 Rental Fees and Costs

The Rental Fee Schedules shall be established by the Executive Director and approved by the Board of Trustees. This schedule is subject to periodic review and modification.

5.1 Determination of Fees

- 5.1.1 Users shall be charged according to the Rental Fee Schedule applicable to the user's classification of use.
- 5.1.2 The Business Manager shall initially determine fees and costs upon examination of the classification of the use, equipment and provisions needed, personnel needed, and usage time.

5.1.3 All rental time shall be computed from the time of requested opening to closing of the doors. Persons lingering in the building shall be the responsibility of the lessee and closing time shall be the time when all persons associated with the rental have left the building.

5.1.4 Fees are subject to adjustment based on the actual rental time, personnel and services used, and/or excessive mess or damage.

5.2 Classification for Use of School Facilities

5.2.1 No Cost

Groups, events and activities that are organized under the direction of Pacific Heritage Academy are not considered lessees and are not subject to rental fees or costs. Participants may be held civilly or criminally liable for damage to the building as applicable.

Government agencies, community groups or citizens, associations and non-profit organizations may also qualify for this classification if they are serving the public interest and/or convening for educational, general character building, and/or charitable purposes, and no other additional school funds or resources are needed to subsidize these meetings. All meetings qualifying under these provisions must also be non-exclusive, open to the public, free of charge. Meetings or activities that require facilities or services above the normal provisions or scheduled duty are subject to Actual Cost.

5.2.3 Actual Cost

Actual Cost means the charge for facility use will not exceed the actual cost incurred for the use and operation of the facility. Actual Cost shall apply to organizations or individuals that require facilities or services above normal provisions, charge admission fees, solicit contributions, or charge for services or products, the net proceeds of which are expended for the benefit of the community in general, or the benefit of the school, or for other charitable purposes.

Any sponsorship or hosting of commercial entities is subject to Commercial Rates.

5.2.4 Commercial Rates

Commercial rates shall apply to those organizations or individuals that charge admission fees, or charge for services and/or products, for the purpose of making private or corporate profit and which proceeds are spent for other than charitable or welfare purposes. The minimum commercial rate shall be equal to the fair market value charged for rental of comparable school facilities and as outlined in the Rental Fee Schedules.

5.3 Security Deposit

At the discretion of the Executive Director, the lessee may be charged a refundable security deposit of up to \$500.00.

- 5.3.1 The Executive Director shall determine the amount of the security deposit based on the size of the group, the location of the activity, and the type of activity involved.
- 5.3.2 Security deposits shall be paid by the lessee in a separate check and deposited by the Business Manager, not held until the end of the rental period.
- 5.3.3 Following the rental period, the Executive Director or supervisory personnel shall inspect the facilities for damage or excess mess requiring extra cleanup time. Any such extra charges will be deducted from the security deposit and the remaining amount shall be refunded to the lessee in the form of a check. Should there be no extra charges assessed, the full amount shall be refunded. The Executive Director will determine whether the full deposit should be refunded.

5.4 Additional Costs

The following items are not included in the basic rental fee schedule as normal provisions and may be subject to additional fees and/or security deposit:

5.4.1 Equipment and Services

P.E. and sports equipment

Audio and visual equipment

Pianos and musical instruments

Kitchen appliances

Set up of equipment and chairs/tables

5.4.2 Personnel

Additional on-duty personnel may be required, depending upon the nature and size of the activity or event. The Business Manager is responsible for determining the number and type of personnel required for a particular activity in compliance with this policy. Guidelines for determining necessary personnel are as follows:

5.4.2.1 At least one custodian is required if one is not on duty. If custodial services are required beyond those as scheduled to be performed by the custodial staff at the facility, or an on-duty custodian is pulled away excessively from his/her regularly assigned duties, additional costs may be charged to the lessee.

5.4.2.2 General supervision/security, beyond the custodian on duty, is required if the Business Manager determines the activity requires such. General

supervision of the facility may be assigned to an additional custodian, teacher, administrator, or other qualified staff member.

5.4.2.3 Qualified personnel may be required for use of certain property/equipment and rooms, such as stage, sound equipment, musical instruments, and other specialty items or areas.

5.4.3 Loss, Damage or Excessive Mess

Charges may be assessed for the actual replacement, repair, or clean up cost for any loss, damage, or condition resulting from any activity above normal wear and tear.

5.4.4 Collection of Fees

5.4.4.1 Building fees and related costs must be paid before the date of rental.

5.4.4.2 Additional costs assessed will be collected at the conclusion of the rental period, or deducted from the security deposit (if applicable).

6.0 Regulations for Use

6.1 Supervision

Facilities may not be left without supervision while occupied.

6.1.1 A representative of the school, usually a custodian, will be present on school property as supervisor for the entire time an authorized activity is taking place. The assigned supervisor will have responsibility for oversight of the facilities during the rental period to ensure all rules, regulations, and laws are adhered to by the facilities users. At the conclusion of the activity, the building supervisor will secure the building and report any violations.

6.1.2 In addition to the building supervision provided by the school, the lessee must provide two or more adult supervisors to remain on the premises during the entire rental period to maintain order and prevent damage or loss of school property. At his/her discretion, the Business Manager and Executive Director may require the lessee to provide additional activity supervisors. The School is not responsible for crowd control or any criminal activity that takes place during the rental period.

6.1.3 All juvenile organizations and groups seeking use of the school premises shall have adequate adult sponsorship and supervision of each use.

6.1.4 Food and drink may only be consumed or used in areas approved by the School Administration.

6.2 Liability Coverage

- 6.2.1 All events and activities held at the school must have appropriate liability and damage coverage.
- 6.2.2 Pacific Heritage Academy assumes no liability for personal injury or property damage on behalf of the lessee. The lessee is required to provide a Certificate of Insurance for liability and property damage in an amount not less than \$1,000,000.00 per occurrence. The certificate must provide appropriate coverage for the activity, and name Pacific Heritage Academy as an additional insured.

6.3 Regulations for Equipment Use

- 6.3.1 Equipment, keys and property shall not be loaned or removed from the building.
- 6.3.2 A lessee requesting the use of equipment certifies that it will be operated by a qualified person. The lessee assumes responsibility for such equipment and agrees to repair or replace any equipment which might be damaged, lost or stolen while under its jurisdiction.
- 6.3.3 The use of other than school equipment may be restricted.

6.4 Other Regulations for Use

- 6.4.1 All permits are for specific facilities and hours. It shall be the responsibility of the applicant to see that unauthorized portions of the facilities are not used and that the premises are vacated as scheduled.
- 6.4.2 All functions shall close by 10:30 p.m. unless special permission is secured in advance from the Executive Director.
- 6.4.3 No storage is available, and belongings owned by individuals or organizations must be removed after each use.
- 6.4.4 The lessee is subject to adherence to the standards of behavior of the school and Utah State Law. The possession or use of alcohol, tobacco or narcotics shall not be permitted within the school facility or grounds. Profane language, quarrelling, fighting and gambling are also prohibited activities. Violation of these rules is sufficient cause for denying further use of school facilities to the organization or individual, and may result in the forfeiting of all deposits (if applicable).
- 6.4.5 Drapes, hangings, curtains, drops and all decorative materials used within or upon the school buildings shall be made of non-flammable material, or shall be treated and maintained by means of a solution or process approved by the State Fire Marshall. No open fires or flames (candles) shall be permitted without proper authorization.
- 6.4.6 Shoes with cleats or plates are not permitted in the school building.

- 6.4.7 The facilities must be left clean and in the same condition as the user found them. The school reserves the right to assess clean-up charges.
- 6.4.8 Persons or organizations using school facilities may not remove or displace furniture or fixtures, including lights, thermostats, etc. except under the direct supervision of the school's building supervisor.

7.0 Application Packet/Instructions/Permit etc.

USE OF PREMISES AGREEMENT

SECTION ONE--DESCRIPTION OF PREMISES

Pacific Heritage Academy ("School") grants _____ ("User") permission to use the premises located at _____.

SECTION TWO--TERM

The term of this use agreement is during the hours and days of _____, from _____ to _____ on _____.

SECTION THREE--USE OF PREMISES

The demised premises are to be used for the purpose(s) of _____

_____.

User shall restrict its use to such purposes, and shall not use or permit the use of the demised premises for any other purpose without the prior, express, and written consent of school, or school's authorized agent. User shall have access only to the following rooms/areas of the premises: _____.

SECTION FOUR--RESTRICTIONS ON USE

A. User shall not use the demised premises in any manner that will increase risks covered by insurance on the demised premises and result in an increase in the rate of insurance or a cancellation of any insurance policy, even if such use may be in furtherance of user's business purposes.

B. User shall not keep, use, or sell anything prohibited by any policy of fire insurance covering the demised premises, and shall comply with all requirements of the insurers applicable to the demised premises necessary to keep in force the fire and liability insurance.

C. User shall not enter classrooms, offices, or other rooms in the school and shall keep all occupants within the multi-purpose room and the nearest restrooms and hallways.

SECTION FIVE--WASTE, NUISANCE, OR UNLAWFUL ACTIVITY

User shall not allow any waste or nuisance on the demised premises, or use or allow the demised premises to be used for any unlawful purpose.

SECTION SIX--REPAIRS AND MAINTENANCE

User shall be responsible at its expense for the repair of any damage to the demised premises during its use. Work will be completed in a reasonable time and to the satisfaction of the school.

SECTION SEVEN--SECURITY OF PREMISES

A. User is responsible to secure the demised premises after its use, including locking all doors and access points, and enabling the security system.

B. User will be liable for any damage or theft resulting from failure to properly secure premises.

SECTION EIGHT--NONLIABILITY OF SCHOOL FOR DAMAGES

Pacific Heritage Academy shall not be liable for liability or damage claims for injury to persons or property from any cause relating to the occupancy of the demised premises by user, including those arising out of damages or losses occurring on sidewalks and other areas adjacent to the demised premises during the term of this use agreement or any extension of such term. User shall indemnify school from any and all liability, loss, or other damage claims or obligations resulting from any injuries or losses of this nature. User shall carry liability insurance with limits not less than \$1,000,000 per incident and shall name Pacific Heritage Academy as an additional insured and shall provide evidence to School’s business manager of such liability insurance prior to the use of premises.

SECTION NINE--ENTIRE AGREEMENT

This use agreement shall constitute the entire agreement between the parties. Any prior understanding or representation of any kind preceding the date of this use agreement shall not be binding upon either party except to the extent incorporated in this use agreement.

The titles to the paragraphs of this use agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid in the interpretation of the provisions of this use agreement.

In witness, each party to this use agreement has caused it to be executed at _____ on the date indicated below.

[Signatures and date(s) of signing]

Facilities Rental Fee Schedules

Facilities rental fees will be based on current rates from comparable sites (local area schools, recreation halls, etc.)

02-102—Building Access Policy

SECTION ONE--PURPOSE

Pacific Heritage Academy provides to teachers, volunteers, and staff (“Users”) access to school property and assets. Pacific Heritage Academy provides keys and other means of access to the school building and classrooms so Users and volunteers can complete tasks related to their positions, and protect Pacific Heritage Academy’s assets checked out to them. To ensure that all Users are responsible, the following guidelines have been established for accessing school property.

SECTION TWO--PROHIBITED ACCESS

Users may not access the building during prohibited times, loan keys or access tools to any other person, nor use access to the building for illegal or prohibited activities. Access to the school should be for school-related purposes only. Personal use of the facilities or assets without prior written consent of the school director is prohibited.

SECTION THREE--LIABILITY

Users must protect Pacific Heritage Academy’s property while they use it. Users are responsible for the actions of any person without regular access to the school to whom the User allows access. If accessing the building outside regular school hours, Users are responsible to ensure building security. Users are responsible for all doors and other access points if they are the last to leave. Users may be held liable for damage, theft, or vandalism that occurs because they did not properly secure the building according to this policy.

SECTION FOUR--VIOLATIONS

Any employee who abuses the privilege of his or her access to assets or property will be subject to corrective action, including possible termination of employment, legal action, and criminal liability.

SECTION FIVE--USER AGREEMENT ON BUILDING ACCESS

I have read, understand, and agree to comply with the foregoing policies, rules, and conditions governing the use of keys and other means of building and room access. I am aware that violations of this policy may subject me to disciplinary action, including termination from employment, if applicable, legal action and criminal liability. I further understand that my use of school property may reflect on the image of Pacific Heritage Academy to our customers, competitors and suppliers and that I have responsibility to maintain a positive representation of the school. Furthermore, I understand that this policy can be amended at any time, and that keys and other means of access must be surrendered to Pacific Heritage Academy upon termination of employment or at Pacific Heritage Academy’s request.

[Signature of employee or user] [Date]

[Employee’s or user’s name printed] [Means of access provided]

02-103—Reporting of Suspected Child Abuse or Neglect

The Board recognizes that the Utah law requires the reporting of child abuse and neglect by any person who has reason to believe that a child has been abused or neglected. To implement this law, the Board authorizes school administration to develop procedures for Pacific Heritage Academy employees to carry out the intent of the law.

Administration Procedures

- A. The Administration shall cause that any school employee who knows or reasonably suspects that a child's health or welfare has been or appears to have been harmed as a result of abuse and/or neglect shall report and cause reports to be made in accordance with the procedures of this policy.
- B. The Administration shall provide to all professional employees annual training on the subject of identifying and reporting children suspected of abuse or neglect.
- C. The Administration shall distribute annually to all school employees copies of this policy and the Child Abuse-Neglect Report Form.

Guidelines

- A. If a school employee knows or reasonably suspects that a child 17 years old or younger is being abused or neglected, the employee shall immediately make an oral report to the Executive Director, or Directors. Both the employee and the Administrator must make immediate contact to report the suspected abuse or neglect by telephone to local police, or the county sheriff, or the office of the Division of Family Services.
- B. To support the suspicion of abuse and neglect, professional school employees may (but are not required to) gather information by interviewing the child.
- C. If, after conducting the interview, it is determined that the child is in need of immediate medical attention, all involved staff shall follow the procedure for medical treatment for students. However, contact with a parent or guardian for purposes of determining the cause of the injury shall be avoided.
- D. If the information gathered from interviewing the child supports suspected child abuse or neglect the following actions shall be taken.
 - 1. The Executive Director or Directors shall immediately report the case by telephone to the local city police, or county sheriff, or office of the Division of Family Services.
 - 2. Within 24 hours after making the oral report, the school employee initiating the report shall complete and give to the Executive Director a completed Child Abuse-Neglect Report Form.
- E. Upon receiving the Child Abuse-Neglect Report Form, the Executive Director shall:
 - 1. Mail one copy within 24 hours to the agency receiving the oral report (local city police, or county sheriff, or office of the Division of Family Services).

2. Place one copy of all reported cases of suspected child abuse or neglect in a separate file to be maintained by the Executive Director or his/her designee. Note: The Child Abuse-Neglect Report Form shall not be placed in the child's personal file.

F. It is not the responsibility of the school employee to: (1) prove that the child has been abused or neglected, or (2) determine whether the child is in need of protection.

G. Pacific Heritage Academy employees shall not make contact with the child's family or other persons (relatives, friends, neighbors, etc.) for the purpose of determining the cause of the injury and/or apparent neglect.

H. Pacific Heritage Academy employees are immune from any civil and/or criminal liability when reporting in good faith suspected child abuse or neglect. (UCA §78-3a-20.10)

I. Any Pacific Heritage Academy employee who willfully fails to report a case of suspected child abuse or neglect may face legal and/or disciplinary action up to and including termination of employment. (UCA §78-2a-19)

02-104—Nutrition and Wellness Policy

Purpose and Philosophy

To optimize student performance potential, Pacific Heritage Academy promotes a healthy school by supporting wellness, good nutrition, and regular physical activity as part of the total learning environment. Pacific Heritage Academy supports a healthy environment where children learn and participate in positive dietary and lifestyle practices. Pacific Heritage Academy seeks to contribute to the basic health status of children by facilitating learning through the support and promotion of good nutrition and physical activity.

Opportunities for Physical Education and Physical Activity

A quality physical education program is an essential component for student health and learning. A sequential developmentally appropriate curriculum shall be utilized to help students develop the knowledge, motor skills, self-management skills, attitudes and confidence needed to adopt and maintain physical activity throughout their lives, consistent with the State Core Physical Education Curriculum. Physical activity includes regular instructional physical education, participation in an outdoor program, as well as extracurricular activities.

Opportunities for Nutrition Education

A quality nutrition education program is an essential component for all students in order to influence students' eating behaviors toward lifelong health. Nutrition education topics shall be integrated within the School's lunch program, science program, physical education program and other subjects at each grade level. The nutrition education program shall focus on students' eating behaviors, lifestyle, and nutritional science, based on theories and methods proven effective by published research and consistent with the State Core Health Education Curriculum.

Nutrition Guidelines for Foods Available in Schools

Food served through the school lunch program shall meet or exceed the federal regulations and guidance for reimbursable school meals. Other food items on school grounds and at school-sponsored activities during the instructional day will include healthy snack options.

Monitoring and Policy

The Executive Director will ensure compliance with this policy in the school and will report on the school's compliance to the Board. The Board will, as necessary, revise this policy and develop work plans to facilitate its implementation.

02-105—Safe Walking Policy

To improve student safety and to protect the school from unnecessary liability, the Pacific Heritage Academy Board of Trustees adopts the following policy and standards for safe walking to and from school.

1. Pacific Heritage Academy cannot assume liability for students unless they are on school grounds. Parents shall plan and review their children’s walking/biking route with them and shall be responsible for their safety prior to their arrival on campus.
2. Pacific Heritage Academy will provide carpool supervision by the school entrance every school day during designated arrival and departure hours as published by administration each year. Students may not arrive at school earlier than 7:45 a.m., or wait for carpools later than 4:00 p.m.
3. If a student’s walking route to school has stretches with no sidewalk, and/or intersections with no crossing guard, parents must teach and ensure that children use caution, stay well off the street, and cross only after looking both ways and when its safe to do so. Bikers should wear helmets and stay to the far right side of the street.
4. Students are encouraged to find walking partners to walk to and from school together, avoid talking to strangers, and never approach unfamiliar vehicles. Students should scream and run away if they feel they are in danger, and tell a crossing guard, another mother with children, or a teacher or administrator at school what happened.
5. Once on school grounds, students shall walk their bikes, and stay on sidewalks. Parking of bicycles shall be only in designated areas.
6. The school administration shall publish safe walking routes through SNAP (Student Neighborhood Access Program) to and from schools to assist parents in planning and increasing the safety of their students if they walk or bike to or from school.

02-106—Traffic, Arrival and Departure Policy

One of Pacific Heritage Academy's top priorities is the safety of its students. We require compliance of the following plans for arrival and departure. The loading and exiting lanes are **ONE-WAY** only.

- ☑ Pick-Up and Drop-Off from right curb lane only directly in front of the school building.
- ☑ Absolutely NO children are allowed in traffic areas at any time.
- ☑ No parking, stopping, waiting, loading, or unloading permitted in the exit lane.
- ☑ Remain with your vehicle at all times. No parking or leaving vehicle unattended will be allowed in the drop-off or exit lanes.
- ☑ If your children are not at the designated pick-up area, park your vehicle in the parking area and walk up to the school to find them, or exit school property and circle the block to the back of the line.
- ☑ Take turns with oncoming traffic on 1100 North seeking to enter the school driveway.

DROP-OFF:

- 🕒 Enter the school campus using the properly marked driveway on 1100 North and drop-off your child(ren) using the pick-up/drop-off lane only (which is the lane closest to the curb directly in front of the school). Once you have dropped off your child(ren), proceed to the Exit Lane and leave campus through the marked Exit driveway.

PICK-UP:

- 🕒 Enter the parking lot in the same manner as for drop-off. Please wait in your car while in the pick-up lane and remain in the car line. Do not park and attempt to get your child(ren) from the pick-up area. School personnel will do everything in our power to maintain quality traffic flow without compromising safety.
- 🕒 Students must be picked up at dismissal time, or immediately following an after school program.
- 🕒 To help ensure students are picked up in a safe manner, we are having the students in designated zones. The zones are by the first letter of your child(ren)'s last name and will be visibly marked. If you have a kindergarten student with a sibling, the sibling will pick up him or her from the Kindergarten kumu and then proceed to their designated zone. If the kindergarten student does not have an older sibling he or she will stay with Kindergarten kumu in the designated Kindergarten zone until a parent or guardian picks him or her up.

02-107—Harassment Policy

Pacific Heritage Academy will endeavor to maintain a work environment that nourishes respect for the dignity of each individual and affirms its commitment to provide a work and educational environment free from all forms of intimidation and harassment. Pacific Heritage Academy Administration shall develop procedures and forms to carry out this policy and create a harassment-free environment for all staff and students.

Sexual harassment is a form of sex discrimination, which includes gender-based harassment of a person of the same sex as the harasser. It is the express policy of Pacific Heritage Academy that sexual harassment of employees or an applicant, by you or agents of Pacific Heritage Academy, is unacceptable and will not be tolerated. Unwelcome or unwanted sexual advances, requests for favors or other visual, verbal or physical conduct will be deemed sexual harassment when:

1. Submission to such conduct is explicitly or implicitly a condition of employment;
2. Submission to or rejection of such conduct is used as the basis of employment decisions; and
3. Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination. Pacific Heritage Academy further recognizes that allegations of this type of discrimination may have serious effects on innocent women and men. Therefore, the School has devised two procedures to process a sexual harassment complaint. First, the normal complaint procedure as set forth herein may be utilized. Second, if the employee desires confidentiality, the following procedure may be requested:

1. Any employee who believes he or she has been the subject of harassment should report the alleged act(s) promptly (within two working days) the school Executive Director or Directors, giving details as related to the complaint.
2. Management or designee, upon receipt of the complaint, shall take immediate and appropriate steps to investigate the complaint. Confidentiality is mandatory to the maximum extent possible.
3. Following the investigation of the complaint, the school Executive Director or Directors, shall weigh the facts and determine the validity of the charge. If the complaint is determined to be valid, the offender(s) shall face immediate and appropriate disciplinary action based upon the severity of the charge. This may include written warning and / or suspension, and / or discharge. If the offender is a supervisor he / she may be demoted. If the complaint is found invalid, the complaining party may request Step 2 of the normal complaint procedure.

