

FAST FORWARD CHARTER HIGH SCHOOL
BOARD OF TRUSTEES MEETING MINUTES

April 26, 2021

ITEM	ACTION	WHO
1. Welcome and Roll Call	No	Dr. Rich West, Board President
2. Financial Review FY21	No	Ryan Marchant, CFO
3. SpEd Policy and Procedure Manual <ul style="list-style-type: none"> a. Motion to Approve: Lynn Hobbs b. Motion Seconded: Teresa Olsen <ul style="list-style-type: none"> i. Passed Unanimously 	Yes	Jill Lowe, Principal Kathy Anderson, SpEd Director
4. Title IX Policy Adoption <ul style="list-style-type: none"> • FF Title IX Training Material • Equal Education Policy • Non-Discrimination Policy • Employee Sexual Harassment Policy • Student Sexual Harassment Policy <ul style="list-style-type: none"> a. Motion to Approve: Kim Penman b. Motion Seconded: Lynn Hobbs <ul style="list-style-type: none"> i. Passed Unanimously 	Yes	Jill Lowe, Principal
5. Data Privacy Policy Adoption <ul style="list-style-type: none"> a. Motion to Approve: Lynn Hobbs b. Motion Seconded: Teresa Olsen <ul style="list-style-type: none"> i. Passed Unanimously 	Yes	Alex Garrett, Assistant Principal

<p>6. Calendar 2022 Approval</p> <ul style="list-style-type: none">a. Motion to Approve: Teresa Olsenb. Motion Seconded: Lynn Hobbs<ul style="list-style-type: none">i. Passed Unanimously	<p>Yes</p>	<p>Jill Lowe, Principal</p>
<p>7. Principal's Report</p>	<p>No</p>	<p>Jill Lowe, Principal</p>

Fast Forward Budget to Actual Report

July 20 – March 21

FY21

Revenues

- Revenues for July 20 – March 21 FY21 were more than our approved budget. Total actual revenues were \$1,989,539 vs budget amount of \$1,944,071 for an excess of \$44,468.
- Included in total revenue, were restricted Sped revenues of \$159,194 of which we have a separate SPED budget that allocated those funds directly to support for SPED students. See attached SPED financials. These are 1205 and IDEA
- CAPSA grant has reimbursed FFCHS \$53,448 for expenses accrued this year.
- For FY21 FFCHS received \$835,948 and \$484,296 in Regular school K-12 and charter school local replacement. These are the two largest funding line items in our budget.
- CTE funding has totaled \$80,340. We have used these funds to pay for both equipment and salaries for our CTE program. We also use the CTE comp counseling portion of \$20,000 to pay for our counselor.
- School Trust land funds of \$41,337 have all been expended as per our approved plan.
- National School Lunch funding YTD is \$19,820. These funds go to pay for our approved lunch program.

Expenses

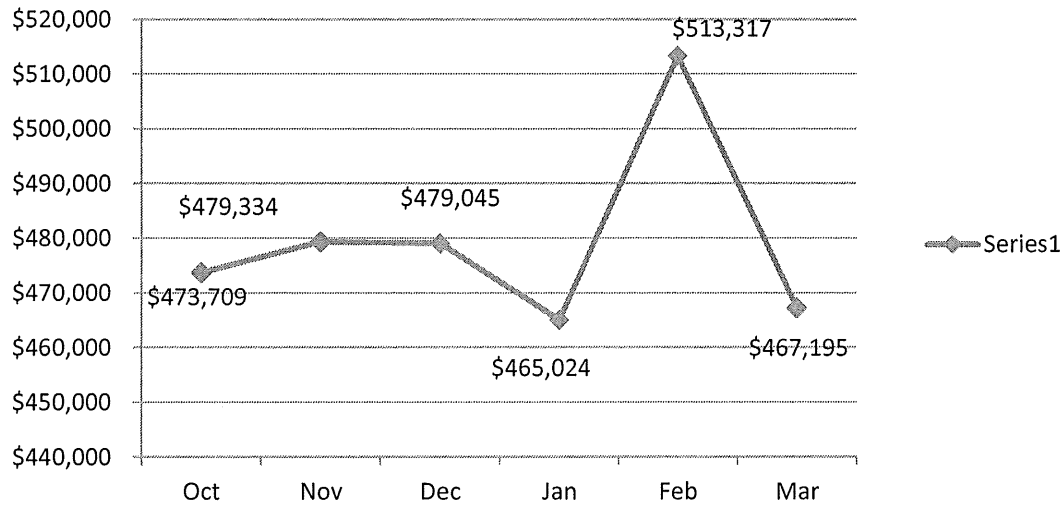
- Total expenses for July 20 – March 21 FY21 were \$1,831,735 vs budgeted expenses of \$1,764,938 consequently, net income was \$149,803 vs budget of \$179,132. Variance of -\$29,329.
- FY21 YTD we spent approx. 78% of our approved \$2,372,306 budget and are approx. 75% through the school year.
- 10.100---YTD FY21 salaries for instruction were \$603,877 vs budget of \$554,561. Overage due to the onetime Covid 19 Stipend.
- 10.200----YTD FY21 employee benefits are \$280,822 vs budget of \$284,446 this increase, as discussed in prior months this was mostly due to health insurance premiums and additional employees with higher wages.
- Most all other wages and benefits were in line with our approved budget.
- 21.100 Salaries Counselor. CAPSA counselor included in the expense line item.
- 24.100 Salaries for Principal and Secretary in FY21 were \$85,888 vs budget of \$86,484

- 26.600---Utilities. \$29,916 vs budget of \$29,312. This is in line with our budget and about even with what we spent in FY20
- 26.700---Property and Equipment we put new flooring in our gym for approx. \$18,391. We also purchased Apple computers. FFCHS also picked up additional chrome books for the increased enrollment and apple computers for our CTE program.
- 50.840---\$42,900 0 in FY21 we paid off this amount in building principal.
- Our Current mortgage balance is \$2,101,581. Since 2007 FFCHS Has paid off \$1,025,419 in facility principal.

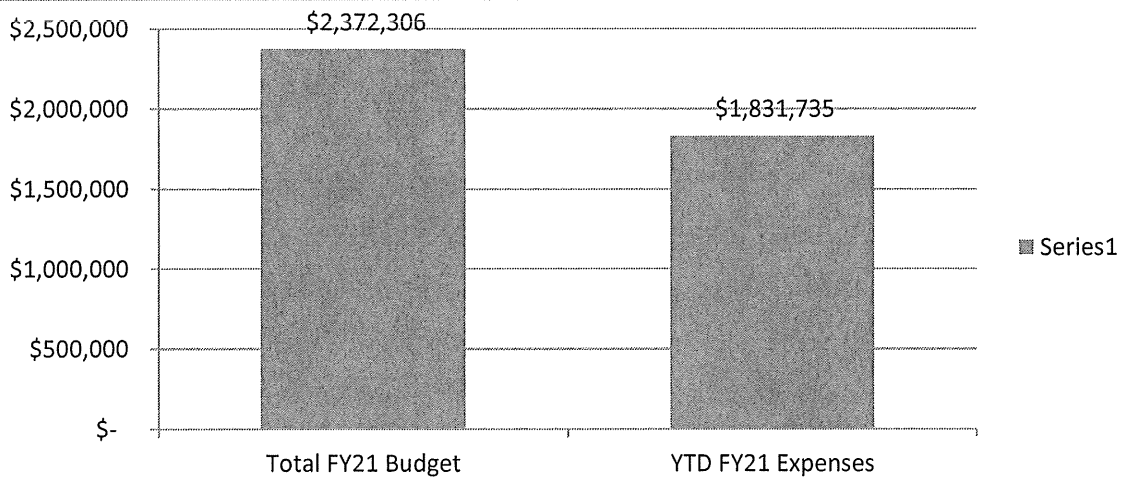
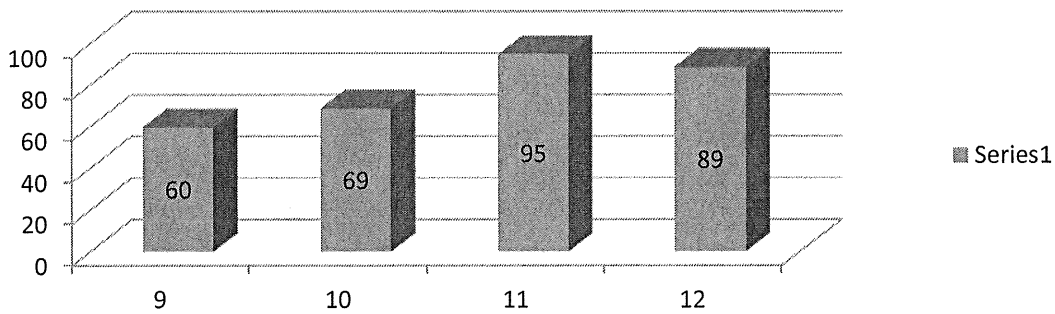
Balance Sheet Items

- Cash at the end of March was \$467,195 cash at the end of February was \$513,317
- 9524--- \$12,854 EHHS ins. payable. This is the liability to EHHS for FFCHS portion of Ryan Marchant. FFCHS is currently paying Ryan Marchant's health insurance and this cost is being offset against the liability to EHHS.
- 2100---\$42,583 Payroll Liabilities. These are paid on a monthly basis as accrued. We pay the State Withholding on a qtrly basis.

Cash Balances



October 1st Count FY19 234
October 1st Count FY20 260
October 1st count FY21 251
04-26-2021 Count 313



Fast Forward Charter High School

Balance Sheet

04/26/21

As of March 31, 2021

Accrual Basis

	<u>Mar 31, 21</u>
ASSETS	
Current Assets	
Checking/Savings	
8110 · Wells Fargo Checking	6.00
8118 · CVB Checking Account	267,522.49
8119 · CVB Sweep Account	199,666.85
	<u>467,195.34</u>
Total Checking/Savings	467,195.34
Other Current Assets	
8116 · Petty Cash	225.00
8190 · Other Assets	
Sales Tax Rec.	2,110.87
US Bank Insurance Escrow	2,000.00
USOE Year end Rec.	80,916.17
	<u>85,027.04</u>
Total 8190 · Other Assets	85,027.04
Total Other Current Assets	<u>85,252.04</u>
Total Current Assets	<u>552,447.38</u>
TOTAL ASSETS	<u><u>552,447.38</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
9510 · Accounts Payable	32,303.34
	<u>32,303.34</u>
Total Accounts Payable	32,303.34
Other Current Liabilities	
2100 · Payroll Liabilities	
Federal Withholding	7,577.00
Garnishment	700.00
HSA - Employee Contribution	785.00
Medicare Company	1,677.10
Medicare Employee	1,677.10
Social Security Company	7,171.05
Social Security Employee	7,171.05
State Unemployment	609.45
State Withholding	15,171.00
Utah Retirement Fund 18.76%	0.16
	<u>42,538.91</u>
Total 2100 · Payroll Liabilities	42,538.91
9542 · EHHS Health Insurance Payable	12,854.70
	<u>55,393.61</u>
Total Other Current Liabilities	55,393.61
Total Current Liabilities	<u>87,696.95</u>
Total Liabilities	87,696.95
Equity	
Opening Bal Equity	-240.08
3900 · Retained Earnings	344,245.12
3910 · Prior Ret. Earnings old FFCHS	224,785.85
3920 · Beg. Balance Equity old FFCHS	-253,843.85
Net Income	149,803.39
	<u>464,750.43</u>
Total Equity	464,750.43
TOTAL LIABILITIES & EQUITY	<u><u>552,447.38</u></u>

Fast Forward Charter High School
Profit & Loss Budget vs. Actual
 July 2020 through March 2021

	Jul '20 - Ma...	Budget	\$ Over Bud...	% of Budget
Income				
1000 · Revenue from Local Sources				
1300 · Tuition				
1310 · Student Fees	3,843.21	5,618.00	-1,774.79	68.4%
1311 · Year Book	599.64	373.25	226.39	160.7%
1312 · Student Fees Lunch	225.73	1,504.50	-1,278.77	15.0%
1300 · Tuition - Other	0.00	0.00	0.00	0.0%
Total 1300 · Tuition	4,668.58	7,495.75	-2,827.17	62.3%
1700 · Student Activities				
1750 · Revenue from Enterprising Act.				
1751 · Dance / Activity Receipts	0.00	0.00	0.00	0.0%
1750 · Revenue from Enterprising Act. - Other	0.00	0.00	0.00	0.0%
Total 1750 · Revenue from Enterprising Act.	0.00	0.00	0.00	0.0%
1700 · Student Activities - Other	0.00	0.00	0.00	0.0%
Total 1700 · Student Activities	0.00	0.00	0.00	0.0%
1900 · Other Rev. from Local Sources				
CAPSA	53,448.74	53,095.48	353.26	100.7%
1920 · Contributions / Donations	202.13	166.44	35.69	121.4%
1950 · Revenue from School Districts	70.00			
Total 1900 · Other Rev. from Local Sources	53,720.87	53,261.92	458.95	100.9%
1000 · Revenue from Local Sources - Other	0.00	0.00	0.00	0.0%
Total 1000 · Revenue from Local Sources	58,389.45	60,757.67	-2,368.22	96.1%
1610 · Lunch Sales to Students	2,315.00	0.00	2,315.00	100.0%
3000 · Revenue from State Sources				
3005 · Regular Basic Program				
3010 · Regular School Prog. K-12	835,948.47	835,938.04	10.43	100.0%
3020 · Professional Staff	71,670.44	65,995.29	5,675.15	108.6%
Total 3005 · Regular Basic Program	907,618.91	901,933.33	5,685.58	100.6%
3200 · Restricted Basic Program				
Charter School Admin	0.00	0.00	0.00	0.0%
Charter School Funding Base	30,000.00	30,000.00	0.00	100.0%
Charter School Local Replacemen	482,296.50	469,273.35	13,023.15	102.8%
Educator Covid 19 Stipend	63,210.40			
Flexible Allocation	0.00	0.00	0.00	0.0%
Total 3200 · Restricted Basic Program	575,506.90	499,273.35	76,233.55	115.3%
3800 · Non-Msp State Revenue				
General Financial Literacy	0.00	0.00	0.00	0.0%
State Liquor Tax	4,006.53	5,457.83	-1,451.30	73.4%
Suicide Prevention	1,066.34			
3800 · Non-Msp State Revenue - Other	0.00	0.00	0.00	0.0%
Total 3800 · Non-Msp State Revenue	5,072.87	5,457.83	-384.96	92.9%
Total 3000 · Revenue from State Sources	1,488,198.68	1,406,664.51	81,534.17	105.8%
3100 · RESTRICTED REVENUE				
CTE	80,340.75	79,695.26	645.49	100.8%
CTE - Skill Cert.	1,795.50	1,753.84	41.66	102.4%
CTE - Tech Student Org.	355.84	886.50	-530.66	40.1%
CTE Comp. Counseling	15,000.00	15,000.00	0.00	100.0%
SPED - Add On	152,760.48	152,525.02	235.46	100.2%
SPED - Ext. Year	2,862.93	2,174.05	688.88	131.7%
SPED - Impact Aide	3,572.66	3,822.06	-249.40	93.5%
Total 3100 · RESTRICTED REVENUE	256,688.16	255,856.73	831.43	100.3%
3300 · SPECIAL POPULATIONS				

Fast Forward Charter High School
Profit & Loss Budget vs. Actual
July 2020 through March 2021

	<u>Jul '20 - Ma...</u>	<u>Budget</u>	<u>\$ Over Bud...</u>	<u>% of Budget</u>
Accelerated Students	0.00	0.00	0.00	0.0%
At-Risk Students	29,208.88	26,791.70	2,417.18	109.0%
Concurrent Enrollment	1,846.59	3,298.05	-1,451.46	56.0%
Total 3300 · SPECIAL POPULATIONS	31,055.47	30,089.75	965.72	103.2%
3400 · RESTRICTED REV. STATE PROGRAMS				
Educator Salary Adjustment	81,247.20	80,073.44	1,173.76	101.5%
Teacher Materials and Supplies	3,310.26	2,347.00	963.26	141.0%
TSSP	5,867.48	8,172.27	-2,304.79	71.8%
Total 3400 · RESTRICTED REV. STATE PROGRAMS	90,424.94	90,592.71	-167.77	99.8%
3500 · Minimum School Programs				
Library Books and Supplies	309.47	337.73	-28.26	91.6%
School Land Trust Program	41,337.00	41,337.00	0.00	100.0%
TSSP	0.00	33,279.39	-33,279.39	0.0%
Total 3500 · Minimum School Programs	41,646.47	74,954.12	-33,307.65	55.6%
4000 · Reveunues from Federal Sources				
4500 · Restricted Fed. Through State				
4524 · Federal IDEA	0.00	0.00	0.00	0.0%
4560 · National School Lunch Program	19,820.98	25,154.92	-5,333.94	78.8%
4571 · School Lunch Programs	0.00	0.00	0.00	0.0%
4574 · School Breakfast	0.00	0.00	0.00	0.0%
Total 4500 · Restricted Fed. Through State	19,820.98	25,154.92	-5,333.94	78.8%
Total 4000 · Reveunues from Federal Sources	19,820.98	25,154.92	-5,333.94	78.8%
4800 · Improving Teacher Quality Title	0.00	0.00	0.00	0.0%
4801 · 4801 Federal Title 1	0.00	0.64	-0.64	0.0%
Total Income	1,988,539.15	1,944,071.05	44,468.10	102.3%
Gross Profit	1,988,539.15	1,944,071.05	44,468.10	102.3%
Expense				
10 · Instruction				
10.100 · Salaries				
10.101 · Salaries F.T. Teachers	533,084.93	476,886.69	56,198.24	111.8%
10.102 · Salaries P.T. Teachers	14,026.10	14,979.78	-953.68	93.6%
10.103 · Wage - Substitute	2,838.75	3,240.00	-401.25	87.6%
10.104 · A+ Stipend	4,197.00	3,333.00	864.00	125.9%
10.106 · Math Para	14,485.63	13,431.25	1,054.38	107.9%
10.110 · Legislative Increase	28,244.97	26,168.31	2,076.66	107.9%
10.111 · Legislative Bonus	7,000.00	10,266.00	-3,266.00	68.2%
10.112 · Teacher Salary Supplement SB 2	0.00	6,256.56	-6,256.56	0.0%
Total 10.100 · Salaries	603,877.38	554,561.59	49,315.79	108.9%
10.200 · Employee Benefits				
10.230 · Retirement Contributions	136,541.44	132,840.41	3,701.03	102.8%
10.240 · Group Insurance - Health Ins	157,677.50	160,000.00	-2,322.50	98.5%
10.280 · Health Benefits	-3,078.83	0.00	-3,078.83	100.0%
10.281 · Dental Insurance	-1,902.60	-1,379.80	-522.80	137.9%
10.282 · Vision Insurance	-539.80	-435.40	-104.40	124.0%
10.285 · S. S., Medicare & SUTA	-7,875.00	-6,579.00	-1,296.00	119.7%
Total 10.200 · Employee Benefits	280,822.71	284,446.21	-3,623.50	98.7%
10.300 · Purchases and Prof. Services				
10.301 · Workmans Comp Ins.	-1,648.00	0.00	-1,648.00	100.0%
10.330 · Professional Employee Training	2,943.89	3,783.54	-839.65	77.8%
10.339 · William D Bickmore Scholarship	0.00	0.00	0.00	0.0%
10.300 · Purchases and Prof. Services - Other	185.00	681.00	-496.00	27.2%
Total 10.300 · Purchases and Prof. Services	1,480.89	4,464.54	-2,983.65	33.2%
10.400 · Purchased Prop. Services				

Fast Forward Charter High School Profit & Loss Budget vs. Actual July 2020 through March 2021

	Jul '20 - Ma...	Budget	\$ Over Bud...	% of Budget
10.443 · Copier Rental	5,000.48	4,582.01	418.47	109.1%
10.444 · Yearbook	2,143.64	2,018.75	124.89	106.2%
10.445 · Graduation Expenses	1,321.84	4,493.82	-3,171.98	29.4%
10.400 · Purchased Prop. Services - Other	0.00	100.00	-100.00	0.0%
Total 10.400 · Purchased Prop. Services	8,465.96	11,194.58	-2,728.62	75.6%
10.500 · Other Purchased Services	1,650.00			
10.600 · Supplies				
10.601 · Supplies Paper, Misc Supplies	28,827.40	28,656.89	170.51	100.6%
10.602 · Teachers Supply Reimb.	3,809.47	4,102.60	-293.13	92.9%
10.640 · Text Books & Periodicals	822.51	1,804.00	-981.49	45.6%
10.650 · Supplies - Technology Related	38,038.50	30,831.68	7,206.82	123.4%
10.651 · Lunch Fund	771.20	225.00	546.20	342.8%
10.653 · Music Equipt	1,469.22	3,907.48	-2,438.26	37.6%
10.600 · Supplies - Other	15,621.52	0.00	15,621.52	100.0%
Total 10.600 · Supplies	89,359.82	69,527.65	19,832.17	128.5%
10.700 · Property				
10.733 · Furniture & Fixtures	127.14	0.00	127.14	100.0%
10.734 · Dell Computers	17,889.20	20,000.00	-2,110.80	89.4%
Total 10.700 · Property	18,016.34	20,000.00	-1,983.66	90.1%
Total 10 · Instruction	1,003,673.10	944,194.57	59,478.53	106.3%
21 · Support Services Students				
21.100 · Salaries - Counselor, Spec.ed				
21.102 · Resource Officers	13,910.00	13,505.00	405.00	103.0%
21.103 · Spec Ed Stipend	400.00			
21.110 · Legislative Increase	5,600.00	5,950.00	-350.00	94.1%
21.100 · Salaries - Counselor, Spec.ed - Other	112,049.74	111,987.30	62.44	100.1%
Total 21.100 · Salaries - Counselor, Spec.ed	131,959.74	131,442.30	517.44	100.4%
21.200 · Employee Benefits				
21.230 · Retirement Contributions	28,996.34	28,897.75	98.59	100.3%
21.280 · Health Benefits	-1,097.50	-564.00	-533.50	194.6%
21.281 · Dental Insurance	0.00	-21.00	21.00	0.0%
21.282 · Vision Insurance	-49.00	-3.60	-45.40	1,361.1%
21.285 · S.S. Medicare & SUTA	-784.00	-353.00	-431.00	222.1%
Total 21.200 · Employee Benefits	27,065.84	27,956.15	-890.31	96.8%
21.300 · Purchased Professional Services				
21.301 · Resource Officers	120.00	0.00	120.00	100.0%
21.330 · Professional Employee Training	400.00	1,448.18	-1,048.18	27.6%
21.331 · Sped-Ed Testing	772.50	0.00	772.50	100.0%
21.337 · Student Activities	140.00	505.58	-365.58	27.7%
21.300 · Purchased Professional Services - Other	50.00			
Total 21.300 · Purchased Professional Services	1,482.50	1,953.76	-471.26	75.9%
21.500 · Other Purchased Services				
21.540 · Advertising	7,000.00	6,000.00	1,000.00	116.7%
Total 21.500 · Other Purchased Services	7,000.00	6,000.00	1,000.00	116.7%
21 · Support Services Students - Other	2,300.00	2,430.00	-130.00	94.7%
Total 21 · Support Services Students	169,808.08	169,782.21	25.87	100.0%
23 · Administration				
23.100 · Salaries Exe. Director/Fin Mgr.	108,457.53	108,584.17	-126.64	99.9%
23.200 · Employee Benefits				
23.230 · Retirement Contributions	9,387.10	8,760.35	626.75	107.2%
23.280 · Health Benefits	-985.60	-4,610.88	3,625.28	21.4%
23.281 · Dental Insurance	-227.20	-352.48	125.28	64.5%

Fast Forward Charter High School
Profit & Loss Budget vs. Actual
 July 2020 through March 2021

