

Section 29: Assurances

Utah State Board of Education

UTAH CHARTER SCHOOLS

Assurances

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

- A.** The charter school will make provision for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement and accounting for all funds.
- B.** The charter school will maintain a clear, written procedure and process for auditing school finances as per the requirements of the Utah State Office of Education.
- C.** The charter school gives the Utah State Office of Education or the U.S. Comptroller General, through any authorized representative, the access to, and the right to examine, all records, papers, or other documents related to all funds, including the submission of reports as may be required.
- D.** The charter school will annually maintain written evidence of liability and other appropriate insurance coverages, including a description of the levels of coverage and the relationship of these coverages to local and state agency obligations.
- E.** The charter school will make such reports, including reports of evaluations, in such form and containing such information as the State Superintendent of Public Instruction may reasonably require to carry out his legislative functions and to determine the extent to which funds have been effective in carrying out legislative purposes and project objectives.
- F.** The charter school will comply with appropriate rules, regulations, and state guidelines except as specifically waived by the Utah State Board of Education or Legislature, and effective control will be maintained over, and accountability provided, for all funds, property, and other assets. The charter school will also adequately safeguard all public property and shall assure that it is used solely for authorized purposes.

- G.** After settling any outstanding debt, all physical and other assets owned by the charter school become the property of the Utah State Board of Education upon the termination of the charter school.
- H.** The charter school will comply with the requirements of the Family Educational Rights and Privacy Act of 1974.
- I.** The charter school will not discriminate in program benefits, participation, employment, or treatment on the basis of race, color, religion, or national origin, and will comply with the provisions of Title IX of the Education Amendments of 1972 prohibiting discrimination on the basis of gender.
- J.** The charter school assures that no otherwise qualified person shall, on the basis of a disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from local, state, or federal financial assistance.
- K.** The charter school will not expend program funds for any education program, activity, or service related to sectarian instruction or religious worship.
- L.** The charter school will function under an open admission policy. If the number of students applying to enroll at any grade level exceeds the capacity of the school or of, classes, or grade levels within the school, then those to be admitted shall be chosen at random from among the applicants, within the allowable mandatory and optional preferences specified in Section 53A-1a-506, Utah Code Annotated.
- M.** The charter school assures that it will not conduct a program of instruction until such time as:
- 1) The requisite health and safety standards for the school building have been met according to the local fire and health department inspectors.
 - 2) Adequate equipment, and materials are available; and
 - 3) Conditions are adequate to provide for the economical operation of the school with an adequate learning environment.
- N.** The charter school will comply with all applicable federal and state laws, rules, and regulations regarding the recruitment, screening, selection, and evaluation of all school employees.
- O.** The charter school will only employ educators who hold valid Utah Professional Educator Licenses or who meet State Board requirements for alternative licensing routes or Board authorization.

- P.** The charter school will employ the use of the Utah State Core Curriculum as the foundation for the instructional program for the school.
- Q.** At the beginning of every school year and prior administering any state assessment, the charter school will review the State Ethics Policy PowerPoint with all teachers who will administer any state assessment during the school year. School test proctors are then responsible to read the Standard Test Administration and Testing Ethics Policy for Utah Educators brochure and then sign the Standard Test Administration and Testing Ethics Policy document. The signed document must be kept on file at the school.

The charter school will administer the Iowa Test of Basic Skills (IOWA), the Utah State Core Course End-of-Level Tests (Criterion Referenced Test - CRT), the Direct Writing Assessment (DWA), the Utah Basic Skills Competency Test (UBSCT), and the Utah Alternate Language Proficiency Assessment (UALPA), in the grade levels required by U-PASS as a fundamental part of the overall assessment program for the school. Administration of each state assessment will follow all ethical testing procedures including a secure testing site as defined in the Standard Test Administration and Testing Ethics Policy for Utah Educators.