02-108—Safe School Policy

It is the intention of Pacific Heritage Academy's Board of Trustees, Executive Director and Directors (School Administrators), to create an orderly and safe place for each student to learn. This means that Pacific Heritage Academy will have a positive learning environment, free of violence, intimidation, drug use, or harm from individuals, groups, gangs or anything related to criminal or gang-type behavior, attitude or activity, or any other type of behavior or activity that seriously disrupts the orderly and safe operation of the school. This policy provides guidance for the appropriate handling of any situation that (1) could place students, staff, or patrons, at risk of harm or in imminent danger and (2) will foster a positive, orderly learning environment.

The Board recognizes that student discipline is essential to further the educational process and provide an environment conducive to learning. The Board authorizes the administration to take appropriate action to protect and preserve order among the students and staff and to uphold school policy. Acts of violence, use or possession of a weapon or facsimile, criminal behavior, and gang activity in or about Pacific Heritage Academy/Schools, property, transportation, or activities shall be dealt with in accordance with Board/school policy and the law.

The Executive Director and Directors (School Administrators) will enforce policies with the aim to make students and their parents/guardians understand that unacceptable behavior will not be tolerated and will be dealt with in accordance with the Board's/school's discipline policies.

The Board of Trustees delegates to the Executive Director and Directors (School Administrators) of Pacific Heritage Academy the authority to suspend students up to 10 days. The Board also delegates to the Executive Director and Directors (School Administrators) the authority to suspend students up to one year.

1. PROHIBITED SERIOUS OFFENSES

The following behavior shall result in a student being suspended or expelled. These actions will result in an automatic and immediate 10-day suspension from school for secondary students (grades 6-8) and 5-day suspension for elementary students (grades K-5) during which time there will be an appropriate investigation. The initial suspension time may be reduced or extended when sufficient information is available to warrant such an action.

1.1. Weapons

1.1.1. Real Weapons, Explosives and Noxious or Flammable Material Possession (regardless of intent), control, use, sale, or attempt to possess, use or sell any firearm, knife, explosive device, noxious or flammable material, firework, chemical weapon, martial arts weapon, other instruments that eject a dangerous projectile or substance of any kind, and any item that in its manner of use or intended use is capable of causing death or serious bodily injury.

1.1.2. Look-alike or Pretend Weapons, Explosive Devices and Noxious or Flammable Material. The actual or threatened use of a look-alike or pretend weapon, explosive devices, and noxious or flammable material with intent to intimidate another person or to disrupt normal school activities.

1.2. Serious Assault

1.2.1. Aggravated

1.2.2. Sexual

1.2.3. The commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor.

1.3. Drug Offenses

The sale, control, or distribution of a drug or controlled substances defined in Utah Code Section 58-37-2, an imitation controlled substance defined in Section 58-37b-2, or drug paraphernalia as defined in Section 58-37a-3.

1.4. Arson

The intentional damaging of any property by means of fire or explosives as defined by Utah Code Section 76-6-102.

A violation of prohibited serious offenses may result in the student being suspended or expelled from school for a period of not less than one year subject to the following:

- Within 45 days after the action, the student and the student's parent or legal guardian is entitled to appear before The Executive Director and Directors (School Administrators) and it shall be determined.
 - What conditions must be met by the student and the student's parents for the student to return to school.
 - If the student should be placed on probation in a regular or alternative setting and what conditions must be met by the student in order to ensure the safety of students and staff at the school the student is placed in; and
 - If it would be in the best interest of both Pacific Heritage Academy/Schools and the student to modify the action term to less than a year, conditioned on approval by the Board and giving highest priority to providing a safe school environment for all students.

Students participating in Prohibited Serious Offenses shall be immediately referred to the appropriate law enforcement agency with notice to parents and/or guardians. If law enforcement removes the student from the school, parents will be notified as soon as is reasonably practical.

2. OTHER PROHIBITED ACTIONS

The following behavior will result in a student being suspended for 3 to 10 days for secondary students (grades 6-8) and 2 to 5 days for elementary students (grades K-5) during which time there will be an appropriate investigation. The actual discipline will depend on the circumstances, severity of the incident, and the student's prior violations and may result in suspension for up to but not more than 45 days.

- 2.1. Possession of an alcoholic or tobacco product.
- 2.2. Acting or being under the influence of a drug or controlled substance, or of an alcoholic beverage.
- 2.3. Willful mischief, destruction or defacing of property (including school, public, and private property) on school grounds; vandalism.
- 2.4. Bullying/Cyber Bulling or any willful act causing or resulting in direct or indirect physical or emotional injury to another person.
- 2.5. Confirmed willful disobedience or open and persistent defiance of proper authority.
- 2.6. Harassment, including sexual harassment and hazing; the perception of harassment.
- 2.7. Inappropriate use of cell phones or other electronic devices that disrupt the classroom or school routine, facilitate cheating, or threaten, intimidate or harass others.
- 2.8. The possession of or behavior alluding to pornography.
- 2.9. Assault.
- 2.10. Larceny, burglary, theft, or stealing.
- 2.11. Gang related activity.
- 2.12. Abetting.

- 2.13. Chronic use of abusive and/or foul language.
- 2.14. Trespassing.
- 2.15. Use of look-alike weapons, explosive devices and noxious or flammable material with no intent to intimidate or threaten.
- 2.16. The unintentional damaging of any property by means of fire or explosives; threatening or intimidating by means of fire or explosives.
- 2.17. Behavior, threatened behavior, or perceived behavior which poses an immediate and significant threat to the welfare, safety, or morals of other students or school personnel or to the operation of the school.
- 2.18. Behavior proscribed under Prohibited Serious Offenses 1.1.1 above, which threatens harm or does harm to a person associated with the school, or property associated with any such person, regardless of where it occurs.
- 2.19. Any illegal activities covered by Utah Code but not previously addressed.

A student who is representing their school in any capacity whether elected or appointed may be released from that responsibility or privilege for the remainder of the school year if found guilty of one or more of the above actions.

Students participating in Other Prohibited Actions may be referred to the appropriate law enforcement agency with notice to parents and/or guardians. If law enforcement removes the student from the school, parents will be notified immediately.

3. DUE PROCESS PROCEDURES AND DISCIPLINARY ACTIONS

Due process is an administrative procedure followed when actions of a student are in question. Fairness and reasonableness in disciplinary actions are to be maintained in all proceedings.

- 3.1. For violations involving terms contained in Section 1
 - 3.1.1. The Executive Director and Directors (School Administrators) will immediately investigate the incident and if warranted, immediately suspend the student from school. The suspended student shall immediately leave the school grounds following a determination by the school of the best way to transfer custody of the student to the parent(s) or guardian or other person authorized by the parent or applicable law to accept custody of the student.
 - 3.1.2. As soon as possible following the incident, but within the 10-day suspension period, the Executive Director shall investigate further and schedule a conference with the student and the parent(s)/guardian.
 - 3.1.3. Pacific Heritage Academy Board Level Hearing and Appeals Committee Chair shall be notified of the violation and, if appropriate, schedule a review of the school investigation and the student response by the committee.
 - 3.1.3.1. The hearing shall be conducted under the procedures outlined in this policy.
 - 3.1.3.2. The parent(s)/guardian shall be notified of the right to appeal the decision of the hearing to the Board.
 - 3.1.4. The student shall be disciplined as provided in Section 1.1.1-1.1.4 as deemed appropriate by the Board Chair and/or the Executive Director and Directors (School Administrators).
 - 3.1.5. The student's parent(s)/guardian shall be notified, in writing, of the student's right to a due process hearing which shall be conducted according to the procedures outlined in this policy.

- 3.1.6. The Board Chair and/or the Executive Director and Directors (School Administrators) shall review all one-year expulsions or suspensions and prepare a report for the Board.
- 3.2. Other violations:
 - 3.2.1. As soon as possible following the incident, Executive Director and Directors (School Administrators) shall investigate and document the charges and schedule a conference with the student involved. At this conference, the student may be suspended pending the formal parent conference.
 - 3.2.2. If the issue cannot be immediately resolved or if school suspension is warranted, the Executive Director and Directors (School Administrators) shall invite the parent(s)/guardian to an informal conference where information can be presented on behalf of the student.
 - 3.2.2.1. This informal conference shall take place at the first reasonable opportunity. In most instances, this conference should take place within three school days of the incident.
 - 3.2.2.2. At the informal conference, the charges shall be explained and supporting evidence reviewed.
 - 3.2.3. Following the informal conference, appropriate disciplinary action and parent notification in writing, shall be taken which may include, but is not limited to, one or more of the following:
 - 3.2.3.1. Detention or In-school suspension
 - 3.2.3.2. Behavior contract
 - 3.2.3.3. Community service
 - 3.2.3.4. Restitution for damages/harm
 - 3.2.3.5. Parent/guardian attending class with student (requires teacher permission)
 - 3.2.3.6. Referral for counseling (in and/or out of school)
 - 3.2.3.7. Enrollment in anger control group
 - 3.2.3.8. Referral to a behavior unit
 - 3.2.3.9. Other alternative agreed upon by Executive Director and Directors (School Administrators), and parent(s)/guardian
 - 3.2.3.10. Out-of-school suspension
 - 3.2.3.11. Referral to other agencies
 - 3.2.3.12. Expulsion
- 3.3. If the Executive Director and Directors (School Administrators) determines that the student should be suspended, the Executive Director and/or Directors (School Administrators) shall notify the parent(s)/guardian, in writing, of the right to a Board-level hearing for the student.
 - 3.3.1. If a Board-level hearing is requested, the Executive Director and/or Directors (School Administrators) shall promptly notify the Director of Student, Family and Community Services.
 - 3.3.2. If requested, the hearing shall be conducted under the procedures outlined in this policy.
 - 3.3.3. The parents(s)/guardian shall be notified of the right to appeal the decision of the hearing to the Board.
- 3.4. A security or police officer may be invited to a due process hearing or any other phase of the student disciplinary action.
- 3.5. Suspended or expelled students shall be required to leave the school campus as soon as the Executive Director and Directors (School Administrators) can transfer custody to the parent(s)/guardian or other authorized individual.

- 3.5.1. Suspended or expelled students may not return to the school until stipulated by the Executive Director and Directors (School Administrators).
- 3.5.2. Suspended or expelled students may not attend school functions until stipulated by the administrator.
- 3.6. Any student who has been expelled from a public or private school within the preceding 12-month period may be denied enrollment in Pacific Heritage Academy/Schools.
- 3.7. The policy for student disciplinary action and due process shall apply to students with disabilities only to the extent permissible under the law.

4. PACIFIC HERITAGE ACADEMY BOARD LEVEL HEARINGS AND RIGHT OF APPEAL

- 4.1. The Board Chair shall appoint an administrator to conduct the hearing.
- 4.2. The administrator shall schedule the hearing with the school, the student and the parent(s)/guardian prior to the tenth day of the student suspension.
- 4.3. The administrator, with the assistance of two other designated staff members, shall conduct the hearing at the appointed time and place. Pacific Heritage Academy and the student may be represented by a person of their choice.
- 4.4. At the hearing, each side may make statements and present evidence relevant to the issues.
- 4.5. The hearing shall result in one of the following determinations:
 - 4.5.1. Any disciplinary action already imposed is rescinded and the student is returned to school.
 - 4.5.2. The appropriateness of the school's disciplinary action is affirmed.
 - 4.5.3. The student is suspended for a total of 10 days and returned to school thereafter.
 - 4.5.4. The student is suspended for more than 10 days from all Pacific Heritage Academy/Schools and is transferred to home instruction.
 - 4.5.5. The hearing officer recommends to the Board that the student be expelled from Pacific Heritage Academy/Schools for one or more semesters with no instruction provided by Pacific Heritage Academy.
- 4.6. The determination of the hearing shall be mailed to the student's parent(s)/guardian within five working days following the hearing.
- 4.7. The parent(s)/guardian shall be notified of the right to appeal the decision of the hearing to the Board. If the hearing officer recommends that the student be expelled, the matter will automatically be appealed to the Board.
- 4.8. A record of all expelled students shall be kept and a notation of the expulsion attached to the individual student's grade transcript.

5. APPEALS TO PACIFIC HERITAGE ACADEMY BOARD OF TRUSTEES

- 5.1. The final determination may be appealed to the Board of Trustees.
- 5.2. A written appeal must be submitted to the Board Chair within 10 days of the day the determination of the hearing is mailed to the student.
- 5.3. The Board shall review the determination and the evidence presented at the hearing. (An additional hearing may be held and the student and/or parent may present their evidence).
- 5.4. The Board may affirm the determination, amend the determination, or affirm or amend the determination in part.
- 5.5. The Board's written decision shall be issued within 21 working days of the receipt of the student's written appeal.

6. DISSEMINATION AND COMMUNICATION OF THE SAFE SCHOOLS POLICY

The Safe Schools Policy will be disseminated and communicated to the students, parents, and community in the following ways:

- 6.1. Shared with all school staff, both professional and non-professional, through a written memorandum or other formal document.
- 6.2. Portions of the policy that directly affect students shall be included in the student handbook.
- 6.3. Special rules for participation on school teams or in school programs will be stated in writing, given to students, and reiterated orally by the coach or program advisor.
- 6.4. (Initially) Parents will be informed by mailing a copy of the policy with a letter of explanation directly to parents and will be posted online at the school's website (www.phlearning.org), or at PTFO meetings, and published in the school newsletters.
- 6.5. The Safe Schools Policy shall be disseminated and/or communicated to the students, parents, and community on an annual basis.

Definitions:

- *Abetting*: The act of supporting, encouraging, and/or assisting activities that violate the Safe Schools Policy.
- *Abusive/Foul Language*: Threats, and/or use of obscene, profane, or scurrilous language.
- *Aggravated Assault*: Assault committed with the intention of committing an additional offense; aggravated assault includes assault with intent to kill or to inflict serious bodily injury, whether or not a dangerous weapon is used.
- *Arson*: Defined by Utah Code 76-6-102. The intentional damaging of any property by means of fire or explosives.
- *Assault*: Defined by Utah Code 76-1-60(3), 76-5-102:
 1. An attempt, with unlawful force or violence, to do bodily injury to another.
 2. A threat, accompanied by show of immediate force or violence, to do bodily injury to another.
 3. An act, committed with unlawful force or violence, to do bodily injury to another. Threats to physical well-being of a student or staff and his/her family, both on and off school grounds, is also included. This definition is to include any activities that would be categorized as hazing.
- *Battery*: The unlawful and intentional touching or striking of another person against his or her will.
- *Behavior Contract*: A written plan developed by the school, in consultation with the student to be disciplined and the parent(s)/guardian, which may include a variety of interventions meant to reduce or eliminate specific behaviors
- *Board*: Pacific Heritage Academy Board of Trustees
- *Bullying*: Hurting others through words, actions, or social exclusion. Bullying may be done by one person or by a group. It is an unfair match since the bully is either physically, verbally, or socially stronger than the victim.
- *Burglary and Aggravated Burglary*: Defined by Utah Code 76-6-202,203.
 - Burglary is unlawfully entering a building or any portion of a building with intention to commit a felony or theft or commit an assault on any person.
 - Aggravated Burglary is when a person involved in a burglary causes injury to any person, or threatens the immediate use of a dangerous weapon against another person or possesses or attempts to use any explosive or dangerous weapon.
- *Chemical Weapon*: Any device or weapon that may be noxious to a person's health.
- *Controlled Substance*: Any substance that requires a physician's prescription or which is illegal for students to possess.
- *Criminal Mischief/Vandalism*: Defined by Utah Code 76-6-106 (1)(c).

- Any action that intentionally damages, defaces, or destroys the property of another, including the use of graffiti
- *Cyber bullying*: Cruelty to others by sending or posting harmful material using the Internet or cell phone. Cyber bullying differs from the more traditional forms of bullying in that it can occur at any time, its messages and images can be distributed instantaneously to a wide audience.
- *Detention*: Time spent outside of regular school hours, in a controlled situation, to make up for time lost or wasted during the school day. Also used as a negative consequence for improper behavior.
- *Due Process*: That process provided for by law that allows an accused student an opportunity to be heard.
- *Explosive Devices*: Any explosive, incendiary, bomb, or other device designed to shatter with great force and break up into potentially destructive pieces.
- *Expulsion*: To exclude a student for more than 10 days from all classes, to cease all provision of educational services and prohibit participation in all school sponsored activities; removal from school by the Board.
- *Extortion*: Obtaining money, information, or personal property from another person by coercion or intimidation.
- *Facsimile*: A copy of something designed to look like the original.
- *Felonies/Class A Misdemeanor*: See Utah Code Sections 76-3-103 through 105.
- *Fighting*: Physical conflict between two or more individuals (See Assault).
- *Gang Behavior*: A group of two or more people who form an allegiance and engage in a range of disruptive behaviors that may include violent and unlawful activity or which advocate hatred or discrimination on the basis of race, religion, sex, national origin, or disability
- *Hearings*:
 - **Informal**: Meeting between school administrator, student, and parent(s)/guardian to discuss areas of concern and formulate a course of action.
 - **Formal**: Scheduled meeting with school administrator(s), student, and parent(s)/guardian where either side may be represented by a person of their choice including legal counsel and where the parties may present evidence.
- *Harassment/Hazing*: Defined by Utah Code 76-5-106 and 76-5-107.5. Intimidation of a student or staff member or any act that injures, degrades, or disgraces a student or staff member
- *Imminent Danger*: The appearance of threatened or impending injury which would lead a reasonable person to attempt an instant defense, something which is threatening to happen at once, something close at hand, something which is close, although not yet touching, or on the point of happening.
- *Intimidation*: Engaging in behavior that prevents or discourages another student from exercising his/her right to education. Such prohibited behavior includes the use of threats, coercion, or force.
- *Larceny /Stealing/Theft*: The intentional unlawful taking and/or carrying away of property belonging to or in the lawful possession or custody of another.
- *Noxious Material*: Substance that may be injurious or harmful to a person's health or damaging to property.
- *Perception*: The critical factor in situations involving two or more people. It is not the intent of the person performing the act that is of importance, but rather the feeling of the recipient as to what was intended.

- *Pornography*: Material (writing or pictures) or behavior that depict acts in a sensational manner so as to arouse a quick intense emotional reaction. Refer to Utah Code 76-10-1203.
- *Possession*: Having items on one's own person or having direct control over those items, such as having those items in one's book bag, automobile, etc.
- *Projectile*: Any object that is thrown, tossed, shot, spit, or otherwise launched at another person, group, or thing.
- *Sexual Assault/Battery*: As defined in Utah Code 76-9-702.
 - An attempt, threat, or act of intentionally touching, whether or not through clothing, the anus, buttocks, or any part of the genitals of another person, or the breast of a female, and that person knows or should know that his or her behavior will likely cause affront or alarm to the person touched.
- *Student*: Anyone who is currently enrolled in public or private school.
- *Suspension*:
 - **In-school**: Confinement, at school, to a certain classroom or area of the school for the purpose of monitoring one's behavior and/or school work.
 - **Out-of-school**: Exclusion from the student's regularly assigned school and school activities.

School work will be provided for suspensions, upon request. An assignment to another school is not a suspension.
- *Trespass*: To enter or remain unlawfully on property.
- *Willful Disobedience*: Defined by Utah Code 53A-11-904(2)(B)(i and ii).
 - Any student that causes repeated disruptions, whose behavior is willful and overt and requires the attention of school personnel to deal with the disruption.

03—Students

03-101—School Fees and Waivers

I. Board Policy

Pursuant to action taken by the State Legislature and subsequent rulings on that action by the State Board of Education, Pacific Heritage Academy has created (1) an official fee policy, and (2) a fee waiver guideline.

The Board delegates to the Administration of Pacific Heritage Academy the responsibility of administering this policy.

II. Administration Policy

The following definitions and standards shall serve as guidelines for the administration as they assess and collect fees at Pacific Heritage Academy.

Guidelines

A. Definitions

Fee: Any charge, deposit, rental, or other mandatory payment, however designated, whether in the form of money or goods.

Provisions in Lieu of Fee Waiver: An alternative to fee payment and waiver of fee payment.

Student Supplies: Items which are the personal property of a student which, although used in the instructional process, are also commonly purchased and used by persons not enrolled in the class or activity in question and have a high probability of regular use in other than Pacific Heritage Academy-sponsored activities. The term includes pencils, papers, notebooks, crayons, scissors, Pacific Heritage Academy spirit wear, undergarments for athletics, and similar personal or consumable items over which a student retains ownership.

Optional Project: A project chosen and retained by a student in a vocational class or other class where projects are part of the curriculum, in lieu of a meaningful and productive project otherwise available to the student that would require only Pacific Heritage Academy-supplied materials.

Textbook: Book, workbook, and materials similar in function that are required for participation in any instructional course.

Waiver: Release from the requirement of payment of a fee and from any provision in lieu of fee payment. Students who have been granted waivers or provisions in lieu of fee waivers shall not be treated differently from other students or identified to persons who do not need such information.

B. Standards

1. Classes and Activities During the Regular Academic Day
 - i. No fee may be charged for any class or activity in kindergarten through sixth grade, including assemblies and field trips.