	<u>Jul '20 - Ma...</u>	<u>Budget</u>	<u>\$ Over Bud...</u>	<u>% of Budget</u>
23.285 · S.S., Medicare & SUTA	0.00	0.00	0.00	0.0%
Total 23.200 · Employee Benefits	8,174.30	3,796.99	4,377.31	215.3%
23.300 · Purchased Professional Services				
23.341 · Accountants	16,550.00	15,900.00	650.00	104.1%
23.343 · Legal Fees	0.00	0.00	0.00	0.0%
23.345 · Bank Fees	15.00	62.50	-47.50	24.0%
23.346 · NAAS Accreditation Fees	0.00	0.00	0.00	0.0%
Total 23.300 · Purchased Professional Services	16,565.00	15,962.50	602.50	103.8%
23.800 · Other Objects				
23.810 · Dues & Bank Fees	0.00	0.00	0.00	0.0%
Total 23.800 · Other Objects	0.00	0.00	0.00	0.0%
Total 23 · Administration	133,196.83	128,343.66	4,853.17	103.8%
24 · School Administration				
24.100 · Salaries Principal/Secretary	85,888.58	86,484.62	-596.04	99.3%
24.200 · Employee Benefits				
24.230 · Retirement Contributions	25,156.12	27,071.43	-1,915.31	92.9%
24.280 · Health Benefits	-94.77	1,356.07	-1,450.84	-7.0%
24.281 · Dental Insurance	0.00	-21.00	21.00	0.0%
24.282 · Vision Insurance	0.00	-3.60	3.60	0.0%
24.285 · S.S., Medicare & SUTA	0.00	-159.00	159.00	0.0%
Total 24.200 · Employee Benefits	25,061.35	28,243.90	-3,182.55	88.7%
24.300 · Purchased Professional Services				
24.330 · Professional Employee Training	480.00	1,555.00	-1,075.00	30.9%
24.340 · Staff training Lunches	210.54			
24.300 · Purchased Professional Services - Other	0.00	0.00	0.00	0.0%
Total 24.300 · Purchased Professional Services	690.54	1,555.00	-864.46	44.4%
24.500 · Other Purchased Services	50.00			
24.600 · Supplies				
24.601 · Postage	668.51	313.88	354.63	213.0%
24.610 · Office Supplies	0.00	877.75	-877.75	0.0%
Total 24.600 · Supplies	668.51	1,191.63	-523.12	56.1%
Total 24 · School Administration	112,358.98	117,475.15	-5,116.17	95.6%
25 · Central				
25.100 · Salaries	23,419.22	22,827.83	591.39	102.6%
25.200 · Employee Benefits				
25.230 · Retirement Contributions	4,923.76	4,009.56	914.20	122.8%
25.285 · S.S., Medicare & SUTA	0.00	0.00	0.00	0.0%
Total 25.200 · Employee Benefits	4,923.76	4,009.56	914.20	122.8%
25.400 · Purchased Property Services				
25.443 · Rentals of Equipment	100.00			
Total 25.400 · Purchased Property Services	100.00			
25.500 · Other Purchased Services				
25.530 · Telephone Communications	4,517.03	5,388.05	-871.02	83.8%
25.500 · Other Purchased Services - Other	476.50	0.00	476.50	100.0%
Total 25.500 · Other Purchased Services	4,993.53	5,388.05	-394.52	92.7%
25.600 · Supplies				
25.650 · Technology Computer Supplies	2,453.38	500.00	1,953.38	490.7%

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 July 2020 through March 2021

	Jul '20 - Ma...	Budget	\$ Over Bud...	% of Budget
Total 25.600 · Supplies	2,453.38	500.00	1,953.38	490.7%
Total 25 · Central	35,889.89	32,725.44	3,164.45	109.7%
26 · Facilities				
26.100 · Salaries				
26.101 · Custodian Wages	21,350.00	23,836.50	-2,486.50	89.6%
26.130 · Wages / Salary Overtime	0.00	0.00	0.00	0.0%
Total 26.100 · Salaries	21,350.00	23,836.50	-2,486.50	89.6%
26.200 · Employee Benefits				
26.285 · S.S., Medicare & SUTA	0.00	0.00	0.00	0.0%
Total 26.200 · Employee Benefits	0.00	0.00	0.00	0.0%
26.300 · Purchased Professional Services	4,166.02	537.25	3,628.77	775.4%
26.400 · Purchased Property Services				
26.430 · Repairs, Yard Care, Snow Remova	17,629.80	17,261.60	368.20	102.1%
26.432 · Fire Alarm Contract	3,439.00	3,186.00	253.00	107.9%
26.400 · Purchased Property Services - Other	2,800.00			
Total 26.400 · Purchased Property Services	23,868.80	20,447.60	3,421.20	116.7%
26.500 · Other Purchased Services				
26.520 · Building Insurance	8,253.55	10,198.82	-1,945.27	80.9%
Total 26.500 · Other Purchased Services	8,253.55	10,198.82	-1,945.27	80.9%
26.600 · Supplies				
26.601 · Custodial Cleaning Supplies	5,364.02	4,312.39	1,051.63	124.4%
26.621 · Utilities - Natural Gas	4,658.03	4,831.43	-173.40	96.4%
26.622 · Utilities - Electricity	19,727.96	20,168.47	-440.51	97.8%
26.600 · Supplies - Other	166.32			
Total 26.600 · Supplies	29,916.33	29,312.29	604.04	102.1%
26.700 · Property				
26.723 · Building - Leasehold Improvemen	18,391.17	18,554.46	-163.29	99.1%
26.730 · Equipment	18,132.14	18,841.60	-709.46	96.2%
26.733 · Furniture & Fixtures	3,954.40	2,500.00	1,454.40	158.2%
26.734 · Technology - Related Hardware	18,909.78	17,306.65	1,603.13	109.3%
Total 26.700 · Property	59,387.49	57,202.71	2,184.78	103.8%
Total 26 · Facilities	146,942.19	141,535.17	5,407.02	103.8%
27 · Student Transportation				
27.600 · Supplies				
27.626 · Bus Fuel & Maintenance	1,329.50	2,790.77	-1,461.27	47.6%
Total 27.600 · Supplies	1,329.50	2,790.77	-1,461.27	47.6%
27 · Student Transportation - Other	204.56			
Total 27 · Student Transportation	1,534.06	2,790.77	-1,256.71	55.0%
31 · Food Services				
31.191 · Salaries - Food Services	18,723.39	19,648.15	-924.76	95.3%
31.200 · Employee Benefits				
31.285 · S.S Medicare, SUTA	0.00	0.00	0.00	0.0%
Total 31.200 · Employee Benefits	0.00	0.00	0.00	0.0%
31.300 · Purchased Professional Services				
31.301 · Logan School District Cater	12,447.88	15,000.00	-2,552.12	83.0%
Total 31.300 · Purchased Professional Services	12,447.88	15,000.00	-2,552.12	83.0%
31.600 · Supplies	222.73			
31 · Food Services - Other	0.00	0.00	0.00	0.0%

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04/26/21

Accrual Basis

Fast Forward Charter High School
Profit & Loss Budget vs. Actual
July 2020 through March 2021

	<u>Jul '20 - Ma...</u>	<u>Budget</u>	<u>\$ Over Bud...</u>	<u>% of Budget</u>
Total 31 · Food Services	31,394.00	34,648.15	-3,254.15	90.6%
50 · Debt Service				
50.830 · Interest on Mortgage	77,043.87	77,043.87	0.00	100.0%
50.840 · Principal Reduction - Mortgage	42,900.84	42,900.84	0.00	100.0%
Total 50 · Debt Service	119,944.71	119,944.71	0.00	100.0%
65 · Payroll Expenses				
65.100 · Federal Unemployment Expense	0.00	0.00	0.00	0.0%
65.200 · State Unemployment Expense	1,766.92	848.80	918.12	208.2%
65.300 · Medicare Company	15,432.83	13,770.21	1,662.62	112.1%
65.400 · Social Security Company	66,794.17	58,879.44	7,914.73	113.4%
65 · Payroll Expenses - Other	0.00	0.00	0.00	0.0%
Total 65 · Payroll Expenses	83,993.92	73,498.45	10,495.47	114.3%
Total Expense	1,838,735.76	1,764,938.28	73,797.48	104.2%
Net Income	149,803.39	179,132.77	-29,329.38	83.6%

Fast Forward Charter High School

Profit & Loss

July 2020 through March 2021

04/26/21

Accrual Basis

1205 SPED

	<u>Jul '20 - Mar 21</u>
Income	
3100 · RESTRICTED REVENUE	
SPED - Add On	152,760.48
Total 3100 · RESTRICTED REVENUE	<u>152,760.48</u>
Total Income	<u>152,760.48</u>
Gross Profit	152,760.48
Expense	
10 · Instruction	
10.100 · Salaries	
10.101 · Salaries F.T. Teachers	72,358.16
10.110 · Legislative Increase	2,450.00
10.111 · Legislative Bonus	700.00
Total 10.100 · Salaries	<u>75,508.16</u>
10.200 · Employee Benefits	
10.230 · Retirement Contributions	12,650.36
10.240 · Group Insurance - Health Ins	-66.60
10.281 · Dental Insurance	-554.40
10.282 · Vision Insurance	-127.80
Total 10.200 · Employee Benefits	<u>11,901.56</u>
10.300 · Purchases and Prof. Services	
10.330 · Professional Employee Training	100.00
Total 10.300 · Purchases and Prof. Services	<u>100.00</u>
10.600 · Supplies	
10.602 · Teachers Supply Reimb.	18.05
Total 10.600 · Supplies	<u>18.05</u>
Total 10 · Instruction	<u>87,527.77</u>
21 · Support Services Students	
21.100 · Salaries - Counselor, Spec.ed	-5,080.00
21.200 · Employee Benefits	
21.280 · Health Benefits	-1,100.00
21.282 · Vision Insurance	-49.00
Total 21.200 · Employee Benefits	<u>-1,149.00</u>
21.300 · Purchased Professional Services	
21.331 · Sped-Ed Testing	772.50
Total 21.300 · Purchased Professional Services	<u>772.50</u>
Total 21 · Support Services Students - Other	<u>50.00</u>
Total 21 · Support Services Students	<u>-5,406.50</u>
65 · Payroll Expenses	
65.100 · Federal Unemployment Expense	175.81
65.200 · State Unemployment Expense	120.80
65.300 · Medicare Company	1,138.09
65.400 · Social Security Company	4,866.35
Total 65 · Payroll Expenses	<u>6,301.05</u>
Total Expense	<u>88,422.32</u>
Net Income	<u><u>64,338.16</u></u>

Fast Forward Charter High School
Profit & Loss
July 2020 through March 2021

Concurrent enrollment

	<u>Jul '20 - M...</u>
Income	
3300 · SPECIAL POPULATIONS	
Concurrent Enrollment	<u>1,846.59</u>
Total 3300 · SPECIAL POPULATIONS	<u>1,846.59</u>
Total Income	<u>1,846.59</u>
Gross Profit	1,846.59
Expense	
10 · Instruction	
10.100 · Salaries	
10.101 · Salaries F.T. Teachers	500.00
10.102 · Salaries P.T. Teachers	<u>14,026.10</u>
Total 10.100 · Salaries	14,526.10
10.200 · Employee Benefits	
10.230 · Retirement Contributions	2,908.14
10.240 · Group Insurance - Health Ins	1,400.00
10.280 · Health Benefits	<u>0.00</u>
Total 10.200 · Employee Benefits	<u>4,308.14</u>
Total 10 · Instruction	18,834.24
65 · Payroll Expenses	
65.100 · Federal Unemployment Expense	37.50
65.200 · State Unemployment Expense	25.48
65.300 · Medicare Company	230.92
65.400 · Social Security Company	<u>987.42</u>
Total 65 · Payroll Expenses	<u>1,281.32</u>
Total Expense	<u>20,115.56</u>
Net Income	<u><u>-18,268.97</u></u>

Profit & Loss

July 2020 through March 2021

AT RISK

	<u>Jul '20 - Mar...</u>
Income	
3300 · SPECIAL POPULATIONS	
At-Risk Students	29,208.88
Total 3300 · SPECIAL POPULATIONS	<u>29,208.88</u>
Total Income	<u>29,208.88</u>
Gross Profit	29,208.88
Expense	
10 · Instruction	
10.100 · Salaries	
10.101 · Salaries F.T. Teachers	1,801.30
Total 10.100 · Salaries	1,801.30
10.200 · Employee Benefits	
10.240 · Group Insurance - Health Ins	1,575.00
10.280 · Health Benefits	0.00
Total 10.200 · Employee Benefits	<u>1,575.00</u>
Total 10 · Instruction	3,376.30
21 · Support Services Students	
21.100 · Salaries - Counselor, Spec.ed	32,000.00
21.200 · Employee Benefits	
21.230 · Retirement Contributions	6,767.03
Total 21.200 · Employee Benefits	<u>6,767.03</u>
Total 21 · Support Services Students	38,767.03
65 · Payroll Expenses	
65.100 · Federal Unemployment Expense	42.00
65.200 · State Unemployment Expense	48.44
65.300 · Medicare Company	512.96
65.400 · Social Security Company	2,193.33
Total 65 · Payroll Expenses	<u>2,796.73</u>
Total Expense	<u>44,940.06</u>
Net Income	<u><u>-15,731.18</u></u>

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04/26/21

Accrual Basis

Fast Forward Charter High School

Profit & Loss

July 2020 through March 2021

TRUST LANDS

	<u>Jul '20 - M...</u>
Income	
3500 · Minimum School Programs	
School Land Trust Program	<u>41,337.00</u>
Total 3500 · Minimum School Programs	<u>41,337.00</u>
Total Income	<u>41,337.00</u>
Gross Profit	<u>41,337.00</u>
Expense	
10 · Instruction	
10.100 · Salaries	
10.101 · Salaries F.T. Teachers	26,627.38
10.111 · Legislative Bonus	<u>3,150.00</u>
Total 10.100 · Salaries	<u>29,777.38</u>
10.200 · Employee Benefits	
10.230 · Retirement Contributions	5,961.46
10.240 · Group Insurance - Health Ins	-817.20
10.280 · Health Benefits	0.00
10.281 · Dental Insurance	-154.80
10.282 · Vision Insurance	<u>-39.00</u>
Total 10.200 · Employee Benefits	<u>4,950.46</u>
Total 10 · Instruction	<u>34,727.84</u>
65 · Payroll Expenses	
65.100 · Federal Unemployment Expense	33.29
65.200 · State Unemployment Expense	37.62
65.300 · Medicare Company	340.99
65.400 · Social Security Company	<u>1,458.02</u>
Total 65 · Payroll Expenses	<u>1,869.92</u>
Total Expense	<u>36,597.76</u>
Net Income	<u><u>4,739.24</u></u>

Fast Forward Charter High School

Profit & Loss

July 2020 through March 2021

Card Stipend

	<u>Jul '20 - ...</u>
Income	
3000 · Revenue from State Sources	
3200 · Restricted Basic Program	
Educator Covid 19 Stipend	63,210.40
Total 3200 · Restricted Basic Program	<u>63,210.40</u>
Total 3000 · Revenue from State Sources	<u>63,210.40</u>
Total Income	<u>63,210.40</u>
Gross Profit	63,210.40
Expense	
10 · Instruction	
10.100 · Salaries	
10.101 · Salaries F.T. Teachers	34,550.00
10.103 · Wage - Substitute	0.00
10.110 · Legislative Increase	0.00
10.111 · Legislative Bonus	0.00
Total 10.100 · Salaries	<u>34,550.00</u>
10.200 · Employee Benefits	
10.230 · Retirement Contributions	6,031.00
10.240 · Group Insurance - Health Ins	0.00
10.280 · Health Benefits	0.00
10.281 · Dental Insurance	0.00
10.282 · Vision Insurance	0.00
Total 10.200 · Employee Benefits	<u>6,031.00</u>
Total 10 · Instruction	<u>40,581.00</u>
21 · Support Services Students	
21.100 · Salaries - Counselor, Spec.ed	
21.110 · Legislative Increase	0.00
Total 21.100 · Salaries - Counselor, Spec.ed	<u>0.00</u>
21.200 · Employee Benefits	
21.230 · Retirement Contributions	1,011.00
Total 21.200 · Employee Benefits	<u>1,011.00</u>
Total 21 · Support Services Students	<u>1,011.00</u>
23 · Administration	
23.200 · Employee Benefits	
23.280 · Health Benefits	0.00
23.281 · Dental Insurance	0.00
Total 23.200 · Employee Benefits	<u>0.00</u>
Total 23 · Administration	<u>0.00</u>
24 · School Administration	
24.100 · Salaries Principal/Secretary	4,800.00
24.200 · Employee Benefits	
24.230 · Retirement Contributions	355.35
Total 24.200 · Employee Benefits	<u>355.35</u>
Total 24 · School Administration	<u>5,155.35</u>
25 · Central	
25.100 · Salaries	0.00
25.200 · Employee Benefits	
25.230 · Retirement Contributions	160.16

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04/26/21
Accrual Basis

Fast Forward Charter High School
Profit & Loss
July 2020 through March 2021

Cond Stiland

	<u>Jul '20 - ...</u>
Total 25.200 · Employee Benefits	<u>160.16</u>
Total 25 · Central	160.16
65 · Payroll Expenses	
65.100 · Federal Unemployment Expense	84.84
65.200 · State Unemployment Expense	62.96
65.300 · Medicare Company	570.58
65.400 · Social Security Company	<u>2,439.70</u>
Total 65 · Payroll Expenses	<u>3,158.08</u>
Total Expense	<u>50,065.59</u>
Net Income	<u><u>13,144.81</u></u>

Fast Forward Charter High School
Profit & Loss
July 2020 through March 2021

IDEA SPED

	<u>Jul '20 - M...</u>
Expense	
10 · Instruction	
10.100 · Salaries	
10.101 · Salaries F.T. Teachers	500.00
Total 10.100 · Salaries	500.00
10.200 · Employee Benefits	
10.240 · Group Insurance - Health Ins	-332.10
10.282 · Vision Insurance	-58.50
Total 10.200 · Employee Benefits	-390.60
Total 10 · Instruction	109.40
21 · Support Services Students	
21.100 · Salaries - Counselor, Spec.ed	
21.110 · Legislative Increase	3,150.00
21.100 · Salaries - Counselor, Spec.ed - Other	44,029.90
Total 21.100 · Salaries - Counselor, Spec.ed	47,179.90
21.200 · Employee Benefits	
21.230 · Retirement Contributions	11,295.38
Total 21.200 · Employee Benefits	11,295.38
Total 21 · Support Services Students	58,475.28
65 · Payroll Expenses	
65.100 · Federal Unemployment Expense	42.00
65.200 · State Unemployment Expense	35.10
65.300 · Medicare Company	685.70
65.400 · Social Security Company	2,931.93
Total 65 · Payroll Expenses	3,694.73
Total Expense	62,279.41
Net Income	<u><u>-62,279.41</u></u>

Profit & Loss

July 2020 through March 2021

TITLE I

04/26/21

Accrual Basis

	<u>Jul '20 - Ma...</u>
Expense	
10 · Instruction	
10.100 · Salaries	
10.101 · Salaries F.T. Teachers	29,265.47
10.110 · Legislative Increase	<u>2,520.00</u>
Total 10.100 · Salaries	31,785.47
10.200 · Employee Benefits	
10.230 · Retirement Contributions	6,363.43
10.240 · Group Insurance - Health Ins	2,025.00
10.280 · Health Benefits	<u>0.00</u>
Total 10.200 · Employee Benefits	8,388.43
Total 10 · Instruction	40,173.90
65 · Payroll Expenses	
65.100 · Federal Unemployment Expense	42.00
65.200 · State Unemployment Expense	36.43
65.300 · Medicare Company	490.26
65.400 · Social Security Company	<u>2,096.25</u>
Total 65 · Payroll Expenses	2,664.94
Total Expense	42,838.84
Net Income	<u><u>-42,838.84</u></u>