The school will administer all required assessments in a secure and standardized manner and have a process in place to administer criterion-referenced tests (CRTs) via the computer. All test administrations will follow the protocol for submission of school files, ordering and administration of the test in the testing windows for each assessment. Virtual schools are responsible to secure approved sites where state assessments can be administered and proctored.

- R.** The charter school assures that resources will be available, and a process established to develop a Student Education Plan/Student Education Occupation Plan (SEP/SEOP) for each student.
- S.** The charter school will operate with a written procedure for student suspension and dismissal, including appeal procedures.
- T.** The charter school will maintain an active parent/guardian involvement process including some formal mechanism for meaningful involvement in site-based decision making.
- U.** The charter school will not charge tuition or fees, except those fees allowed by law. Governing Boards will adopt allowable fees annually in an open board meeting.
- V.** The charter school will operate under the provisions of the Utah Open Meeting Law and adopt bylaws in an open meeting.
- W.** A copy of the charter will be supplied to interested individuals or groups on request.

- X. The charter school will submit an appropriately amended application prior to any material change affecting the purpose, administration, organization, or operation of the school.
- Y. A secondary charter school will be accredited or in the process of seeking accreditation.
- Z. The charter school will acquire and maintain nonprofit corporate status.
- AA. The charter school will follow all state procurement rules.
- BB. The charter school will maintain accurate student transcripts.
- CC. All governing board members will attend a mandatory human resource training annually.

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

Name: (type): Valerie Neslen

Title (type): Board of Directors Chair

Signature: Valerie Neslen

Date: 3/29/2010

Admission Procedures

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

North Peak Academy will admit all eligible pupils who submit a timely application. A charter school shall give enrollment preference to children of founding members, pupils returning to the charter school in the second or any subsequent year of its operation, and to siblings of pupils already enrolled in the charter school. If, by the application deadline, the number of applications exceeds the capacity of a class, grade level, or

building, all applications for that class, grade level, or building will be selected for the available slots through a lottery, except that preference as allowed in law shall be given. After the application deadline, pupils for any remaining slots will be accepted in order of their lottery position. If an opening in the school occurs mid-year and no students remain from the original lottery, a notice for applications will be announced and applicants enrolled on the same basis as outlined above.

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

Proof of Insurance

North Peak Academy will acquire and retain a certificate of insurance before the first day of school in its initial year and annually thereafter.

Electronic Data Transfer

The Charter School must have an electronic student information system, SIS, that can fulfill the following requirements.

- Produce a complete USOE Clearinghouse file multiple times a year. For details see:
<http://www.schools.utah.gov/computerservices/Clearinghouse/Clearinghouse.htm>
- Submit electronic standardized testing “pre-load” and “all-student” files, for details see:
<http://www.schools.utah.gov/computerservices/Testing/Testing.htm>
- Integrate with the USOE statewide student identification, SSID system. For details see:
http://www.schools.utah.gov/computerservices/SSID/USOE_SSID_User_Manual.pdf
- Integrate with the USOE UTREx system. This system is expected to become operational during the 2010-2011 school year and will replace the USOE Clearinghouse. For details, see:
<http://www.digitalbridgeeducation.com/usoeproject.aspx>

- An electronic fiscal system that can fulfill the following requirements.
Provide basic school accounting functions such as budgeting, payroll, accounts payable, accounts receivable, and personnel management.
-

Nonsectarian Statement

North Peak Academy is nonsectarian in its programs, admission policies, and employment practices and all other operations.

Special Education/Exceptional Student Services Training

The principal/director of North Peak Academy (or applicant/authorized signer if no principal has been hired) will take a one-day Special Education training class sponsored by the Utah Department of Education subsequent to signing the contract, but prior to the first day of instruction and annually thereafter.

Assessment

North Peak Academy will name an individual to act as the Assessment Director prior to the first day of instruction, who shall be responsible for ensuring that all U-PASS assessments are administered in a secure and standardized manner, in accordance with information provided during regular Assessment Director meetings and specific assessment trainings.

Valerie Neslen
CAO (Please print)

Valerie Neslen
CAO's Signature

3/29/2010
Date