- ii. Donations may be requested but not required for any class or activity in kindergarten through sixth grade.
 - iii. Textbook, lab, and other course-related fees may only be charged in secondary grades (7th grade and higher).
 - iv. Students must be able to enroll and participate in any class, and have the opportunity to acquire all skills and knowledge required for full credit and highest grades. They may do this without paying a fee or participating in a fund raising activity with the following exceptions:
 - 1. Students of all grade levels may be required to provide materials for their optional projects.
 - 2. Student supplies must be provided for elementary Students. A student may, however, be required to replace supplies provided by Pacific Heritage Academy that are lost, wasted, or damaged by the student.
 - 3. Students in grade 7 or higher may be required to provide their own student supplies.
2. Activities Outside of the Regular Academic Day
- i. Fees may be charged in connection with any Pacific Heritage Academy-sponsored activity, regardless of the age or grade level of the student, if participation is voluntary and does not affect a student's grade or ability to participate fully in any course taught during the day.
3. General Provisions
- i. No fee may be charged or assessed in connection with any class or school-sponsored or supported activity, including extracurricular activities, unless the fee has been set and approved by the Board of Trustees in accordance with this policy.
 - ii. The Board of Trustees shall adopt the fee schedules and policies for Pacific Heritage Academy at least once each year by in a regularly scheduled public meeting of the board. Provision shall be made for broad public notice and participation in the development of fee schedules and waiver policies.
 - iii. Pacific Heritage Academy shall adopt procedures to reasonably ensure that the parent or guardian of each student receives written notice of fee schedules and fee waiver policies before the fees are due. Procedures for fee waivers shall be written in language that is easily understood and included with student registration materials.
 - iv. No present or former student may be denied receipt of transcripts or a diploma for failure to pay fees other than a reasonable charge made to cover the cost of duplicating or mailing. No charge may be made for duplicating or mailing copies of academy records to an elementary or secondary school in which the student is enrolled or intends to enroll.
 - v. The Board of Trustees shall provide, as part of any fee policy or schedule, for adequate waivers or other provisions to ensure that no student is denied the opportunity to participate in a class or school-sponsored or supported activity because of an inability to pay a fee. The waiver policy shall include procedures to ensure that:

1. Staff shall administer the policy and grant waivers;
 2. The process for obtaining waivers or pursuing alternatives is administered fairly and objectively.
 3. Fee waivers or other provisions in lieu of fee waivers are available to all students who are in state custody or receiving public assistance in the form of aid to dependent children, general relief, supplemental security income, or foster care, and others whose parents or guardians are financially unable to pay;
 4. Textbook fees are waived for all eligible students in accordance with §53-13a-4 of the Utah Code;
 5. Parents are given the opportunity to review proposed alternatives to fee waivers;
 6. An appeal process is available, including the opportunity to appeal to the board or its designee; and
 7. To preserve equal opportunity for all students and to limit diversion of money and school and staff resources from the basic school program, this fee policy shall be designed to place a reasonable limit on student expenditures for school sponsored activities, including expenditures for activities, clubs, clinics, travel, and subject area and vocational leadership organizations whether local, state or national.
- vi. The requirements of fee waiver and availability of other provisions in lieu of fee waiver do not apply to charges assessed pursuant to a student's damaging or losing school property. Pacific Heritage Academy may pursue reasonable methods for obtaining payment for such charges, but may not exclude students from school or withhold transcripts or diplomas to obtain payment of those charges.
- vii. Charges for yearbooks, spirit items and clothing, and similar articles not required for participation in a class or activity are not fees and are not subject to the waiver requirements of this policy.

03-102—Attendance Policy

Regular attendance is required by law and is a major key to students' success. Frequent absence of students from day-to-day classroom instruction disrupts the learning process. A quality education requires a continuity of instruction, class participation, learning experience, and study. Activities, discussions, simulations, and presentations take place every day and cannot be duplicated even by after-school instruction or make-up work.

Pacific Heritage Academy makes every effort, within the following guidelines, to encourage regular attendance for all students and to assist parents in their responsibility to have their children attend school regularly.

Guidelines

1. Students are expected to be in attendance every school day in order to receive maximum benefit from their education experiences.
2. Parents or guardians have primary responsibility for regular student attendance at school, although students also share in this responsibility. Parents or guardians are expected to ensure that their children attend school regularly and arrive on time as well.
3. Administrators shall work cooperatively with students, parents or guardians, teachers, and staff to improve student attendance. Administrators shall use earnest and persistent effort, including parent notification, to deter excessive and unexcused student absences.
4. Administrators will notify a parent or guardian as well as the involved student concerning possible consequences for excessive absenteeism, including academic consequences or District Court referral. Notification will be in the form of state mandated truancy letters, phone calls, or conferences, or disciplinary meetings. Habitual truant citations may be issued to students consistent with Section 53A-11-101.7.
5. A student will be considered "truant" if that student has missed school at least five (5) times without a valid excuse or, in other words, for reasons other than those authorized under school policy. A student will be considered "habitually truant" if that student is twelve (12) years of age or older and has missed school at least ten (10) times without a valid excuse.
6. Administrators will meet with school-age minors and their parents or guardians to resolve disputes whenever parents or guardians contest notices of truancy, the designation of absences as "unexcused," or the implementation of academic or disciplinary consequences due to absences. Unresolved disputes may be appealed to the Board of Trustees.
7. Parents must notify the Executive Director in advance of legitimate absences so that the absence is not designated "unexcused" (absences due to illness and emergency are an exception).
8. An "unexcused absence" is a student's absence from school for reasons other than those authorized under School Policy.
9. Students may be legitimately absent from class because of an "excused absence." An absence is designated as "excused" for illness, medical and dental appointments that cannot be reasonably scheduled after school, unusual opportunities for educational experiences beyond the classroom (pre-approved), family events such as reunions, weddings, religious events, and the like.
10. An absence will also be designated as "excused" when such an absence is consistent with student's IEP, Section 504 Accommodation Plan, even if it falls outside the regular "excused" absence category according to general school policy.
11. Whenever possible, a student anticipating an excused absence should contact the teacher in advance of the absence in order to acquire guidance for study and work while absent.

12. If a student has been legitimately absent from class, he/she must contact the teacher regarding make-up work when he/she returns (a younger student may utilize the help of a parent or guardian in this process).
13. If a student must leave school during the school day, parents or guardians must telephone the office to confirm an early checkout prior to the student's departure during the school day. The student must check out with the main office and there record his/her name, indicate the reason for early departure, and indicate the time of early departure.
14. The Administration will notify teachers in advance of excused or unexcused absences for which the school has been given notice.
15. Classroom teachers are required to record and verify daily student attendance. Classroom teachers will notify the Administration if a student's attendance is irregular or excessive (more than two consecutive or more than five total), or if the absence seems to be "unexcused" or inexplicable.
16. Individual teachers will, in accordance with school policy, develop grading and credit guidelines that promote attendance, class participation, and academic achievement.
17. Individual teachers will, in accordance with school policy, record tardiness and report the excessive tardiness of any student to the Administration. At the discretion of the Executive Director, excessive student tardiness will receive academic and/or disciplinary consequences in accordance with school policy.
18. The Administration and individual teachers shall develop attendance plans and procedures that comply with state and board policies. The plan and procedures shall include:
 - a. Responsibilities for students, parents, classroom teachers, and school administrators,
 - b. Procedures for managing attendance issues, i.e., illness, check in/out, school activity absences, etc.,
 - c. An acceptable range of school and teacher consequences for unexcused absences and tardiness; and
 - d. Guidelines for making up work.
19. The Attendance Policy shall be available for review by parents or interested parties. The Administration and the Board of Trustees shall review attendance data and the Attendance Policy annually in order to consider revisions to the policy in an effort to encourage student attendance.

03-103—Enrollment Policy

Statement of Disclosure

Pacific Heritage Academy is a public charter school open to all Utah students without discrimination and on the same basis as other public schools. Pacific Heritage Academy will consider the application of any student who submits a timely application. Pacific Heritage Academy does not discriminate on the basis of race, religion, gender, ability, ethnicity, socio-economic status, proficiency in English, or national origin. Admissions, enrollment, and transfer procedures comply with Utah Code 53A-1a506.5 which governs such processes in the State of Utah. Pacific Heritage Academy charges no tuition and only those fees allowed by law.

Enrollment

Open enrollment for each new school year begins in the month of January of each current school year according to the posted calendar Pacific Heritage Academy enrolls current students first for any new school year, and then conducts a lottery or lotteries when the number of students making application to the school exceeds the enrollment capacity in any grade, class, or program within the school.

Preferences

While the lottery selects students at random, preference is given to the following individuals in any lottery consistent with applicable state and federal law:

- Children of faculty and staff
- Children of members of the Board of Trustees
- Siblings of currently enrolled students
 - Sibling preference is granted beginning with the highest available grade and moving down. If preference is granted to a sibling, that student is placed in the next available slot on appropriate grade list following “children of founding parents” and “children of teacher” status students. Sibling preference is in place only while the first-placed student remains enrolled. If the first-placed student, who qualified siblings for preferential enrollment, is withdrawn before October 1, any siblings will lose sibling preference and move back into their place in the lottery.

Lottery

If a lottery is necessary, it will begin on the date posted on the school Calendar on the website at www.phlearning.org. Notifications regarding placement will be sent via email according to posted dates. If subsequent lottery drawings are required, dates will be posted and announced to the public in a timely manner.

The lottery will first choose the highest grade applicants and proceed down the grades through the lowest, giving preference to the first drawn names and then to the siblings of those first drawn. The lottery will also determine the priority list position for all other applicants at specified grade levels. Applications for admission received after a scheduled lottery will be considered in the following lottery.

The priority list established by the lottery will remain throughout the school year, but applicants must indicate their intent to keep their application active by sending or emailing the school a letter of intent each January. Applicants who have been accepted through the lottery must send written confirmation and submit all state and school required enrollment forms in accordance with posted instructions and deadlines in order to maintain their placement status.

03-104—Bullying Policy

Pacific Heritage Academy is committed to a safe, civil, and inviting education environment for all its students, employees, volunteers, and patrons. Such an environment must be free from harassment, intimidation, or bullying of any kind.

Pacific Heritage Academy expects students to conduct themselves in a manner in keeping with their levels of development, maturity, and demonstrated capabilities.

Pacific Heritage Academy expects students of all levels to demonstrate a proper regard for the rights, welfare, and intellectual freedom of other students, school staff, volunteers, and patrons.

Many behaviors that do not rise to the level of harassment, intimidation, or bullying may still be prohibited by other policies or by general classroom, program, and facility rules.

Harassment, intimidation, and/or bullying are generally defined as any written, verbal, or physical act that is intended to physically harm a student, damage school property, or to create an intimidating or threatening educational environment.

Bullying is more specifically defined as, but not limited to, the endangerment to the physical health or safety of a student or school employee, any brutality of a physical nature, any forced or unwilling consumption, any forced or coerced activity of a sexual nature, physically obstructing the freedom of movement of a student or school employee, hazing, or cyber-bullying (hazing and cyber-bullying as defined by the Utah Administrative Code, R277-613).

Infractions defined as bullying and harassment shall be handled in accordance with the Safe School Policy (02-108 section of the Pacific Heritage Academy School Policy Manual), and shall follow specified procedures as outlined in that policy.

Pacific Heritage Academy considers bullying a major infraction, in most cases, subject to the discretion of the Administration. Like other major infractions, bullying may be grounds for a suspension or expulsion. Other consequences for bullying may include but are not limited to admonishment, work projects, classroom or administrative detentions, temporary removal from the classroom, in-school half or full-day suspensions, community enrichment, etc. Consequences for bullying or harassment may also include mandatory meetings between students and Administrators, mandatory meetings between students, parents, and Administrators, as well as the establishment of a contract of behavior whose content will be that deemed appropriate by the Administration, and/or law enforcement.

Discretionary Privilege of the Administrators and Faculty:

In the interest of their students' development and growth, the Administration and Faculty retain the privilege and acknowledge the obligation to determine disciplinary consequences based on the following factors related to student infractions:

- The age of the child or children involved;
- The degree of harm inflicted;
- The surrounding circumstances;
- The nature and severity of the behavior(s);
- The relationship between the parties involved;
- The context in which the alleged incident(s) occurred;
- The pattern of behavior demonstrated by an individual student.

03-105—Student Discipline Policy/Code of Conduct

The Board of Trustees recognizes that student discipline is essential to further the educational process and provide an environment conducive to learning. The Board of Trustees authorizes the Administration to take appropriate action to preserve order among the students and staff and to protect school property. Acts of violence, use or possession of a weapon or facsimile, criminal behavior, and gang activity in or about school property, or activities shall be dealt with in accordance with Pacific Heritage Academy policy and the law. (See Utah Code [§53A-11-901](#))

The Administration shall take appropriate disciplinary action when students engage in activities which disrupt the educational environment, threaten or harm persons or property, or disrupt school activities. This policy shall be administered according to the following guidelines.

- A. Student Code of Conduct
 - 1. The school Executive Director shall develop a student code of conduct in cooperation with faculty, parents, and students. The school code of conduct shall be consistent with this policy and other school policies.
 - 2. A copy of the school policies and student code of conduct, as amended each year, shall be distributed to students and/or parents prior to or during the first week of school each year. Students enrolling after the beginning of the school year shall be provided a copy of the school policies and student code of conduct at the time of registration. Teachers will be given a copy of the student code of conduct prior to the beginning of the school year.
- B. Dangerous or Disruptive Conduct: The following conduct is defined as "dangerous or disruptive conduct" and is prohibited on school property and at or traveling to school-sponsored activities.
 - 1. Possessing (regardless of intent), using, selling or attempting to possess, use or sell any firearm, weapon, knife, explosive device, noxious or flammable material, firework, chemical weapon, martial arts weapon or other instrument including those which eject a projectile or substance of any kind, or any replica or facsimile of any of the above, whether functional or nonfunctional, whether designed for use as a weapon or for some other use.
 - 2. Causing, or attempting, threatening or conspiring to cause damage to personal or real property, or causing or attempting, threatening or conspiring to cause harm to a person through:
 - a. Possession or distribution of drugs or alcoholic beverages.
 - b. Sexual harassment or fabrication of sexual harassment charges with malicious intent to defame character.
 - c. Arson—the willful and malicious destruction of any part of a building or its contents or occupants by use of fire or explosive.
 - d. Burglary—breaking, entering or remaining in a structure without authorization during the hours when the premises are closed to students.
 - e. Theft/Larceny/Stealing—the intentional unlawful taking and/or carrying away of property belonging to or in the lawful possession or custody of another.
 - f. Criminal Mischief—willful or malicious injury or damage in excess to public property or to real or personal property belonging to another.
 - g. Battery—the unlawful and intentional touching or striking of another person against his or her will.

- h. Assault—placing another person in fear or apprehension of a harmful or offensive touching, whether or not a touching is actually intended.
 - i. Vandalism—willfully defacing, cutting, marring, injuring, damaging, or losing school or staff property. Official grade transcripts and diplomas may be withheld until the student or the student's parent(s)/guardian has paid for the damage or made appropriate restitution.
 - j. Gang-related Activity—dangerous or disruptive activity, which may include but is not necessarily limited to the following:
 - (1) wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which evidence membership in a gang;
 - (2) using a name which is associated with or attributable to a gang; or
 - (3) designating turf or an area for gang activities, occupation, or ownership.
 - k. Bullying—aggressive behavior that is intentional and that involves an imbalance of power or strength. A student is being bullied or victimized when he or she is exposed, repeatedly and over time, to negative actions on the part of one or more students.
 - (1) Physical bullying: hitting and/or punching
 - (2) Verbal bullying: teasing or name calling
 - (3) Non-verbal or emotional bullying: intimidation through gestures, social exclusion and relational aggression
 - (4) Cyber-bullying: sending insulting, threatening or harassing messages by phone or computer, or electronic messaging
 - l. Involvement in any activity which violates federal, state or local law or regulation, disrupting normal school proceedings, or causing, or attempting, threatening or conspiring to cause other students to violate federal, state or local law or regulation or to disrupt school proceedings, or attempting, threatening or conspiring to do any of these. These activities include, but are not limited to: extortion, forgery, lewdness, and distributing obscene or pornographic materials.
3. Students with prior knowledge of dangerous or disruptive behavior have the duty to report such behavior to school administration. Students that fail to report such behavior are subject to appropriate disciplinary sanctions.
- C. Due Process Procedures and Disciplinary Action
 Due process is an administrative procedure followed when continued attendance of a student is in question. Fairness and reasonableness in disciplinary actions are to be maintained in all proceedings.
- 1. The disciplinary actions, Right of Appeal, and appeals to the Board of Trustees, stated in the Safe School Policy, section 02-108 (Pacific Heritage Academy School Policy Manual) shall be taken in response to any serious violation which threatens or does harm to persons associated with the school, to school property, or their property, that involves the possession, control, use, or threatened use of a real or look-alike weapon, explosive, noxious or flammable material, with intent to intimidate another person or to disrupt normal school activities, regardless of where it occurs (USC [§53A-11-904\(1\) \(3\)](#)).
- D. Prohibited Discipline: Pacific Heritage Academy shall not use any form of the following forms of discipline:
- 1. Corporal punishment; Physical punishment of any kind
 - 2. Verbally abusive comments; Any punishment that is demeaning

03-106—Behavioral Guidance Process and Student Self-Discipline Plan

"Independence is deciding about being yourself, which is your right...to be shackled by a system outside of yourself is not human"

-Sir Peter Kenilorea

Pacific Heritage Academy is a school of choice. By accepting admission to the school, students, with the support of their parents, express a willingness to hold themselves to the attitudes and behavioral expectations of the school. PHA avoids becoming dictatorial, bossy, or otherwise controlling of families and children. PHA believes that its best contribution to society is made by NOT playing the traditional role of being the authority or boss, but instead involving families in a partnership of holding high expectations and teaching personal responsibility to students. Therefore, instead of having a traditional school "discipline plan", PHA has a "Behavioral Guidance Process and Student Self-discipline Plan". If a student opts to behave in a manner contrary to school and parental expectations (levels A and B), the student will be given guidance and opportunities to reflect on their motivations and to correct behavior (to levels C or D. Behavioral guidance is given through implementation of a teaching process as outlined below. If a student continues to behave in unacceptable ways, it will be concluded that the student is choosing to no longer attend the Academy nor be part of the PHA Crew.

Teachers work hard to guide individual student behavior and develop character traits in crew members by explicitly teaching the 4-level behavior model and using the language of the model in daily interactions, to communicate the goal of raising responsibility in students and their crew as a group. When a teacher identifies that a crew member is operating on A or B level, the student will be offered the following teaching interaction called a "Guided Choice". Lack of cooperation with this process will indicate an immediate desire to leave PHA.

GUIDANCE PROCESS #1

First Guided Choice: The student who is demonstrating A or B level behavior is given a "Guided Choice" by the teacher. This teaching interaction assists the student by requiring them to reflect on the four levels of behavior and to identify the reasons current actions (A or B levels of behavior) are unacceptable. The "Guided Choice" also provides the student with the opportunity to modify their behavior and a chance to start over again. A Guided Choice teaching interaction consists of a brief discussion to ensure the student understands why their behavior was unacceptable and then simple instructions on completing a "Raise Responsibility Reflection Form". The student is not asked to agree with the process, but is rather given a chance to understand why it is being offered. The student is then removed from the classroom or learning activity to a predetermined partner teacher's classroom to complete a grade-appropriate "Raise Responsibility Reflection Form". The reflection form offers a chance for the student to reflect on their behaviors and motivations. When the student has completed the form, they will take it back to their teacher if they desire to make behavioral changes and return to the learning environment. The form will be filed in the Crew's Raise Responsibility Binder. The student is recognized for their thoughtful reflection (as applicable) and encouraged to continue to take the guidance process seriously. The student is informed that the next time behavioral guidance (a guided choice) is required; the teaching interaction will involve parental assistance.

Second Guided Choice: The same process as above will be followed, and include either a phone conference or an in-person conference with the student, parent, and teacher to review the reflection process and reflection form. Together they will come up with a plan to help the student

monitor and modify his/her behavior, taking into account student thoughts identified on their Raise Responsibility Reflection form.

First Self-Discipline Referral: In those cases where a student chooses to continue to disrupt the class and a third behavior problem occurs, the student will go directly to the front office to complete a Self-Discipline Referral form. The teacher will call ahead to let the office know that the student can be expected at the office. Either a phone conference or an in-person conference will be arranged with the student, an administrator and the parents, resulting in an in-school suspension. A copy of the Self-Discipline Referral form will be given to the parents and another copy will be filed at the front office. Students and parents are counseled to consider withdrawing from the school if the student anticipates needing further behavioral guidance, and they do not desire a negative student behavior record which will travel with the student to their next school.

GUIDANCE PROCESS #2

The student will go through the same process described above. In other words; a second round of two Guided Choices and then a Second Self-Discipline Referral will be required. With this second Self-Discipline Referral, the student will need to clearly understand that they have consistently chosen to behave in a manner which is anti-crew and unacceptable as a member of the PHA Ohana. Therefore they cannot be allowed to remain in the school building and have chosen an out-of-school suspension. Parents and students are counseled to consider withdrawing from the school if the student anticipates needing further behavioral guidance, and they do not desire a negative student behavior record which will travel with the student to their next school.

GUIDANCE PROCESS #3

The Guided Choice process will be followed a third time. If this results in a third Self-Discipline Referral, the process functions as the last chance, in other words, a “3rd strike” which is an “OUT”. The continued refusal to operate on a C or D level of behavior, will be taken to mean that the student does not wish to be part of the PHA Crew. The parents and student will meet with an administrator and the student will be suspended until a board hearing for expulsion can be held.

*Dress Code: Students are expected to self-monitor and self-correct their Dress Code compliance. Any violations noted by teachers and administrators will result in the same Behavioral Guidance and Self-Discipline process outlined for other misbehavior, with a little modification. As with any misbehavior, all PHA faculty, staff, and administrators assist with Dress Code the guidance process. Students are expected to remedy any violations and completing the Reflection Form before school begins and before proceeding to village classrooms. Students should call and obtain assistance with proper dress compliance from their parents. While the student is waiting for assistance, they will fill out their Raise Responsibility Reflection Form and deliver it to their teacher when they enter class properly dressed.

*For serious behavior infractions (as outlined in the PHA Policies and Procedures manual), students will be escorted or announced and sent to the front office immediately. Students are not to be sent to the office without a phone call and minimum information to assist administration. The student will proceed straight to a Self-Discipline Referral, or depending on extremity of situation, a suspension pending expulsion.