Utah State Board of Education
Allotment Memo
for Fiscal Year/Period 2021/09

Type: 01CHARTER

Recipient: 980 FAST FORWARD CHARTER HIGH SCHOOL

Major Program	Program	District Pgm/Rev	Current Budget	Current Month	Year-to-Date	Grant to Date	Remaining Balance
84010 SAS-Tide I Grants to LEA	19T1FT 19T1FT Title IA Flow-Through FFY2019	7601/4800	47,056.28	0.00	0.00	47,056.28	0.00
	20T1FT 20T1FT Title IA Flow-Through FFY2020	7601/4800	46,635.83	0.00	0.00	0.00	46,635.83
	21T1FT 21T1FT Title IA Flow-Through FFY2021	7601/4800	46,223.61	0.00	0.00	0.00	46,223.61
84010 SAS-Tide I Grants to LEA - Summary			139,915.72	0.00	0.00	47,056.28	92,859.44
84027 SPED-IDEA Disabilities Educ Act	19FTFL 19FTFL IDEA Flow-Through Formula FFY2019	7524/4524	34,537.34	0.00	0.00	34,537.34	0.00
	20FTFL 20FTFL IDEA Flow-Through Formula FFY2020	7524/4524	34,279.58	0.00	0.00	0.00	34,279.58
	21FTFL 21FTFL IDEA Flow-Through Formula FFY2021	7524/4524	19,161.59	0.00	0.00	0.00	19,161.59
84027 SPED-IDEA Disabilities Educ Act - Summary			87,978.49	0.00	0.00	34,537.34	53,441.15
84367 T&L-Improving Teacher Quality-State	182FT 182FT Formula Flow Through FFY2018	7860/4800	6,399.85	0.00	0.00	6,399.85	0.00
	192FT 192FT Title IIA Formula Flow Through FFY2019	7860/4800	6,202.24	0.00	0.00	0.00	6,202.24
	202FT 202FT Title IIA Formula Flow Through FFY2020	7860/4800	6,539.50	0.00	0.00	0.00	6,539.50
	212FT 212FT Title IIA Formula Flow Through FFY2021	7860/4800	7,009.72	0.00	0.00	0.00	7,009.72
84367 T&L-Improving Teacher Quality-State - Summary			26,151.31	0.00	0.00	6,399.85	19,751.46
84425C SSS-Governors Emergency Education Relief	20GEER 20GEER Governors Emergency Education Relief FFY2020	7220/4200	40,210.12	0.00	0.00	0.00	40,210.12
84425C SSS-Governors Emergency Education Relief - Summary			40,210.12	0.00	0.00	0.00	40,210.12
84425D SSS-Elm & Secondary School Emergency Relief	20ESSR 20ESSR ESSER Funds to LEAs FFY2020	7210/4200	37,841.34	0.00	0.00	0.00	37,841.34
84425D SSS-Elm & Secondary School Emergency Relief - Summary			37,841.34	0.00	0.00	0.00	37,841.34
BLOCK CNP-Block-10.553; 555; 556; 558; 559 - Summary	19NSLF 19NSLF National School Lunch Free & Reduced FY19	8075/4560	0.00	0.00	0.00	23,627.17	-23,627.17
	19NSLP 19NSLP National School Lunch Paid FFY19	8075/4560	0.00	0.00	0.00	4,158.05	-4,158.05
	19SBP 19SBP School Breakfast Program FFY2019	8075/4560	0.00	0.00	0.00	7,987.06	-7,987.06
	20NSLF 20NSLF National School Lunch Free & Reduced FY20	8075/4560	0.00	0.00	2,749.84	21,669.69	-21,669.69
	20NSLP 20NSLP National School Lunch Paid FFY20	8075/4560	0.00	0.00	383.04	3,512.98	-3,512.98
	20SBP 20SBP School Breakfast Program FFY2020	8075/4560	0.00	0.00	884.28	6,350.15	-6,350.15
	21NSLF 21NSLF National School Lunch Free & Reduced FY21	8075/4560	0.00	2,617.14	10,757.94	10,757.94	-10,757.94
	21NSLP 21NSLP National School Lunch Paid FFY21	8075/4560	0.00	345.66	1,420.86	1,420.86	-1,420.86
	21SBP 21SBP School Breakfast Program FFY2021	8075/4560	0.00	795.52	3,625.04	3,625.04	-3,625.04
BLOCK CNP-Block-10.553; 555; 556; 558; 559 - Summary			0.00	3,758.32	19,820.98	83,108.94	-83,108.94
BOARD BOARD-USBE Board	20CBG 20CBG CRF K-12 Broadband Grant FFY2020	7280/4500	50,000.00	0.00	0.00	0.00	50,000.00
	20CDOH 20CDOH CRF High School Testing/PPE Grant FFY2020	7280/4500	10,851.83	0.00	0.00	0.00	10,851.83
BOARD BOARD-USBE Board - Summary			60,851.83	0.00	0.00	0.00	60,851.83
CNP CNP - Child Nutrition Programs State Funding	18LQTX State Liquor Tax SFY2018	8070/3800	9,243.78	0.00	0.00	10,228.76	-986.00
	19LQTX 19LQTX State Liquor Tax SFY2019	8070/3800	0.00	0.00	0.00	9,613.33	-9,613.33
	20LQTX 20LQTX State Liquor Tax SFY2020	8070/3800	0.00	0.00	638.40	8,867.03	-8,867.03
	21LQTX 21LQTX State Liquor Tax SFY2021	8070/3800	0.00	576.10	2,368.10	2,368.10	-2,368.10
CNP CNP - Child Nutrition Programs State Funding - Summary			9,243.78	576.10	3,006.50	31,078.24	-21,834.46
CTE CTE-Career & Technical Education	18PKH 18PKH General Financial Literacy SFY2018	5660/3800	25,000.00	0.00	0.00	25,000.00	0.00
	20PLK 20PLK CTE Student Organizations SFY2020	6000/3800	500.00	0.00	0.00	500.00	0.00
CTE CTE-Career & Technical Education - Summary			25,500.00	0.00	0.00	25,500.00	0.00
MSPB MSPB-Minimum School Programs Basic	20PPB 20PPB Grades 1-12 SFY2020	VAR/3010	1,145,283.07	0.00	0.00	1,145,283.07	0.00
	20PPBO 20PPBO Pub Ed Online Offset SFY2020	VAR/3010	-2,289.00	0.00	0.00	-2,289.00	0.00
	20PPD 20PPD Professional Staff SFY2020	VAR/3020	87,993.71	0.00	0.00	87,993.71	0.00
	20PPF 20PPF Special Education - Add-on SFY2020	1205/3100	190,087.53	0.00	0.00	190,087.53	0.00
	20PPI 20PPI Special Education - Extended Year SFY2020	1220/3100	2,259.00	0.00	0.00	2,259.00	0.00
	20PPK 20PPK CTE ADM SFY2020	VAR/3100	93,326.00	0.00	0.00	93,326.00	0.00
	20PPKB 20PPKB CTE Comprehensive Counseling & Guide SFY2020	5903/3100	20,000.00	0.00	0.00	20,000.00	0.00
	20PPKE 20PPKE CTE Technical Student Orgs SFY2020	6000/3100	515.00	0.00	0.00	515.00	0.00
	20PPKF 20PPKF CTE Skill Certification Competency SFY2020	6000/3100	2,337.00	0.00	0.00	2,337.00	0.00
	20PPN 20PPN Special Education - Impact Aid SFY2020	1225/3100	5,096.08	0.00	0.00	5,096.08	0.00
	20PPP 20PPP SPED Extended Yr Special Educators	1278/3100	478.80	0.00	0.00	478.80	0.00
	21PPB 21PPB Grades 1-12 SFY2021	VAR/3010	1,104,427.49	89,493.00	835,948.47	835,948.47	268,479.02
	21PPD 21PPD Professional Staff SFY2021	VAR/3020	95,560.59	7,063.38	71,670.44	71,670.44	23,890.15
	21PPF 21PPF Special Education - Add-on SFY2021	1205/3100	203,680.64	16,973.38	162,706.48	162,706.48	50,974.16
	21PPI 21PPI Special Education - Extended Year SFY2021	1220/3100	3,177.51	284.79	2,383.13	2,383.13	794.38
	21PPK 21PPK CTE ADM SFY2021	VAR/3100	107,121.00	8,926.75	80,340.75	80,340.75	26,780.25
	21PPKB 21PPKB CTE Comprehensive Counseling & Guide SFY2021	5903/3100	20,000.00	1,666.66	15,000.00	15,000.00	5,000.00
	21PPKE 21PPKE CTE Technical Student Orgs SFY2021	6000/3100	470.00	38.06	355.84	355.84	114.16
	21PPKF 21PPKF CTE Skill Certification Competency SFY2021	6000/3100	2,394.00	199.50	1,795.50	1,795.50	598.50
	21PPN 21PPN Special Education - Impact Aid SFY2021	1225/3100	4,763.55	396.96	3,572.66	3,572.66	1,190.89
	21PPP 21PPP SPED Extended Yr Special Educators	1278/3100	478.80	0.00	478.80	478.80	0.00
MSPB MSPB-Minimum School Programs Basic - Summary			3,087,142.77	125,922.48	1,164,307.07	2,709,375.26	377,767.51
MSPRB MSPRB-Minimum School Programs Related to Basic	20POI 20POI Concurrent Enrollment SFY2020	5333/3300	3,298.05	0.00	0.00	3,298.05	0.00
	20POM 20POM School Land Trust Program SFY2020	5420/3500	39,291.00	0.00	0.00	39,291.00	0.00
	20PON 20PON Charter School Local Replacement SFY2020	5619/3200	625,697.80	0.00	0.00	625,697.80	0.00
	20POQ 20POQ Charter School Administration SFY2020	5625/3200	40,000.00	0.00	0.00	40,000.00	0.00
	20POR 20POR Educator Salary Adjustments SFY2020	5876/3400	79,238.91	0.00	0.00	79,238.91	0.00
	20POS 20POS Teacher Salary Supplement Program SFY2020	5807/3400	5,887.48	0.00	511.65	5,887.48	0.00
	20POT 20POT Library Books & Electronic Resources SFY2020	5810/3500	449.85	0.00	0.00	449.85	0.00
	20POY 20POY Flexible Allocation-WPU Distribution SFY2020	5310/3200	3,885.67	0.00	0.00	3,885.67	0.00
	20PUA 20PUA Teacher Supplies & Materials SFY2020	5868/3400	2,347.00	0.00	0.00	2,347.00	0.00
	20PUJ 20PUJ Enhancement for At-Risk Students SFY2020	5336/3300	35,722.26	0.00	0.00	35,722.26	0.00
	20PUU 20PUU Teacher and Student Success Program	5679/3500	44,372.52	0.00	0.00	44,372.52	0.00
	21POI 21POI Concurrent Enrollment SFY2021	5333/3300	3,484.07	180.84	1,846.59	1,846.59	1,637.48
	21POJ 21POJ Supplemental Educator COVID-19 Slop SFY2021	5658/3200	63,210.40	0.00	63,210.40	63,210.40	0.00
	21POM 21POM School Land Trust Program SFY2021	5420/3500	41,337.00	0.00	41,337.00	41,337.00	0.00
	21PON 21PON Charter School Local Replacement SFY2021	5619/3200	643,062.00	53,688.50	482,296.50	482,296.50	160,765.50
	21POR 21POR Educator Salary Adjustments SFY2021	5876/3400	108,329.60	9,027.46	81,247.20	81,247.20	27,082.40
	21POT 21POT Library Books & Electronic Resources SFY2021	5810/3500	412.63	34.38	309.47	309.47	103.16
	21PUA 21PUA Teacher Supplies & Materials SFY2021	5868/3400	3,310.26	0.00	3,310.26	3,310.26	0.00
	21PUE 21PUE Charter School Funding Base Prog SFY2021	VAR/3200	40,000.00	3,333.34	30,000.00	30,000.00	10,000.00
	21PUJ 21PUJ Enhancement for At-Risk Students SFY2021	5336/3300	38,845.17	3,245.43	29,208.88	29,208.88	9,636.29
MSPRB MSPRB-Minimum School Programs Related to Basic - Summary			1,822,261.67	69,409.95	733,277.95	1,612,936.84	209,324.83
SSS SSS-Student Support Services	21SUV 21SUV Suicide Prevention SFY2021	5674/3800	1,066.34	0.00	1,066.34	1,066.34	0.00
SSS SSS-Student Support Services - Summary			1,066.34	0.00	1,066.34	1,066.34	0.00
980 FAST FORWARD CHARTER HIGH SCHOOL - Summary			5,338,163.37	199,666.85	1,921,478.84	4,551,059.09	787,104.28

Mar 30, 2021

FAST FORWARD CHARTER HIGH SCHOOL SPECIAL EDUCATION POLICIES AND PROCEDURES MANUAL

Rtl SLD Eligibility Method

January 2020

ADA Compliant: September 2020

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I. GENERAL PROVISIONS

I.A. PURPOSES (34 CFR § 300.1.; RULES I.A.)

The primary purposes of this local education agency (LEA) policies and procedures manual, consistent with Utah Code Annotated (UCA) 53E-7-2 and the Individuals with Disabilities Education Improvement Act (IDEA), Public Law 108-446, as amended; are:

1. To ensure that all students with disabilities ages 3 through 21 in Utah, including students with disabilities who have been suspended or expelled from school and students who have not graduated from high school with a regular high school diploma, have available to them a free appropriate public education (FAPE) that emphasizes special education and related services, as specified on an Individualized Education Program (IEP) designed to meet their unique needs and prepare them for further education, employment, and independent living;
2. To ensure that the rights of students with disabilities and their parent(s) are protected;
3. To ensure that State standards are implemented for the provision of a FAPE to students with disabilities, as defined in Utah State Board of Education Special Education Rules (Rules); and
4. To assess and ensure the effectiveness of efforts to educate students with disabilities.

I.B. DEFINITIONS (34 CFR § 300.4–300.45; RULES I.E.1–53.)

1. Fast Forward Charter High School has adopted applicable definitions as found in Rules I.E.1-53. including: additional definitions listed at the end of section I.B.
2. Charter school (20 USC § 7221i; UCA 53G-5-404) means a public school that functions as an LEA unless it is a school of an LEA, that:
 - a. Is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the other requirements of this paragraph;
 - b. Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
 - c. Operates in pursuit of a specific set of educational objectives determined by the school’s developer and agreed to by the authorized public chartering agency, provides a program of elementary or secondary education, or both;

- d. Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
- e. Does not charge tuition;
- f. Complies with the Age Discrimination Act of 1975, Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Part B of the IDEA;
- g. Is a school to which parent(s) choose to send their students, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
- h. Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;
- i. Meets all applicable Federal, State, and local health and safety requirements;
- j. Operates in accordance with State law; and
- k. Has a written performance contract with the authorized public chartering agency in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school.

Additional Definitions:

Asynchronous learning means communication exchanges which occur in elapsed time between two or more people. Examples include email, online discussion forums, message boards, blogs, podcasts, etc.

Blended course means a course that combines two models of instruction, online and face-to-face.

Blended learning means any time a student learns both at a supervised brick-and-mortar location away from home and through online delivery with some element of student control over time, place, path, and/or pace; often used synonymously with Hybrid Learning (Horn and Staker, 2011).

Brick-and-mortar schools means traditional schools or school buildings, as contrasted with an online school.

Online course means any course offered over the internet.

Online learning means education in which instruction and content are delivered primarily over the internet (Watson & Kalmon, 2005). The term does not include print-based correspondence education, broadcast television or radio, videocassettes, and stand-alone educational software programs that do not have a significant Internet-based instructional component (U.S. Department of Education Office of Planning, Evaluation, and Policy Development Policy and

Program Studies Service, 2010). The term “online learning” is used interchangeably with virtual learning.

Synchronous learning means online learning in which the participants interact at the same time and in the same space, as contrasted with asynchronous learning.

I.C. FULL EDUCATIONAL OPPORTUNITY GOAL (34 CFR § 300.109; RULES IX.A.2.D.(2)(C))

Fast Forward Charter High School provides a free appropriate public education (FAPE) to all eligible students with disabilities in conformity with the requirements of the Rules and the IDEA. Fast Forward Charter High School hereby affirms the goal of providing a full educational opportunity to all students with disabilities determined eligible for special education and related services, of the ages served by Fast Forward Charter High School, in accordance with all of the timeline requirements of the IDEA.

Fast Forward Charter High School follows all necessary requirements in the development and delivery of an individualized education program (IEP) for eligible students. Placement in the least restrictive environment (LRE) will be implemented to the maximum extent appropriate for students with special needs. Fast Forward Charter High School provides a continuum of placements to address the needs of students with disabilities to ensure those students receive special education and related services appropriate to their needs.

I.D. METHODS OF ENSURING SERVICES (34 CFR § 300.154; RULES IX.A.2.D.(2)(M))

Fast Forward Charter High School ensures each eligible student with disabilities enrolled in the school receives the services included in the IEP through a systematic process of IEP internal file reviews and monitoring of service delivery by Fast Forward Charter High School personnel.

II. IDENTIFICATION, LOCATION, AND EVALUATION

II.A. CHILD FIND SYSTEM (34 CFR §§ 300.109, 300.111; RULES II.A.)

1. Fast Forward Charter High School, in accordance with the requirements of Part B of the IDEA and with the Rules, has developed policies and procedures to ensure that all students with disabilities residing within the jurisdiction of the LEA, including students with disabilities birth through 21 years of age, regardless of the severity of their disability, and who are in need of special education and related services, are identified, located, and evaluated. These policies and procedures include a practical method for determining which students are currently receiving needed special education and related services and provide a process to reevaluate those who are found eligible within the three-year timeframe.
2. The requirements of this section apply to:
 - a. Highly mobile students with disabilities (such as students who are migrant and homeless) (34 CFR § 300.111(c)(2); Rules II.A.2.a.).
 - b. Students who have been suspended or expelled from school (34 CFR § 300.101(a); Rules II.A.2.b.).
 - c. Students who have not graduated from high school with a regular high school diploma (34 CFR § 300.102(a)(3)(iii); Rules II.A.2.c.).
 - d. Students who are suspected of being a student with a disability under the IDEA and the Rules and who are in need of special education and related services, even though they are advancing from grade to grade (34 CFR § 300.111(c)(1)). The determination that a student is a “student with a disability” under the Rules must be made on an individual basis, by a team made up of the parent or adult student and school personnel determined by the student’s LEA (Rules II.A.2.d.).
 - e. Students in State custody/care (Rules II.A.2.f.).
 - f. Students in nursing homes (Rules II.A.2.g.).
3. Fast Forward Charter High School is responsible for child find for students enrolled in its own school and has no responsibility for child find for private school students. Fast Forward Charter High School may not refer enrolled students to the local school district for child find (Rules II.A.3.).
4. Major components of the child find system include:
 - a. LEA implementation, coordination, and tracking of child find activities and students identified. (34 CFR § 300.131; Rules II.A.4.a.). Fast Forward Charter High School faculty and staff are trained annually on child find requirements. Faculty, staff, teachers, parents, or students may contact the Special Education Director about suspected students with a disability needing Special Education services. The Special Education Director completes a record search to identify possible previous services,

school wide assessment data, and initial intervention data. Information from the student's parents regarding concerns is obtained.

- b. USBE staff provision of ongoing technical assistance to LEAs, private schools, and other State agencies in implementing the child find system (Rules II.A.4.b.).
- c. Implementation of the statewide data collection system for reporting student information, including Federal student count (34 CFR §§ 300.132, 300.640–641). The collection and use of data to meet the requirements of this section are subject to the confidentiality of information provisions under the Rules and R277-487.
- d. The enrollment application at Fast Forward Charter High School includes questions about whether a student has received special education and related services in their previous school or educational program. Additionally, the enrollment forms have a place for parents to list concerns for their student, and/or request help. The school registrar informs the special education director of incoming students with IEPs, and students whose parents list specific concerns. The special education director is responsible for obtaining the student's records from their previous school.

II.B. REFERRAL (34 CFR § 300.301; RULES II.B.)

1. Consistent with the consent requirements in Rules II.C., either a parent or the adult student or an LEA may initiate a request for an initial evaluation to determine if a student is a student with a disability under Part B of the IDEA and the Rules. Upon receipt of a request for an evaluation, Fast Forward Charter High School must respond within a reasonable timeframe. The response may not be delayed due to Fast Forward Charter High School's Response to Intervention process.
2. Fast Forward Charter High School shall provide an initial special education assessment for students who enter the custody of the Division of Child and Family Services (DCFS) upon request by that division, and the LEA obtains appropriate parental consent for the evaluation for students whose school records indicate they may have disabilities requiring special education services.

II.C. PARENTAL CONSENT (34 CFR § 300.300; RULES II.C.)

1. Parental consent for initial evaluation.
 - a. When proposing to conduct an initial evaluation to determine if a student qualifies as a student with a disability under the Rules, Fast Forward Charter High School must, after providing prior written notice to the parent or adult student, obtain informed consent, consistent with Rules I.E.9., from the parent of the student or the adult student before conducting the evaluation. The Special Education Director documents the date consent is obtained, and tracks the evaluation timeline.
 - (1) Parental or adult student consent for initial evaluation must not be construed as consent for initial provision of special education and related services.

- (2) Fast Forward Charter High School must make reasonable efforts to obtain informed consent from the parent or adult student for an initial evaluation to determine whether the student is a student with a disability. The Special Education Director documents attempts to obtain informed consent in the counseling section on the Student Information System.
 - (3) When conducting psychological evaluations, Fast Forward Charter High School must implement the parental or adult student consent requirements of UCA 53E-9-203 (Student Privacy and Data Protection).
- b. For initial evaluations only, if the student is a ward of the State and is not residing with the student's parent(s), Fast Forward Charter High School is not required to obtain informed consent from the parent for an initial evaluation to determine whether the student is a student with a disability if:
 - (1) Despite reasonable efforts to do so, Fast Forward Charter High School cannot discover the whereabouts of the parent(s) of the student;
 - (2) The rights of the parent(s) of the student have been terminated in accordance with State law; or
 - (3) The rights of the parent(s) to make educational decisions have been subrogated by a judge in accordance with State law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the student.
 - c. If the parent(s) of a student or an adult student enrolled in public school or seeking to be enrolled in public school does not provide consent for initial evaluation, or fails to respond to a request to provide consent, Fast Forward Charter High School may, but is not required to, pursue the initial evaluation of the student by utilizing the procedural safeguards or the due process procedures in Section IV of the Rules.
 - (1) Fast Forward Charter High School does not violate its obligation under the child find provisions of the Rules if it declines to pursue the evaluation by utilizing the procedural safeguards or the due process procedures.
2. Parental consent for services.
- a. Fast Forward Charter High School is responsible for making a FAPE available to a student with a disability and must obtain informed consent from the parent(s) of the student or adult student before the initial provision of special education and related services to the student.
 - b. Fast Forward Charter High School must make reasonable efforts to obtain informed consent from the parent(s) or adult student for the initial provision of special education and related services to the eligible student with disabilities.
 - c. If the parent(s) of a student or adult student fails to respond to a request for, or refuses to consent to, the initial provision of special education and related services, Fast Forward Charter High School:

- (1) May not use the procedures in Section IV of the Rules, including the mediation procedures or the due process procedures, in order to obtain agreement or a ruling that the services may be provided to the student;
 - (2) Will not be considered to be in violation of the requirement to make available a FAPE to the student for the failure to provide the student with the special education and related services for which Fast Forward Charter High School requests consent; and
 - (3) Is not required to convene an IEP Team meeting or develop an IEP for the student for the special education and related services for which Fast Forward Charter High School requests such consent.
- d. If, at any time subsequent to the initial provision of special education and related services, the parent(s) of a student or adult student revokes consent in writing for the continued provision of special education and related services, Fast Forward Charter High School:
- (1) May not continue to provide special education and related services to the student but must provide prior written notice in accordance with Rules IV.D. before ceasing the provision of special education and related services;
 - (2) May not use the procedures in Rules IV., including the mediation procedures or the due process procedures, in order to obtain agreement or a ruling that the services may be provided to the student;
 - (3) Will not be considered to be in violation of the requirement to make available a FAPE to the student for the failure to provide the student with the special education and related services for which Fast Forward Charter High School requests consent; and
 - (4) Is not required to convene an IEP Team meeting or develop an IEP for the student for the special education and related services for which Fast Forward Charter High School requests such consent (34 CFR § 300.300; Rules II.C.2.d.(4)).
3. Parental consent for reevaluations.
- a. Fast Forward Charter High School must obtain informed parental or adult student consent prior to conducting any reevaluation of a student with a disability.
 - b. If the parent or adult student refuses to consent to the reevaluation, Fast Forward Charter High School may, but is not required to, pursue the reevaluation by using the dispute resolution procedures provided in the procedural safeguards, and including mediation or due process procedures.
 - c. Fast Forward Charter High School does not violate its obligation under child find if it declines to pursue the reevaluation.
 - d. The informed parental or adult student consent need not be obtained if Fast Forward Charter High School can demonstrate that:

- (1) It made reasonable efforts to obtain such consent; and
 - (2) The student's parent or the adult student has failed to respond.
4. Other consent requirements.
- a. Parental or adult student consent is not required before:
 - (1) Reviewing existing data as part of an evaluation or a reevaluation; or
 - (2) Administering a test or other evaluation that is administered to all students unless consent is required for all students before administration of that test or evaluation.
 - b. Fast Forward Charter High School may not use a parent's or adult student's refusal to consent to one service or activity under Rules II.C.1., II.C.2., or II.C.3., to deny the parent or student any other service, benefit, or activity of Fast Forward Charter High School, except as required by this part.
 - c. To meet the reasonable efforts requirement in Rules II.C.1.a.2., II.C.1.b.1., II.C.2.b., and II.C.3.d.1., Fast Forward Charter High School must document its attempts to obtain parental or adult student consent using the procedures in Rules III.G.3.
 - d. Unless parent(s) or the adult student revoke consent for special education and related services or refuse consent for initial placement, disagreements regarding the provision of IEP services should be resolved by the IEP Team and result in a completed IEP which includes all components necessary for the provision of a FAPE.

II.D. INITIAL EVALUATION (34 CFR § 300.301; RULES II.D.)

- 1. Fast Forward Charter High School must conduct a full and individual initial evaluation to determine whether a student is a "student with a disability" under Part B of the IDEA and the Rules, and to determine the educational needs of the student.
- 2. The initial evaluation:
 - a. Must be conducted within 45 school days of receiving parental or adult student consent for the evaluation, unless:
 - (1) The initial evaluation is requested by the Division of Child and Family Services (DCFS) and Fast Forward Charter High School obtains appropriate consent for the evaluation, in which case Fast Forward Charter High School shall provide an initial special education evaluation to an individual who enters DCFS custody if DCFS suspects the individual may be an eligible student within 30 days after the day on which DCFS makes the request (53E-7-207).
 - (a) Fast Forward Charter High School may refuse to conduct an evaluation described in II.D.2.a.(1) if Fast Forward Charter High School reviews the relevant data regarding the individual and, within 10 days after the day on which Fast Forward Charter High School received the request described in II.D.2.a.(1), gives the DCFS prior written notice of refusal to evaluate.

- b. Must consist of procedures to determine:
 - (1) If the student is a student with a disability; and
 - (2) The educational needs of the student.
- 3. The timeframe shall not apply to Fast Forward Charter High School if:
 - a. The parent of a student repeatedly fails or refuses to produce the student for the evaluation; or
 - b. The adult student repeatedly fails or refuses to participate in evaluation activities; or
 - c. A student enrolls in Fast Forward Charter High School after the relevant timeframe has begun, and prior to a determination by the student's previous LEA as to whether the student is a student with a disability.
 - d. The exception in Rule II.D.3.c. applies only if Fast Forward Charter High School is making sufficient progress to ensure a prompt completion of the evaluation, and the parent or adult student and Fast Forward Charter High School agree to a specific time when the evaluation will be completed.
- 4. When the signed parental or adult student consent for evaluation is received, the special education director or assigned case manager writes the date it was received on the form. The special education director or assigned case manager is responsible for ensuring the evaluation is completed within 45 school days of receiving the consent.

II.E. SCREENING FOR INSTRUCTIONAL PURPOSES (34 CFR § 300.302; RULES II.E.)

The screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation shall not be considered to be an evaluation for eligibility for special education and related services. Results of screenings should be considered by Fast Forward Charter High School for child find purposes.

II.F. EVALUATION PROCEDURES (34 CFR § 300.304; RULES II.F.)