03-107—Search and Seizure

To maintain order and discipline Pacific Heritage Academy and to protect the health, safety and welfare of all students and school personnel, there are times that searches may be deemed necessary. School authorities may search a student's person and/or personal property, cell phone, desk area, storage area, backpack, coat/jacket, or parent/guardian automobile whenever a school authority has reasonable suspicion to believe that a student is in possession of illegal or unauthorized materials.

Anything found in the course of a search can be used as evidence against the student. The evidence may be:

1. Seized and admitted as evidence in any suspension or recommendation for expulsion proceeding.
2. Returned to the parent or guardian of the student.
3. Destroyed, if it is of no significant value.
4. Given to a law enforcement officer.

03-108—Withdrawal and Transfer of Students

Student transfers (admission or withdrawal) shall be as prescribed by state and federal law [53A-1a-506.5], and Utah Admin. Rule R277-472. Admission is not limited to and/or based on ethnicity, national origin, religion, gender, income level, disabling condition, proficiency in the English language, or athletic ability. Failure to adhere to the requirements of random selection, under state and federal requirements for lottery selection, may be grounds for termination of this charter.

If a parent or guardian wants to withdraw a student from Pacific Heritage Academy after June 30th or during the school year, state law requires the parent or guardian to first obtain a letter of acceptance for enrollment from the school district or other charter school in the new school. The parent or guardian then needs to provide Pacific Heritage Academy a copy of that letter of acceptance. Also, in this situation the local school district is not required to accept the student into their *school of residence* if the parent or guardian did not notify the district prior to June 30th. The district is only required to accept the student into a *school in the district* that has adequate capacity.

53A-1a-506.5. Charter school students -- Admissions procedures -- Transfers.

(1) As used in this section:

(a) "District school" means a public school under the control of a local school board elected pursuant to Title 20A, Chapter 14, Nomination and Election of State and Local School Boards.

(b) "Nonresident school district" means a school district other than a student's school district of residence.

(c) "School district of residence" means a student's school district of residence as determined under Section **53A-2-201**.

(d) "School of residence" means the school to which a student is assigned to attend based on the student's place of residence.

(2) (a) The State School Board, in consultation with the State Charter School Board, shall make rules describing procedures for students to follow in applying for entry into, or exiting, a charter school.

(b) The rules under Subsection (2)(a) shall, at a minimum, provide for:

(i) posting on a charter school's Internet website, beginning no later than 60 days before the school's initial period of applications:

(A) procedures for applying for admission to the charter school;

(B) (i) the school's opening date, if the school has not yet opened; or

- (II) the school calendar; and
- (C) information on how a student may transfer from a charter school to another charter school or a district school;
- (ii) use of standard application forms prescribed by the State Board of Education;
- (iii) written notification to a student's parent or legal guardian of an offer of admission;
- (iv) written acceptance of an offer of admission by a student's parent or legal guardian;
- (v) written notification to a student's current charter school or school district of residence upon acceptance of the student for enrollment in a charter school; and
- (vi) the admission of students, provided that the admission does not disqualify the charter school from federal funding, at:
 - (A) any time to protect the health or safety of a student; or
 - (B) times other than those permitted under standard policies if there are other conditions of special need that warrant consideration.
- (c) The rules under Subsection (2)(a) shall prevent the parent of a student who is enrolled in a charter school or who has accepted an offer of admission to a charter school from duplicating enrollment for the student in another charter school or a school district without following the withdrawal procedures described in Subsection (3).
- (3) The parent of a student enrolled in a charter school may withdraw the student from the charter school for enrollment in another charter school or a school district by submitting to the charter school:
 - (a) on or before June 30, a notice of intent to enroll the student in the student's school of residence for the following school year;
 - (b) after June 30, a letter of acceptance for enrollment in the student's school district of residence for the following year;
 - (c) a letter of acceptance for enrollment in the student's school district of residence in the current school year;
 - (d) a letter of acceptance for enrollment in a nonresident school district; or
 - (e) a letter of acceptance for enrollment in a charter school.
- (4) (a) A charter school shall report to a school district, by the last business day of each month the aggregate number of new students, sorted by their school of residence and grade level, who have accepted enrollment in the charter school for the following school year.
- (b) A school district shall report to a charter school, by the last business day of each month, the aggregate number of students enrolled in the charter school who have accepted enrollment in the school district in the following school year, sorted by grade level.
- (5) When a vacancy occurs because a student has withdrawn from a charter school, the charter school may immediately enroll a new student from its list of applicants.
- (6) Unless provisions have previously been made for enrollment in another school, a charter school releasing a student from enrollment during a school year shall immediately notify the school district of residence, which shall enroll the student in the school district of residence and take additional steps as may be necessary to ensure compliance with laws governing school attendance.
- (7) (a) The parent of a student enrolled in a charter school may withdraw the student from the charter school for enrollment in the student's school of residence in the following school year if an application of admission is submitted to the school district of residence by June 30.
- (b) If the parent of a student enrolled in a charter school submits an application of admission to the student's school district of residence after June 30 for the student's enrollment in the school district of residence in the following school year, or an application of admission is submitted for enrollment during the current school year, the student may enroll in a school of the school district of residence that has adequate capacity in:
 - (i) the student's grade level, if the student is an elementary school student; or

- (ii) the core classes that the student needs to take, if the student is a secondary school student.
- (c) State Board of Education rules made under Subsection (2)(a) shall specify how adequate capacity in a grade level or core classes is determined for the purposes of Subsection (7)(b).
- (8) Notwithstanding Subsection (7), a school district may enroll a student at any time to protect the health and safety of the student.
- (9) A school district or charter school may charge secondary students a one-time \$5 processing fee, to be paid at the time of application.

03-109—8th Grade Graduation Requirements

Pacific Heritage Academy follows the Utah Administrative Rule R277-700-5. Middle School Education Requirements in which students in grades 7-8 shall earn a **minimum of 12 units of credit** to be properly prepared for instruction in grades 9-12. Pacific Heritage Academy Board of Trustees may require additional units of credit.

Grades 7-8 Core Curriculum Requirements and units of credit:

Subject	Required Credit
Career & Technology Education (CTE)	1.0
Fine Arts (Visual Arts; Music; Dance; Theatre)	1.0
Language Arts	2.0
Health (8th)	0.5
Physical Education	1.0
Social Studies	1.5
Math	2.0
Science	1.5
Electives	1.5
TOTAL	12.0

03-110—Foreign Exchange Students

Federal immigration laws do not authorize foreign students on short term tourist visas in the United States to enroll in public school. Foreign students in K – 8th grades are not eligible to attend public school as international exchange students in the United States. Only students in 9 – 12th grades with F-1 visas are eligible to attend public school in the United States as foreign exchange students.

The Utah State Office of Education (USOE) and Pacific Heritage Academy or its Board of Trustees, has no authority over immigration matters and will not provide individuals with advice regarding immigration issues.

03-111—Fieldwork, Overnight and Travel Study Learning Policy

Pacific Heritage Academy's Board of Trustees recognizes the value of fieldwork in which Pacific Heritage Academy students will learn elements of service, conferring with visiting experts, and adventure activities such as visiting relevant sites of interest rich with resource, in addition to learning from text. They will use the natural and social environments of our community as sites for purposeful fieldwork and service connected to rigorous academic work. Pacific Heritage Academy participate regularly in fieldwork that may also involve overnight or one week-long excursions (Travel Study Learning). In order to maintain the safety, welfare, and educational interests of students, teachers, and volunteers, the following policy shall apply:

Transportation

1. When large groups of students leave campus for any school-sponsored activity not within walking distance, but within the county and/or 25 miles, the preferred mode of transportation will be public transportation through Utah Transit Authority. For longer distance fieldwork, the preferred mode of transportation is school bus.
2. When acquiring bus services is not feasible, or when small groups of students are leaving campus for fieldwork opportunities, volunteers may transport students in their own vehicles. All volunteer drivers are subject to the requirements of the Volunteer Driver Form including criminal records background checks.
3. Volunteer drivers shall submit their current driver's license and evidence of insurance to be photocopied and kept on file in a secure location at the school. Insurance requirements must be met as required in the Volunteer Driver Form.

Parental Consent and Release of Liability

1. The following fieldwork excursions are ongoing throughout the current school year and only required one permission slip from the parent or guardian:
 - a. Day-Riverside Library
 - b. Westpointe Park
 - c. Eco-Garden
 - d. Jordan River Trail
2. For each fieldwork excursion not mentioned in the ongoing excursions, a note must be sent home to parents or guardians describing the date, time, location and purpose of the trip.
 - a. A consent and release of liability form will accompany the note and be returned to Pacific Heritage Academy with the parent's/guardian's signature.

Safety Protocols and Supervision

1. All proposed fieldwork must be relevant to the expedition and approved by the Executive Director or Director of Curriculum and Instruction in advance of any trips. Reasonable guidelines shall be established that provide adequate advance notice to parents and students and sufficient time for review and preparation by the Administration.

Overnight and Week-Long Fieldwork (Travel Study Learning) Excursions

Overnight and week-long fieldwork (Travel Study Learning) excursions must fall within the following guidelines:

1. Fieldwork and extended day must be approved by the Executive Director.
2. All overnight and week-long excursions must be approved by the Executive Director and the Board of Trustees.

Middle School students (7th -8th):

Overnight and week-long fieldwork excursions will be relevant, clear, compelling, and valuable educational opportunities to students' learning. A Travel Learning committee of parents or guardians, teachers, 7th – 8th grade students, and Administration may propose the excursions.

Upper Elementary (4th – 6th) Students:

Students in Upper Elementary will typically have day excursions only and do not have overnight excursions as a general rule. If there is a rare, clear, and compelling educational opportunity which cannot be had by other means, an excursion may be proposed by the teachers. A committee of parents or guardians, teachers and Administration will be involved in the planning of proposed excursion.

Lower Elementary (K – 3rd) Students:

Students in Lower Elementary will typically have day excursions only. If there is a rare, clear, and compelling educational opportunity which cannot be had by other means, an excursion may be proposed by the teachers. A committee of parents or guardians, teachers and Administration will be involved in the planning of proposed excursion.

Basic Safety

1. Generally accepted safety policies and procedures shall be rigorously adhered to on all fieldwork/excursions. Such practices include, but are not limited to:
 - A. Minimum two-deep adult leadership in all circumstances (hikes, outings, activities, etc.)
 - B. No one-on-one grouping of adult with student. If, for instance, a private conference is needed, this must be done in view of other adults and students.
 - C. Training in, and packing of, proper clothing and gear.
 - D. A 6:1 student to adult ratio on all overnight and week-long excursions.
2. Training shall be held for those going on camping trips, and there shall be strict enforcement of the rules.
3. In camping situations that involve tent lodging:
 - A. Two or more adult chaperones and a teacher(s) may share a large tent with students, provided that the sleeping arrangements for the adults are on one side of the tent, and students' accommodations are on the opposite side (with an obstructed separation of at least 3 feet between adults and students).
 - B. In all other situations, teachers must sleep alone in their own tents, and adult chaperones sleep in their own tents. Chaperones may sleep in the same tent with their own child(ren) and no others.
4. In hotel/motel lodging situations:
 - A. Teachers shall not sleep in the same room as students (except as provided in 4.C. below).
 - B. Adult chaperones sleep in their own rooms. In some cases, chaperones may sleep in the same room with students where there are two or more chaperones present. Adults may not sleep in the same bed as a student unless the student is their own child.
 - C. In large, open-room lodging situations:
 1. Students and chaperones will be divided by gender and assigned to separate rooms.
 2. The room will be clearly divided into a student sleeping area and an adult sleeping area.
 3. Appropriate measures will be taken to maintain individual privacy.
 4. For the safety of all involved, teachers are strongly encouraged to find and use large, open-room lodging accommodations where possible.

5. Opposite gender camps shall be clearly separated from one another.
6. Parents and students shall receive and provide signed consent to abide by the safety rules and submit to the consequences of breaking rules.
 - A. Fieldwork is an extension of the school boundaries. Consequently, all rules including the Safe School Policy related to the prohibition of alcohol, tobacco, drugs, and weapons with regard to both adults and students apply in all aspects of the excursion including night-time, while in transport, and at all fieldwork locations.
 - B. As part of this agreement, parents or guardians accept the responsibility, as a consequence of their child breaking the rules, to pick up and transport their child home from an excursion at any time during the excursion should the need arise.

Overnight and Week-Long (Travel Study Learning) Excursion Costs

Middle School students will be given enough time to know costs, and will be required to make a reasonable effort to provide for needs through fundraising, borrowing of equipment, etc.

Fieldwork Costs

1. Pacific Heritage Academy must stay within the budget raised and allocated for the experience.
2. Pacific Heritage Academy will provide necessary funds and equipment if a student (and family) is not financially able to cover the costs.

Participation Requirements

Overnight and week-long (Travel Study Learning) excursions are intended to provide direct, rare, and compelling educational experiences. Consequently, Pacific Heritage Academy hopes to have all students participate. However, in situations where parents prefer not to have their child[ren] participate in overnight and/or week-long (Travel Study Learning) excursions, such participation is not required and students will not be penalized for failure to attend. Under circumstances of non-participation, the school is not responsible for any missed experiences that the students forgo for having elected not to attend.

03-112—Employee Social Networking Policy

Board of Trustee Policy

The Board of Trustees recognizes both the educational value and dangers of social networking sites. To protect Pacific Heritage Academy personnel, students, parents, and school resources, Pacific Heritage Academy requires all educators who access social networking sites to abide by the following policy.

DEFINITIONS

“Web page” means a social networking site, personal web site, blog account or other Internet location, which can be edited by an individual with the correct username and password.

1. INSTRUCTIONAL USE

- A. Pacific Heritage Academy prohibits the use of a classroom instructional website.
- B. Pacific Heritage Academy website and calendar are maintained by the Administration. All postings are approved by the Administration.
- C. Educators who use charter school resources to create, maintain, or post to personal web pages or the pages of others have no expectation of privacy and their activities may be subject to review by Pacific Heritage Academy Administration or IT management.

2. PERSONAL USE

- A. Educators who maintain a personal web page shall not knowingly allow students to access their personal web page.
- B. Educators shall not solicit students as friends on their personal web pages or invite or encourage students to read or access their web pages.
- C. Educators may not access personal web pages (yours or personal contacts) using school computer resources during school hours.
- D. Educators may face disciplinary action for posts on their personal web pages that violate Pacific Heritage Academy policies and state rules regarding professional conduct and create a disruption in the school or interfere with the rights of other employees or students, or the employee’s ability to serve as an educator at Pacific Heritage Academy.
- E. Educators may not use school logos, mascots, symbols, or Pacific Heritage Academy/Schools trademarks on their personal web pages.
- F. Educators may not post pictures of Pacific Heritage Academy students on their personal web pages.
- G. Educators who use charter school resources to create, maintain, or post to personal web pages or the pages of others have no expectation of privacy and their activities may be subject to review by school or charter school administration.

3. DISCIPLINARY ACTION FOR VIOLATIONS OF SOCIAL NETWORKING POLICIES

- A. Disciplinary action will be taken for violations of the policy which may result in job action if the violation interferes with the educator’s ability to function as an effective teacher, including role model responsibilities.
- B. Administration will investigate the validity of claims.
- C. Determine and document whether web page content disrupts the educational environment.
 - 1) Determine and document if the web page content has affected the educator’s ability to perform his or her duties as a teacher, including the duty to act as a role model for students.
 - 2) Consider whether the post raises any criminal issues; if so, contact law enforcement.
 - 3) If the posting is egregious, determine if a referral to the Utah Professional Practices Advisory Commission is warranted.

- D. Inappropriate usage or postings are a remediable problem, unless the actions are part of a greater misconduct issue, such as fostering a sexual relationship with a student, or causing a significant disruption in the school.

4. NOTIFICATION OF STUDENTS AND PARENTS

- A. Policy posted on the school website for parent information.
- B. Parents will notify the Executive Director if there is reasonable belief that a Pacific Heritage Academy employee is using an electronic site to establish an inappropriate relationship with a student, or viewing inappropriate sites on a school computer.
- C. Pacific Heritage Academy faculty/staff will discuss policy with students along with Internet Policy.
- D. Students will notify school director if there is reasonable belief that a Pacific Heritage Academy faculty/staff is using a site to establish an inappropriate relationship with a student, or viewing inappropriate sites on a school computer.

5. EDUCATOR TRAINING ON THE POLICY AND THE SAFE PERSONAL USE OF SOCIAL NETWORKING SITES

- A. Educators will receive annual training on the policy and whenever necessary to address new technology or directives from the Utah State Office of Education or the Professional Practices Advisory Commission.

03-113—Technology and Network Protection Policy

The Pacific Heritage Academy Board of Trustees recognizes that students need to be proficient users of information, media, and technology to succeed in a digital world.

Therefore, the Pacific Heritage Academy will use electronic resources as a powerful and compelling means for students to learn core subjects and applied skills in relevant and rigorous ways. It is the Pacific Heritage Academy goal to provide students with rich and ample opportunities to use technology for important purposes in schools just as individuals in workplaces and other real-life settings. Pacific Heritage Academy technology will enable educators and students to communicate, learn, share, collaborate and create, to think and solve problems, to manage their work, and to take ownership of their lives.

The Board directs the Executive Director and Directors to create strong electronic educational systems that support innovative teaching and learning, to provide appropriate staff development opportunities to promote appropriate and responsible technology use and to develop procedures to support this policy.

Legal Reference

18 USC §§ 2510-2522, Electronic Communication Privacy Act

Electronic Resources: Procedure

These procedures are written to support the electronic resources of the school and to promote positive and effective digital citizenship among students and staff. Successful, technologically fluent digital citizens live safely and civilly in an increasingly digital world. They recognize that information posted on the Internet is public and permanent and can have a long-term impact on an individual's life and career. Expectations for student and staff behavior online are no different than face-to-face interactions.

Network

The Pacific Heritage Academy network includes wired and wireless computers and peripheral equipment, files and storage, e-mail and Internet content (blogs, web sites, web mail, groups, wikis, etc.). The Pacific Heritage Academy reserves the right to prioritize the use of, and access to, the network.

All use of the network must support education and research and be consistent with the mission of Pacific Heritage Academy.

Acceptable network use by Pacific Heritage Academy students and staff includes:

- Creation of files, projects, videos, web pages and podcasts using network resources in support of educational research;
- Participation in blogs, wikis, bulletin boards, social networking sites and groups and the creation of content for podcasts, e-mail and web pages that support educational research;
- With parental permission, the online publication of original educational material, curriculum related materials and student work. Sources outside the classroom or school must be cited appropriately;

- Staff use of the network for incidental personal use in accordance with all Pacific Heritage Academy policies and guidelines;
- Connection of staff personal laptops to the Pacific Heritage Academy network after checking with as authorized by designated staff to confirm that the laptop is equipped with up-to-date virus software, compatible network card and is configured properly. Connection of any personal electronic device is subject to all guidelines in this document.

Unacceptable network use by Pacific Heritage Academy students and staff includes but is not limited to:

- Personal gain, commercial solicitation and compensation of any kind;
- Liability or cost incurred by Pacific Heritage Academy;
- Downloading, installation and use of games, audio files video files or other applications (including shareware or freeware) without permission or approval from a(insert title of person);
- Support or opposition for ballot measures, candidates and any other political activity;
- Hacking, cracking, vandalizing, the introduction of viruses, worms, Trojan horses, time bombs and changes to hardware, software, and monitoring tools;
- Unauthorized access to other Pacific Heritage Academy computers, networks and information systems;
- Cyberbullying, hate mail, defamation, harassment of any kind, discriminatory jokes and remarks;
- Information posted, sent or stored online that could endanger others (e.g., bomb construction, drug manufacture);
- Accessing, uploading, downloading, storage and distribution of obscene, pornographic or sexually explicit material; and attaching unauthorized equipment to Pacific Heritage Academy network. Any such equipment will be confiscated and destroyed.

Pacific Heritage Academy will not be responsible for any damages suffered by any user, including but not limited to, loss of data resulting from delays, non-deliveries, mis-deliveries or service interruptions caused by its own negligence or any other errors or omissions. Pacific Heritage Academy will not be responsible for unauthorized financial obligations resulting from the use of, or access to, Pacific Heritage Academy computer network or the Internet.

Internet Safety: Personal Information and Inappropriate Content

Students and staff should not reveal personal information, including a home address and phone number, on web sites, blogs, podcasts, videos, wikis, e-mail or as content on any other electronic medium.

Students and staff should not reveal personal information about another individual on any electronic medium.

No student pictures or names can be published on any class, Pacific Heritage Academy web site unless the appropriate permission has been verified.

If students encounter dangerous or inappropriate information or messages, they should notify the appropriate school authority.

Filtering and Monitoring

Filtering appliances are used to block or filter access to visual depictions that are obscene and all child pornography in accordance with the Children's Internet Protection Act (CIPA). Filtering software is not 100% effective. While filters make it more difficult for objectionable material to be received or accessed; filters are not a solution in themselves. Every user must take responsibility for his or her use of the network and Internet and avoid objectionable sites;

- Any attempts to defeat or bypass Pacific Heritage Academy Internet filter or conceal Internet activity are prohibited: proxies, https, special ports, modifications to Pacific Heritage Academy browser settings and any other techniques designed to evade filtering or enable the publication of inappropriate content;
- E-mail inconsistent with the educational and research mission of Pacific Heritage Academy will be considered SPAM and blocked from entering Pacific Heritage Academy e-mail boxes;
- Pacific Heritage Academy will provide appropriate adult supervision of Internet use. The first line of defense in controlling access by minors to inappropriate material on the Internet is deliberate and consistent monitoring of student access to Pacific Heritage Academy computers;
- Staff members who supervise students, control electronic equipment or have occasion to observe student use of said equipment online, must make a reasonable effort to monitor the use of this equipment to assure that student use conforms to the mission and goals of Pacific Heritage Academy; and
- Staff must make a reasonable effort to become familiar with the Internet and to monitor, instruct and assist effectively.

Internet Safety Instruction

All students will be educated about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, and cyberbullying awareness and response. Age appropriate materials will be made available for use across grade levels.

Training on online safety issues and materials implementation will be made available for administration, staff and parents.

Copyright

Downloading, copying, duplicating and distributing software, music, sound files, movies, images or other copyrighted materials without the specific written permission of the copyright owner is generally prohibited. However, the duplication and distribution of materials for educational purposes are permitted when such duplication and distribution fall within the Fair Use Doctrine of the

United States Copyright Law (Title 17, USC) and content is cited appropriately. All student work is copyrighted. Permission to publish any student work requires permission from the parent or guardian.

Network Security and Privacy

System logins and accounts are to be used only by the authorized owner of the account, for authorized Pacific Heritage Academy purposes. Students and staff are responsible for all activity on their account and must not share their account password.

Administration shall ensure that school faculty, staff, and students are trained in proper network security procedures, including the protection of passwords and the prohibition of the use of another user's network account.

Student Data is Confidential

Pacific Heritage Academy staff must maintain the confidentiality of student data in accordance with the Family Education Rights and Privacy Act (FERPA).

No Expectation of Privacy

Pacific Heritage Academy provides the network system, e-mail and Internet access as a tool for education and research in support of Pacific Heritage Academy mission. Pacific Heritage Academy reserves the right to monitor, inspect, copy, review and store, without prior notice, information about the content and usage of: The network;

- User files and disk space utilization;
- User applications and bandwidth utilization;
- User document files, folders and electronic communications;
- E-mail;
- Internet access; and
- Any and all information transmitted or received in connection with network and e-mail use.
- No student or staff user should have any expectation of privacy when using Pacific Heritage Academy network. Pacific Heritage Academy reserves the right to disclose any electronic message to law enforcement officials or third parties as appropriate. All documents are subject to the public records disclosure laws of the State of Utah.

Archive and Backup

Regular backup shall be made of all Pacific Heritage Academy data (including e-mail correspondence) for purposes of public disclosure and disaster recovery.

Disciplinary Action

All users of Pacific Heritage Academy electronic resources are required to comply with Pacific Heritage Academy policy and procedures [and agree to abide by the provisions set forth in Pacific Heritage Academy user agreement]. Violation of any of the conditions of use explained in this or any other policy related to Electronic Resources may be cause for disciplinary action, up to and including suspension or expulsion from school and suspension or revocation of network and computer access privileges, and up to and including termination of employment for employees.

03-114—Head Injury Policy

In compliance with Utah State Board of Education Rule R277-614, Pacific Heritage Academy has established this *Head Injury and Concussion Policy* to provide education about concussion for coaches, school personnel, parents, and students. This policy outlines procedures for staff to follow in managing concussions, and outlines school policy as it pertains to return to play issues following a concussion.

Pacific Heritage Academy seeks to provide a safe return to activity for all students following any injury, but particularly after a concussion. In order to effectively and consistently manage these injuries, administration shall develop procedures to ensure that concussed students are identified, treated and referred appropriately, receive appropriate follow-up medical care during the school day and are fully recovered prior to returning to activity.

Administration, Physical Education Specialists and/or Committees shall review this protocol annually. Any changes or modifications will be reviewed and given to athletic department staff, including coaches and other appropriate school personnel in writing.

All appropriate staff shall attend a yearly in-service meeting in which procedures for managing sporting event-related concussions are discussed.

Non-Policy tools and procedures

Recognition of Concussion

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

Common signs and symptoms of sports-related concussion

Signs (observed by others):

- Student appears dazed or stunned
- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Moves clumsily (altered coordination)
- Balance problems
- Personality change
- Responds slowly to questions

- Forgets events prior to hit
- Forgets events after the hit
- Loss of consciousness (any duration)

Symptoms (reported by student):

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

These signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion. Any student who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion, or balance problems) shall be immediately removed from the contest, game, or practice and shall not return to play until cleared by an appropriate health care professional.

Management and Referral Guidelines for All Staff

1) The following situations indicate a medical emergency:

- a) Any student with a witnessed loss of consciousness (LOC) of any duration should be spine boarded and transported immediately to nearest emergency department via emergency vehicle.
- b) Any student who has symptoms of a concussion, and who is not stable (i.e., condition is worsening), is to be transported immediately to the nearest emergency department via emergency vehicle.
- c) A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle.
 1. Deterioration of neurological function
 2. Decreasing level of consciousness

3. Decrease or irregularity in respirations
 4. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
 5. Mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation
 6. Seizure activity
- 2) A student who is symptomatic but stable, may be transported by his or her parents. The parents should be advised to contact the student's primary care provider, or seek care at the nearest emergency department, on the day of the injury.

Guidelines and Procedures for Coaches and Teachers Supervising Contests and Games:

Recognize concussion

- a) All educators and agents of the school should become familiar with the signs and symptoms of concussion that are described above.
- b) Educators and agents of school shall have appropriate training about recognizing and responding to traumatic head injuries, consistent with the employees' responsibilities for supervising students and athletes.

Remove from activity

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

Refer the athlete/student for medical evaluation

1. The Administration or its secretaries are responsible for notifying the student's parent(s) of the injury.
 - a. Contact the parent(s) to inform a parent of the injury. Depending on the injury, either an emergency vehicle will transport or parent(s) will pick the student up at the event for transport. (see Section II).
 - b. A medical evaluation is required before returning to play.
2. In the event that a student's parent(s) cannot be reached, and the student is able to be sent home (rather than directly to medical treatment):
 - a. The Administration should insure that the student will be with a responsible individual, who is capable of monitoring the student and understanding the home care instructions, before allowing the student to go home.
 - b. The Administration should continue efforts to reach a parent.

- c. If there is any question about the status of the student, or if the student cannot be monitored appropriately, the student should be referred to an Emergency Department for evaluation. A Director should accompany the student and remain with the student until a parent arrives.
- d. The Administration shall provide for supervision of other students for whom he or she is responsible when accompanying the injured student.

Return to Play (RTP) Procedures After Concussion

1. Return to activity and play is a medical decision. The student must meet all of the following criteria in order to progress to activity:
 - (1) Asymptomatic at rest and with exertion (including mental exertion in school) AND
 - (2) have written clearance from the student's primary care provider or concussion specialist (student must be cleared for progression to activity by a physician other than an Emergency Room physician, if diagnosed with a concussion).
2. Once the above criteria are met, the student will be progressed back to full activity following the step-wise process detailed below. (This progression must be closely supervised by a school agent. If your school does not have an athletic trainer, then the coach must have a very specific plan to follow as directed by the athlete's physician).
3. Progression is individualized, and will be determined on a case-by-case basis. Factors that may affect the rate of progression include: previous history of concussion, duration and type of symptoms, age of the student, and sport/activity in which the student participates. An athlete/student with a prior history of concussion, one who has had an extended duration of symptoms, or one who is participating in a collision or contact sport may be progressed more slowly.
4. Stepwise progression as described below:
 - (1) Complete cognitive rest. This may include staying home from school or limiting school hours (and studying) for several days. Activities requiring concentration and attention may worsen symptoms and delay recovery.
 - (2) Return to school full-time.
 - (3) Light exercise. This step cannot begin until the student is no longer having concussion symptoms and is cleared by a physician for further activity. At this point the athlete may begin walking or riding an exercise bike. No weight lifting.
 - (4) Running in the gym or on the field. No helmet or other equipment.
 - (5) Non-contact training drills in full equipment. Weight training can begin.
 - (6) Full contact practice or training.

(7) Play in game. Must be cleared by physician before returning to play.

- 2) The student should spend 1 to 2 days at each step before advancing to the next. If post-concussion symptoms occur at any step, student must stop the activity and the treating physician must be contacted. Depending upon the specific type and severity of the symptoms, the student may be told to rest for 24 hours and then resume activity at a level one step below where he or she was at when the symptoms occurred. This resumption of activity could be considerably simplified for a student injured during recess compared to a student injured at a game or formal practice.

Potential Problem Areas

While current Utah law designates that a student may be returned to play by “an appropriate health care provider”, Pacific Heritage Academy may limit the credentials from which it will accept clearance in its sole discretion. Generally, students will be required to provide a note from his/her health care provider before being allowed to return to play. This is a very important decision and will be made after careful consideration by the athletic director Executive Director, Board Chair, teacher (elementary), and parent(s). Pacific Heritage Academy's liability carrier may also be consulted.

Pacific Heritage Academy Administration will not allow students clearly having concussion symptoms to return to play even if given clearance by a health care provider.

03-115—Electronic Devices on Campus

Students

Cell phones and other electronic devices (music players, video game devices, etc.) are allowed on campus only if they are kept off and out of sight. Parents and students are encouraged to communicate during non-school hours to confirm personal plans and/or arrangements and advise the school in writing when necessary. Urgent calls home are evaluated on an individual basis as to necessity. If there is a need to use a cell phone while on campus, students may go to the front office to request permission to make a call.

If students choose to violate this policy, the follow consequences will ensue:

- Violation 1: Device is confiscated and will not be returned until the end of the day.
- Violation 2: Device will be confiscated, will be stored at the front office and will have to be picked up by the parent at the end of the week.
- Violation 3: Device will be confiscated and will be returned at the end of the term with a student/parent/administrator agreement in place.

Employees

With the exception of necessary medical devices, Pacific Heritage Academy employees may not use personal electronic devices that interfere with their ability to perform essential job functions, including personal iPods or other audio (MP3) players. Employees who do not have a business need to interact with others may be allowed to use personal electronic devices with the approval of the Executive Director.

Telephones are provided to enable Pacific Heritage Academy employees to carry out work assignments in an efficient manner. Personal telephone calls should be kept to a minimum and except for emergencies, be made outside of school hours. Personal toll (long-distance) calls shall not be made at the School's expense. Employees may not talk on their cell phones during work hours except in extreme emergencies.

03-116—School Clubs

I. Definitions

- A. Curricular club [Use definition from HB 236/53A-11-1202–note that these are different than your previous “supervised club, monitored club, etc.”]
- B. Non-curricular club [defined in HB 236/53A-11-1202]
- C. Instructional time [definition in HB 236/53A-11-1202–but define for your individual schools or your district if all schools are consistent]
- D. “Exempt groups” [see 53A-11-1204(2)–define for purposes of each school or the district.]
[Additional definitions as determined by the school/district such as “club,” “discretionary time,” “faculty supervisor/monitor”–some of these are somewhat defined in the law, but can be defined to the school’s advantage. I would avoid defining terms that are undefinable, such as “involving human sexuality.” Address problems with behavior when, and if, they occur.]

II. Application

- A. Application for curricular club (appropriate for grades K-12)
 1. Names of applicants–faculty members or students or both
 2. Club name
 3. Explain relationship/connection to the curriculum
 4. Statement of purpose
 5. Statement of goals
 6. Statement of (proposed) activities
 7. Statement of “type” of club (see 53A-11-1204(3)(c))
 8. Proposed budget
 9. Will try-outs be required? Times/places, if available
 10. Proposed meeting times, dates, places
 11. Will membership be extended to students who do not attend the school? If so, assurance as to additional parent consent requirement.
 - B. Application for non-curricular club (only appropriate for grades 7-12)
 1. Names of applicants (minimum of 3)
 2. Club name
 3. Statement of purpose
 4. Statement of goals
 5. Statement of (proposed) activities
 6. Statement of “type” of club (see 53A-11-1205(3)(c))
 7. Proposed budget, including proposed source and use of funds
 8. Proposed meeting times, dates, places
 9. Will try-outs be required? Times/location, if available
 10. Assurance that all materials distributed in club meetings will be delivered to Pacific Heritage Academy Administration no later than 24 hours after each club meeting and parents who request may have opportunity to review materials.
 11. Assurance that club membership will be limited to students who attend the school.
 - C. Set timelines for both club applications
 - D. Establish contact people and locations for picking up applications and turning them in; indicate if applications are available online.
- III. Set standards for use of school buildings and resources by clubs and include such items as:
- rooms, equipment, outside facilities that are available for use by the clubs;
 - what clubs must do to schedule rooms;
 - responsibilities that clubs have to maintain order and clean up after their meetings
 - or activities;

- what activities or resources are available to clubs to recruit members and/or
- announce their meetings;
- access to school websites, directories, communication systems, yearbooks, etc.;
- any financial support from school available to which types of clubs;
- note 53A-11-1208 which further explains school involvement with certain clubs.

IV. Establish standards for advisor selection and participation with clubs

- Appointment and approval process and timeline for faculty advisor for all clubs
- Establish faculty responsibilities and limitations [See 53A-11-1207]

V. Parent Consent

- Written parent/guardian consent is required for all students participating in all clubs.
- The attached parent consent form contains statutory requirements. Schools may use their own form with substantially similar language if an alternative consent form is desired.
- An additional parental consent is required for students who DO NOT attend the school sponsoring the curricular club. That language could read as follows and requires a separate parent signature:

I acknowledge that _____ (student's name)
 does not attend _____ (school) but
 desires to participate in the _____ Club, a curricular
 club. He/She has my permission to participate.

VI. Procedures for review of applications, including approval and denial

- Timeline for review
 - Set fair and evenhanded dates for submission of applications
 - Set dates for approval or denial
- If application is denied, written explanations must accompany denial including suggestions for rebutting denial.
 - Denial could also include denial of building use
 - Denial must be accompanied by factual and legal basis for denial

VII. Appeals

- Identify reasons for appeal
 - Section 53A-11-1212(2) identifies “denied,” “suspended,” “terminated” club, “student desirous of participating or speaking” or complaining parent/guardian” as reasons for appeal.
 - Local board could offer additional persons appeal opportunity.
- Identify timeline and designee for complaint or appeal
 - Section 53A-11-1212 (2) provides 10 days from action for an appeal (school/district could allow a longer—but not shorter—appeal time period)
 - School/district must identify designee to receive appeals/complaints
 - Appeal/complaint must be in writing
 - Designee has, per the law, “reasonable time” from receipt of appeal to respond (district/school may and should establish this reasonable time period.)
 - Decision by designee constitutes final administrative action (after which complaining party could take the matter to court.)

6. "A person directly affected by a decision" has a final appeal opportunity "to a person designated by the school governing board." (This could be the superintendent or possibly a committee of the local board of education could be a "person.")

1. Student Name: _____

2. Club name (filled out by school): _____

3. Club purpose (filled out by school): _____

4. Club goals (filled out by school): _____

5. Beginning and ending dates of club authorization (filled out by school):

• Beginning: _____

• Ending: _____

6. Tentative schedule of club activities (to extent known—filled out by school):

• Dates: _____

• Times: _____

• Places: _____

7. Name of club supervisor/monitor/sponsor (filled out by school): _____

8. Costs to student/family, if any (filled out by school): _____

9. Other information, if any: _____

Student signature: _____ Date: _____

Parent signature: _____ Date: _____

*Form shall be maintained at school by the Administration.

**Further information about the law that requires this form can be found in Utah
Code Section 53A-11-1201 through 12 14.

04—Administration and Operations

04-101—Religious Freedom Policy

1. PURPOSE AND PHILOSOPHY

- 1.1 Pacific Heritage Academy promotes mutual understanding and respect for the interests and rights of all individuals regarding their beliefs, values, and customs. Specifically, it is the school’s purpose to have a policy that:
- 1.2 Fosters knowledge and understanding about, and sensitivity toward, religious differences and the role of religion in a diverse, contemporary society;
- 1.3 Allows student and employee religious expression and freedom of speech within the parameters of existing state and federal law;
- 1.4 Supports a climate of academic freedom in which religious ideas and organizations can be discussed in an objective way, for their educational value, with emphasis on the impact of religions on history, literature, art, music, morality, and other key social institutions;
- 1.5 Requires official neutrality on the part of teachers, administrators, other school employees, and volunteers regarding religious activity when acting in their official capacities;
- 1.6 Promotes constructive dialogue between schools and community regarding religion; and
- 1.7 Encourages educators and all members of the school community to engage in persistent efforts to eliminate prejudice, build trust, work toward consensus, and resolve disputes over religious issues in schools promptly, equitably, sensitively, and with civility at the local level.

2 POLICY

- 2.1 It is Pacific Heritage Academy’s policy to comply with existing state and federal law regarding religion and religious expression in public schools. Specifically, it is Pacific Heritage Academy’s policy to: 1) allow students and employees to engage in expression of personal religious views or beliefs within the parameters of current law, and 2) maintain official neutrality regarding sectarian religious issues; the School will neither advance nor inhibit religion.
- 2.2 It is also Pacific Heritage Academy policy to take all reasonable steps to resolve disputes over religious issues in schools promptly, equitably, and with civility.

3 STUDENT EXPRESSION OF PERSONAL RELIGIOUS BELIEFS OR VIEWS

3.1 **Non-discrimination:** Pacific Heritage Academy will not forbid students acting on their own from expressing their personal religious views or beliefs solely because they are of a religious nature and will may not discriminate against private religious expression by students, but will instead give students the same right to engage in religious activity and discussion as they have to engage in other comparable activity.

3.2 **Freedom to act:** While the freedom to believe is absolute, the freedom to act on a belief is not. In order to claim a violation of the Free Exercise protections of the First Amendment and the this policy, a person must show that his or her actions 1) are motivated by a sincere religious belief, and 2) have been substantially burdened by school officials or the School.

3.3 **Least restrictive means:** If an individual can show that his or her actions are motivated by a sincere religious belief and have been substantially burdened by school officials or the School, school officials can still regulate the conduct if they have a compelling interest and pursue such interest in the manner least restrictive of the individual's religion.

3.4 **Student religious expression during discretionary time:** Free exercise of religious practices or freedom of speech by students during discretionary time shall not be denied unless the conduct or speech unreasonably interferes with the ability of school officials to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

3.4.1 Student conduct or speech of a personal religious nature that may not be prohibited unless it violates the standards above, includes, but is not limited to:

3.4.1.1 [a] Reading the Bible or other scriptures;

3.4.1.2 [b] Saying grace;

3.4.1.3 [c] Praying with friends in cafeterias, hallways, around flagpoles, or at athletic contests and other extra-curricular activities;

3.4.1.4 [d] Discussing religious views with other students, or attempting to persuade peers about religious topics, as long as the persuasive speech does not constitute harassment

3.5 **Organized prayer groups and religious clubs:** Students may organize prayer groups, religious clubs, and other gatherings before and after school to the same extent that students are permitted to organize other non-curricular student activity

groups and clubs. Such groups and clubs must be given the same access to school facilities for assembling as is given to other non-curricular groups, without discrimination because of the religious content of their expressions.

3.6 Student religious expression during instructional time: Students participating in school sponsored learning activities shall not be prohibited from expressing personal religious beliefs or be penalized for so doing, unless the expression unreasonably interferes with the ability of school officials to maintain order and discipline, violates school rules, impinges on the rights of others, unreasonably endangers persons or property, creates a coercive atmosphere, or violates concepts of civility or propriety appropriate to the school setting.

3.6.1 Student religious conduct or expression that may not be prohibited in homework, classroom discussions, presentations, assignments, or school sponsored activities, unless it violates the standards above, includes but is not limited to:

3.6.1.1 [a] Submitting homework, artwork, or other assignments with religious content;

3.6.1.2 [b] Giving class presentations with religious content that are relevant to the curriculum and matter being discussed;

3.6.1.3 [c] Making religious remarks or asking questions about religion in the ordinary course of classroom discussion;

3.6.1.4 [d] Asking questions of students or school employees regarding their religious beliefs or views.

3.6.2 Teachers and other school officials should evaluate homework and classroom work with religious content consistent with ordinary academic standards of substance and relevance, as well as other legitimate pedagogical concerns.

3.6.3 When responding to a student's question about an employee's personal religious beliefs or views, the employee must maintain official neutrality and be careful not to advocate or encourage acceptance of his/her religious belief or perspective (see section 8.2 of this policy).

4 RELIGIOUS CLOTHING AND APPAREL

4.1 Because dress is a form of individual expression, any prohibition or regulation of religious clothing or apparel must be consistent with the school dress and uniform standard (including standards for "Aloha Fridays/Cultural Day," done in the least restrictive manner possible to accomplish School and school objectives of maintaining a safe and orderly school environment.

4.2 School officials should also be sensitive and appropriately accommodate students who request not to wear certain gym clothes that they regard, on religious grounds, as immodest.

5 **MOMENT OF SILENCE IN CLASSROOMS**

5.1 In accordance with Utah law, teachers may provide for the observance of a period of silence in the classroom each school day. However, teachers and other school officials must maintain official neutrality by neither encouraging nor discouraging prayer nor other religious exercise during the moment of silence.

5.2 Under School policy teachers and other school officials may not organize, endorse, or encourage prayer exercises in the classroom. Teachers and other school officials must supervise during this time.

6 **EXTRA-CURRICULAR ACTIVITIES**

6.1 **Moment of silence:** Students may elect to hold a moment of silence as part of graduation or other extracurricular ceremonies or activities. A moment of silence may only be initiated and conducted by students, and shall not be used as a forum for vocal prayer or other religious exercise, but rather as an opportunity for those in attendance to participate in a quiet moment according to the dictates of their own conscience. During a moment of silence and all other religious activities associated with graduation, school officials shall maintain official neutrality.

6.2 **Prayers by non-students prohibited at athletic contests and other extra-curricular events:** Consistent with the general policy on school-sanctioned prayers, it is School policy to prohibit prayers initiated or led by coaches, parents, clergy, or other non-students prior to, during, or after athletic contests and other extra-curricular events. Students may pray together at such events consistent with the guidance outlined in Section 5.1 of this policy. Coaches, administrators, and other school officials may be present during student prayers to supervise, but should in no way participate in or encourage prayer exercises. School officials should take steps to prevent any activity from being coercive or harassing.

7 **DISTRIBUTION OF RELIGIOUS MATERIALS ON SCHOOL GROUNDS**

7.1 Non-school sponsored organizations and non-students may only distribute literature or other materials in schools or on school grounds in accordance with reasonable time, place, and manner restrictions imposed by the schools

7.2 Students may distribute literature unrelated to school curriculum or activities only at reasonable times, places, and manners designated by the school.

7.3 Religious tracts, books, or literature may not be singled out for special regulation or prohibition based on content, but is subject to reasonable time, place and manner restrictions imposed by the schools on other non-school related literature.