Fast Forward Charter High School has established and implemented the following procedures that meet the evaluation requirements of Part B of the IDEA and the Rules as follows:

- 1. In conducting the evaluation, Fast Forward Charter High School must:
 - a. Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the student, including information provided by a parent or adult student, that may assist in determining:
 - (1) Whether the student is a student with a disability; and
 - (2) The content of the student's IEP, including information related to enabling the student to be involved in and progress in the general education;

- b. Not use any single procedure as the sole criterion for determining whether a student is a student with a disability and for determining an appropriate educational program for the student; and
 - c. Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. Fast Forward Charter High School must consider the publication date and continued validity of assessments in use when new editions are published.
 2. Fast Forward Charter High School must ensure that assessments and other evaluation materials used to assess a student:
 - a. Are selected and administered so as not to be discriminatory on a racial or cultural basis;
 - b. Are provided and administered in the student's native language or other mode of communication, and in the form most likely to yield accurate information on what the student knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to so provide or administer;
 - c. Are selected to assess the specific areas of concern identified by the assessment/evaluation team, including the parent(s) or adult student;
 - d. Are used for the purposes for which the assessments or measures are valid and reliable;
 - e. Are selected and administered by trained and knowledgeable personnel based upon the specific assessment's requirements; and
 - f. Are administered and interpreted in accordance with any instructions and administrator requirements provided by the producer of the assessments and the Standards for Educational and Psychological Testing (AERA, APA, NCME, 2014).
 3. Fast Forward Charter High School must ensure and document that all evaluators meet the assessment publishers' administrator/interpreter/user requirements, (e.g., appropriate degree, higher education coursework in tests and measures, and supervised clinical experiences/practice).
 4. Fast Forward Charter High School shall provide documentation to USBE staff upon request.
 5. Fast Forward Charter High School must ensure that:
 - a. Assessments and other evaluation materials include those tailored to assess specific areas of educational need and not merely those that are designed to provide a single general intelligence quotient.
 - b. Assessments are selected and administered so as best to ensure that if an assessment is administered to a student with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the student's aptitude or achievement level or whatever other factors the test purports to measure, rather

than reflecting the student's impaired sensory, manual, or speaking skills (unless those skills are the factors that the test purports to measure).

- c. The administration of psychological testing and the evaluation or assessment of personal characteristics, such as intelligence (e.g., cognitive, IQ), personality, abilities, interests, aptitudes, and neuropsychological functioning are only administered and interpreted by personnel who have been trained and fully meet the administrator/interpreter/user qualifications of the test publisher (e.g., appropriate degree, higher education coursework in tests and measures, and supervised clinical experiences/practice).
 - d. The student is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities.
 - e. Assessments of students with disabilities who transfer from another LEA to Fast Forward Charter High School in the same school year are coordinated with those students' prior and subsequent schools, as necessary and as expeditiously as possible, to ensure prompt completion of full evaluations.
 - f. In evaluating each student with a disability, the evaluation is sufficiently comprehensive to identify all the student's special education and related services needs, whether or not commonly linked to the disability category in which the student has been classified.
 - g. Assessment tools and strategies provide relevant information that directly assists persons in determining the educational needs of the student are provided.
6. The Utah Schools for the Deaf and the Blind (USDB) is available to LEAs for assessments of students with visual impairment and hearing loss, as well as professional learning on appropriate administration of assessments, and procedures to ensure appropriate interpretation of assessments (R277-800-7). The Utah Department of Health shall provide diagnostic and evaluation services, which are required by State or Federal law but are not typically otherwise provided by school districts and charter schools, to students with disabilities.

II.G. REEVALUATION PROCEDURES (34 CFR § 300.303; RULES II.G.)

1. Fast Forward Charter High School must ensure that a reevaluation of each student with a disability is conducted:
 - a. If Fast Forward Charter High School determines the educational or related services needs, including improved academic achievement and functional performance, of the student warrant a reevaluation; or
 - b. If the student's parents or adult student or teacher requests a reevaluation.
2. A reevaluation:

- a. May occur not more than once a year, unless the parent(s) or adult student and Fast Forward Charter High School agree otherwise; and
- b. Must occur at least once every three years, unless the parent(s) or adult student and Fast Forward Charter High School agree that a reevaluation is unnecessary as there are data available to continue eligibility and determine the educational needs of the student. When the parent(s) or adult student and LEA agree that a reevaluation is unnecessary, the team must document data reviewed and used in an evaluation report and complete an eligibility determination.

II.H. ADDITIONAL REQUIREMENTS FOR INITIAL EVALUATIONS AND REEVALUATION PROCEDURES (34 CFR § 300.305; RULES II.H.)

1. As part of any initial evaluation (if appropriate) and as part of any reevaluation, the IEP Team and other qualified professionals, as appropriate, must:
 - a. Review existing evaluation data on the student, including:
 - b. Evaluations and information provided by the parent(s) of the student or the adult student;
 - c. Current classroom-based, local, or State assessments, and classroom-based observations; and
 - d. Observations by teachers and related services providers; and
 - e. On the basis of that review, and input from the student's parent(s) or the adult student, identify what additional data, if any, are needed to determine:
 - (1) Whether the student is a student with a disability and the educational needs of the student; or, in the case of a reevaluation of a student, whether the student continues to have such a disability, and the educational needs of the student;
 - (2) The present levels of academic achievement and related developmental needs of the student;
 - (3) Whether the student needs special education and related services; or, in the case of a reevaluation of a student, whether the student continues to need special education and related services; and
 - (4) Whether any additions or modifications to the special education and related services are needed to enable the student to meet the measurable annual goals set out in the IEP of the student and to participate, as appropriate, in the general education curriculum.
2. The IEP Team and other qualified professionals, as appropriate, may conduct its review of existing data without a meeting.
3. Fast Forward Charter High School must administer such assessments and other evaluation measures as may be needed to produce the data needed to determine continuing eligibility.

4. If the IEP Team and other qualified professionals, as appropriate, determine that no additional data are needed to determine whether the student continues to be a student with a disability and to determine the student's educational needs, Fast Forward Charter High School must notify the student's parent(s) or adult student of:
 - a. That determination and the reason(s) for the determination; and
 - b. The right of the parent(s) or adult student to request an assessment to determine whether the student continues to be a student with a disability, and to determine the student's educational needs.
5. Fast Forward Charter High School is not required to conduct the assessment for reevaluation described in Rules II.H.4.b. unless requested to do so by the student's parent(s) or the adult student.
6. Evaluations before change in eligibility.
 - a. Fast Forward Charter High School must evaluate a student with a disability before determining that the student is no longer a student with a disability.
 - b. The evaluation is not required before the termination of a student's eligibility due to graduation from secondary school with a regular diploma, or due to exceeding the age eligibility for a FAPE under State law (i.e., age 22).

For a student whose eligibility terminates due to graduation from secondary school with a regular high school diploma or due to exceeding the age eligibility for a FAPE under State law, Fast Forward Charter High School must provide the student with a summary of the student's academic achievement and functional performance, which shall include recommendations on how to assist the student in meeting the student's postsecondary goals.

II.I. DETERMINATION OF ELIGIBILITY (34 CFR § 300.306; RULES II.I.)

1. Upon completion of the administration of assessments and other evaluation measures, a group of qualified professionals and the parents of the student or the adult student determine eligibility under Part B of the IDEA and the Rules, including:
 - a. Whether that student is a student with a disability, and
 - b. The educational needs of the student.
2. Fast Forward Charter High School shall provide the parent(s) or adult student with a copy of the evaluation report and the documentation of determination of eligibility.
3. A student must not be determined to be a student with a disability:
 - a. If the determinant factor for that determination is:
 - (1) Lack of appropriate instruction in reading, including the essential components of reading instruction (phonemic awareness, alphabetic principle, vocabulary, comprehension, and fluency);

- (2) Lack of appropriate instruction in mathematics; or
 - (3) Limited English proficiency; and
 - (4) If the student does not otherwise meet the eligibility criteria.
4. Procedures for determining eligibility and educational need.
- a. In interpreting evaluation data for the purpose of determining if a student is a student with a disability and the educational needs of the student, Fast Forward Charter High School must:
 - (1) Draw upon information from a variety of sources, such as aptitude and achievement tests, parent or adult student input, teacher recommendations, physical condition, social or cultural background, and adaptive behavior; and
 - (2) Ensure information obtained from all these sources is documented and carefully considered.
 - b. If a determination is made that a student has a disability and needs special education and related services, an IEP must be developed for the student within 30 calendar days.

II.J. CATEGORICAL DEFINITIONS, CRITERIA, AND ASSESSMENTS (34 CFR § 300.8; RULES II.J.)

Fast Forward Charter High School has adopted the criteria and evaluation procedures, by category, for determining eligibility for a student with disabilities under Part B of the IDEA and the Rules II.J.1-13. Including:

- 1. Specific Learning Disabilities (Rules II.J.10.).
 - a. Definition (34 CFR § 300.8(C)(10); Rules II.J.10.a.).

Specific Learning Disabilities means a disorder in one or more of the basic psychological processes involved in understanding or in using language, spoken or written, that may manifest itself in the imperfect ability to listen, think, speak, read, write, spell, or do mathematical calculations, including conditions such as perceptual disabilities, brain injury, minimal brain dysfunction, dyslexia, and developmental aphasia, that affects a student’s educational performance.

Specific learning disabilities does not include learning problems that are primarily the result of visual, hearing, or motor disabilities; of intellectual disability; of emotional disturbance; or of environmental, cultural, or economic disadvantage.
 - b. Procedures for Identifying Students with Specific Learning Disabilities (34 CFR § 300.307; Rules II.J.10.b.)
 - (1) Fast Forward Charter High School has adopted the following method for determining a student’s eligibility under the specific learning disability category:

- (a) A process based on the student's response to scientific, research-based intervention called the Response to Intervention (RtI) method which shows the student does not make sufficient progress to meet age or State-approved grade-level standards in one or more of the areas identified in Rule II.J.10.b.(3)(a) (the team must refer to the *USBE Specific Learning Disability Eligibility Guidelines* when using this method).

(2) Additional team members (34 CFR § 300.308; Rules II.J.10.b.2.)

The determination of whether a student suspected of having a specific learning disability is a student with a disability must be made by the student's parent(s) or adult student and a team of qualified professionals, which must include:

- (a) The student's regular teacher; or
- (b) If the student does not have a regular teacher, a regular classroom teacher qualified to teach a student of his/her age; or
- (c) For a student of less than school age; an individual qualified by the USBE to teach a student of his/her age; and
- (d) At least one person qualified to conduct individual diagnostic examinations of students and interpret the results of those assessments (as per the publisher's assessment administration criteria), such as a school psychologist, speech-language pathologist, reading teacher or reading specialist, or special education teacher.

(3) Determining the existence of a specific learning disability (34 CFR § 300.309; Rules II.J.10.b.3.)

The team described may determine that a student has a specific learning disability if:

- (a) The student does not achieve adequately for the student's age or to meet State-approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the student's age or State-approved grade-level standards:
 - (i) Oral expression;
 - (ii) Listening comprehension;
 - (iii) Written expression;
 - (iv) Basic reading skills;
 - (v) Reading fluency skills;
 - (vi) Reading comprehension;
 - (vii) Mathematics calculation;
 - (viii) Mathematics problem solving.

- (b) The group determines that its findings are not primarily the result of:
 - (i) A visual, hearing, or motor disability;
 - (ii) Intellectual disability;
 - (iii) Emotional disturbance;
 - (iv) Cultural factors;
 - (v) Environmental or economic disadvantage; or
 - (vi) Limited English proficiency.
- (4) The specific learning disability must adversely affect the student’s educational performance.
- (5) The student with the specific learning disability must need special education and related services (34 CFR § 300.8(a); Rules II.J.10.b.5.)
- (6) The team must determine that the specific learning disability is the student’s primary disability.
- c. Evaluation (34 CFR § 300.309(b)–(c); Rules II.J.10.c.)
 - (1) An evaluation must include a variety of assessment tools and strategies and cannot rely on any single procedure as the sole criterion.
 - (2) To ensure underachievement in a student suspected of having a specific learning disability is not due to lack of appropriate instruction in reading or math, the group must consider, as part of the evaluation:
 - (a) Data that demonstrate that prior to, or as a part of, the referral process, the student was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
 - (b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the student’s parent(s) or the adult student.
 - (3) Fast Forward Charter High School must promptly request parental consent or consent of the adult student to evaluate the student to determine if the student needs special education and related services, and must adhere to the 45-school-day evaluation timeframe, unless extended by mutual written agreement of the student’s parent(s) or adult student and a group of qualified professionals:
 - (a) If, prior to a referral, a student has not made adequate progress after an appropriate period of time as determined by Fast Forward Charter High School when provided appropriate instruction, and
 - (b) Whenever a student is referred for an evaluation.
 - (4) Observation (34 CFR § 300.310(a)–(c); Rules II.J.10.b.4.)

Fast Forward Charter High School must ensure the student is observed in the student's learning environment (including the regular classroom setting) to document the student's academic performance and behavior in the areas of concern.

(a) The team must decide to:

- (i) Use information from an observation in routine classroom instruction and monitoring of the student's performance that was done before the student was referred for an evaluation; or
- (ii) Have at least one member of the team conduct an observation of the student's academic performance in the regular classroom after the student has been referred for an evaluation and parental consent or consent of the adult student is obtained.

(b) If the student is a home-schooled student, Fast Forward Charter High School may determine how to conduct the observation and who will conduct it.

(c) In the case of a student of less than school age or who is out of school, a group member must observe the student in an environment appropriate for a student of that age.

(5) Specific documentation for the eligibility determination (34 CFR § 300.311; Rules II.J.10.b.5.)

The team's documentation of the determination of eligibility with a specific learning disability must contain a statement of:

- (a) Whether the student has a specific learning disability;
- (b) The basis for making the determination;
- (c) The relevant behavior, if any, noted during the observation of the student and the relationship of that behavior to the student's academic functioning;
- (d) The educationally relevant medical findings if any; and
- (e) Whether the student meets the criteria below.
- (f) RtI. Does not make sufficient progress to meet State-approved age- or grade-level standards when using a process based on the student's response to scientific evidence-based interventions.
 - (i) Fast Forward Charter High School has a process that assesses a student's response to scientific, research-based intervention as part of determining if the student has a specific learning disability. This process must include:
 - (ii) High quality research-based instruction delivered by qualified staff in the general education setting; and

- (iii) Assessment of student performance that specifically includes universal screening and progress-monitoring; and
 - (iv) Multiple tiers of evidence-based interventions to address individual student difficulties; and
 - (v) Documentation of systematic and regular parent, adult student, and/or family involvement and communication as well as notification about:
 - (A) The State’s policies regarding the amount and nature of student performance data that would be collected and the general education services that would be provided (the team must refer to the USBE Specific Learning Disability Eligibility Guidelines when using this method);
 - (B) Strategies for increasing the student’s rate of learning; and
 - (C) The parent’s(s’) or the adult student’s right to request an evaluation; and
 - (vi) System supports (e.g., leadership, problem-solving, data management systems, coaching and collaboration, professional learning, and measures of fidelity) in place to ensure effective implementation; or
 - (vii) The instructional strategies used and the student-centered data collected.
- (6) The determination of the team concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the student’s achievement level;
- (7) The requirements of Rules II.D.–H. must be met.
- (8) Each team member must certify in writing whether the report reflects the member’s conclusion (34 CFR § 300.311(b)). If it does not reflect the member’s conclusion, the team member must submit a separate statement presenting the member’s conclusions.
- (9) Fast Forward Charter High LEA obtains a Medical History for the following eligibility categories: Autism (Rules II.J.1.c.(2)), Multiple Disabilities (Rules II.J.7.c.(3)), Orthopedic Impairment (Rules II.J.8.c.(2)), Other Health Impairment (Rules II.J.9.c.(2)), Traumatic Brain Injury (Rules II.J.12.c.(2)). The Medical History must be provided by a qualified professional as outlined in the Medical History and Professional Licensing Requirements for Special Education Eligibility Guidelines (Utah State Board of Education, Aug 2020).
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III. IEP DEVELOPMENT AND SERVICE DELIVERY (RULES III.)

III.A. INDIVIDUALIZED EDUCATION PROGRAM (RULES III.A.)

Fast Forward Charter High School implements the following policies and procedures to address the IEP requirements of Rules III.A-T, including the least restrictive environment (LRE) requirements, consistent with Part B of the IDEA and the Rules, as well as R277-750, R277-800, and the USBE/USDB Interagency Agreement.

III.B. WHEN IEPS MUST BE IN EFFECT (34 CFR § 300.323; RULES III.B.)

1. At the beginning of each school year, Fast Forward Charter High School must have an IEP in effect for each student with a disability within its jurisdiction.
2. Fast Forward Charter High School must ensure that:
 - a. A meeting to develop an IEP for a student is conducted within 30 calendar days of a determination that the student needs special education and related services; and
 - b. As soon as possible following development of the IEP, special education and related services are made available to the student in accordance with the student's IEP.
3. Fast Forward Charter High School must ensure the student's IEP is:
 - a. Accessible to each regular education teacher, special education teacher, related service provider, and any other service provider who is responsible for its implementation; and
 - b. Each teacher and provider is informed of:
 - (1) His/her specific responsibilities related to implementing the student's IEP; and
 - (2) The specific accommodations, modifications, and supports that must be provided for the student in accordance with the IEP.
4. Documentation of IEP implementation shall be provided to USBE upon request.

III.C. TRANSFER STUDENTS (34 CFR § 300.323; RULES III.C.)

1. Transfers within Utah.
 - a. In the case of a student with a disability with a current IEP who transfers from one LEA to another within the State within the same school year and enrolls in a new school, Fast Forward Charter High School, in consultation with the parent(s) or adult student, must provide a FAPE to the student, including services comparable to those described in the previously held IEP, until such time as Fast Forward Charter High School:
 - (1) Adopts the previously held IEP, or

- (2) Develops, adopts, and implements a new IEP that is consistent with Federal regulations and the Rules.
 - b. The requirements of 34 CFR § 300.323 also apply for students transferring from an LEA placement to a local juvenile or adult correctional facility or temporary State placement for observation and assessment.
2. Transfers from out of State.
 - a. In the case of a student with a disability with a current IEP who transfers LEAs within the same school year, who enrolls in a new school, and who has an IEP that was in effect in another State, Fast Forward Charter High School, in consultation with the parent(s) or adult student, must provide the student with a FAPE, including services comparable to those described in the previously held IEP, until Fast Forward Charter High School:
 - (1) Conducts an evaluation, if determined to be necessary by Fast Forward Charter High School; and
 - (2) Develops a new IEP, if appropriate, that is consistent with Federal and State law.
 - b. The evaluation for eligibility that may be conducted by Fast Forward Charter High School is considered an initial evaluation, not a reevaluation (71 FR 4668-82).
3. To facilitate the transition for a student described above:
 - a. Fast Forward Charter High School must take reasonable steps to promptly obtain the student's records, including the IEP and supporting documents and any other records relating to the provision of special education or related services to the student, from the previous LEA in which the student was enrolled; and
 - b. The previous LEA in which the student was enrolled must take reasonable steps to promptly respond to the request from Fast Forward Charter High School.
 - c. Fast Forward Charter High School must keep a copy of the records for three years after the transfer.
4. Experiencing difficulty in obtaining the IEP from the previous LEA does not relieve Fast Forward Charter High School of its obligation to have a current IEP in place for an eligible student.
5. When a student transfers out of Fast Forward, the registrar emails the Special Education Director. The Special Education Director is responsible for copying the file for the LEA's records and sending the original records to the new LEA. The Special Education Director keeps a written log of all transfer-out records, including the date, time, and signature of the person receiving the file.

III.D. LEA RESPONSIBILITY FOR IEP MEETINGS (34 CFR § 300.323(C)(1)); RULES III.D.)

1. Fast Forward Charter High School is responsible for initiating and conducting meetings for the purpose of developing, reviewing, and revising the IEP of a student with a disability ages 3 through 21, consistent with the Rules.
2. A meeting to develop an IEP for an eligible student must be conducted within 30 calendar days of a determination that a student needs special education and related services.

III.E. IEP TEAM MEMBERSHIP (34 CFR § 300.321; RULES III.E.)

Fast Forward Charter High School must ensure the IEP Team for each student with a disability includes:

1. The parent(s) of the student or the adult student;
2. Not less than one regular education teacher of the student (if the student is, or may be, participating in the regular education environment);
3. Not less than one special education teacher of the student, or where appropriate, not less than one special education provider of the student;
4. A representative of Fast Forward Charter High School who:
 - a. Is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of students with disabilities;
 - b. Is knowledgeable about the general education curriculum; and
 - c. Is knowledgeable about the availability of resources of Fast Forward Charter High School.
 - d. Fast Forward Charter High School may designate a Fast Forward Charter High School member of the IEP Team to also serve as Fast Forward Charter High School representative, if the above criteria are satisfied.
5. A representative of USDB and the LEA of residence when the student's placement is at USDB, when the IEP Team is considering placement at USDB, or when the student receives 180 minutes or more of special education and/or related services from USDB.
6. An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in this section;
7. At the discretion of the parent(s) or adult student or Fast Forward Charter High School, other individuals who have knowledge or special expertise regarding the student, including related services personnel as appropriate; and
8. Whenever appropriate, the student with a disability.
9. The determination of knowledge or special expertise of any individual described in Rule III.E.6. above must be made by the party (parent(s) or adult student or Fast Forward Charter High School) who invited the individual to be a member of the IEP Team.

10. If a purpose of the IEP Team meeting is consideration of the postsecondary goals for the student and the transition services needed to assist the student in reaching those goals, Fast Forward Charter High School must invite the student with a disability to attend the student's IEP meeting. If the student does not attend the IEP meeting, Fast Forward Charter High School must take other steps to ensure the student's preferences and interests are considered.
11. To the extent appropriate, with the written consent of the parent(s) or adult student, Fast Forward Charter High School must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.
12. Signatures on an IEP denote participation of IEP Team members in the development of the IEP.

III.F. IEP TEAM ATTENDANCE (34 CFR § 300.321; RULES III.F.)

1. A required member of the IEP Team is not required to attend a particular IEP Team meeting, in whole or in part, if the parent(s) of a student with a disability or adult student and Fast Forward Charter High School agree, in writing, that the attendance of the member is not necessary because the member's area of the curriculum or related services is not being modified or discussed in the meeting.
2. A required member of the IEP Team may be excused from attending an IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the member's area of the curriculum or related services, if:
3. The parent(s) or adult student, in writing, and Fast Forward Charter High School consent to the excusal; and
4. The member submits, in writing, to the parent(s) or adult student and the IEP Team, input into the development of the IEP prior to the meeting.

III.G. PARENT PARTICIPATION (34 CFR § 300.322; RULES III.G.)

1. Fast Forward Charter High School must take steps to ensure that one or both of the parents of a student with a disability or the adult student are present at each IEP meeting or are afforded the opportunity to participate, including:
 - a. Notifying parent(s) or adult student of the meeting early enough to ensure they will have an opportunity to attend; and
 - b. Scheduling the meeting at a mutually agreed-on time and place.
2. If the parent(s) or adult student cannot attend, Fast Forward Charter High School must use other methods to ensure participation of the parent(s) or the adult student, including individual or conference telephone calls. The parent(s) of a student with a disability or the adult student and Fast Forward Charter High School may agree to use alternative means of meeting participation, such as video conferences and conference calls (34 CFR § 300.328).

3. A meeting may be conducted without a parent or the adult student in attendance if Fast Forward Charter High School is unable to convince the parent(s) or the adult student they should attend. In this case, Fast Forward Charter High School must keep a record of its attempts to arrange a mutually agreed-on time and place, such as:
 - a. Detailed records of telephone calls made or attempted and the results of those calls;
 - b. Copies of correspondence sent to the parent(s) or adult student and any responses received; and
 - c. Detailed records of visits made to the parent's(s') or adult student's home or place of employment and the results of those visits.
4. Fast Forward Charter High School must take whatever action is necessary to ensure the parent(s) or adult student understands the proceedings of the IEP Team meeting, including arranging for an interpreter for parent(s) or adult student with deafness or whose native language is other than English.
 - a. Under UCA 35A-13-604, an individual is required to be certified as an interpreter if that individual provides interpreter services for deaf and hard of hearing individuals.
 - b. An individual providing interpreting services other than those for deaf and hard of hearing individuals shall be trained.
5. The parent(s) of a student with a disability or adult student are participants along with school personnel in developing, reviewing, and revising the IEP for their student. This is an active role in which the parent(s) or adult student:
 - a. Provide critical information regarding the strengths of the student and express their concerns for enhancing the education of the student;
 - b. Participate in the discussion of the student's need for special education and related services, and supplementary aids and services; and
 - c. Join with other participants in deciding how the student will be involved and progress in the general curriculum, how the student will participate in State- and LEA-wide assessments, and what services Fast Forward Charter High School will provide to the student and in what setting.
6. Fast Forward Charter High School must give the parent(s) or adult student a copy of the student's IEP at no cost to the parent(s) or adult student.