8 EMPLOYEE EXPRESSION OF PERSONAL RELIGIOUS BELIEFS

- 8.1 **Official neutrality:** All employees of Pacific Heritage Academy must maintain strict neutrality when acting in their official capacities. An employee's rights relating to voluntary religious practices and freedom of speech do not include proselytizing of any student regarding atheistic, agnostic, sectarian, religious, or denominational doctrine while the employee is acting in the employee's official capacity, nor may an employee attempt to use his or her position to influence a student regarding the student's religious beliefs or lack thereof.
- 8.2 **Response to questions:** If a student asks an employee about that employee's personal religious beliefs, the employee may choose not to respond out of professional respect for the student's freedom of conscience or personal beliefs. However, while acting in an official capacity, an employee may respond in an appropriate and restrained manner to a spontaneous question from a student regarding the employee's personal religious beliefs or perspectives. Because of the special position of trust held by school employees, employees may not advocate or encourage acceptance of specific religious beliefs or perspectives; but may, by exercising due caution, explain or define personal religious beliefs or perspectives.
- 8.3 **Reasonable accommodation:** It is Pacific Heritage Academy's policy to reasonably accommodate an employee's or prospective employee's religious dress, observance or practice whenever such accommodation can be made without undue hardship on the conduct of the School's business.

9 VOLUNTEERS

- 9.1 Pacific Heritage Academy prohibits discrimination on the basis of religion against any group or individual desiring to volunteer in Davis Schools
- 9.2 Volunteers must maintain strict neutrality regarding religion while performing volunteer work for the schools.
- 9.3 Volunteers are prohibited from engaging in proselyting activities or recruiting activities of any type on school grounds or in conjunction with any school activity, and must strictly follow the directions given them by school officials.
- 9.4 Religious apparel is permissible if it is required by a person's religion, is part of the person's ordinary work dress and would not be disruptive of the school environment and does not contain a proselytizing message.
- 9.5 Volunteers, including those from religious organizations, serving in the schools, and interacting directly with students on a regular basis, shall wear a School approved volunteer name tag containing the individual's first and last name, and shall sign a form acknowledging that they understand and will abide by the provisions of this policy.

9.6 Pacific Heritage Academy Administration is responsible to monitor the behavior and interactions of volunteers while they are serving in schools or participating in school activities. Volunteers who fail to comply with the provisions of this policy shall be asked to leave the school or activity. Ultimate responsibility for enforcement of this policy rests with the Director.

10 RELIGION IN THE CURRICULUM

10.1 **Teaching about religion:** Religious instruction is the responsibility of parents and religious institutions, but teaching **about** religion and beliefs of conscience is a legitimate and appropriate part of a complete academic education on the elementary and secondary levels.

10.2 **Instructional practices:** To ensure that the educational approach to religion is one of academic instruction, not of indoctrination, and that it does not unduly favor religion over non-religion, teachers and school officials shall adhere to the following guidelines:

10.2.1 Study or presentations about religion or other beliefs of conscience must achieve academic educational objectives, and be presented in a balanced manner within the context of the approved curriculum.

10.2.2 Pacific Heritage Academy's approach to religion must be academic, not devotional.

10.2.3 Students may be exposed to any and all religious views and beliefs of conscience, but they should not be coerced to accept any particular view or belief.

10.2.4 The objective study of comparative religions is permissible, but no religious tent, belief, or denomination may be given inappropriate emphasis; the school may educate about all religions, but may not promote or denigrate any religion or belief of conscience.

10.2.5 Students should be taught to understand a variety of beliefs, and to respect the rights of all people, including the rights of individuals or groups with whom the students may disagree. Teaching about religion and beliefs of conscience should emphasize the role of religion and beliefs of conscience in history and culture, and the importance of religious liberty as a cornerstone of a democratic society.

10.3 **Privacy:** In accordance with federal and state Family Educational Rights and Privacy laws, school officials shall not solicit private information or explanations from students about their personal religious affiliations, beliefs, or practices, without first obtaining proper parental consent.

11 RELIGIOUS MUSIC

11.1 Religious music in schools: Seasonally appropriate and sacred religious music may be performed in schools, if presented in a balanced, prudent, and objective manner.

11.1.1 Music should be selected on the basis of its musical quality and educational value rather than its religious content.

11.1.2 Music performances must achieve secular educational objectives, and be presented in a balanced manner within the context of the approved curriculum.

11.1.3 Teachers should use good judgment and be especially sensitive to the feelings of students who might wish not to participate for religious reasons, and should explore all reasonable alternatives in resolving a student's objection before offering or granting a waiver of participation.

11.2 Performances at religious services: No Pacific Heritage Academy employee or student may be required to attend or participate in any religious service, whether in an individual capacity or as a member of a performing group, regardless of where or when the service is held. No penalty may be assessed for failure to attend or perform in such an activity.

11.2.1 Students may voluntarily attend and perform during a religious service as individuals or as members of a group, provided all arrangements are made by students or non-school adults.

11.3 Performances in church-owned facilities: Unless granted an appropriate waiver, students who are members of performing groups such as school choirs may be required to rehearse or otherwise perform in a church-owned or operated facility if the following conditions are met:

11.3.1 The performance is not part of a religious service;

11.3.2 The activity of which the performance is a part is neither intended to further a religious objective nor under the direction of a church official;
and

11.3.3 The activity is open to the general public.

11.4 Visits to church-owned facilities: Unless granted an appropriate waiver, students may be required to visit church-owned facilities when religious services are not being conducted if the visit is intended solely for the purpose of pursuing permissible educational objective such as those relating to art, music, architecture or history.

12 RELIGIOUS HOLIDAYS

- 12.1 **No celebration:** Religious and civic holiday such as Easter, Passover, Rosh Hashanah, Yom Kippur, Thanksgiving, Hanukkah, Christmas, Kwanzaa, and Ramadan, offer opportunities to teach about a variety of religious traditions and beliefs of conscience during the school year.
- 12.2 **Other holidays:** Activities and discussions related to cultural holidays such as Valentine's Day, St. Patrick's Day, and Halloween should be academic in nature. Because these holidays may be viewed by some parents as having religious connotations, requests for excusal in school activities associated with these holidays should be routinely granted.
- 12.3 **Parties:** Class parties associated with seasonal holidays are appropriate insofar as they are consistent with the approved curriculum. However, consistent with the School's goal of maximizing instructional time, such parties must not unduly interfere with regular academic activities.
- 12.4 **Teaching about holidays:** The significance of holidays, whether religious or secular, may be explained or discussed in an objective manner as part of regular classroom instruction or as questions from students arise, so as to promote a better understanding among all students.

13 RELIGIOUS SYMBOLS

- 13.1 **During holidays:** The display of religious symbols that are part of religious holidays is permitted as a teaching aid or resource, provided such symbols are displayed as an example of the cultural heritage of the holiday, and are temporary in nature. Such holidays include, but are not limited to: Christmas, Kwanzaa, Hanukkah, Ramadan, Easter, Passover, Valentine's Day, St. Patrick's Day, Thanksgiving, and Halloween.
- 13.2 **Diversity of symbols:** If any religious symbol is to be part of a display, the school will allow for other religious, cultural or ethnic symbols.

14 WAIVERS OF PARTICIPATION

- 14.1 **Rights of individuals:** While the School acknowledges its obligation to be sensitive and fair toward the personal rights and beliefs of all individuals, merely exposing students to ideas that may offend the religion does not amount to a substantial burden on their religious exercise. Furthermore, it is unconstitutional to allow one person's or one group's religion to determine the curriculum for all others. Consequently, it is School policy to accommodate the legitimate objections of individuals by granting waivers of participation when requested or when no other reasonable alternative is possible.
- 14.2 A parent, a legal guardian of a student may request a waiver of participation in any portion of the curriculum or school activity which the requesting party believes to be

an infringement upon a right of conscience or the exercise of religious freedom in any of the following ways:

- 14.2.1 It would require participation in a practice that would be offensive to or substantially burdensome on a religion;
 - 14.2.2 It would require participation in a practice forbidden by a religious belief or practice, or right of conscience; or
 - 14.2.3 It would bar participation in a practice required by a religious belief or practice, or right of conscience.
- 14.3 A claimed infringement must rise to a level of belief that the school requirement violates a superior duty which is more than personal preference.
- 14.4 A parent, guardian, or secondary student requesting a waiver of participation may also suggest an alternative to the school requirement or activity that requires reasonably equivalent performance by the student.
- 14.5 In responding to a request for a waiver, the school may:
- 14.5.1 Waive participation by the student in the objectionable curriculum or activity, with no penalty;
 - 14.5.2 Provide a reasonable alternative as suggested by the parent or secondary student, or other reasonable alternative developed in consultation with the requesting party, that will achieve the objectives of the portion of the curriculum or activity for which waiver is sought; or
 - 14.5.3 Deny the request.
- 14.6 A request for waiver shall not be denied unless school officials determine that requiring the participation of the student is the least restrictive means necessary to achieve a compelling school interest.
- 14.7 In responding to a request for waiver, Pacific Heritage Academy shall not require a student to accept a substandard or educationally deficient alternative.
- 14.8 If any portion of any curriculum or activity is repeatedly alleged to interfere with the rights of conscience or exercise of religious freedom of students, parents or legal guardians, such curriculum or activity shall be evaluated by the school and Pacific Heritage Academy's Director of Curriculum and Instruction will determine whether the educational objectives could be achieved by less intrusive means.

15 RELEASED TIME FOR RELIGIOUS INSTRUCTION

- 15.1 **General rule:** Pacific Heritage Academy may permit the release of students during school hours for attendance at religious classes taught by religious teachers on private property, but not on public school premises.
- 15.2 Religious classes shall not be held in school buildings or on school property in any way that permits public money or property to be applied to, or that requires public employees to become entangled with, any religious worship, exercise, or instruction.
- 15.3 Students shall attend released-time classes during the school day only upon the written request and permission of the student's parent or legal guardian.
- 15.4 Because public schools have a legitimate interest in knowing where their students are during school hours, released-time personnel may transmit regular attendance reports to the public school. However, school personnel may not become entangled with released-time programs by gathering or compiling attendance reports from released-time programs.
- 15.5 Teachers of released-time classes are not to be considered members of the school faculty or too participate as faculty members in any school function.
- 15.6 Schedules of classes shall not include released-time classes. At the convenience of the school, registration forms may contain a space indicating "released-time" designation. Scheduling shall be done on forms and supplies furnished by the religious institution and by personnel employed or engaged by the institution and shall occur off school premises.
- 15.7 Teachers, administrators, or other officials shall not request teachers of released-time classes to exercise functions or assume responsibilities for the public school program which would result in a commingling of the activities of the two institutions.
- 15.8 Pacific Heritage Academy equipment or personnel shall not be used in any manner to assist in the conduct of released-time classes. No connection of bells, telephones, or other devices shall be made between public school buildings and institutions offering religious instruction except as a convenience to the public school in the operation of its own program. When any connection of devices is permitted, the pro-rata costs shall be borne by the respective institutions.
- 15.9 Institutions offering religious instruction shall be regarded as private schools completely separate and apart from Pacific Heritage Academy.

04-102—Parent Involvement

Pacific Heritage Academy regards parental involvement vital to the academic success of students. Parents are the initial teachers of their children and serve as partners with the school in helping their children achieve academic success.

Pacific Heritage Academy will involve parents in the development of its academic plans.

- Pacific Heritage Academy will invite two parents to participate in the development of the school plan for at-risk students. Information, including academic data, State and Federal allocations, personnel, and instructional strategies will be given to parent representatives two weeks prior to the meeting for review.
- Parents will review information, attend scheduled meetings and give input into the development of the plan.
- The Board of Trustees will give final approval of the plan.

Pacific Heritage Academy will involve parents in the process of school review and improvement.

- Share overall achievement data with parents.
- Invite input from parents regarding school academic goals.
- Discuss scientifically-based research instructional practices.
- Give direction in securing research-based curriculum materials that align with goals.

Pacific Heritage Academy will provide coordination and technical assistance to promote quality parental involvement activities.

- Twice during the year, school leadership will include parental involvement discussions to maximize coordination and effective use of resources.
- Provide annual training to school administrators and teachers on effective parent involvement strategies.
- Schedule an annual parent involvement seminar to build effective parental involvement strategies.

Pacific Heritage Academy will coordinate parental involvement strategies with other programs.

- Representatives from other programs will be encouraged to cosponsor the annual parent involvement seminar with Title I.
- Faculty and staff who have responsibility for overseeing parental involvement activities will meet at least twice a year to discuss plans and coordinate efforts.

Pacific Heritage Academy will conduct an annual parental involvement evaluation.

- In the spring, local School Community Councils will be asked to provide feedback on the quality of involvement opportunities and provide input on how the school might improve support for parental involvement.
- Parents will be encouraged to complete a survey that will elicit feedback on current activities and request input for future efforts.
- At the beginning of the new school year, the school will provide a summary of the parental survey with its plans to address identified needs and recommendations.

Pacific Heritage Academy will involve parents in a variety of school activities.

- The Executive Director will report annually on parental involvement in at-risk and other programs.
- In the annual training for administrators and teachers, the school will share identified successful parental involvement activities with volunteer committees.
- The Executive Director will annually report to the board how used Title I funds were used to support effective parent involvement strategies.

04-103—Title I Compact

PARENT/GUARDIAN RESPONSIBILITIES

I want my child to achieve therefore I will:

- Make certain my child attends school regularly and on time.
- See that my child is well-rested and has breakfast each day.
- Set aside a specific time and place for homework, assisting as necessary.
- Attend at least two conferences and communicate regularly with my child's teacher to ensure his/her academic success.
- Support the school and staff in maintaining proper discipline.
- Read with my child and let him /her see me read regularly.
- Encourage positive attitudes toward school.
- Volunteer in my child's classroom as appropriate.
- Review information and work sent home and respond as necessary.

STUDENT RESPONSIBILITIES

It is important that I learn, therefore I will:

- Attend school regularly and on time.
- Complete assignments and homework.
- Bring homework and supplies to school each day.
- Work to the best of my ability.
- Work cooperatively with classmates, teachers and staff.
- Respect myself, other people, and my school.
- Follow all school rules.
- Accept responsibility for my own actions.

TEACHER RESPONSIBILITIES

It is important that my student achieve, therefore I will:

- Hold expectations high for all students, believing that all students can learn.
- Provide high-quality instruction in a supportive and non-threatening environment.
- Provide meaningful homework.
- Communicate regularly with my students and their families through conferences, notes, phone calls, etc.
- Provide opportunities for parents to assist in the classroom in meaningful ways and to observe classroom activities.

EXECUTIVE DIRECTOR RESPONSIBILITIES

I support this compact therefore I will:

- Provide an equitable learning environment for all children.
- Encourage the staff to provide parents with information about the total school program.
- Encourage our staff to provide avenues for positive and meaningful parent involvement.
- Schedule annual parent-teacher conferences for parents of children to attend.
- Provide reasonable parent access to staff members.
- Provide a variety of opportunities for parents to volunteer in their child's classroom.
- If needed and reasonable, provide parents opportunities to observe classroom activities.

04-104—Fundraising Policy

To protect the safety of our children, eliminate conflicts among organizations within the District, which may arise from fund raising activities, eliminate out-of-class time for fund raising projects and eliminate financial pressures on students, families, and community businesses, the Board of Education enacts the following fund raising guidelines.

I. Purpose

The purpose of Pacific Heritage Academy's school activity funds is to account for those activities and functions relating to student organizations (classes, academic organizations, teams, clubs). Fundraising projects shall contribute to the educational experiences of students and shall add to, not conflict with, the instructional program.

II. Management

Funds raised under the umbrella of a student activity belong to the student organization, not to individual students or to the advisor. The finances of all school clubs, teams and organizations will be under the supervision of the Executive Director or Directors. Pacific Heritage Academy's Business Manager shall establish procedures to ensure control of student activity funds and may conduct audit procedures at any time. The management of student activity funds shall be in accordance with sound business practices, including budgetary and accounting procedures and thorough audits.

III. Responsibility

Fundraisers will have an annual approval process and all parties, including those from whom funds are being solicited, will be aware of how the proceeds will be spent. A quarterly meeting will be held with the administration where the advisor / coach of each club, team or organization must present to the administration a list of planned fundraising activities, a summary of fundraising efforts to include: monies raised from each activity, expenditures of funds from each activity and items purchased as well as the balance of each account. This information will be relayed to the Board of Trustees and will be posted on Pacific Heritage Academy's website.

IV. Fund Raising Guidelines

1. Pacific Heritage Academy's Administration must approve and assist in the coordination of all fundraising activities of all classes and organizations. Coaches and Advisors are responsible for any fundraising that benefits their program and are accountable for funds raised.
2. Pacific Heritage Academy is encouraged to limit business and home contacts to no more than one time a year. All fundraising activities shall be conducted in such a manner as to offer minimum competition to local merchants.
3. The goal of the fundraiser should be to benefit students, enhance the quality and relevance of education for learners and contribute to the development of responsible citizens. In conducting fund raising efforts, pressure will not be brought upon students to make them feel they "must" bring money or other items to school. Students should be protected from commercialism (where making money becomes the primary focus and emphasis of the fundraising activity).
4. Student participation in fundraising events must be voluntary; it must not be mandatory for students to participate in or contribute to a fundraiser. Students shall not be barred from an event or activity because they did not participate in fundraising. (This does not release them from paying their share of the cost of an activity or trip).
5. Incentives for goal achievements will be judiciously and carefully prescribed. The incentives will not be competitive with other students, classes, or organizations. They will be related to

the achievement of a class / organization goal such that any who achieve the goal may share appropriately.

6. Out of class time for fund raising projects is prohibited except as approved by the Directors for special and unique situations.
7. Any equipment purchases or gifts received through school activity fund raising efforts become the property of Pacific Heritage Academy and will be added to the schools inventory.

VI. Accountability of Funds

1. Fundraisers require prior designation as to what the funds will be used for. This information must be conveyed to the parents and administration prior to the fund raising activity. Prior to beginning a fund raising activity each coach / advisor must submit a "Fundraising Application" to the Administration. Administrative approval is required for all fundraising activities.
2. All funds derived through fund-raising activities shall be documented through a separate sub-account for the class or organization in a general ledger of Pacific Heritage Academy's internal accounts.
3. If more than one fundraising activity is being conducted at the same time, separate sub-accounts shall be maintained for each activity.
4. All funds collected relative to fundraising shall be deposited with the school financial secretary on a daily basis. A dated receipt will be issued to the organization / individual making the deposit. Advisors / Coaches shall not keep personal checking or savings accounts for their organization.

VII. Accountability of Expenditures

1. All expenditures must be made following the procedures as outlined by Pacific Heritage Academy, School Policy and State Purchasing guidelines.
2. It is the employee's responsibility to read, know and adhere to the policies.
3. An administrator and the advisor / coach shall approve all expenditures. Requests for approval should be submitted to the administrator one week in advance of placing an order.
4. Purchases shall not be made using a personal credit card. Purchases shall be made with a purchase order or with a school credit card.
5. Any purchases over \$2,500.00 require three written bids itemizing each purchase. (General terms such as clothing, equipment, or supplies are insufficient.)
6. Any purchases over \$500.00 require three attached quotes. (These may be obtained from online web sites etc.)
7. All purchases require receipts. Receipts shall list specific items purchased.
8. All personal reimbursement payments should be pre-approved by the administration and shall be itemized. Reimbursements may not exceed \$500.00. The reimbursement must be connected with activities sponsored by Pacific Heritage Academy
9. No account, at any time, should have a negative balance. The Executive Director may make exceptions for temporary negative balances that will be funded with incoming receipts, such as from an upcoming fundraiser.

VIII. Student Responsibilities

When students are participating in fund-raising activities under the name of a school class, team or organization they are required to deposit their funds intact with the secretary over student accounts. The following is required when students are involved in fundraising activities:

1. Fundraising Rules:
 - a. Postdated checks will not be accepted.

- b. Personal checks may not be cashed for anyone.
 - c. Personal checks must be made out for the exact amount due to the school.
 - d. Only pre-numbered two-part tickets should be used when ticket sales are made.
 - e. Coach / Advisor should record ticket numbers given to each student.
2. Deposit Rules:
- a. Pacific Heritage Academy will establish guidelines for receiving and recording deposits. Two individuals must be present when receiving, receipting, and depositing cash.
 - b. At the time of deposit the student must give the secretary the name of the organization they represent and the fundraising activity for which funds were collected.
 - c. Record of the numbered tickets issued to the student, and any unused tickets should be turned in with the deposit.
 - d. The front office secretaries will verify tickets sold and deposit balance before issuing a receipt.
 - e. A minimum of two receipts will be printed for each deposit. One for the student, one for the coach / advisor and one for office records.

IX. Coach / Advisor Responsibilities

1. Attend the quarterly fundraising meeting to insure that proper authority to conduct the fund raising activity has been obtained from Administration.
2. Inform students, parent and administration of the purpose of the fundraising activity and planned expenditures of funds collected.
3. Ensure that funds are properly accounted for and deposited with office secretary over activity accounts.
4. Accurately account for collection of funds. (Activity Cash Box, Two-part tickets, reconciliation forms etc.)
5. Ensure students are following correct procedures for collecting and depositing funds with the office secretary.
6. Each quarter provide accurate information to the administration regarding purpose of each fund raising activity, amounts collected and itemized expenditures.

X. Activity Manager Responsibilities

Generally the Directors shall be designated as the manager for the building's activity accounts. Directors will be familiar with this policy and general accounting guidelines for student activity accounts as outlined by the Business Manager. Duties include:

1. Meet quarterly with coaches / advisors of student organizations to review and approve upcoming fundraising activities, receive a summary report from each organization regarding fund raising activities, amounts collected, and itemized expenditures.
2. Ensure that fundraising efforts are coordinated between groups and activities are not being duplicated.
3. Ensure proper expenditure policies are being followed and approve all fundraising purchases.
4. Work closely with the office secretaries over activity accounts to correct any collection, deposit or accounting problems.
5. Ensure accurate records are kept of all fundraising activities. Records should remain on file for a minimum of seven years following each activity.
6. Ensure that all funds collected are deposited promptly. Daily deposits are recommended. All funds should be locked in the building safe if they remain in the school overnight.
7. Turn over a copy of the summary report to the district office so information can be posted on Pacific Heritage Academy's web site.

XI. Executive Director Responsibilities

The Executive Director shall have responsibility and authority to implement all policies and rules pertaining to the supervision and administration of student activity funds, including their creation operation and closure, in accordance with this policy.

XII. Business Manager Responsibilities

The Business Manager is responsible for prescribing appropriate accounting procedures and is expected to assist and train the office secretaries and Directors over activity accounts. The Business Manager or an outside auditing firm will conduct a yearly audit on activity accounts.

05—Human Resources

05-101—Hiring Policy

Job openings at the Pacific Heritage Academy will be in three different categories:

1. Administration
2. Licensed teachers
3. Support staff

Administration-

- Openings are posted in as wide a range as is practical. And should be posted for two weeks.
- A screening committee including Board members and Administrative Directors will be assembled.
- All applications are reviewed and qualified candidates are scheduled for interviews.
- Interviews are conducted by the screening committee.
- A minimum of two candidates are invited for a follow-up interview with the board.
- Hiring by the board- Salary is negotiable

Licensed teachers-

- Openings are posted in as wide a range as is practical and should be posted for two weeks.
- The Administrative Directors should screen candidates with a preference given to charter-specific experience and eligibility for a Utah teaching license is a requirement.
- Interviews are conducted by a team including Administrative Directors and lead teacher(s).
- A minimum of two candidates are invited to return for a follow-up interview with the administration and lead teacher and others invited.
- Hiring decision by the Administration.
- Salary based on established schedule.

Support staff- all hourly or salary positions

- Openings posted internally and within the community for at least two weeks.
- The administration should screen candidates with a preference given to charter-specific experience and a willingness to pursue training and licensure.
- Interviews conducted by the administration and supervising teacher with the lead teacher invited.(a minimum of three candidates).
- One or two candidates should be invited for a follow-up interview.
- Hiring decision is made by the administration.
- Salary is based on education and experience.

General:

- For support staff and licensed teachers, the administration may consider and make in-school transfers before opening the position.
- All hiring must be within Pacific Heritage Academy's approved budget, except in cases where a law or rule requires the new position (i.e. mandated special education services).
- All hired employees with significant unsupervised access to students must undergo a criminal background check (for teachers, an active Utah Educator's License meets this requirement).

05-102—Volunteers

Pacific Heritage Academy recognizes that volunteers are a vital part of the success of our charter school. Volunteers are welcome and encouraged in all aspects of school operation to ensure that parents and the larger school community are connected to the school and to reduce the cost of labor at the school.

Volunteers shall sign an agreement that authorizes them to work at the school. That agreement shall include:

- A description of potential work
- Authorization for the school to perform a criminal background check (required for all volunteers that have significant unsupervised access to students)
- A statement of confidentiality requirements

Pacific Heritage Academy administration shall ensure that these agreements are kept on file for each volunteer, and shall ensure that a list of authorized volunteers is kept at the school at all times. Administration shall ensure that all volunteers who perform work on behalf of the school are properly authorized.

Volunteer Scope of Work and Confidentiality and Property Acknowledgement

Pacific Heritage Academy recognizes that volunteers are a vital part of the success of our charter school. This Scope of Work and Confidentiality Acknowledgement outlines the work expectations and responsibilities for school volunteers, and explains the legal requirement of student confidentiality and the use of school property. Student records, employee records, Pacific Heritage Academy proprietary information and work products, as well as certain other information and property are protected by law and school policy.

The below named "Volunteer" is authorized to perform work on behalf of the school, including work with the Parent-Teacher-Family-Organization. That work may include:

- Assisting teachers in classrooms
- Basic filing and routine office work
- Supervision of students at lunch and/or recess
- Assembling and moving equipment and furniture and supplies
- Assistance at school events
- Contacting Pacific Heritage Academy employees, families, and vendors about school events, policies, and other information
- Receiving cash donations or payments for fundraising sale items
- Assisting in the school library under the direction of the library staff
- Marketing activities
- Technology, internet, or network activities
- Data management or access
- Other tasks as requested by teachers or school administration.

The below named "Volunteer" acknowledges that he or she understands that he or she may have access to or become aware of confidential information that is protected by law. Volunteer agrees that he or she will not disclose: any trade secrets, enrollment lists, drawings, designs, information regarding product development, marketing plans, sales plans, manufacturing plans, operating policies or manuals, business plans, financial records, or other financial, commercial, business, or any other information relating to Pacific Heritage Academy or Pacific Heritage Academy's parties, including students, parents, employees, and contractors, collectively referred to as Confidential Information, to any third party. Volunteer may have the use and control of Pacific Heritage Academy property, including supplies, equipment, records, use of the school facility, intellectual property, passwords, data, and any other Pacific Heritage Academy property, tangible or intangible. Volunteer agrees to surrender any and all school property upon Pacific Heritage Academy's written or verbal request. Volunteer also consents to a criminal background check to be performed by the school, and will provide the following information to facilitate the process. Pacific Heritage Academy will keep confidential all personal information obtained for this purpose.

Last Name

First Name

Middle Name

Social Security #

Date of Birth

Signature: _____ Date _____

05-103—Employee Leave

Certificated and salaried employees earn one-half day of paid time off (PTO) for each full calendar month worked during the school year (five full days of PTO per year). Each employee is required to notify his or her supervisor in writing on School form(s) in advance of the dates of all requested paid time off (PTO) vacation or leave time desired to be taken. Additionally, employees are to inform the school director and business office of PTO taken and excessive lateness in arriving at work.

Employees who are the subject of disciplinary action and placed on paid or unpaid leave by the school as part of a disciplinary plan or during investigation periods are required to use all available PTO time starting immediately upon inception. In these circumstances, the School shall apply available PTO time to regular paychecks for employees on paid or unpaid leave until available PTO time is exhausted.

Holidays

School holidays include federal or state holidays, fall, winter or spring breaks and other days designated as school holidays on School's annual calendar. Part-time or hourly employees do not receive compensation on holidays of any kind. Administrative employees may be required to work holidays as determined by their supervisor or the Executive Director and as outlined in Compensation Agreements. Operations, maintenance and custodial employees are required to work most school holidays and break periods.

Family and Medical Leave Act

Eligible employees may take up to 12 weeks of unpaid leave within a 12-month period per the terms of the Family and Medical Leave Act of 1993 (FMLA). FMLA leave is a specified and approved leave granted by the School upon the formal written request of eligible employees. Ineligible employees granted other forms of leave for any reason are not granted approval for nor is their leave governed by or under the provisions of FMLA. Legally married couples (spouse and spouse) employed by the School may take a combined 12 weeks of FMLA leave. Eligible employees may request FMLA leave after 12 months and 1250 hours of employment service. Eligible employees must request FMLA leave with 30 days advance written notice except in times of unexpected leave. Employees may be required to submit a Statement from a Health Care Provider verifying the need for FMLA leave. Employees are required to use any and all available (accrued) PTO or other leave time before beginning leave under FMLA. Employees may have additional rights including rights for eligible relatives of certain military service personnel and should refer to the Family and Medical Leave Act of 1993 for additional information. Employees shall give 2 weeks advance notice before they plan to return to work.

Subject to the Plan Documents, terms and conditions of the various medical benefit plans, benefits will continue for the full period of FMLA leave. Employees who do not return to regular employment with the School after an approved FMLA leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

Personal Leave of Absence

Requests for personal leave without pay are considered individually and granted at the discretion of school administration. The reason for the request, the employee's length of service, the employee's work record and the demands of the individual's job are examples of the type of factors typically considered in evaluating a request for personal leave of absence. A request for personal leave of absence may be granted only if the employee is not eligible for any other type of leave. Employees who are granted personal leave are still responsible to pay the employee portion of any benefit programs in which they participate. Arrangements should be made with administration to coordinate the payment of premiums and other costs during leave periods when regular payroll withholding is not possible.

Teacher salaries (and salaries of other employees whose salary is spread over a longer period than their work schedule) who take unpaid leave (including FMLA leave) will be prorated proportionate to the number of days worked out of the scheduled days according to work schedules, and the final, prorated payment will be made on the regular pay day for the pay period that includes the date of the beginning of unpaid leave. When returning from leave, a new salary will be calculated proportionate to the number of work days remaining in the school year out of the total work days scheduled for the school year. The new salary shall be paid in equal installments over the regular paydays remaining in the school year.

All leaves (paid and unpaid) are granted for a specific period of time. An employee who foresees being unable or unwilling to return to work at the end of the leave period should apply for any other leave for which the employee is eligible, including an extension of the current leave. School reserves the right to terminate the employment of an employee who does not return to work at the end of an approved leave period.

Subject to the Plan Documents, terms and conditions of the various plans and upon School approval, medical benefit plans may continue for the full period of approved leave. Employees who do not return to employment with the School after an approved leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

Bereavement Leave

A full-time employee of Pacific Heritage Academy may request a leave of absence with pay for a maximum of three (3) consecutive working days upon the death of a member of his or her immediate family. Members of the immediate family are defined as: father, mother, spouse, child, sister, brother, grandmother, grandfather, father-in-law, or mother-in-law. Proof of death may be required.

Jury Duty

Employees summoned for jury duty will be allowed the necessary time off from work to perform this civic responsibility. Employees must give School 15 days advance notice. School will pay such employees the difference between their regular salary and any jury duty fees received for up to five days of jury duty per school year. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's jury duty service and compensation.

Employees or their supervisor may ask the court to excuse an employee from jury duty if an absence would cause serious operational difficulty for the school.

Witness Duty

Employees who receive a subpoena to testify in court may be granted time off to serve as a witness for that purpose. Employees must give School 15 days advance notice. Pacific Heritage Academy will pay such employees regular wages if the case involves the School, and the employee is not plaintiff to the suit. Employees are not compensated if the case does not involve the school and will use PTO hours (if available) for this absence. Employees will be expected to report to work during all regular hours if their presence is not required in a jury room or court. School may require the employee to supply documentation from the court affirming the employee's witness duty service.

Voting Leave

If an employee cannot vote because of scheduled work hours conflict with the hours of the polls, the employee is allowed up to two hours paid leave (at the regular rate) to vote in a state or federal election.

Military Duty

Leaves for military service and reinstatement after performing military service will be provided in accordance with the requirements of law (as applicable to the School at the time the leave was granted only) as defined in the Uniformed Services Employment and Reemployment Rights Act (USERRA). Employees who are absent from work in order to attend an annual encampment in a recognized reserve branch of the armed forces of the United States will receive an unpaid leave of absence of up to a maximum of two weeks per year. Employees must provide 30 days advance notice unless an emergency or classified situation dictates otherwise, upon which evidence must be provided to the School.

Subject to the law and the Plan Documents, terms and conditions of the various plans, medical benefit plans may continue for the full period of military leave. Employees who do not return to employment with the School after an approved military leave may be required to reimburse the School for all benefit plan premiums or contributions paid by the School for the employee's elected benefit plans.

Emergency Closings and Severe Weather

In the event that the school closes due to severe weather conditions or another reason, employees will not be required to report to work. Full time salaried employees will be paid for that day and it will not be counted as a vacation day. Hourly and/or part-time employees will not be compensated on days when the school is closed due to severe weather or other conditions. Every effort will be made to contact employees in the event of closure due to weather directly and through local media.

05-104—Substitute Teachers

Substitute teachers are paid a daily rate and must be available to work with short notice. Substitute teachers must submit for and pass a background check in accordance with Utah's Department of Public Safety requirements. Candidates with prior experience working with children are strongly encouraged to apply.

All substitute teachers must comply with Pacific Heritage Academy's Standard of Conduct and applicable policies.

05-105—Gifts and Conflicts of Interest

Pacific Heritage Academy and its employees have a duty to avoid real, perceived or potential conflicts of interest. A conflict of interest is defined as an event or transaction where an employee is in a position to influence a decision or have business dealings on behalf of Pacific Heritage Academy that might result in personal gain for the employee, one of his/her relatives. Examples of conflict of interest include, but are not limited to, accepting gifts of any value associated with procurement or other business dealings, requesting or granting favors, conducting undisclosed or undeclared business for personal gain. A conflict of interest for personal gain can result from situations where you or a relative receives a bribe, gift, special consideration or kick-back as a result of a transaction involving the School.

Pacific Heritage Academy employees may not transact undisclosed business when a conflict of interest is present. Failure of an employee to declare a conflict of interest in writing to the Executive Director, business office and/or the Board of Trustees prior to business dealings where a conflict of interest is present may be subject to disciplinary action, up to and including termination of employment and may be subject to criminal prosecution. All Pacific Heritage Academy employees shall follow applicable laws or administrative rules associated with conflicts of interest.

Gifts from students or parents: Teachers or other staff may not solicit, but may accept minor gifts from students or parents that are given without expectation of or in return for special treatment or privileges for the parent or student.

05-106—Employee Discipline

Pacific Heritage Academy will attempt to deal constructively with employee performance problems and employee errors. The Executive Director or Directors will determine the disciplinary process in light of the facts and circumstances of each case. Depending upon the facts and circumstances, the discipline applied may include, among other things, oral or written warnings, probation, suspension without pay, or immediate termination of employment. Each situation will be considered in light of a variety of factors including, but not limited to, the seriousness of the situation, the employee's past conduct and length of service, and the nature of the employee's previous performance or incidents involving the employee. Pacific Heritage Academy shall not use a guaranteed formal process for employee discipline and management and employees shall have no expectation of any particular disciplinary action or series of actions.

05-107—Employee Travel

PURPOSE & PHILOSOPHY

The purpose of this policy is to establish procedures for authorization of travel by Pacific Heritage Academy employees, officials, or agents who may be required to travel in fulfilling their official duties or in attending seminars, conferences or other professional or educational activities benefitting Pacific Heritage Academy.

DEFINITIONS

“**Airfare**” is defined as the costs incurred by Pacific Heritage Academy employee, official or agent to obtain common air carrier transportation services in order to participate in approved conferences or conduct Pacific Heritage Academy business.

“**Car rental**” is defined as use of a non-personal, non- Pacific Heritage Academy owned vehicle, for which a rental charge is imposed for use of the vehicle.

“**Ground transfer**” is defined as the costs related to transporting a traveler to and from airports or transportation terminals, whether by private or public carrier and the costs of parking private vehicles at transportation terminals.

“**Hotel accommodation**” is defined as the costs of providing overnight lodging incident to an approved travel event.

“**Mileage reimbursement**” is defined as the reimbursement for costs incurred by a Pacific Heritage Academy traveler to transport themselves and/or others in a personal vehicle, other than a rental car or Pacific Heritage Academy vehicle, to an approved conference or convention or to execute Pacific Heritage Academy business.

“**Per diem**” is defined as a daily allowance paid to an employee, official or agent to cover expenses while working away from home.

“**Registration**” is defined as a fee paid or reimbursed by Pacific Heritage Academy which registers an employee, official or agent to attend a conference or event sponsored by another private or public entity.

“**Travel**” is defined as using ground, sea or air transportation to attend a conference or convention or to execute Pacific Heritage Academy business which is related to a traveler’s work assignment yet is outside the customary work routine and away from the regular work assignment prescribed by the traveler’s regular work assignment. Travel to such events may or may not require overnight lodging.

GENERAL POLICY INFORMATION

It is the general intent of the Board of Trustees to fund or reimburse employees, officials, or agents for actual travel expenses which are approved through the Pacific Heritage Academy travel request process.

Travel expenses related to pre-allocated budget allowances will be reimbursed up to the amount of the budget allotment. Reimbursements enumerated in this policy are intended to pay for job-related employee, official or agent expenses only.

This policy applies to all employees, officials or agents travel to conferences, conventions and approved travel undertaken for execution of Pacific Heritage Academy business.

Travelers are responsible for making their own travel arrangements and, in cases where air transportation is used, must secure a price quote from the State Travel Office and one other source for air travel. These quotes are to be forwarded to the Business Manager and Executive Director along with a brochure detailing any conference registration fee amount, dates, location and other information incident to the conference.

This travel policy does not permit employees', officials', or agents' family members, friends or other travel companions to take trips which are funded or processed in anyway by Pacific Heritage Academy funds. All travel expenses of family members, friends, or other travel companions must be paid directly from the personal financial resources of the employee, official or agent without being intermingled with Pacific Heritage Academy financial transactions.

PAYMENT OF TRAVEL EXPENSES

Travel expenses are to be paid as follows:

Pacific Heritage Academy Purchase/Credit Card: It is preferable, that employees make their travel reservations and pay their travel expenses with their authorized purchase/credit card. Employees authorized to hold a purchase/credit card, may use their cards to make travel arrangements and pay travel expenses on behalf of other employees when those employees do not hold a purchase/purchase/credit card and the travel is approved by the Executive Director.

If the traveler does not have a Pacific Heritage Academy purchase/credit card and their supervisor will not travel with them or does not hold a purchase/credit card: At the time the travel request is submitted, the request should indicate that registration, airfare and hotel payments are to be paid by check to the traveler. Checks for registration and airfare will be issued as soon as the travel request is approved.

Reimbursement: Travelers may purchase pre-approved travel (including airfare, car rental, ground transfers, conference registration, etc.) using personal funds and submit for reimbursement using the regularly established reimbursement procedures for all other purchases. Reimbursement will not be made for travel that was not approved by the Executive Director through the travel request process.

MEALS

Travelers may receive reimbursement for meals they purchase during approved travel according to the following schedule for travel that is more than 100 miles from Pacific Heritage Academy's primary facility:

If traveling between 6 and 10 AM, an allowance of \$8 for breakfast.

If traveling between 11 AM and 2 PM, an allowance of \$12 for lunch.

If traveling between 4 PM and 8 PM, an allowance of \$25 for dinner.

Travelers will be reimbursed for actual expenses, including tax and gratuity, for meals when traveling during the entire time frame noted above up to the dollar limits listed. Travelers should exercise good judgment and keep meal expenses as low as reasonably possible. Meal reimbursement will not be given for meals that are included in the registration or participation cost of any conference, meeting, or event associated with approved travel.

AIRFARE

When securing airfare rates, travel coordinators should always contact the Utah State Travel Office to obtain a price quote. State travel rates usually include travel insurance, and allow the traveler to change itineraries without penalties. Obtaining this price quote also provides the traveler a basis for judging the suitability of other rate quotes.

Air transportation is limited to air coach or tourist class. When special and reduced fares are available, they should be secured unless doing so will leave Pacific Heritage Academy at risk because of the loss of insurance coverage or unduly open Pacific Heritage Academy to the potential of financial damage.

GROUND TRANSFER ALLOWANCE

When air transportation is approved, a ground transfer allowance is provided for taxi or van service, and parking of personal vehicles at transportation terminals. Purchase/credit cards are not to be used to pay ground transfer expenses. Travelers should pay expenses as they occur and submit for reimbursement using the regular reimbursement request process.

HOTEL ACCOMMODATIONS

Hotel accommodations are approved for the number of days a conference is in session, less one. One additional night of hotel accommodations is approved when an additional travel day is required prior to a conference. A second additional night of hotel accommodations is approved when an additional travel day is required after the conference concludes. Other additional days of hotel accommodations will be allowed only when approved in advance of the conference start by the funding budget director and the business administrator.

Travelers shall secure hotel accommodations at a daily rate which is reasonable for the area, and should consider other factors affecting overall travel cost, including distance from the hotel to the conference or event location, the availability of meals, shuttle or transfer service, etc.

A traveler may elect to stay with friends or relatives or use personal abodes, campers or trailers instead of staying in a hotel. When using these kinds of overnight accommodations, the traveler will request and receive approval for alternative lodging and associated expenses prior to approval of the travel request.

Hotel accommodations will be funded only once per conference. Hotel designation payments will not be paid when hotel accommodations are included as a portion of the conference fees.

If a traveler receives a prepayment check for hotel expenses and they or another

Pacific Heritage Academy employee, official or agent pays the charges with a Pacific Heritage Academy purchase/credit card, the prepayment check amount must be refunded to Pacific Heritage Academy.

Hotel expenses will not be paid by any Pacific Heritage Academy entity for conferences which are less than 100 miles from Pacific Heritage Academy's primary facility.

MILEAGE REIMBURSEMENT

Travel of Less Than 100 Miles

When travelers are approved through the Travel Request Process to drive personal vehicles to a conference or other event that is less than 100 miles from Pacific Heritage Academy's primary facility, reimbursement is allowed for all round trip miles for each day the traveler is approved to attend the conference.

Travel of More Than 100 Miles

When travelers are approved through the Travel Request Process to drive personal vehicles to a conference which is more than 100 miles from Pacific Heritage Academy's primary facility, the total mileage reimbursement will be an amount which will not exceed the cost of airfare, had it been available and used. When airfare is less than mileage reimbursement, travelers are encouraged to arrange air transportation.

Mileage is calculated from Pacific Heritage Academy's primary facility or traveler's starting location, whichever is shorter, to the destination and back, using Google Maps or Mapquest as verification. Reimbursement will be made using the following mileage calculations at \$0.55 per mile.

RENTAL CARS

Rental cars are not allowed without prior approval from the Executive Director. All requests for rental cars must be included in Pacific Heritage Academy travel request.

When rental cars are approved, only actual documented expenses will be funded or reimbursed by Pacific Heritage Academy.

EXCESSIVE CHARGES

Pacific Heritage Academy will not fund any travel expenses which are unrelated to the approved travel purpose. Pacific Heritage Academy travelers will be required to reimburse Pacific Heritage Academy for travel charges which are unrelated to the travel purpose or which are determined to be excessive.

05-108—Employee Drug and Alcohol Policy

Pacific Heritage Academy shall maintain a drug-free workplace to establish, promote and maintain a safe and nurturing learning environment for students, staff, the board and volunteers. It is a violation of this policy for any employee, board member, critical contracted service provider, or volunteer to engage in the unlawful manufacture, dispensation, distribution, possession or use of a controlled substance on personal time, at the School, or on School events or activities, including being under the influence or impaired at the School, while engaging in School business on or off campus, or in any manner that violates state or federal drug statutes.