III.H. NOTICE OF MEETING (34 CFR § 300.322; RULES III.H.)

1. The notice of meeting required to be provided to the parent(s) or adult student must:
 - a. Indicate the purpose, time, and location of the meeting and who will be in attendance; and
 - b. Inform the parent(s) or adult student of the provision for participation of other individuals who have knowledge or special expertise about the student on the IEP Team.

2. For a student with a disability, ages 14 and older, or younger if determined appropriate by the IEP Team, the IEP notice of meeting also must:
 - a. Indicate that a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the student; and
 - b. Indicate that Fast Forward Charter High School will invite the student; and
 - c. Identify any other agency that will be invited, with parental or adult student consent, to send a representative.
3. When conducting IEP Team meetings and placement meetings and carrying out administrative matters, the parent(s) of a student with a disability or adult student and Fast Forward Charter High School may agree to use alternative means of meeting participation such as video conferences and conference calls (34 CFR § 300.328).

III.I. DEVELOPMENT, REVIEW, AND REVISION OF THE IEP (34 CFR § 300.324; RULES III.I.)

1. Development, review, and revision of the IEP.
 - a. In developing each student's IEP, the IEP Team must consider:
 - (1) The strengths of the student;
 - (2) The concerns of the parent(s) or adult student for enhancing the education of the student;
 - (3) The results of the initial or most recent evaluation of the student, and
 - (4) The academic, developmental, and functional needs of the student.
 - b. The IEP Team, in conducting a meeting to develop, review and, if appropriate, revise a student's IEP, must consider the following special factors:
 - (1) In the case of a student with limited English proficiency (LEP), consider the language needs of the student as those needs relate to the student's IEP;
 - (2) In the case of a student who is blind or visually impaired, provide for instruction in braille and the use of braille unless the IEP Team determines, after an evaluation of the student's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the student's future needs for instruction in braille or the use of braille), that instruction in braille or the use of braille is not appropriate for the student;
 - (a) Prior to determining whether a blind student should use braille as the primary reading mode, the student's IEP Team must be provided (through pertinent literature or discussions with competent braille users and educators, or both) with detailed information about the use and efficiency of braille as a reading medium, in order to make an informed choice as to the student's primary reading.

- (3) Consider the communication needs of the student and, in the case of a student who is deaf or hard of hearing, consider the student's language and communication needs, opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level, and full range of needs, including opportunities for direct instruction in the student's language and communication mode;
- (4) Consider whether the student needs assistive technology devices and services in school and on a case-by-case basis, in a student's home or other setting; and
- (5) In the case of a student whose behavior impedes the student's learning or that of others, consider the use of positive behavior interventions and supports, and other strategies, to address that behavior.
 - (a) When making decisions on behavior interventions, the IEP Team must refer to the USBE Least Restrictive Behavior Interventions (LRBI) Technical Assistance (TA) Manual for information on research-based intervention procedures.
 - (i) Emergency safety interventions may only be included in an IEP as a planned intervention when the IEP Team agrees that less restrictive means which meet circumstances in R277-608 have been attempted, a functional behavior assessment (FBA) has been conducted, and a positive behavior intervention plan based on data analysis has been developed and implemented (R277-609).
 - (b) The purpose of the LRBI TA Manual related to the use of positive behavior supports and behavior interventions in schools is to:
 - (i) Protect the safety and well-being of all students;
 - (ii) Provide protection for students, teachers, other school personnel, and LEAs; and
 - (iii) Ensure parent(s) or adult students are involved in the consideration and selection of behavior interventions to be used.
 - (c) When an emergency situation occurs that requires the immediate use of an emergency safety intervention to protect the student or others from harm, the staff shall comply with requirements in R277-609 with regards to time limitations and parental or adult student notification.
 - (d) As appropriate, the student should receive a FBA and behavior intervention services and modifications that are designed to address the behavior (34 CFR § 300.530(d)(1)(ii)).
 - c. If, in considering the special factors described above, the IEP Team determines a student needs a particular device or services for educational purposes (including an intervention, accommodation, or other program modification) in order for the

student to receive a FAPE, the IEP Team must include a statement to that effect in the student's IEP.

- d. A regular education teacher of a student with a disability, as a member of the IEP Team, must, to the extent appropriate, participate in the development of the IEP of the student, including the determination of:
 - (1) Appropriate positive behavior interventions and supports and other strategies for the student; and
 - (2) Supplementary aids and services, program modifications, and support for school personnel consistent with the IEP.

2. Changes to the IEP.

- a. In making changes to a student's IEP after the annual IEP Team meeting for a school year, the parent(s) of a student with a disability or adult student and Fast Forward Charter High School may agree not to convene an IEP meeting for the purposes of making those changes, and instead may develop a written document to amend or modify the student's current IEP.
- b. Upon request, the parent(s) or adult student must be provided with a revised copy of the IEP with the amendments incorporated.
- c. If changes are made to the student's IEP through the amendment process, Fast Forward Charter High School must ensure the student's IEP Team is informed of those changes.

3. To the extent possible, Fast Forward Charter High School must encourage the consolidation of reevaluation meetings and other IEP Team meetings for the student (34 CFR § 300.324(a)(5)).

4. Review and revision of the IEP.

Fast Forward Charter High School must ensure the IEP Team:

- a. Reviews the student's IEP periodically, but not less than annually, to determine whether the annual goals for the student are being achieved; and
- b. Revises the IEP, as appropriate, to address:
 - (1) Any lack of expected progress toward the annual goals in the IEP and in the general education curriculum, if appropriate;
 - (2) The results of any reevaluation;
 - (3) Information about the student provided to, or by, the parent(s) or adult student;
 - (4) The student's anticipated needs; or
 - (5) Other matters.
- c. In conducting a review of the student's IEP, the IEP Team must consider the special factors in Rules III.I.1.b.

- d. A regular education teacher of the student, as a member of the IEP Team, must participate in the review and revision of the IEP of the student, if the student is or may be participating in the general education classroom.
- e. If a participating agency, other than Fast Forward Charter High School, fails to provide the transition services described in the IEP, Fast Forward Charter High School must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.
- f. Nothing in this part relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that agency.

III.J. DEFINITION OF THE INDIVIDUALIZED EDUCATION PROGRAM (34 CFR § 300.320; RULES III.J.)

- 1. The term individualized education program (IEP) means a written statement for each student with a disability that is developed, reviewed, and revised in a meeting.
- 2. The IEP must include:
 - a. A statement of the student’s present levels of academic achievement and functional performance (PLAAPF), including:
 - (1) How the student’s disability affects the student’s involvement and progress in the general education curriculum (i.e., the same grade-level curriculum as for non-disabled students); or
 - (2) For students who are blind, the results obtained from a braille-related or braille skills assessment;
 - b. A statement of measurable annual goals, including academic and functional goals designed to:
 - (1) Meet the student’s needs that result from the student’s disability to enable the student to be involved in and make progress in the grade-level general education curriculum; and
 - (2) Meet each of the student’s other educational needs that result from the student’s disability;
 - c. For eligible students with significant cognitive disabilities who will participate in grade-level alternate achievement standards (i.e., Essential Elements):
 - (1) Notification to the parent(s) or adult student that the student’s academic achievement will be measured through an assessment of the grade-level Utah alternate achievement standards and how participation in such alternate achievement assessments may delay or otherwise affect the student from completing the requirements for a regular high school diploma; and

- (2) A description of benchmarks or short-term objectives for each annual goal;
- d. A description of:
 - (1) How the student's progress toward meeting the annual IEP goals will be measured; and
 - (2) When periodic reports to the parent(s) or adult student on the progress the student is making toward meeting the annual IEP goals (such as through the use of quarterly or other periodic reports, concurrent with the issuance of report cards) will be provided;
- e. A statement of the special education and related services and supplementary aids and services (including assistive technology), based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
 - (1) To advance appropriately toward attaining the annual goals;
 - (2) To be involved in and make progress in the grade-level general education curriculum, and to participate in extracurricular and other nonacademic activities; and
 - (3) To be educated and participate with other similar-aged students with disabilities and non-disabled students in the activities described in this section;
- f. An explanation of the extent, if any, to which the student will not participate with similar-aged non-disabled students in the regular education environment and in the activities described in this section;
- g. A statement of:
 - (1) Any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on all grade-level State- and LEA-wide assessments; and
 - (2) If the IEP Team determines the student must take an alternate assessment instead of a particular regular State- or LEA-wide assessment of student achievement, a statement of why:
 - (a) The student cannot participate in the regular assessment; and
 - (b) The particular alternate assessment selected is appropriate for the student; and
- h. All students, including students with disabilities, participate in statewide assessments. Fast Forward Charter High School reports the results of statewide assessments on the website. If more than one percent of students with significant cognitive disabilities participate in an alternate assessment, Fast Forward Charter High School will submit justification to the USBE on the need to exceed the cap.

- i. The projected date for the beginning of the services and modifications, and the anticipated frequency, location, and duration of those services and modifications.
- j. A statement of school to post-school transition services.

For a student with a disability, ages 14 and older, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include:

- (1) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training or education, employment, and, where appropriate, independent living skills; and
- (2) The transition services (including courses of study) needed to assist the student in reaching those goals.

- k. Transfer of rights at age of majority.

Beginning not later than one year before the student reaches the age of majority (age 18 in Utah), the IEP must include a statement that the student has been informed of the student's rights under Part B of the IDEA that will transfer to the student on reaching the age of majority. The transfer of rights also occurs upon notification to Fast Forward Charter High School that a student has married or become emancipated before age 18.

- l. Nothing in this section shall be construed to require that additional information be included in a student's IEP beyond what is explicitly required in Section 614 of Part B of the IDEA, or require the IEP Team to include information under one component of a student's IEP that is already contained under another component of the student's IEP.
- m. IEP Teams should discuss and address, if appropriate, student participation in not only the grade-level Utah Core Standards, but other general education activities and courses (e.g., health and maturation, suicide prevention), as well as the Statewide Online Education Program (SOEP) or other online, distance, blended, or competency-based courses, as well as courses taken through Career and Technical Education (CTE) programs and concurrent enrollment. Students with disabilities may require special education and related services and accommodations for equitable participation, in conjunction with Part B of the IDEA, the Rules, R277-418, R277-713, and R277-726.

III.K. PHYSICAL EDUCATION (34 CFR § 300.108; RULES III.L.)

- 1. Physical education services, specially designed if necessary, are made available to every student with a disability receiving a FAPE,
- 2. Each student with a disability must be afforded the opportunity to participate in the regular physical education program available to nondisabled students unless:
 - a. The student is enrolled full time in a separate facility; or

- b. The student needs specially designed physical education, as prescribed in the student's IEP.
3. Fast Forward Charter High School is responsible for specially designed physical education (e.g., adapted PE) if it is prescribed in a student's IEP, by providing the services directly or by making arrangements for those services to be provided through other public or private programs.
4. Fast Forward Charter High School is responsible for the education of a student with a disability who is enrolled in a separate facility and must ensure the student receives appropriate physical education services.

III.L. ASSISTIVE TECHNOLOGY (34 CFR § 300.105; R277-495; RULES III.M.)

1. Fast Forward Charter High School must ensure assistive technology devices or assistive technology services, or both, are made available to a student with a disability if required as a part of the student's:
 - a. Special education,
 - b. Related services, or
 - c. Supplementary aids and services.
2. On a case-by-case basis, the use of school-purchased assistive technology devices in a student's home or in other settings is required if the student's IEP Team determines the student needs access to those devices in order to receive a FAPE.

III.M. EXTENDED SCHOOL YEAR (ESY) SERVICES (34 CFR § 300.106; R277-751; RULES III.N.)

1. Extended school year services mean special education and related services that:
 - a. Are provided to an eligible student with a disability:
 - (1) Beyond the normal school year of Fast Forward Charter High School;
 - (2) In accordance with the student's IEP; and
 - (3) At no cost to the parent(s) of the student or adult student; and
 - b. Meet the standards of the USBE in R277-751.
2. Fast Forward Charter High School shall ensure:
 - a. ESY services are available as necessary to provide a FAPE, consistent with the Rules and considered for each individual student with a disability during an IEP, based upon a review of multiple data sources and factors.
 - b. ESY student programs are provided in the least restrictive environment.
 - c. ESY teachers and paraeducators meet USBE and IDEA requirements.

3. ESY services must be provided only if a student's IEP Team determines, on an individual basis, the services are necessary for the provision of a FAPE to the student. The annual IEP shall reflect the IEP Team's decision regarding the need for ESY services.
 - a. Parent(s) or the adult student shall be provided with prior written notice of proposal or refusal to provide ESY services.
 - b. If the student is determined eligible for ESY services, the IEP Team shall determine the appropriate ESY program, based on the student's individual needs.
 - c. ESY eligibility decisions and prior written notice of ESY programs shall be provided to parent(s) or adult student in sufficient time to permit accessing dispute resolution options of the procedural safeguards, in the event of a dispute.
4. In implementing the requirements of this section, Fast Forward Charter High School may not:
 - a. Limit ESY services to particular categories of disability, age, or grade level;
 - b. Unilaterally limit the type, amount, or duration of those services; or
 - c. Limit data consideration by IEP Teams to only an analysis of regression and recoupment.

III.N. LEAST RESTRICTIVE ENVIRONMENT (LRE) (34 CFR § 300.114; RULES III.O.)

1. Fast Forward Charter High School must ensure:
 - a. To the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities (e.g., nursing homes), are educated with similar-aged students who are nondisabled; and
 - b. Special classes, separate schooling, or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. In the case of a student who is deaf or hard of hearing, consideration of a special class or school may be the least restrictive environment in that it provides opportunities for direct communication and instruction in the student's language and communication mode with professional personnel and peers.
 - c. LRE provisions apply to transition programs and placement.

III.O. CONTINUUM OF ALTERNATIVE PLACEMENTS (34 CFR § 300.115; RULES III.P.)

1. Fast Forward Charter High School must ensure a continuum of alternative placements is available to meet the needs of students with disabilities for special education and related services.

2. The continuum required:
 - a. Includes the following alternative placements for instruction:
 - (1) Regular classes,
 - (2) Special classes,
 - (3) Special schools,
 - (4) Home instruction, and
 - (5) Instruction in hospitals and institutions; and
 - b. Makes provision for supplementary services (such as resource room or itinerant instruction) to be provided in conjunction with regular class placement.

III.P. PLACEMENTS (34 CFR § 300.116; RULES III.Q.)

1. In determining the educational placement of a student with a disability, including a transition-aged student with a disability, Fast Forward Charter High School must ensure:
 - a. The placement decision:
 - (1) Is made by a group of persons, including the parent(s) or adult student and other persons knowledgeable about the student, the meaning of the evaluation data, and the placement options; and
 - (2) Is made in conformity with the LRE provisions above.
 - b. The student's placement:
 - (1) Is determined at least annually;
 - (2) Is based on the student's IEP; and
 - (3) Is as close as possible to the student's home;
 - c. Unless the IEP of a student with a disability requires some other arrangement, the student is educated in the school that the student would attend if non-disabled;
 - d. In selecting the LRE, consideration is given to any potential harmful effect on the student or on the quality of services the student needs; and
 - e. A student with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

III.Q. PARENTAL INVOLVEMENT IN PLACEMENT DECISIONS (34 CFR §§ 300.327, 300.50; RULES III.R.)

1. Fast Forward Charter High School must ensure the parent(s) of each student with a disability or adult student are members of any group that makes decisions on the educational placement of the parent's student or the adult student (Rules IV.B).

2. In implementing this requirement, Fast Forward Charter High School shall use procedures for parent or adult student involvement in placement decisions consistent with those used for parent participation in IEP meetings.
3. If neither parent, or the adult student can participate in a meeting in which a decision is to be made relating to the educational placement of the student, Fast Forward Charter High School shall use other methods to ensure their participation, including individual or conference telephone calls or video conferencing.
4. A group may make a placement decision without the involvement of the parent(s) or adult student if Fast Forward Charter High School is unable to obtain either parent's or adult student's participation in the decision. In this case, Fast Forward Charter High School must have a record of its attempts to ensure their involvement.

III.R. NONACADEMIC SETTINGS AND EXTRACURRICULAR ACTIVITIES (34 CFR § 300.117; UCA 53G-6-709; RULES III.S.)

1. In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities in Rules III.V, Fast Forward Charter High School must ensure each student with a disability participates with non-disabled students in the extracurricular services and activities to the maximum extent appropriate to the needs of that student.
2. Fast Forward Charter High School must ensure each student with a disability has the supplementary aids and services determined by the student's IEP Team to be appropriate and necessary for the student to participate in nonacademic settings.
3. A student with a disability (under the age of 22 who has not graduated from high school with a regular high school diploma, whose IEP Team recommends participation) may not be denied the opportunity of participating in public school programs or extracurricular activities solely because of the student's age, unless the participation threatens the health or safety of the student. Fast Forward Charter High School, in cooperation with the Utah Department of Health, shall establish criteria used to determine the health and safety factor (UCA 53G-6-709).

III.S. NONACADEMIC SERVICES (34 CFR § 300.107; RULES III.T.)

1. Fast Forward Charter High School must take steps, including the provision of supplementary aids and services determined appropriate and necessary by the student's IEP Team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford students with disabilities an equal opportunity for participation in those services and activities.
2. Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by Fast Forward Charter High School, referrals to agencies that provide assistance to individuals with disabilities, and employment of students,

including both employment by Fast Forward Charter High School and assistance in making outside employment available.

IV. PROCEDURAL SAFEGUARDS: DUE PROCESS PROCEDURES FOR PARENT(S) AND STUDENTS (IDEA SUBPART E)

IV.A. PARENTAL OPPORTUNITY TO EXAMINE RECORDS AND PARTICIPATE IN MEETINGS (34 CFR § 300.501; RULES IV.A.)

1. Opportunity to examine records.
 - a. The parent(s) of a student with a disability or adult student must be afforded, in accordance with the Rules, an opportunity to inspect and review all education records with respect to the identification, evaluation, and educational placement of the student and the provision of a FAPE to the student.
2. Parent participation in meetings.
 - a. The parent(s) of a student with a disability or adult student must be afforded an opportunity to participate in meetings with respect to the identification, evaluation, and educational placement of the student and the provision of a FAPE to the student.
 - b. Fast Forward Charter High School must provide notice, consistent with the Rules, to ensure parents of students with disabilities or adult students have the opportunity to participate in meetings.
 - c. A meeting does not include informal or unscheduled conversations involving Fast Forward Charter High School personnel and conversations on issues such as teaching methodology, lesson plans, or coordination of service provision. A meeting also does not include preparatory activities that Fast Forward Charter High School personnel engage in to develop a proposal or a response to a parent or adult student proposal that will be discussed at a later meeting.
3. Parent involvement in placement decisions.
 - a. Fast Forward Charter High School must ensure that a parent of each student with a disability or adult student is a member of any group that makes decisions on the educational placement of the parent's student (34 CFR § 300.327), including notifying the parent(s) or adult student of the meeting early enough to ensure that they will have an opportunity to attend and scheduling the meeting at a mutually agreed-on time and place (34 CFR § 300.322(a)).
 - b. The notice of meeting must indicate the purpose(s), time, and location of the meeting, who will be in attendance, and inform the parents or adult student of their right to bring other individuals who have knowledge or special expertise about the student (34 CFR § 300.322(b)).
 - c. If neither parent or the adult student can participate in a meeting in which a decision is to be made relating to the educational placement of the student, Fast

Forward Charter High School must use other methods to ensure their participation, including individual or conference telephone calls or video conferencing.

- d. A placement decision may be made by a group without the involvement of a parent or adult student if Fast Forward Charter High School is unable to obtain the parent's(s') or adult student's participation in the decision. In this case, the LEA must have a record of its attempt to ensure their involvement.

IV.B. INDEPENDENT EDUCATIONAL EVALUATION (34 CFR § 300.502; RULES IV.B.)

1. Definitions.
 - a. Independent educational evaluation (IEE) means an evaluation conducted by a qualified examiner who is not employed by the LEA responsible for the education of the student in question.
 - b. Public expense means that the LEA either pays for the full cost of the evaluation or ensures that the evaluation is otherwise provided at no cost to the parent or adult student.
2. Fast Forward Charter High School has established and implemented the following policies and procedures related to independent educational evaluation that meet the requirements of Part B of the IDEA and the Rules.
3. The following requirements must be addressed:
 - a. The parent(s) of a student with a disability or adult student have the right to obtain an IEE of the student at public expense if they disagree with an evaluation obtained by Fast Forward Charter High School.
 - b. Fast Forward Charter High School must provide to the parent(s) or adult student, upon request for an IEE, information about where an IEE may be obtained and Fast Forward Charter High School criteria applicable for IEEs.
 - c. If the parent(s) or adult student requests an IEE at public expense, Fast Forward Charter High School must, without unnecessary delay, either file a due process complaint to request a hearing to show that its evaluation is appropriate, or ensure an IEE is provided at public expense, unless Fast Forward Charter High School demonstrates in a hearing that the evaluation obtained by the parent(s) or adult student did not meet Fast Forward Charter High School criteria. If Fast Forward Charter High School files a due process complaint notice to request a hearing and the final decision is that Fast Forward Charter High School's evaluation is appropriate, the parent(s) or adult student still has the right to an IEE, but not at public expense. If the parent(s) or adult student requests an IEE, Fast Forward Charter High School may ask for the parent's(s') or adult student's reason why they object to the public evaluation. However, the explanation by the parent(s) or adult student may not be required and Fast Forward Charter High School may not

unreasonably delay either providing the IEE at public expense or requesting a due process hearing to defend the public evaluation.

- d. The parent(s) or adult student is entitled to only one IEE at public expense each time Fast Forward Charter High School conducts an evaluation with which the parent(s) or adult student disagrees.
 - e. If the parent(s) or adult student obtains an IEE at public expense or shares with Fast Forward Charter High School an evaluation obtained at private expense, the results of the evaluation must be considered by Fast Forward Charter High School, if it meets Fast Forward Charter High School criteria, in any decision made with respect to the provision of a FAPE to the student, and may be presented by any party as evidence at a hearing on a due process complaint regarding that student.
 - f. If a hearing officer requests an IEE as part of a hearing on a due process complaint, the cost of the evaluation must be at public expense.
 - g. If an IEE is at public expense, the criteria under which the evaluation is obtained, including the location of the evaluation and the qualifications of the examiner, must be the same as the criteria that Fast Forward Charter High School uses when it initiates an evaluation, to the extent those criteria are consistent with the parent's(s') or adult student's right to an IEE.
 - h. Except for the criteria described above, Fast Forward Charter High School may not impose additional conditions or timelines related to obtaining an IEE at public expense.
4. An IEE conducted at Fast Forward Charter High School's expense becomes the property of Fast Forward Charter High School, in its entirety.

IV.C. PRIOR WRITTEN NOTICE (34 CFR § 300.503; RULES IV.C.)

1. Prior written notice must be given to the parents of a student with a disability or adult student a reasonable time before Fast Forward Charter High School:
 - a. Proposes to initiate or change the identification, evaluation, or educational placement of the student or the provision of a FAPE to the student; or
 - b. Refuses to initiate or change the identification, evaluation, or educational placement of the student or the provision of a FAPE to the student.
2. The notice required must include:
 - a. A description of the action proposed or refused by Fast Forward Charter High School;
 - b. An explanation of why Fast Forward Charter High School proposes or refuses to take the action;
 - c. A description of each evaluation procedure, assessment, record, or report Fast Forward Charter High School used as a basis for the proposed or refused action;

- d. A statement that the parent(s) of a student with a disability or adult student have protection under the procedural safeguards of Part B of the IDEA and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
 - e. Sources for the parent(s) or adult student to contact to obtain assistance in understanding the provisions of Part B of the IDEA;
 - f. A description of other options the IEP Team considered and the reasons why those options were rejected; and
 - g. A description of other factors relevant to Fast Forward Charter High School's proposal or refusal.
3. The notice must be:
- a. Written in language understandable to the general public; and
 - b. Provided in the native language of the parent(s) or adult student or other mode of communication used by the parent(s) or adult student, unless it is clearly not feasible to do so.
 - (1) If the native language or other mode of communication of the parent(s) or adult student is not a written language, Fast Forward Charter High School must take steps to ensure:
 - (2) The notice is translated orally or by other means to the parent(s) or adult student in his/her native language or other mode of communication;
 - (3) The parent(s) or adult student understands the content of the notice; and
 - (4) There is written evidence that the requirements have been met.

IV.D. PROCEDURAL SAFEGUARDS NOTICE (34 CFR § 300.504; RULES IV.D.)

- 1. A copy of the procedural safeguards available to the parent(s) of a student with a disability or adult student must be given to the parent(s) or adult student only one time a year, except that a copy also must be given to the parent(s) or adult student:
 - a. Upon initial referral or parental or adult student request for evaluation;
 - b. Upon receipt of the first State complaint or a due process complaint in that school year; and
 - c. Upon request by the parent(s) or adult student.
- 2. An LEA may place a current copy of the procedural safeguards notice on its website if a website exists.
- 3. The procedural safeguards notice must include a full explanation of all the procedural safeguards relating to:

- a. Independent educational evaluations;
 - b. Prior written notice;
 - c. Parental or adult student consent;
 - d. Access to educational records;
 - e. The opportunity to present and resolve complaints through the State IEP facilitation, mediation, due process complaint or State complaint procedures, including the time period in which to file a complaint;
 - f. The opportunity for Fast Forward Charter High School to resolve the complaint, and the difference between the due process complaint and the State complaint procedures, including the jurisdiction of each procedure, what issues may be raised, filing and decisional timelines, and relevant procedures;
 - g. The availability of IEP facilitation and mediation;
 - h. The student's placement during pendency of hearings on due process complaints;
 - i. Procedures for students who are subject to placement in an interim alternative educational setting (IAES);
 - j. Requirements for unilateral placement by parent(s) of students or by adult students in private schools at public expense;
 - k. Hearings on due process complaints, including requirements for disclosure of evaluation results and recommendations;
 - l. State-level appeals;
 - m. Civil actions, including the time period in which to file those actions; and
 - n. Attorneys' fees.
4. The notice required must be in language understandable to the parent(s) or adult student.
 5. The parent(s) of a student with a disability or adult student may elect to receive notices by an electronic mail communication, if Fast Forward Charter High School makes that option available (34 CFR § 300.505).
 6. Dispute resolution options remain available.

IV.E. STATE COMPLAINT PROCEDURES (34 CFR § 300.151–153; UCA 53E-7-208; RULES IV.E.)

Fast Forward Charter High School follows all requirements found in Rules IV.E. regarding State Complaint Procedures.

IV.F. MEDIATION (34 CFR § 300.506; RULES IV.F.)

Fast Forward Charter High School follows all requirements found in Rules IV.F. regarding Mediation.

IV.G. FILING A DUE PROCESS COMPLAINT (34 CFR § 300.507; UCA 53E-7-208; RULES IV.G.)

Fast Forward Charter High School follows all requirements found in Rules IV.G. regarding filing a due process complaint.

IV.H. DUE PROCESS COMPLAINT (34 CFR § 300.508; RULES IV.H.)

Fast Forward Charter High School follows all requirements found in Rules IV.H. regarding due process complaints.

IV.I. MODEL FORMS (34 CFR § 300.509; RULES IV.I.)

The USBE staff have developed model forms to assist parent(s) or adult students in filing a State complaint, a due process hearing complaint, and requesting mediation. These forms are available on the USBE Special Education Services webpage. Parties are not required to use the State's model forms. Parents or adult students, public agencies, and other parties may use the appropriate State model form or another form or other document, so long as the form or document that is used meets, as appropriate, the content requirements for filing a due process complaint or the requirements for filing a State complaint.

IV.J. RESOLUTION PROCESS (34 CFR § 300.510; RULES IV.J.)

Fast Forward Charter High School follows all requirements found in Rules IV.J. regarding the resolution process.

IV.K. IMPARTIAL DUE PROCESS HEARING (34 CFR § 300.511; RULES IV.K.)

Fast Forward Charter High School follows all requirements found in Rules IV.K regarding impartial due process hearings.

IV.L. HEARING RIGHTS (34 CFR § 300.512; RULES IV.L.)

Fast Forward Charter High School follows all requirements found in Rules IV.L. regarding hearing rights.

IV.M. HEARING DECISIONS (34 CFR § 300.513; RULES IV.M.)

Fast Forward Charter High School follows all requirements found in Rules IV.M. regarding hearing decisions.

IV.N. FINALITY OF DECISION (34 CFR § 300.514; RULES IV.N.)

Fast Forward Charter High School acknowledges that a decision made in a hearing conducted is final, unless a party to the hearing appeals the decision to a civil action.

IV.O. STATE ENFORCEMENT MECHANISMS (34 CFR § 300.537; RULES IV.O.)

Fast Forward Charter High School acknowledges the state enforcement mechanisms found in Rules IV.O.

IV.P. TIMELINES AND CONVENIENCE OF HEARINGS (34 CFR § 300.515; UBSE-SER IV.P.)

Fast Forward Charter High School follows all requirements found in Rules IV.P. regarding timelines and convenience of hearings.

IV.Q. CIVIL ACTION (34 CFR § 300.516; RULES IV.Q.)

Fast Forward Charter High School follows all requirements found in Rules IV.Q. regarding civil action.

IV.R. ATTORNEYS' FEES (34 CFR § 300.517; UCA 53E-7-208(4)(B); RULES IV.R.)

Fast Forward Charter High School follows all requirements found in Rules IV.R. regarding attorneys' fees.

IV.S. STUDENT'S STATUS DURING PROCEEDINGS (34 CFR § 300.518; RULES IV.S.)

Fast Forward Charter High School follows all requirements found in Rules IV.S. regarding student's status during proceedings.

IV.T. SURROGATE PARENTS (34 CFR § 300.519; RULES IV.T.)

1. Fast Forward Charter High School ensures the rights of a student are protected when:
 - a. No parent can be identified for a student under the age of majority;
 - b. Fast Forward Charter High School, after reasonable efforts, cannot locate a parent for a student under the age of majority;
 - c. The student is a ward of the state under the laws of that state; or
 - d. The student is an unaccompanied homeless youth under the age of majority.
2. The duties of Fast Forward Charter High School include the assignment of an individual to act as a surrogate for the parent(s) for a student under the age of majority. This must include a method for determining whether a student under the age of majority needs a surrogate parent and for assigning a surrogate parent to the student.
3. In the case of a student who is a ward of the State, the surrogate parent alternatively may be appointed by the judge overseeing the student's case, provided that the surrogate meets the requirements.

4. Fast Forward Charter High School may select a surrogate parent in any way permitted under State law.
5. Fast Forward Charter High School must ensure that a person selected as a surrogate parent:
 - a. Is not an employee of the USBE, Fast Forward Charter High School, or any other agency that is involved in the education or care of the student;
 - b. Has no personal or professional interest that conflicts with the interest of the student he/she represents; and
 - c. Has knowledge and skills that ensure adequate representation of the student.
6. A person otherwise qualified to be a surrogate parent is not an employee of Fast Forward Charter High School solely because the person is paid by Fast Forward Charter High School to serve as a surrogate parent.
7. In the case of a student who is an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogates until a surrogate can be appointed who meets all of the requirements.
8. The surrogate parent may represent the student in all matters relating to the identification, evaluation, and educational placement of the student, and the provision of a FAPE to the student.
9. The USBE and Fast Forward Charter High School staff must make reasonable efforts to ensure the assignment of a surrogate parent not more than 30 calendar days after Fast Forward Charter High School determines the student needs a surrogate.

IV.U. TRANSFER OF PARENTAL RIGHTS AT AGE OF MAJORITY (34 CFR § 300.520; RULES IV.U.)

1. When a student with a disability reaches the age of majority under State law (i.e., age 18) that applies to all students, except for a student with a disability who has been determined to be incompetent under State law, or the student with a disability marries or becomes emancipated:
 - a. Fast Forward Charter High School must provide any notice required by Part B of the IDEA to both the individual and the parent(s); and
 - b. All other rights accorded to parents under Part B of the IDEA transfer to the student;
 - c. All rights accorded to parents under Part B of the IDEA transfer to students who are incarcerated in an adult or juvenile State or local correctional institution; and
 - d. Whenever a state transfers rights, Fast Forward Charter High School must notify the individual and the parent(s) of the transfer of rights within a reasonable time frame.

IV.V. CONFIDENTIALITY (34 CFR § 300.610; R277-487; RULES IV.V.)

Fast Forward Charter High School takes appropriate steps to ensure the protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the LEAs pursuant to Part B of the IDEA and R277-487.

1. Definitions (34 CFR § 300.611).

As used in these procedural safeguards:

- a. *Destruction* means physical destruction or removal of personal identifiers from information so that the information is no longer personally identifiable.
- b. *Education records* means the type of records covered under the definition of “education records” in 34 CFR § 99, implementing regulations for the Family Educational Rights and Privacy Act of 1974, 20 USC § 1232g (FERPA).
- c. *Participating agency* means any agency or institution that collects, maintains, or uses personally identifiable information (PII), or from which information is obtained, under Part B of the IDEA.

2. Notice to parent(s) or adult student (34 CFR § 300.612).

- a. Fast Forward Charter High School must give notice that is adequate to fully inform parent(s) or adult students, including:
 - (1) A description of the extent that the notice is given in the native languages of the various population groups in the State;
 - (2) A description of the students on whom PII is maintained, the types of information sought, the methods Fast Forward Charter High School intends to use in gathering the information (including the sources from whom information is gathered), and the uses to be made of the information;
 - (3) A summary of the policies and procedures Fast Forward Charter High School must follow regarding storage, disclosure to third parties, retention, and destruction of PII; and
 - (4) A description of all of the rights of parents and students regarding this information, including the rights under FERPA.

3. Before any major identification, location, or evaluation activity, the notice must be published or announced in newspapers or other media, or both, with circulation adequate to notify parents or adult students throughout Fast Forward Charter High School of the activity.

4. Access rights (34 CFR § 300.613).

- a. Fast Forward Charter High School must permit parents or adult students to inspect and review any education records relating to their student or themselves that are collected, maintained, or used by the LEA. Fast Forward Charter High School must comply with a request without unnecessary delay and before any meeting regarding

an IEP, or any hearing or resolution session, and in no case more than 45 calendar days after the request has been made.

- b. The right to inspect and review education records under this section includes:
 - (1) The right to a response from Fast Forward Charter High School to reasonable requests for explanations and interpretations of the records;
 - (2) The right to request that Fast Forward Charter High School provide copies of the records containing the information if failure to provide those copies would effectively prevent the parent or adult student from exercising the right to inspect and review the records; and
 - (3) The right to have a representative of the parent or adult student inspect and review the records.
- c. Fast Forward Charter High School may presume that the parent(s) or adult student has authority to inspect and review records relating to his/her student unless Fast Forward Charter High School has been advised that the parent(s) does not have the authority under applicable State law governing such matters as guardianship, separation, and divorce.

5. Record of access (34 CFR § 300.614).

Fast Forward Charter High School must keep a record of parties obtaining access to education records collected, maintained, or used under Part B of the IDEA and the Rules (except access by parents or adult students and authorized employees of the LEA), including the name of the party, the date access was given, and the purpose for which the party is authorized to use the records.

6. Records on more than one student (34 CFR § 300.615).

If any education record includes information on more than one student, the parent(s) of those students or the adult students have the right to inspect and review only the information relating to their student or themselves or to be informed of that specific information.

7. List of types and locations of information (34 CFR § 300.616).

On request, Fast Forward Charter High School must provide parents or adult students with a list of the types and locations of education records collected, maintained, or used by the LEA.

8. Fees (34 CFR § 300.617).

- a. Fast Forward Charter High School may charge a fee for copies of records that are made for parent(s) or adult students under Part B of the IDEA if the fee does not effectively prevent the parent(s) or adult students from exercising their right to inspect and review those records.

- b. The USBE staff and an LEA may not charge a fee to search for or to retrieve information under Part B of the IDEA.
9. Amendment of records at parent's(s') request (34 CFR § 300.618).
- a. A parent or adult student who believes that information in the education records collected, maintained, or used under Part B of the IDEA or Rules is inaccurate or misleading or violates the privacy or other rights of the student may request Fast Forward Charter High School to amend the information.
 - b. Fast Forward Charter High School must decide whether to amend the information in accordance with the request within a reasonable period of time of receipt of the request.
 - c. If Fast Forward Charter High School decides to refuse to amend the information in accordance with the request, it must inform the parent or adult student of the refusal and advise the parent(s) or adult student of the right to a hearing on the matter.
10. Opportunity for a hearing (34 CFR § 300.619).
- a. Fast Forward Charter High School must, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student. This hearing is not an IDEA due process complaint/hearing.
11. Result of hearing (34 CFR § 300.620).
- a. If, as a result of the hearing, Fast Forward Charter High School decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it must amend the information accordingly and so inform the parent(s) or adult student in writing.
 - b. If, as a result of the hearing, Fast Forward Charter High School decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the student, it must inform the parent(s) or adult student of the right to place in the records it maintains on the student a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the LEA.
 - c. Any explanation placed in the records of the student under this section must:
 - (1) Be maintained by the LEA as part of the records of the student as long as the record or contested portion is maintained by the LEA; and
 - (2) If the records of the student or the contested portion are disclosed by the LEA to any party, the explanation must also be disclosed to the party.
12. Hearing procedures (34 CFR § 300.621).

A hearing that challenges education records must be conducted according to the procedures under 34 CFR § 99.22 as described below. At a minimum, Fast Forward Charter High School's hearing procedures must adhere to the following requirements:

- a. The hearing shall be held within a reasonable period of time after the LEA receives the request, and the parent(s) of the student or adult student shall be given notice of the date, place, and time reasonably in advance of the hearing.
- b. The hearing may be conducted by any party, including an official of the LEA, who does not have a direct interest in the outcome of the hearing.
- c. The parent(s) of the student or adult student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or be represented by individuals of his/her choice at his/her own expense, including an attorney.
- d. The LEA shall make its decision in writing within a reasonable period of time after the conclusion of the hearing.
- e. The decision of the LEA shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision.

13. Consent (34 CFR § 300.622).

- a. Except as to disclosures addressed in referral to and action by law enforcement and judicial authorities, for which parental consent is not required by 34 CFR § 99, parental or adult student consent must be obtained before PII is:
 - (1) Disclosed to anyone other than officials of participating agencies collecting or using the information under Part B of the IDEA or the Rules, or
 - (2) Used for any purpose other than meeting a requirement of Part B of the IDEA or the Rules.
- b. Fast Forward Charter High School may not release information from education records to participating agencies without parental or adult student consent unless authorized to do so by 34 CFR §§ 99.31 and 99.34 (FERPA):
 - (1) Regulation 34 CFR § 99.31 allows an LEA to disclose PII from the education records of a student without the written consent of the parent(s) of the student or adult student, if the disclosure is:
 - (a) To other school officials, including teachers within the LEA who have been determined by the LEA to have legitimate educational interests.
 - (b) To officials of another school or school site in which the student seeks or intends to enroll, subject to the requirements set forth in 34 CFR § 99.34 below.

- (2) Regulation 34 CFR § 99.34 requires that an LEA transferring the education records of a student pursuant to 34 CFR § 99.34 above shall make a reasonable attempt to notify the parent of the student or adult student of the transfer of records at the last known address of the parent or adult student, except that the LEA does not have to provide any further notice of the transfer of records when:
- (a) The transfer is initiated by the parent(s) or adult student at the sending LEA.
 - (b) Fast Forward Charter High School includes in its annual notice of procedural safeguards, that it is the policy of the LEA to forward education records on request to a school in which a student seeks or intends to enroll.
 - (c) Fast Forward Charter High School transferring the records must keep a copy of the records for three years after the transfer.
- c. Fast Forward Charter High School, upon receiving PII from another educational agency or institution, may make further disclosure of the information on behalf of the LEA without the prior written consent of the parent(s) or adult student if the conditions of 34 CFR §§ 99.31 and 99.34 noted above are met, and if the educational agency informs the party to whom disclosure is made of these requirements.
- d. If the parent(s) or adult student refuses consent for the release of PII to a third party, then that party may proceed with statutory procedures in an effort to obtain the desired information.

Note: As authorized in 34 CFR § 99.31 (FERPA), Fast Forward Charter High School includes in the annual procedural safeguards notice that it is their policy to forward educational records of a student with disabilities without parental or adult student consent or notice to officials of another school or school district in which a student seeks or intends to enroll.

14. Safeguards (34 CFR § 300.623).

- a. Fast Forward Charter High School must protect the confidentiality of PII at collection, storage, disclosure, and destruction stages.
- b. One official at each LEA must assume responsibility for ensuring the confidentiality of any PII.
- c. All persons at Fast Forward Charter High School collecting or using PII must receive training or instruction regarding the State's policies and procedures in Rules IV.V and 34 CFR § 99.
- d. Fast Forward Charter High School must maintain, for public inspection, a current listing of the names and positions of those employees within the LEA who may have access to PII on students with disabilities.

15. Destruction of information (34 CFR § 300.624).

- a. Fast Forward Charter High School must inform parents or adult student when PII collected, maintained, or used under Part B of the IDEA and Rules is no longer needed to provide educational services to the student.
- b. The information no longer needed must be destroyed at the request of the parent(s) or adult student. However, a permanent record of a student's name, address, phone number, his/her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.
- c. Each student's records may be considered "no longer needed to provide educational services" and may be destroyed three years after the student graduates or three years after the student turns 22 under IDEA. Medicaid requires that records be maintained for at least five years after the provision of services.

16. Students' rights (34 CFR § 300.625).

- a. The rights of privacy afforded to parent(s) are transferred to the student who reaches the age of 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated.
- b. Under the regulations for FERPA at 34 CFR § 99.5(a), the rights of parent(s) regarding education records are transferred to the student at age 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated.
- c. Because the rights accorded to parents under Part B of the IDEA are transferred to a student who reaches the age of 18, providing the student has not been declared incompetent by a court order or the student has married or become emancipated, the rights regarding educational records must also be transferred to the student. However, Fast Forward Charter High School must provide any notice required under Section 615 of Part B of the IDEA to the student and the parent(s).

17. Enforcement (34 CFR § 300.626).

The confidentiality requirements of Part B of the IDEA are reviewed and approved as part of Fast Forward Charter High School eligibility process.

18. U.S. Department of Education use of PII (34 CFR § 300.627).

If the U.S. Department of Education or its authorized representatives collect any PII regarding students with disabilities that is not subject to the Privacy Act of 1974, 5 USC § 552a, the Secretary of Education (Secretary hereafter) applies the applicable Federal statute, and the regulations implementing those provisions in 34 CFR § 5b.

V. DISCIPLINE PROCEDURES (34 CFR § 300.530)

V.A. DISCIPLINE PROCEDURES FOR STUDENTS WITH DISABILITIES (RULES V.A.)

Consistent with the requirements of Part B of the IDEA and the Rules, Fast Forward Charter High School shall establish, maintain, and implement the following policies and procedures for disciplining students with disabilities.

V.B. AUTHORITY OF SCHOOL PERSONNEL (34 CFR § 300.530(A–C); RULES V.B.)

1. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement, consistent with the other requirements of this section, is appropriate for a student with a disability who violates a code of student conduct.
2. School personnel may remove a student with a disability who violates a code of student conduct from his/her current placement to an appropriate interim alternative educational setting (IAES), another setting, or suspension, for not more than ten consecutive school days (to the extent those alternatives are applied to students without disabilities), and for additional removals of not more than ten consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement.
3. After a student with a disability has been removed from his/her current placement for ten school days in the same school year, during any subsequent days of removal Fast Forward Charter High School must provide services to the extent required.
4. For disciplinary changes in placement that would exceed ten consecutive school days, if the behavior that gave rise to the violation of the school code is determined not to be a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities, except after the tenth day of removal that constitutes a change in placement, the LEA must provide services to the student.

V.C. SERVICES (34 CFR § 300.530(D); RULES V.C.)

1. A student with a disability who is removed from the student's current placement must:
 - a. Continue to receive educational services so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP; and
 - b. Receive, as appropriate, a functional behavior assessment, and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

2. The services may be provided in an IAES.
3. Fast Forward Charter High School is only required to provide services during periods of removal to a student with a disability who has been removed from his/her current placement for ten school days or less in that school year if it also provides services to a student without disabilities who is similarly removed.
4. After a student with a disability has been removed from his/her current placement for ten school days in the same school year, if the current removal is for not more than ten consecutive school days and is not a change of placement, school personnel, in consultation with at least one of the student's teachers, determine the extent to which services are needed, so as to enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the student's IEP.
5. If the removal is a change of placement, the student's IEP Team determines appropriate services to be provided during the removal.

V.D. CHANGE OF PLACEMENT DUE TO DISCIPLINARY REMOVALS (34 CFR § 300.536; RULES V.D.)

1. For purposes of removals of a student with a disability from the student's current educational placement, a change of placement occurs if:
 - a. The removal is for more than ten consecutive school days; or
 - b. The student has been subjected to a series of removals that constitute a pattern:
 - (1) Because the series of removals total more than ten school days in a school year;
 - (2) Because the student's behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - (3) Because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another.
2. Fast Forward Charter High School determines on a case-by-case basis whether a pattern of removals constitutes a change of placement. This determination is subject to review through due process and judicial proceedings.

V.E. MANIFESTATION DETERMINATION (34 CFR § 300.530(E); RULES V.E.)

1. Within ten school days of any decision to change the placement of a student with a disability because of a violation of a code of student conduct, Fast Forward Charter High School, the parent(s) or adult student, and relevant members of the student's IEP Team (as determined by the parent(s) or adult student and the LEA) must review all relevant information in the student's file, including the student's IEP, any teacher observations, and any relevant information provided by the parent(s) or adult student to determine:

- a. If the conduct in question was caused by, or had a direct and substantial relationship to, the student's disability; or
 - b. If the conduct in question was the direct result of the LEA's failure to implement the IEP.
2. The conduct must be determined to be a manifestation of the student's disability if Fast Forward Charter High School, the parent(s) or adult student, and relevant members of the student's IEP Team determine that the misconduct was caused by or had a direct and substantial relationship to the student's disability, or was the direct result of the LEA's failure to implement the IEP.
 3. If Fast Forward Charter High School, the parent(s) or adult student, and relevant members of the student's IEP Team determine that the misconduct was the direct result of the LEA's failure to implement the IEP, the LEA must take immediate steps to remedy those deficiencies.
 4. If Fast Forward Charter High School, the parent(s) or adult student, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the student's disability, the IEP Team must either:
 - a. Conduct a functional behavior assessment (FBA), unless Fast Forward Charter High School had conducted a FBA before the behavior that resulted in the change of placement occurred, and implement a behavior intervention plan (BIP) for the student; or
 - b. If a BIP has already been developed, review the BIP, and modify it, as necessary, to address the behavior; and
 - c. Unless the misconduct falls under the definition of special circumstances in Rules V.E.5, return the student to the placement from which the student was removed, unless the parent or adult student and the LEA agree to a change of placement as part of the modification of the behavior intervention plan.
 5. Special circumstances.

School personnel may remove a student to an IAES for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the student's disability, if the student:

- a. Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function under the jurisdiction of an LEA;
 - b. Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of an LEA, or
 - c. Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an LEA.
6. Definitions.

For purposes of this section, the following definitions apply:

- a. *Controlled substance* means a drug or other substance that cannot be distributed without a prescription, identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act (21 USC § 812(c)).
- b. *Illegal drug* means a controlled substance but does not include a drug controlled, possessed, or used under the supervision of a licensed health-care professional or one legally possessed or used under the Controlled Substances Act or under any other provision of Federal law (21 USC § 812).
- c. *Serious bodily injury* means bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty (18 USC § 1365). Serious bodily injury does not include a cut, abrasion, bruise, burn, disfigurement, physical pain, illness, or impairment of the function of a bodily member, organ or mental faculty that is temporary (20 USC § 1365).
- d. *Weapon* means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches (18 USC § 930).