Unauthorized use or possession of alcohol at the School, including being under the influence or impaired by alcohol at the School, or while engaged in Pacific Heritage Academy events or business, either on or off campus is prohibited.

Employees using or possessing alcohol or illegal drugs on school property or while at work or who report to work under the influence of alcohol or illegal drugs will be subject to disciplinary action, up to and including immediate termination of employment.

All employees, board members, volunteers, critical contracted service providers and final candidates for highly sensitive positions are subject to drug and alcohol testing for illegal drugs or for establishing impairment and/or the use of alcohol while at work or at or on School events, meetings or activities. All persons may be subject to one or more of the following tests at any time:

- Reasonable Suspicion drug and/or alcohol testing.
- Post-Accident or Critical Incident drug and/or alcohol testing.
- Pre-Employment drug and/or alcohol testing applies to final candidates for highly sensitive positions, including all student transportation positions.
- Random drug and/or alcohol testing applies to employees in highly sensitive positions, including all student transportation positions.
- Return-to-Duty drug and/or alcohol testing for persons who have completed a treatment, counseling or education program.
- Follow-Up drug and/or alcohol testing is conducted on an unannounced basis and applies to any person who has previously failed a test for drugs and/or alcohol.

A drug and/or alcohol test may be administered (by a contracted Medical Review Officer (MRO) service provider) to employees, board members, volunteers, critical contracted service providers and final candidates for highly sensitive positions, including all student transportation positions once the applicant has received a conditional offer of employment.

A drug and/or alcohol test may be administered to a person when the Executive Director/Directors concludes that it is more likely than not the person has engaged in conduct that violates this policy, establishing Reasonable Suspicion of drug and/or alcohol use. This may be based on direct observation and/or the presence of physical symptoms, a pattern of abnormal or erratic behavior a tip from a reliable and credible source or sources regarding a person's violation of this policy or that a person may have tampered with a previous drug and/or alcohol test.

Pacific Heritage Academy may place employees tested under this policy on paid or unpaid administrative leave pending the results and review of the drug and/or alcohol test. Board members and volunteers may be temporarily relieved from service during testing periods.

05-109—Employee Computer Use

To better serve our students and provide our teachers and other employees with tools to do their jobs, Pacific Heritage Academy makes available to employees access to one or more forms of electronic media and services, including computers, software, e-mail, telephones, voicemail, printers, copiers, fax machines, a central computer network, wireless network hardware and transmission devices or service, online services, third-party contracted services and hardware, intranet, Internet and the World Wide Web. These electronic media and services are collectively referred to as the Network.

All Pacific Heritage Academy employees must know that the resources of the Network provided by Pacific Heritage Academy are the school's property and their purpose is to facilitate and support the school's operations. All users have the responsibility to use the Network in a professional, ethical, and lawful manner. Each employee will, as a condition of employment, be required to read, agree to abide by and sign the school's Network Use Policy and Agreement.

05-110—Harassment Prevention

Pacific Heritage Academy will maintain a work environment that nourishes respect for the dignity of each individual and affirms its commitment to provide a work environment free from intimidation and harassment. Abuse of the dignity of anyone through ethnic, racist or sexist slurs or through other derogatory or objectionable conduct is offensive employee behavior.

Sexual harassment is a form of sex discrimination, which includes gender-based harassment of a person of the same sex as the harasser. It is the express policy of the School that sexual harassment of employees or an applicant, by you or agents of Pacific Heritage Academy, is unacceptable and will not be tolerated. Unwelcome or unwanted sexual advances, requests for favors or other visual, verbal or physical conduct will be deemed sexual harassment when:

1. Submission to such conduct is explicitly or implicitly a condition of employment;
2. Submission to or rejection of such conduct is used as the basis of employment decisions; and
3. Such behavior has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Whether a particular action or incident is a purely personal, social relationship without a discriminatory employment effect requires a factual determination. Pacific Heritage Academy further recognizes that allegations of this type of discrimination may have serious effects on innocent women and men. Therefore, the School has devised two procedures to process a sexual harassment complaint.

1. Any employee who believes he or she has been the subject of harassment should report the alleged act(s) promptly (within two working days) the Executive Director or Directors, giving details as related to the complaint.
2. Administration, upon receipt of the complaint, shall take immediate and appropriate steps to investigate the complaint. Confidentiality is mandatory to the maximum extent possible.
3. Following the investigation of the complaint, the Executive Director or Directors shall weigh the facts and determine the validity of the charge. If the complaint is determined to be valid, the offender(s) shall face immediate and appropriate disciplinary action based upon the severity of the charge. This may include written warning and / or suspension, and/or discharge. If the offender is a supervisor he / she may be demoted. If the complaint is found invalid, the complaining party may request Step 2 of the normal complaint procedure.

Administration shall develop procedures for handling cases of actual or alleged harassment, and include this policy and any related procedures and expectations in an Employee Handbook.

05-111—Employee Dress Standard

At Pacific Heritage Schools, we believe that our attire supports and influences our environment as a comfortable, dignified place to actively work, learn, and adventure. Modesty and cleanliness are modeled by faculty to reflect personal dignity and integrity, as well as traditional cultural norms of appropriateness. The PHA Faculty Dress and Grooming Standards are as follows:

Skirts/ Pants/ Shorts/ *Tupenu:

Black or khaki in color.

Knee length or longer.

Shirts:

Shirts must have a collar and buttons, and at least cap sleeves.

Women: White, teal, coral pink, black, or Aloha print.

Men: White, teal, black, or Aloha print.

Jackets/Sweaters:

Black, tan, or white.

Shoes:

Any kind of foot wear that is conducive to the physical activity involved in being part of an Expeditionary Learning school.

Aloha Wear:

Women: Aloha shorts, Muumuu* and Puletasi* in Aloha print.

Men: Aloha shorts, Aloha shirts, and Tupenu* in Aloha print.

Other:

“Cultural Wear” may be worn in lieu of Aloha Wear as long as it is modest and clean.

Excessive or extreme ear or body piercing is not acceptable.

Inappropriate or obscene tattooing must be covered.

Ripped or torn clothing is not acceptable.

Hair should be clean and neat, avoiding distracting styles or colors.

Clothing should not be form fitting or revealing.

Conservative jewelry and accessories are acceptable

** The tupenu listed for men’s dress-up is a wrap-around, skirt-like cloth worn by males in the islands for all formal occasions, similar to the neck tie in American culture. (Tupenu is the Tongan term for this article of clothing. These are also known as sulu (Fijian) and ie faitaga (Samoan).*

**The mu’umu’u /’mu:mu:/ is a loose dress of Hawaiian origin that hangs from the shoulder. Like the Aloha shirt, muumuu exports are often brilliantly colored with floral patterns of generic Polynesian motifs.*

**The puletasi is the traditional Samoan dress for not only girls, but older women as well. It is a two piece dress with a skirt and a top.*

05-112—At-will Employment Policy

Pacific Heritage Academy does not offer tenured or guaranteed employment. The school employee/employer relationship is an at-will relationship and can be terminated by either party at any time, with or without cause, and with or without notice, including after any evaluation period. Any handbooks, manuals, policies and procedures (including this handbook) maintained by the school are not contractual in nature, and therefore may be waived, suspended, amended, deviated from or abolished at the sole discretion of the school at any time. Nothing in the policies of the school or any other School document or statement will be considered as creating continued or guaranteed employment or benefits. Pacific Heritage Academy's policies are subject to change or amendment.

05-113—Employee Social Networking

In general, Pacific Heritage Academy respects an employee's decision to use social networking, for example Facebook, Linked-In, MySpace, Twitter, Web-based email accounts such as Gmail, Hotmail and Yahoo! mail and the like (Social Networking or Social Media) on personal time. Personal use of social media should be reserved for break times and meal periods.

Participating in social media provides public access by all members of the school family, including co-workers, School Administration, staff and families within the School community. Moreover, by utilizing social media via the School's electronic assets of technology, computers or internet access, employees are providing the School with access to their social media and therefore agree that an employee's actions to access social media from the School's electronic assets of technology, computers or internet access constitutes the employee's understanding that the employee has no expectation in privacy in the social media and consents that Pacific Heritage Academy may access the employee's social media at the School's discretion and the School may review materials that may be resident on the social media, including passwords, text messages, tweets, email communications, other documents and pictures that are sent to employees or reviewed by employees on the social media.

Employees must exercise care to ensure that they are not viewed as representatives of Pacific Heritage Academy and that they do not imply that they are speaking on behalf of Pacific Heritage Academy. To the extent employees are posting comments to social media outside the scope of their employment responsibilities, including an on-line forum, such as a blog, employees may not include any client or School trade secret or confidential information and may not make any statements that would give the impression that the views they have expressed are the opinions of the School. Employees should refrain from posting derogatory information about the School or the School Community on any such sites and proceed with any grievances or complaints through the regular channels.

Pacific Heritage Academy recognizes that participation in some forums or social networks might be important to the performance of an employee's job. For instance, an employee might find a helpful idea for academic lessons by consulting members of a news group devoted to education. Employees may not post to any on-line forums using any official School e-mail address or providing any School telephone number or extension. Employees may not utilize any of the School's logos, drawings, trademarks, copyrights or other images or photographs of the School or typically associated with Pacific Heritage Academy in conjunction with such activities. Employee participation in such forums is a personal choice of the individual and all commentaries are authored by the individual and are not official statements of the School. Commentary made by employees on such forums must always reflect positively on the School.

Employees who maintain a presence on social media sites or services can be disciplined by the School, up to and including termination of employment if their social networking activities interfere with their ability to fulfill their role as an educator having care or custody over children, including being a role model to youth. While the School does not seek to prohibit an individual from expressing their beliefs or opinions, or to interfere with an employee's personal life, a career choice as a role model with care or custody over children warrants a level of personal propriety and

decency that if compromised publicly, may result in disciplinary action up to and including termination of employment with the School.

Employees of Pacific Heritage Academy who participate in social networking personally may not “Friend” (or “friend” equivalent) students or former students who are minors. Employees, including teachers may not allow students to access their personal social network or social media profile, information or site. With the express written permission by the Executive Director, purposeful, professional, (exclusively educational) Educational Social Networking (ESN) sites or profiles may be established by Teachers for the use of students and school Administrators. Other Pacific Heritage Academy employees are not authorized to create ESN social media sites or profiles. Teachers shall only allow students to access ESN sites if the site is completely professional and only contains appropriate information for instructional purposes. Teachers shall “Friend” (or Friend equivalent) the Executive Director (and assigns) and/or Board members (Admin) and any other person in the School community desiring access and may not “Unfriend” (or Unfriend equivalent) Admin while they are employed at Pacific Heritage Academy and the ESN site remains active. Teachers shall not disclose anyone’s personal information, discuss or post photos of students, colleagues, Administration or the Board on social networking sites without the direct written permission of parents or legal guardians AND the Executive Director.

05-114—Employment of Relatives

Employment of relatives is not prohibited by Pacific Heritage Academy, provided that the following conditions are met:

1. The applicant is qualified for the position.
2. The position was advertised publically and filled following standard hiring procedures.
3. The employee and relative will not be in a direct reporting relationship with one another.
 - a. The personal relationship will not adversely affect the workflow or processes of Pacific Heritage Academy.
4. Pacific Heritage Academy shall supervise and manage all employees in the best interest of the School, regardless of family relationships, up to and including termination of employment. Employees who are relatives of employees who resign or for whom employment is terminated shall not be discriminated against for the independent actions of their relatives who are former employees of Pacific Heritage Academy. All employees, regardless of familial relationships, are expected to act in a professional manner in accordance with school policies.

05-115—Employee Criminal Background Check & E-Verify Policy

In order to protect the safety and health of all students, Pacific Heritage Academy reserves the right to require an employee, potential employee, substitute, or volunteer who will be given unsupervised access to a student in connection with the individual's assignment, to submit to a criminal background check as a condition for employment or appointment. Utah State law also requires that every employee be cleared through the E-Verification process.

Pacific Heritage Academy reserves the right to not hire or retain anyone that has been convicted of a criminal offense. Because of the nature of employment at Pacific Heritage Academy, with employees having care or custody over children, arrest or conviction of a crime that involves sexual misconduct, illegal drug or alcohol abuse, dishonesty or the abuse of another person may result in immediate termination of employment. Before any decision is made, the nature of the crime and circumstances surrounding the conviction will be considered.

Background Check

The background check will be required on each new employee, substitute and unsupervised volunteer who has not completed a check within the previous two (2 years). The background check will include, but not be limited to, a fingerprint check.

Opportunity to Respond to Background Check

Pacific Heritage Academy will consider convictions that are job-related for the employee, applicant or volunteer. If a person is denied employment or is dismissed from employment due to information obtained through a criminal background check, the person shall receive written notice of the reasons for denial or dismissal and shall have an opportunity to respond to the reasons.

Confidentiality

Information obtained under this policy is confidential and may only be discussed as provided in Utah Code 53A-3-410.

06—Instruction

06-101—Standardized Test Administration Policy

1. PURPOSE & PHILOSOPHY

To ensure that student progress is accurately measured through standardized achievement tests, the Board of Trustees recognizes the school's responsibility to implement standardized testing procedures in accordance with state and federal laws. Information from such student standardized testing may be used by the school and teachers as an additional tool to plan, measure, and evaluate the effectiveness of the educational program.

2. GUIDELINES AND PROCEDURES

It shall be the responsibility of the Executive Director to establish specific guidelines and procedures which personnel shall follow when administering standardized student tests, in accordance with state and federal laws.

2.1 It is the responsibility of all educators to take all reasonable steps to ensure that standardized tests reflect the ability, knowledge, aptitude, or basic skills of each individual student taking standardized tests.

2.2 All teachers and administrators shall be provided in-service training/professional development concerning these guidelines and procedures; including teacher responsibility for test security and proper professional practices each school year.

2.3 The school shall administer mandated tests in compliance with established school and USOE calendars.

3. SECURITY

It shall be the responsibility of the school director to oversee the security of all testing materials while at Pacific Heritage Academy.

3.1 All test booklets, administration manuals, and answer sheets shall be secured before and after the test administration.

3.2 No copies of test booklets or answer sheets shall be made.

3.3 All test materials shall be secure in a central location before and after the testing window. Access to the secured materials shall be restricted to authorized personnel.

3.4 The confidentiality of tests, testing materials, and answer sheets shall be maintained by all school personnel.

4. STANDARDIZED TESTING PROTOCOL

Pacific Heritage Academy personnel shall conduct test preparation, test administration, and the return of all secure test materials in strict accordance with this policy, administrative procedure, Utah Board of Education rules, and state application of federal requirements for funding.

4.1 All standardized tests shall be conducted without any reference materials being made available to students unless the publisher of the test specifies otherwise.

4.2 Pacific Heritage Academy personnel shall not:

4.2.1 provide students directly or indirectly with specific questions, answers, or the subject matter of any specific item in any standardized test prior to administration;

4.2.2 copy, print, or make any facsimile of testing material prior to test administration without express permission of the specific test publisher, including the Utah State Office of Education (USOE);

4.2.3 alter, change or amend any student answer sheet or other standardized test materials at any time in such a way as to alter the student's intended response;

4.2.4 use any prior form of any standardized test in test preparation without express permission of the test publisher , including USOE;

4.2.5 violate any specific test administration procedure or guidelines specified in the test administration manual;

4.2.6 knowingly and intentionally do anything that would inappropriately affect the security, validity, or reliability of standardized test scores of any individual student, class, or school.

5. ASSESSMENT RESULTS

5.1 Results of an individual student's standardized tests shall be shared with the student and parent/guardian.

5.2 Results of an individual student's standardized tests shall not be considered in determining a student's academic grade for the appropriate course or grade.

6. STUDENTS WITH DISABILITIES

All students with disabilities shall participate in standardized testing as outlined in USOE Testing Policy "Requirement for Participation of Utah Student with Special Needs in the Utah Performance Assessment System for Students (U-PASS)."

06-102—Health and Human Sexuality Education

Pacific Heritage Academy will comply with Utah State law which mandates:

- a. That instruction shall stress the importance of abstinence from all sexual activity before marriage and fidelity after marriage as methods for preventing certain communicable diseases.
- b. Instruction in human sexuality shall be consistent and systematic in grades 7th and 8th.
- c. Teachers will comply with the parental consent requirements.
- d. Pacific Heritage Academy will instruct students in community and personal health, physiology, personal hygiene, and prevention of communicable disease.

Utah State Office of Education will:

- a. Provide a parent/guardian consent form with the guidelines that Pacific Heritage Academy will use.
 - i. Course materials and instruction will be free from bias related to the following:
 1. Religious
 2. Racial
 3. Ethnic
 4. Gender
- b. Receive and track parent and community complaints/comments.

Pacific Heritage Academy will:

- a. Assure that all new and newly assigned teachers attend the state-sponsored in-service.
- b. Provide in-service update related to law/rule every 3 years.
- c. Establish a review committee to approve sexuality programs and guest speakers.
- d. Consider first those programs on the RIMS database.
- e. Use the USOE parental consent form.
- f. Record all complaints and comments.
- g. Report all materials NOT approved by the USOE.
- h. Work with parents (if requested) who have opted their children out of a course.
- i. Approve only medically accurate materials.
- j. May instruct in gender-separate settings.
- k. Teacher's responsibilities:
 - i. Participate in state and Pacific Heritage Academy's in-service.
 - ii. Use the state-developed parental consent form.
 - iii. Individually record parent and community complaints, comments and educator responses.

If a teacher of Pacific Heritage Academy willfully violates a law or the State Board of Education rule, they may face sanctions by the Commission.

School counselors, nurses, and/or guest speakers must be approved by Pacific Heritage Academy's review committee, and must also follow the same guidelines as teachers when providing instruction – extension of you.

Parent/Guardian Rights and Responsibilities:

- a. Review materials.

- b. Sign the consent form with an option identified.
- c. May exempt child from instruction (on parents' schedule).
- d. Instruct child in information missed in school.

If a student is exempted from material required by the Board-approved core curriculum course, the parent shall take responsibility for the student learning the required course material.

06-103—Comprehensive Counseling Policy

Consistent with Utah’s Administrative Code, rules and guidelines, Pacific Heritage Academy Administration shall implement school level SEOP procedures and practices for all students in grades 7th and 8th. Such procedures and practices shall be included in the school improvement plans developed for Northwest Accreditation.

06-104—Acceleration and Retention

Pacific Heritage Academy Board of Trustees recognizes that special consideration may need to be given to some students for grade placement. Decisions regarding student grade acceleration, whether whole grade or part grade, shall be made by the Executive Director on a case by case basis after the needs and abilities of the student have been assessed and reviewed by a school team that shall include at a minimum, a parent or guardian of the student, the Executive Director and at least one of the following: the child's assigned Crew teacher if a middle school student, the child's grade level teacher if an elementary student, or the school guidance counselor.

06-105—Media Use in Classrooms

The Board of Trustees recognizes that videos and multimedia presentations can be an important part of classroom instruction, adding variety and helping students see ideas and concepts in several ways. The board also recognizes that the best way for students to learn is to have information presented in several ways guided by excellent teachers and supplemented with student-completed exercises that apply concepts taught. The board therefore adopts the following policy relating to the use of videos in class.

Videos and other multimedia should be used sparingly and must be approved by administration prior to being shown to students. Administration will ensure that videos are appropriate for the age of the audience, short, relevant to the subject and specific lesson taught, and connected to a student-completed exercise. Permission slips must be signed by parents for any video that is not intended as exclusively educational and/or not rated – G.

06-106—Grading Policy

Pacific Heritage Academy believes in engaging students, strengthening teachers, and delivering results by choosing rigorous curriculum and creating engaging expeditions so that students will excel in academics.

Abilities, skills, and effort evolves as students build interest and confidence in the learning process. As a result, Pacific Heritage Academy considers a student to be at a “beginning” level, rather than “failing”. A mark of very high standards for students, and so “exemplary” truly means that a student has demonstrated outstanding mastery, and this designation is not awarded lightly.

Crew Habits

There are many things that impact life success, outside of academic content mastery. Pacific Heritage Academy’s responsibility is to nurture and support the whole child by placing great deal of value on “Crew Habits”. Students are intentionally grouped in villages and in ‘crews’ so that they have opportunities to work as part of community and part of a team. When students learn to be successful in the 6 areas described; collaboration, caring and compassion, responsibility, the having of wonderful ideas, revision, and cultural sensitivity, we believe their academic achievement will reach new heights, and their chances of being successful in whatever life path they choose will be hugely enhanced.

Behavior

Pacific Heritage Academy uses Marvin Marshall’s system of teaching self-governance to children. This system teaches personal responsibility and the intrinsic value of doing the right thing, rather than having to be bribed, rewarded or threatened into making good decisions. Students of Pacific Heritage Academy are introduced to these ideas and practice making choices that lead to freedom for everyone. We hope you will join us by using this same system in your homes. For more information on the four behavior levels, please visit www.marvinmarshall.org.

Academic Targets

Traditional letter grades (except for secondary students) will not be used on report cards. Letter grades provide little to no information about how well your student is grasping specific concepts. Letter grades can also fail to motivate gifted students to continue improving, and stifle the learning of those who struggle academically. By taking the focus off of letter grades, we intentionally provide detailed information on student progress toward explicitly stated learning targets.

Comments

Sometimes the most valuable part of a report card can be the teacher comments to give students individual feedback when it will clarify or enhance information. It is very important that your child is individually known and cared for by Pacific Heritage Academy’s Administrators and staff.

06-107—Student Education Plans

Pacific Heritage Academy, under the Utah Administrative Code, R277-462-2, is authorized by Utah Constitution Article X, Section 3 by Section 53A-1a-106(2)(b), will assure that resources be available and a process established to develop a Student Education Plan/Student Education Occupation Plan (SEP/SEOP) for each student.

07—Finances

See separate finance policies document.