V.F. PROCEDURAL SAFEGUARDS NOTICE (34 CFR § 300.530; RULES V.F.)

On the date on which the decision is made to make a removal that constitutes a change of placement of a student with a disability because of a violation of a code of student conduct, Fast Forward Charter High School must notify the parent(s) or adult student of that decision, and provide the parent(s) or adult student the procedural safeguards notice.

V.G. DETERMINATION OF SETTING (34 CFR § 300.531; RULES V.G.)

The student's IEP Team determines the IAES for services if the behavior that gives rise to the removal is not a manifestation of the student's disability, the removal constitutes a change of placement, or the behavior falls under the special circumstances in USBE V.E.5.

V.H. APPEALS BY PARENT OR LEA (34 CFR § 300.532; RULES V.H.)

1. The parent(s) of a student with a disability or adult student who disagrees with any decision regarding placement or the manifestation determination, or an LEA that believes that maintaining the current placement of the student is substantially likely to result in injury to the student or others, may appeal the decision by filing a due process hearing complaint.
2. Authority of hearing officer.
 - a. A due process hearing officer hears and makes a determination regarding an appeal.
 - b. In making the determination, the hearing officer may:

- (1) Return the student with a disability to the placement from which the student was removed if the hearing officer determines that the removal was a violation of the discipline procedures under Part B of the IDEA or these Rules or that the student’s behavior was a manifestation of the student’s disability; or
 - (2) Order a change of placement of the student with a disability to an appropriate IAES for not more than 45 school days if the hearing officer determines that maintaining the current placement of the student is substantially likely to result in injury to the student or to others.
 - c. The appeal procedures may be repeated if Fast Forward Charter High School believes that returning the student to the original placement is substantially likely to result in injury to the student or to others.
3. Expedited due process hearing.
- a. Whenever a hearing is requested, the parent(s) or adult student or Fast Forward Charter High School must have an opportunity for an impartial due process hearing.
 - b. Fast Forward Charter High School is responsible for arranging the expedited due process hearing with the State Director of Special Education, which must occur within 20 school days of the date the complaint requesting the hearing is filed. The hearing officer must make a determination within ten school days after the hearing.
 - c. Unless the parent(s) or adult student and Fast Forward Charter High School agree in writing to waive the resolution meeting, or agree to use mediation:
 - (1) A resolution meeting must occur within seven calendar days of receiving notice of the due process complaint; and
 - (2) The due process hearing may proceed unless the matter has been resolved to the satisfaction of both parties within 15 calendar days of the receipt of the due process complaint.
 - d. The decisions on expedited due process hearings are final, unless meeting the requirements of 34 CFR § 300.514(b) or 34 CFR § 300.516.

V.I. PLACEMENT DURING APPEALS (34 CFR § 300.533; RULES V.I.)

When an appeal through a due process complaint has been made by either the parent or adult student or Fast Forward Charter High School, the student must remain in the IAES pending the decision of the hearing officer or until the expiration of the time period specified, whichever occurs first, unless the parent(s) or adult student and the SEA or LEA agree otherwise.

V.J. PROTECTIONS FOR STUDENTS NOT DETERMINED ELIGIBLE FOR SPECIAL EDUCATION AND RELATED SERVICES (34 CFR § 300.534; RULES V.J.)

1. A student who has not been determined to be eligible for special education and related services under Part B of the IDEA, and who has engaged in behavior that violated a code of student conduct, may assert any of the protections provided for in this part if Fast Forward Charter High School had knowledge that the student was a student with a disability before the behavior that precipitated the disciplinary action occurred.
2. Fast Forward Charter High School must be deemed to have knowledge that a student is a student with a disability if, before the behavior that precipitated the disciplinary action occurred:
 - a. The parent(s) of the student or adult student expressed concern in writing to supervisory or administrative personnel of Fast Forward Charter High School, or a teacher of the student, that the student is in need of special education and related services;
 - b. The parent(s) of the student or adult student requested an evaluation of the student; or
 - c. The teacher of the student, or other personnel of Fast Forward Charter High School, expressed specific concerns about a pattern of behavior demonstrated by the student directly to the director of special education of the LEA or to other supervisory personnel of the LEA.
3. Fast Forward Charter High School would not be deemed to have knowledge that a student is a student with a disability if:
 - a. The parent(s) of the student or the adult student:
 - (1) Has not allowed an evaluation of the student; or
 - (2) Has refused services under this part; or
 - b. The student has been evaluated in accordance with and determined to not be a student with a disability under Part B of the IDEA.
4. If Fast Forward Charter High School does not have knowledge that a student is a student with a disability prior to taking disciplinary measures against the student, the student may be subjected to the disciplinary measures applied to students without disabilities who engage in comparable behaviors.
 - a. If a request is made for an evaluation of a student during the time period in which the student is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
 - (1) Until the evaluation is completed, the student remains in the educational placement determined by school authorities, which can include suspension or expulsion without educational services.
 - (2) If the student is determined to be a student with a disability, taking into consideration information from the evaluation conducted by Fast Forward

Charter High School and information provided by the parent(s) or adult student, the LEA must provide special education and related services.

V.K. REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES (34 CFR § 300.535; RULES V.K.)

1. Nothing in Part B of the IDEA prohibits Fast Forward Charter High School from reporting a crime committed by a student with a disability to appropriate authorities or prevents State law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal and State law to crimes committed by a student with a disability.
2. Transmittal of records.
 - a. If Fast Forward Charter High School reports a crime committed by a student with a disability, it must ensure that copies of the special education and disciplinary records of the student are transmitted for consideration by the appropriate authorities to whom the LEA reports the crime.
 - b. If Fast Forward Charter High School reports a crime under this section, it may transmit copies of the student's special education and disciplinary records only to the extent that the transmission is permitted by the Family Educational Rights and Privacy Act (FERPA).

VI. STUDENTS WITH DISABILITIES IN OTHER SETTINGS

VI.A. PRIVATE SCHOOL PLACEMENTS BY LEAS (34 CFR § 300.325; RULES VI.A.)

1. Developing IEPs.
 - a. Before Fast Forward Charter High School places a student with a disability in, or refers a student to, a private school or facility, Fast Forward Charter High School must initiate and conduct a meeting to develop an IEP for the student in accordance with Part B of the IDEA and the Rules.
 - b. Fast Forward Charter High School must ensure that a representative of the private school or facility attends the meeting. If the representative cannot attend, the LEA must use other methods to ensure participation by the private school or facility, including individual or conference telephone calls or video conferencing.
2. Reviewing and revising IEPs.
 - a. After a student with a disability is placed in a private school or facility, any meetings to review and revise the student's IEP may be initiated and conducted by the private school or facility at the discretion of Fast Forward Charter High School.
 - b. If the private school or facility initiates and conducts these meetings, Fast Forward Charter High School must ensure that the parent(s) or adult student and an LEA representative:
 - (1) Are involved in any decisions about the student's IEP; and
 - (2) Agree to any proposed changes in the IEP before those changes are implemented.
3. Even if a private school or facility implements a student's IEP, responsibility for compliance with this part remains with Fast Forward Charter High School and the USBE.
4. Residential placement (34 CFR § 300.104).

If placement in a public or private residential program is necessary to provide special education and related services to a student with a disability, the program, including non-medical care and room and board, must be at no cost to the parent(s) of the student or adult student.

VI.B. STUDENTS WITH DISABILITIES ENROLLED BY THEIR PARENT(S) IN PRIVATE SCHOOLS WHEN FAPE IS AT ISSUE (34 CFR § 300.148; RULES VI.C.)

1. Fast Forward Charter High School is not required to pay for the cost of education, including special education and related services, of a student with a disability at a private school or facility if that LEA made a FAPE available to the student and the parent(s) or adult student elected to place the student in a private school or facility.

2. Disagreements between the parent(s) or adult student and an LEA regarding the availability of a program appropriate for the student, and the question of financial reimbursement, are subject to the State complaint and due process procedures in the Rules IV.G.–R.
3. If the parent(s) of a student with a disability or adult student, who previously received special education and related services under the authority of Fast Forward Charter High School, enroll the student in a private preschool, elementary school, or secondary school without the consent of or referral by the LEA, a court or a hearing officer may require the LEA to reimburse the parent(s) or adult student for the cost of that enrollment if the court or hearing officer finds that the LEA had not made a FAPE available to the student in a timely manner prior to that enrollment and that the private placement is appropriate. A parental placement may be found to be appropriate by a hearing officer or a court even if it does not meet the State standards that apply to education provided by the USBE and LEAs.
4. The cost of reimbursement may be reduced or denied if:
 - a. At the most recent IEP Team meeting that the parent(s) or adult student attended prior to removal of the student from the public school, the parent(s) or adult student did not inform the IEP Team that they were rejecting the placement proposed by the LEA to provide a FAPE to the student, including stating their concerns and their intent to enroll their student in a private school at public expense; or
 - b. At least ten business days (including any holidays that occur on a business day) prior to the removal of the student from the public school, the parent(s) or adult student did not give written notice to the LEA of the information described in the Rules VI.C.4.a;
 - c. Prior to the parent's(s') or adult student's removal of the student from the public school, the LEA informed the parent(s) or adult student, through the prior written notice requirements, of its intent to evaluate the student (including a statement of the purpose of the evaluation that was appropriate and reasonable), but the parent(s) or adult student did not make the student available for the evaluation; or
 - d. Upon a judicial finding of unreasonableness with respect to actions taken by the parent(s) or adult student.
5. Notwithstanding the requirements for the parent(s) or adult student to provide notice to Fast Forward Charter High School prior to removal of the student, the cost of reimbursement:
 - a. Must not be reduced or denied for failure to provide the notice if:
 - (1) The school prevented the parent(s) or adult student from providing the notice;
 - (2) The parent(s) or adult student had not received prior written notice of the notice requirement in Rules VI.C.4.a–c; or

- (3) Compliance with the notice requirements in Rules VI.C.4.a.–c. would likely result in physical harm to the student; and
- b. May, in the discretion of the court or a hearing officer, not be reduced or denied for failure to provide this notice if:
 - (1) The parent(s) or adult student are not literate or cannot write in English; or
 - (2) Compliance with Rule VI.C.4.a.–c. would likely result in serious emotional harm to the student.

VI.C. STUDENTS WITH DISABILITIES ENROLLED IN HOME SCHOOL (RULES VI.D.)

1. Dual enrollment (R277-438 and UCA 53G-6-702).
 - a. A student with a disability who is simultaneously enrolled in both home school or private school and a public school is considered a dual enrollment student.
 - b. A student with a disability seeking dual enrollment is entitled to special education and related services, under an IEP, for the time, or for the number of courses, the student is enrolled in the public school, based on the decision of the student's IEP Team. The IEP Team must consider the amount of time and courses needed for the provision of FAPE.
2. Home schools do not meet the definition of private schools (R277-438).

VI.D. STUDENTS WITH DISABILITIES ENROLLED IN VIRTUAL SETTINGS (RULES VI.F.)

1. Students with disabilities enrolled in public education virtual settings remain entitled to special education and related services until determined no longer meeting eligibility criteria, graduate with a regular high school diploma, or reach maximum age.
2. The responsibility for FAPE for students with disabilities enrolled in public education virtual settings remains with the LEA of enrollment, unless Board Rule specifies otherwise.

VI.E. STUDENTS WITH DISABILITIES WHO ARE ALSO IN STATE CUSTODY/CARE (R277-709; UCA 62A-4A-701; RULES VI.K.)

1. The obligation to make FAPE available in the LRE, including special education and related services under Part B of the IDEA and these Rules, applies to all students with disabilities in state custody/care.
2. All requirements of these Rules apply to students with disabilities in State custody/care, including child find, LRE, and continuum of alternative placements.
3. Special education programs provided through youth in custody programs shall be monitored, through regular site monitoring visits and monthly desk monitoring on an annual basis, as directed by USBE (R277-709).

4. The USBE will develop and implement a Memorandum of Understanding (MOU) with other State agencies responsible for placing students in State custody/care across LEAs or in private facilities. The MOU will address, at a minimum, payment for education and special education services, timelines for placement, and notification of LEAs of changes in placement, and assign responsibility for FAPE.
5. LEAs must develop and implement a Memorandum of Understanding (MOU), policies, and procedures to address the process and timelines for interstate and intrastate transfers of students with disabilities in State custody/care, including the transfer of special education files, including the IEP, and the implementation of the IEP and provision of FAPE in the LRE, even in temporary placements.
 - a. The LEA transferring the records must keep a copy of the records for three years after the transfer.

VI.F. STUDENTS WITH DISABILITIES WHO RESIDE IN NURSING HOMES (RULES VI.L)

1. Students with disabilities residing in nursing homes and their parent(s) or adult students have the same rights under IDEA as all other IDEA-eligible students with disabilities.

VII. TRANSITIONS (34 CFR § 300.1; RULES VII.)

VII.A. TRANSITION SERVICES—SCHOOL TO POST-SCHOOL (RULES VII.B)

1. Purpose (34 CFR § 300.1; Rules VII.B.1)

To ensure that all students with disabilities have available to them a free appropriate public education that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.

2. Definition (34 CFR § 300.43; Rules VII.B.2.)

a. *Transition services* means a coordinated set of activities for a student with a disability that:

(1) Is designed to be within a results-oriented process that is focused on improving the academic and functional achievement of the student with a disability, to facilitate the student's movement from school to post-school activities, including postsecondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation;

(2) Is based on the individual student's needs, taking into account the student's strengths, preferences, and interests, and includes:

(a) Instruction;

(b) Related services;

(c) Community experiences;

(d) The development of employment and other post-school adult living objectives; and

(e) If appropriate, acquisition of daily living skills and provision of a functional vocational evaluation.

b. Transition services for students with disabilities may be special education, if provided as specially designed instruction, or a related service, if required to assist a student with a disability to benefit from special education.

3. Parent or adult student participation (34 CFR § 300.322; Rules VII.B.3.)

For a student with a disability age 14 and older, or younger if determined appropriate by the IEP Team, the notice of meeting must indicate:

a. That a purpose of the meeting will be the consideration of the postsecondary goals and transition services for the student;

b. That Fast Forward Charter High School will invite the student; and

- c. Identify any other agency that will be invited, with the consent of the parent(s) or adult student, to send a representative.
- 4. IEP Team (34 CFR § 300.321; Rules VII.B.4.)

For an IEP Team meeting that includes as a purpose the development of a transition plan:

 - a. Fast Forward Charter High School must invite the student with a disability to attend the student's IEP meeting if a purpose of the meeting will be the consideration of the post-secondary goals for the student and the transition services needed to assist the student in reaching those goals.
 - b. If the student does not attend the IEP meeting, Fast Forward Charter High School must take other steps to ensure that the student's preferences and interests are considered.
 - c. To the extent appropriate, with the consent of the parent(s) or adult student, Fast Forward Charter High School must invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.
- 5. Definition of IEP (34 CFR § 300.320(b); Rules VII.B.5.)
 - a. Transition services. For a student with a disability, ages 14 and older, or younger if determined appropriate by the IEP Team, and updated annually thereafter, the IEP must include:
 - (1) Realistic and reasonable measurable postsecondary goals based upon annual age-appropriate transition assessments related to training or education, employment, and, where appropriate, independent living skills;
 - (2) Transition services, including multi-year courses of study, that will reasonably enable the student to reach the post-secondary goals identified on the IEP;
 - (3) Evidence that the student was invited to the IEP Team meeting where transition services are to be discussed. If the student does not attend the IEP meeting, the IEP Team must take other steps to ensure the student's preferences and interests are considered;
 - (4) If appropriate, evidence that a representative of any participating agency that might be providing or paying for any transition services was invited to the IEP Team meeting with written consent of the parent or adult student prior to the meeting; and
 - (5) Any modifications to graduation requirements, as permitted under R277-700.
 - b. Students with disabilities must have access to school counselors for the purpose of planning and must be actively invited and included (when appropriate) in school activities which address course planning (including online courses), graduation, and post-secondary education and employment (i.e., college week, scholarship opportunities, ACT, and concurrent enrollment).

6. Transfer of rights at age of majority (34 CFR §§ 300.320(c), 300.520; Rules VII.B.6.)
 - a. Not later than the student's 17th birthday, the IEP must include a dated statement, signed by the student, parent, and an LEA Representative, that the student and the student's parent(s) have been informed of parent's rights under Part B of the IDEA that will transfer to the student on reaching the age of majority (i.e., age 18), except for a student with a disability who has been determined to be incompetent by a court.
 - b. All rights accorded to parents under Part B of the IDEA transfer to the student on his/her 18th birthday unless the IEP Team determines that:
 - (1) The parent has obtained legal guardianship, power of attorney, or conservatorship; or
 - (2) The student has married or become emancipated (in which case the rights transfer at that time).
 - c. All rights accorded to parents under Part B of the IDEA transfer to students who are incarcerated in an adult or juvenile State or local correctional institution.
7. Termination of eligibility as a change of placement (34 CFR § 300.305; Rules VII.B.7.)
 - a. An evaluation is not required before the termination of a student's eligibility under this part due to graduation from secondary school with a regular high school diploma, or due to exceeding the age of eligibility for FAPE under Utah law.
 - b. For a student whose eligibility terminates due to graduation from secondary school with a regular diploma, or due to exceeding the age of eligibility for FAPE under Utah law, an LEA must provide the student with a summary of the student's academic achievement and functional performance which shall include a statement of the student's post-secondary goals, recommendations on how to assist the student in meeting the student's postsecondary goals, and a statement of when and how accommodations were used for instruction and assessment.
 - c. Receipt of a general educational development (GED) credential does not end eligibility for FAPE.
8. Failure to meet transition objectives (34 CFR § 300.324; Rules VII.B.8.)
 - a. If a participating agency, other than Fast Forward Charter High School, fails to provide the transition services described in the IEP, the LEA must reconvene the IEP Team to identify alternative strategies to meet the transition objectives for the student set out in the IEP.
 - b. Nothing relieves any participating agency, including a State vocational rehabilitation agency, of the responsibility to provide or pay for any transition service that the agency would otherwise provide to students with disabilities who meet the eligibility criteria of that LEA (34 CFR § 300.324).

- c. If any public agency other than an educational agency is otherwise obligated under Federal or State law, or assigned responsibility under State policy or an interagency agreement, to provide or pay for any services that are also considered special education or related services such as, but not limited to, services relating to assistive technology devices, assistive technology services, related services, supplementary aids and services, and transition services, that are necessary for ensuring a FAPE to students with disabilities within the State, the public agency must fulfill that obligation or responsibility, either directly or through contract or other arrangement or as provided in an interagency agreement.
9. Students with disabilities in adult prisons (34 CFR § 300.324; Rules VII.B.9.)
- a. The requirements relating to transition planning and transition services do not apply with respect to those students whose eligibility under Part B of the IDEA will end, because of their age, before they will be eligible to be released from prison based on consideration of their sentence and eligibility for early release.
 - b. The obligation to make FAPE available to all students with disabilities does not apply with respect to students ages 18 through 21 to the extent that State law does not require that special education and related services under Part B of the IDEA be provided to students with disabilities who, in the last educational placement prior to their incarceration in an adult correctional facility (34 CFR § 300.102):
 - (1) Were not actually identified as being a student with a disability; and
 - (2) Did not have an IEP under Part B of the IDEA.
 - c. The exception does not apply to students with disabilities ages 18 through 21 who:
 - (1) Had been identified as a student with a disability and had received services in accordance with an IEP, but who left school prior to their incarceration; or
 - (2) Did not have an IEP in their last educational setting, but who had actually been identified as a student with a disability.

VII.B. GRADUATION (UCA 53E-7-202; R277-705; RULES VIII.C.)

- 1. The obligation of Fast Forward Charter High School to make FAPE available to all students with disabilities does not apply to students with disabilities who have graduated from high school with a regular high school diploma (34 CFR § 300.102(a)(3)(i)).
 - a. The exception above does not apply to students that have graduated from high school but have not been awarded a regular high school diploma (34 CFR § 300.102(a)(3)(ii)).
 - b. Fast Forward Charter High School may not withhold a regular high school diploma from a student who has met State or LEA graduation requirements.

- c. Graduation from high school with a regular high school diploma constitutes a change in placement, requiring prior written notice that must contain all the requirements in Rule IV.D, including being given a reasonable time before Fast Forward Charter High School proposed to terminate the student’s eligibility under the IDEA by issuing the student a diploma (34 CFR § 300.503).
 - d. The term “regular high school diploma” does not include an alternative degree that is not fully aligned with the State's academic standards, such as a certificate or a GED (34 CFR § 300.102(a)(3)(iv)).
2. A student with a disability served by a special education program shall satisfy high school completion or graduation criteria, consistent with State and federal law and the student's IEP. Fast Forward Charter High School may modify graduation requirements consistent with the student’s IEP (R277-700-6(25)). Fast Forward Charter High School may award a student a certificate of completion consistent with state and federal law and the student's IEP.
 3. The IEP Team must refer to the USBE Special Education Graduation Guidelines for additional information regarding modifying graduation requirements and IEP substitutions.

VII.C. TERMINATION OF SERVICES UPON REACHING AGE 22 (R277-419-2(25)(B); RULES VII.D.)

1. If a student with a disability turns 22 any time after July 1, LEAs must continue to provide FAPE until the end of that school year.

VIII. RESPONSIBILITIES OF THE UTAH STATE BOARD OF EDUCATION

In addition to the requirements listed below, Fast Forward Charter High School provides data as required for State and Federal reports and other State functions as listed in Rules VIII.

VIII.A. GENERAL SUPERVISORY AUTHORITY

1. LEA Special Education Program Funding (Rules VIII.A.3.)
 - a. Fast Forward Charter High School shall provide, either singly or in cooperation with other school districts or public institutions, a free appropriate public education program for all students with disabilities who are enrolled in Fast Forward Charter High School. The program shall include necessary special facilities, instruction, and education-related services. The costs of Fast Forward Charter High School's program, or share of a joint program, shall be paid from LEA funds.
 - b. Fast Forward Charter High School shall receive funds under UCA Title 53F, Chapter 2, State Funding--Minimum School Program, and other applicable laws to provide special education services in accordance with the Rules.
 - c. Fast Forward Charter High School may, singly or in cooperation with other public entities, provide education and training for persons with disabilities who are younger than 3 or older than 22. The cost of such a program may be paid from fees, contributions, and other funds received by LEA for support of the program but may not be paid from public education funds.
 - d. The requirements of Part B of the IDEA and the Rules are binding on each LEA and other public agency that has direct or delegated authority to provide special education and related services in the State of Utah.

VIII.B. STATE ELIGIBILITY (34 CFR § 300.110; RULES VIII.B.3.)

1. Program Options.
 - a. Fast Forward Charter High School takes steps to ensure that its students with disabilities have available to them the variety of educational programs and services available to nondisabled students in the area served by the agency, including art, music, industrial arts, consumer and homemaking education, and vocational education.

VIII.C. USBE PROGRAM MONITORING (RULES VIII.D.2-3.)

1. Fast Forward Charter High School is involved in the Utah's Program Improvement Planning System (UPIPS) monitoring system, as required under Part B of the IDEA, R277-709, and R277-114-3. Fast Forward Charter High School shall complete the required activities according to the timeline provided by the USBE staff.
2. Results of the monitoring process are publicly available, upon request.

VIII.D. PERSONNEL QUALIFICATIONS (34 CFR § 300.156; RULES VIII.K.3-5.)

1. Qualifications for special education teachers (R277-504).

The USBE and IDEA established qualifications for each person employed as a public school special education teacher in the State who teaches in an elementary school, middle school, or secondary school.

2. Related services personnel and paraeducators (R277-506 and R277-524).

The qualifications include qualifications for related services personnel and paraeducators that:

- a. Are consistent with any State-approved or State-recognized certification, licensing, registration, or other comparable requirements that apply to the professional discipline in which those personnel are providing special education or related services; and
- b. Ensure that related services personnel who deliver services in their discipline or profession:
 - (1) Meet the requirements; and
 - (2) Have not had certification or licensure requirements waived on an emergency, temporary, or provisional basis; and
- c. Allow paraeducators and assistants who are appropriately trained and supervised, in accordance with State law, regulation, or written policy, in meeting the requirements of this part, to be used to assist in the provision of special education and related services under Part B of the IDEA to students with disabilities.
- d. Interpreters for the Deaf.

Under UCA 35A-13-604, an individual is required to be certified as an interpreter if that individual provides interpreter services for deaf and hard of hearing students.

3. Notwithstanding any other individual right of action that a parent, adult student, or student may maintain under this part, nothing in this part shall be construed to create a right of action on behalf of an individual student or a class of students for the failure of a particular SEA, LEA, or other public agency employee to be highly qualified, or to prevent a parent or adult student from filing a State complaint about staff qualifications with the State Director of Special Education.

VIII.E. REPORTING ON SUSPENSION AND EXPULSION RATES (34 CFR § 300.170; RULES VIII.M.)

1. Through daily uploads, Fast Forward Charter High School shall report to the USBE staff, through the UTREx reporting system, on the rates of long-term suspensions and expulsions of students with disabilities and nondisabled students, including data

disaggregated by race and ethnicity. The USBE staff shall examine these data to determine if significant discrepancies are occurring:

- a. Between nondisabled students and students with disabilities within Fast Forward Charter High School.
2. If discrepancies are occurring, the USBE staff shall review and, if appropriate, require revisions in both USBE and LEA policies, procedures, and practices to ensure compliance with Part B of the IDEA.
3. Policies, procedures, and practices to be reviewed and, if appropriate, revised, include:
 - a. The development and implementation of IEPs;
 - b. The use of positive behavior interventions and supports; and
 - c. Procedural safeguards.

VIII.F. PROHIBITION ON MANDATORY MEDICATION (34 CFR § 300.174; RULES VIII.X.)

1. The USBE prohibits State and Fast Forward Charter High School personnel from requiring parents or adult students to obtain a prescription for substances identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act for a student as a condition of attending school, receiving an evaluation, or receiving services under Part B of the IDEA (21 USC § 812(c)).
2. Nothing in Rules VIII.X.1. shall be construed to create a Federal prohibition against teachers and other school personnel consulting or sharing classroom-based observations with parent(s) or adult student regarding a student's academic and functional performance, or behavior in the classroom or school, or regarding the need for evaluation for special education or related services related to child find.

IX. LEA ELIGIBILITY AND RESPONSIBILITIES

IX.A. LEA ELIGIBILITY FOR IDEA PART B FUNDS (34 CFR §§ 300.211–212, 220)

Federal special education funding is made available through a grant to the state from the Office of Special Education Programs (OSEP). These funds are restricted and may only be used to provide services and program for students who qualify under Part B of the IDEA. Funds are available for students who are 3–5 (section 619 Preschool) and for students age 3–21 (section 611 School-Age). Some funds are retained at the state level for administration and for state level activities. The remaining funds are distributed to Utah Local Education Agencies (LEAs) by formula.

1. Annually, the USBE staff shall notify Fast Forward Charter High School of the availability of Federal funds under Part B of the IDEA. In order to receive IDEA Part B flow-through funds, Fast Forward Charter High School must have in effect a USBE-approved special education program (Rules X.B.2.), including policies and procedures that are consistent with the Rules.
2. Fast Forward Charter High School must have a USBE-approved special education program (UCA 53F-2-307; (Rules IX.A.2)). Fast Forward Charter High School’s program is approved by the state board when Fast Forward Charter High School’s special education policies and procedures are approved by the USBE special education staff and then by Fast Forward Charter High School’s local board in a public meeting. Fast Forward Charter High School must submit documentation of the local board’s approval to the USBE special education staff. The USBE approval of Fast Forward Charter High School’s policies and procedures includes the approval of any supporting documentation necessary to ensure their implementation. All required minimum components of Rules A.2.a-e are addressed in this policies and procedures manual.
3. As part of establishing eligibility for Part B funds, Fast Forward Charter High School must have revised policies and procedures in alignment with the IDEA 2004 final regulations and current Rules within one year of the final USBE approval of Rules.
4. Policies and procedures submitted by Fast Forward Charter High School in accordance with this section, and approved by the USBE staff, remain in effect until any of the following occur (34 CFR § 300.220):
 - a. The LEA submits modifications to the USBE staff that the SEA or LEA determines are necessary;
 - (1) The provisions of the Rules apply to any modifications in an LEA’s policies and procedures in the same manner and to the same extent as the LEA’s original policies and procedures.
 - b. The USBE staff gives the LEA notice of a new interpretation of the IDEA by Federal or State courts, or a change in Federal statute; or

- c. There is an official finding of noncompliance with Federal or State law or regulations that requires a change in the LEA's policy and procedures.
5. Fast Forward Charter High School must have on file with the USBE staff information to demonstrate that it will make available to parents of students with disabilities or adult students and to the general public all documents relating to the eligibility of the LEA under Part B of the IDEA (34 CFR § 300.212).
 6. Fast Forward Charter High School creates annual improvement goals based on the State Performance Plan (SPP) and Annual Performance Report (APR) Indicators to improve outcomes for students with disabilities (Rules IX.A.2.d(2)(r)).
 7. Fast Forward Charter High School collects and provides additional information which the USBE may require in order to meet Federal reporting requirements, including suspension and expulsion rates, LRE environments, disproportionality data, personnel information, and others (Rules IX.A.2.e).

IX.B. USE OF PART B FEDERAL FUNDS BY THE LEA (34 CFR §§ 300.200–206, 208)

1. Fast Forward Charter High School submits a plan that provides assurances to the USBE that Fast Forward Charter High School meets each of the conditions in Rules IX.B (34 CFR § 300.200).
2. Fast Forward Charter High School has in effect policies, procedures, and programs that are consistent with the State policies and procedures established in the Rules (34 CFR § 300.201).
3. Use of amounts (34 CFR § 300.202).

Fast Forward Charter High School has on file with the USBE staff information to demonstrate that amounts provided to the LEA under Part B of the IDEA:

- a. Will be expended in accordance with the applicable provision of the Rules.
 - b. Will be used only to pay the excess costs of providing special education and related services to students with disabilities consistent with the Rules; and
 - c. Will be used to supplement State, local, and other Federal funds and not to supplant those funds.
4. The excess cost requirement prevents Fast Forward Charter High School from using funds provided under Part B of the IDEA to pay for all of the costs directly attributable to the education of a student with a disability.
 5. Fast Forward Charter High School meets the excess cost requirement if it has spent at least a minimum average amount for the education of its students with disabilities before funds under Part B of the IDEA are used.
 6. Maintenance of effort (34 CFR § 300.203).

a. Eligibility standard.

- (1) For purposes of establishing Fast Forward Charter High School's eligibility for an award for a fiscal year, the USBE must determine that Fast Forward Charter High School budgets for the education of students with disabilities for at least the same amount, from at least one of the following sources, as Fast Forward Charter High School spent for that purpose from the same source for the most recent fiscal year for which information is available:
 - (a) Local funds only;
 - (b) The combination of State and local funds;
 - (c) Local funds only on a per capita basis; or
 - (d) The combination of State and local funds on a per capita basis.
- (2) When determining the amount of funds that Fast Forward Charter High School must budget to meet the requirement in paragraph Rules IX.B.6.a.(1), Fast Forward Charter High School may take into consideration, to the extent the information is available, the exceptions and adjustment provided in 34 CFR §§ 300.204 and 300.205 that Fast Forward Charter High School:
 - (a) Took in the intervening year or years between the most recent fiscal year for which information is available and the fiscal year for which Fast Forward Charter High School is budgeting; and
 - (b) Reasonably expects to take in the fiscal year for which Fast Forward Charter High School is budgeting.
- (3) Expenditures made from funds provided by the Federal government for which the SEA is required to account to the Federal government or for which Fast Forward Charter High School is required to account to the Federal government directly or through the USBE may not be considered in determining whether Fast Forward Charter High School meets the standard in Rules IX.B.6.a.(1).

b. Compliance standard.

- (1) Except as provided in 34 CFR §§ 300.204 and 300.205, funds provided to Fast Forward Charter High School under Part B of the IDEA will not be used to reduce the level of expenditures for the education of students with disabilities made by the LEA from local funds below the level of those expenditures for the preceding fiscal year.
- (2) Fast Forward Charter High School meets this standard if it does not reduce the level of expenditures for the education of students with disabilities made by Fast Forward Charter High School from at least one of the following sources below the level of those expenditures from the same source for the preceding fiscal year, except as provided in 34 CFR §§ 300.204 and 300.205:
 - (a) Local funds only;

- (b) The combination of State and local funds;
 - (c) Local funds only on a per capita basis; or
 - (d) The combination of State and local funds on a per capita basis.
- (3) Expenditures made from funds provided by the Federal government for which the SEA is required to account to the Federal government or for which Fast Forward Charter High School is required to account to the Federal government directly or through the USBE may not be considered in determining whether Fast Forward Charter High School meets the standard of Rules IX.B.6.b.(1) and IX.B.6.b.(2).
- c. Subsequent years.
- (1) If, in the fiscal year beginning on July 1, 2013 or July 1, 2014, Fast Forward Charter High School fails to meet the requirements of 34 CFR § 300.203 in effect at that time, the level of expenditures required of Fast Forward Charter High School for the fiscal year subsequent to the year of the failure is the amount that would have been required in the absence of that failure, not Fast Forward Charter High School's reduced level of expenditures.
 - (2) If, in any fiscal year beginning on or after July 1, 2015, Fast Forward Charter High School fails to meet the requirement of Rules IX.B.6.b.(2)(a) or IX.B.6.b.(2)(c) and Fast Forward Charter High School is relying on local funds only, or local funds only on a per capita basis, to meet the requirements of the Rules IX.B.6.a or IX.B.6.b, the level of expenditures required of Fast Forward Charter High School for the fiscal year subsequent to the year of the failure is the amount that would have been required under Rules IX.B.6.b.(2)(a) or IX.B.6.b.(2)(c) in the absence of that failure, not Fast Forward Charter High School's reduced level of expenditures.
 - (3) If, in any fiscal year beginning on or after July 1, 2015, Fast Forward Charter High School fails to meet the requirement of Rules IX.B.6.b.(2)(b) or IX.B.6.b.(2)(d) and Fast Forward Charter High School is relying on the combination of State and local funds, or the combination of State and local funds on a per capita basis, to meet the requirements of Rules IX.B.6.a or IX.B.6.b, the level of expenditures required of Fast Forward Charter High School for the fiscal year subsequent to the year of the failure is the amount that would have been required under Rules IX.B.6.b.(2)(b) or IX.B.6.b.(2)(d) in the absence of that failure, not Fast Forward Charter High School's reduced level of expenditures.
- d. Consequence of failure to maintain effort.
- (1) If Fast Forward Charter High School fails to maintain its level of expenditures for the education of students with disabilities in accordance with Rules IX.B.6.b, the USBE is liable in a recovery action under section 452 of the General Education Provisions Act (20 USC § 1234a) to return to the Department, using non-Federal

funds, an amount equal to the amount by which Fast Forward Charter High School failed to maintain its level of expenditures in accordance with Rules IX.B.6.b. in that fiscal year, or the amount of Fast Forward Charter High School's Part B subgrant in that fiscal year, whichever is lower.

- (2) If the USBE is required to return funds to the Department because of Fast Forward Charter High School's failure to meet the Maintenance of Effort requirement, the USBE shall reduce the amount provided to Fast Forward Charter High School's Minimum School Program (MSP) Basic Program on a 1/12 basis.

7. Exception to maintenance of effort (34 CFR § 300.204).

Fast Forward Charter High School may reduce the level of expenditures by Fast Forward Charter High School under Part B of the IDEA below the level of those expenditures for the preceding fiscal year if the reduction is attributable to any of the following:

- a. The voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel.
- b. A decrease in the enrollment of students with disabilities.
- c. The termination of the obligation of Fast Forward Charter High School, consistent with this part, to provide a program of special education to a particular student with a disability that is an exceptionally costly program, as determined by the USBE staff, because the student:
 - (1) Has left the jurisdiction of Fast Forward Charter High School;
 - (2) Has reached the age at which the obligation of Fast Forward Charter High School to provide a FAPE to the student has terminated; or
 - (3) No longer needs the program of special education.
- d. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.
- e. The assumption of cost by the high-cost (i.e., Intensive Services fund) fund operated by the USBE staff.

8. Adjustment to local fiscal efforts in certain fiscal years (34 CFR § 300.205).

- a. For any fiscal year for which the allocation received by Fast Forward Charter High School under Part B of the IDEA exceeds the amount the LEA received for the previous fiscal year, Fast Forward Charter High School may reduce the level of expenditures otherwise required by maintenance of efforts requirements by not more than 50 percent of the amount of that excess.
- b. Use of amounts to carry out activities under ESEA/ESSA.

If Fast Forward Charter High School exercises the authority to reduce the level of expenditures due to an increase in Part B funds, Fast Forward Charter High School

- must use an amount of local funds equal to the reduction in expenditures to carry out activities that could be supported with funds under the ESEA/ESSA, regardless of whether Fast Forward Charter High School is using funds under the ESEA/ESSA for those activities.
- c. The USBE staff must prohibit Fast Forward Charter High School from reducing the level of expenditures for a fiscal year, if the USBE staff determines that:
 - (1) Fast Forward Charter High School is unable to establish and maintain programs of FAPE that meet the requirements of Part B of the IDEA, or
 - (2) The USBE staff has taken action against Fast Forward Charter High School under Section 616 of the IDEA and subpart F of the regulations (Monitoring, Technical Assistance, and Enforcement).
 - d. The amount of funds expended by Fast Forward Charter High School for mandatory or voluntary Coordinated Early Intervening Services (CEIS) shall count toward the maximum amount of expenditures that Fast Forward Charter High School may reduce under the requirements of this section.
9. If the USBE staff determines that Fast Forward Charter High School is not meeting the requirements of the Rules, the USBE staff may prohibit Fast Forward Charter High School from treating funds received under Part B of the IDEA as local funds under this section for any fiscal year, but only if it is authorized to do so by the State constitution or State statute.
10. School-wide programs under Title I of the ESEA/ESSA (34 CFR § 300.206).
- a. Fast Forward Charter High School may use funds received under Part B of the IDEA for any fiscal year to carry out a school-wide program under section 1114 of the ESEA/ESSA, except that the amount used in any school-wide program may not exceed the amount received by the LEA under Part B of the IDEA for that fiscal year:
 - (1) Divided by the number of students with disabilities in the jurisdiction of the LEA; and
 - (2) Multiplied by the number of students with disabilities participating in the school-wide program.
 - b. The funds described in this section must be considered as Federal Part B funds for purposes of the calculations required for excess costs and supplanting.
 - c. The funds may be used without regard to the requirements of 34 CFR § 300.202(a)(1) of the IDEA.
 - d. All other requirements of Part B of the IDEA must be met by Fast Forward Charter High School using Part B funds for school-wide programs under section 1114 of the ESEA/ESSA, including ensuring that students with disabilities in school-wide program schools:
 - (1) Receive services in accordance with a properly developed IEP; and

- (2) Are afforded all the rights and services guaranteed to students with disabilities under Part B of the IDEA.

IX.C. CHARTER SCHOOLS AND THEIR STUDENTS (34 CFR § 300.209; RULES IX.C.)

1. Students with disabilities ages 3 through 21 who attend public charter schools and their parent(s) or adult students retain all rights under Part B of the IDEA and Rules.
2. Fast Forward Charter High School receives funding under Part B or State special education funding and is responsible for ensuring that all of the requirements of Part B of the IDEA and Rules are met. Fast Forward Charter High School may not refer potential or enrolled students with disabilities back to their school district of residence due to a disability, child find, or need for special education and related services, including placements.
3. Nothing in Rules prohibit school districts and charter schools from developing a Memorandum of Understanding (MOU) to address student specific needs and/or placements.

IX.D. COORDINATED EARLY INTERVENING SERVICES (CEIS) (34 CFR § 300.226; RULES IX.D.)

1. Fast Forward Charter High School may not use more than 15 percent of the amount Fast Forward Charter High School receives under Part B of the IDEA for any fiscal year, less any amount reduced by the LEA pursuant to maintenance of effort, if any, in combination with other amounts (which may include amounts other than education funds), to develop and implement coordinated early intervening services (CEIS), which may include interagency financing structures, for students in kindergarten through grade 12 (with a particular emphasis on students in kindergarten through grade three) who are not currently identified as needing special education or related services, but who need additional academic and behavioral support to succeed in a general education environment.
2. In implementing CEIS, Fast Forward Charter High School may carry out activities that include:
 - a. Professional learning (which may be provided by entities other than LEAs) for teachers and other school staff to enable such personnel to deliver scientifically based academic and behavior interventions, including scientifically based literacy instruction, and, where appropriate, instruction on the use of adaptive and instructional software; and
 - b. Providing educational and behavioral evaluations, services, and supports, including scientifically based literacy instruction.
3. CEIS may not be used to limit or create a right to FAPE under Part B of the IDEA or to delay appropriate evaluation of a student suspected of having a disability.

4. Fast Forward Charter High School must annually report to the USBE staff on:
 - a. The number of students served under this section who received early intervening services; and
 - b. The number of students served under this section who received early intervening services and subsequently receive special education and related services under Part B of the IDEA during the preceding two-year period.
5. Funds made available to carry out this section may be used to carry out coordinated early intervening services aligned with activities funded by, and carried out under, the ESEA/ESSA if those funds are used to supplement, and not supplant, funds made available under the ESEA/ESSA for the activities and services assisted under this section. LEAs should refer to the USBE CEIS Technical Assistance for additional information.

IX.E. PERSONNEL DEVELOPMENT (34 CFR § 300.207; RULES IX.E.)

1. Fast Forward Charter High School must ensure that all personnel necessary to carry out Part B of the IDEA are appropriately and adequately prepared, subject to the requirements related to personnel qualifications and section 2122 of the ESEA/ESSA, as well as 34 CFR § 300.156; R277-504, R277-506, R277-520, and R277-524.
2. Para educators, when used to carry out Part B of the IDEA, must be appropriately trained and supervised, and utilized in accordance with USBE Para educator Standards.
3. Fast Forward Charter High School shall provide documentation of para educator training and supervision to USBE staff upon request.

IX.F. LEA PROVISION OF FAPE (34 CFR § 300.101; RULES IX.G.)

1. Fast Forward Charter High School Special Education Director will oversee the caseload of each special educator (including psychologists, social workers, speech-language pathologists, occupational therapists, physical therapists, adapted PE specialists, and any other related servers) to ensure that a free appropriate public education is available to all eligible students with disabilities

IX.G. ROUTINE CHECKING OF HEARING AIDS AND EXTERNAL COMPONENTS OF SURGICALLY IMPLANTED MEDICAL DEVICES (34 CFR § 300.113; RULES IX.H.)

1. Hearing aids. Fast Forward Charter High School must ensure that hearing aids worn in school by students with hearing loss, including deafness, are functioning properly.
2. External components of surgically implanted medical devices.
 - a. Subject to Rules IX.H.2.b, each public agency must ensure that the external components of surgically implanted medical devices are functioning properly.
 - b. For a student with a surgically implanted medical device who is receiving special education and related services, Fast Forward Charter High School is not responsible

for the post-surgical maintenance, programming, or replacement of the medical device that has been surgically implanted (or of an external component of the surgically implanted medical device).

IX.H. EDUCATOR LICENSE REQUIREMENTS (R277-504; R277-506; R277-520; RULES IX.I.)

Professionals providing services to students with disabilities must hold a Utah Professional Educator License or Endorsement in the area in which they provide services. This includes special education teachers, speech/language pathologists, school psychologists, school social workers, and other professionals. Physical and occupational therapists must hold appropriate Utah licensure. The charter school administration shall be responsible for the evaluation of the appropriateness of licenses and endorsements when assigning staff members. Fast Forward Charter High School refers to the USBE Teaching, Leadership, and Paraeducator Standards.

1. *Special Education (K–12) License* area of concentration means the license required for teaching students with disabilities in kindergarten through grade 12. Special Education areas of concentration carry endorsements in at least one of the following areas (R277-504-2(13)(a)):
 - a. Mild/Moderate Disabilities,
 - b. Severe Disabilities,
 - c. Deaf and Hard of Hearing,
 - d. Blind and Visually Impaired, and
 - e. Deafblind.
2. Teachers providing services to the single category of Speech Language Impairment must hold the appropriate license, endorsement, or area of concentration in the category of Speech Language Impairment (R277-506).
3. Teachers assigned to teach academic subjects in elementary and secondary special education programs must, in addition to their special education license, meet the standards for personnel under the USBE and the ESEA/ESSA.
4. School social workers and school psychologists providing services to students with disabilities must be licensed by the USBE (R277-506).
5. Individuals providing psychological evaluation services for students with disabilities must hold a Utah education license for school psychologists or State licensure and meet the assessment publisher’s criteria for administration (R277-506).

IX.I. PURCHASE OF INSTRUCTIONAL MATERIALS IN ACCESSIBLE FORMATS (34 CFR § 300.210; RULES IX.J.)

1. Fast Forward Charter High School chooses to coordinate with the National Instructional Materials Access Center (NIMAC), when purchasing print instructional materials, and

must acquire those instructional materials in the same manner, and subject to the same conditions as the USBE under Rules VIII.W.

2. Nothing in this section relieves Fast Forward Charter High School of its responsibility to ensure that students with disabilities who need instructional materials in accessible formats but are not included under the definition of blind or other persons with print disabilities or who need materials that cannot be produced from NIMAS files, receive those instructional materials in a timely manner.
3. For all purposes of this section, the USBE defines timely manner as follows: the SEA and LEAs must take reasonable steps to provide instructional materials in accessible formats to students with disabilities who need those instructional materials at the same time as other students receive instructional materials.

X. SPECIAL EDUCATION FUNDING (RULES X.)

As the State Education Agency (SEA), the USBE has a responsibility under both Federal and State law to monitor implementation of the IDEA by LEAs through a system of general supervision that improves educational results and functional outcomes and ensures that public agencies meet program requirements. The special education program that is funded both from federal and state funds and it is critical to understand the similarities and differences of these funding sources.

“Federal special education funds” means funds paid to the State under IDEA Part B for the purposes of special education.

“State special education funds” means state funds appropriated to public education for the purposes of special education.

Federal special education funds are calculated, allocated, and classified differently than state special education funds. Rules X outline the regulations, restrictions, and allowable costs and activities applicable to each funding source; some requirements are the same for both funding sources and some provisions apply only to one or the other.

X.A. STATE SPECIAL EDUCATION FUNDS GENERALLY (RULES X.A.)

1. State special education funds may be spent only for direct costs, as outlined in Rules. Direct costs are those elements of cost which can be easily, obviously, and conveniently identified with specific special education activities or programs, as distinguished from those costs incurred for several different activities or programs and whose elements are not readily identifiable with specific special education activities.
2. State special education funds are appropriated to the Minimum School Program (MSP) and provide restricted (categorical) monies that must be spent for the education of students with disabilities.

X.B. ALLOCATION OF STATE SPECIAL EDUCATION FUNDS FOR PROGRAMS FOR STUDENTS WITH DISABILITIES (UCA 53F-2-307; R277-479; RULES X.B.3.)

1. Fast Forward Charter High School must be current with the Utah Program Improvement Planning System (UPIPS) monitoring requirements, including correction of noncompliance within one year of notification, annual Corrective Action Plan (CAP) and Program Improvement Plan (PIP) reports, and desk audit submissions to be eligible for State special education funds.

X.C. SPECIAL EDUCATION ADD-ON ALLOWABLE USE (FUND 1205) (UCA 53F-2-307(1); RULES X.C.)

1. Fast Forward Charter High School will use Special Education add-on funds in accordance with Rules X.B. and to cover the direct costs of providing special education to students with disabilities.

X.D. SPECIAL EDUCATION SELF-CONTAINED ALLOWABLE USE (FUND 1210) (UCA 53F-2-307(3); RULES X.E.)

1. "Self-contained" means a public-school student with an IEP or a youth in custody/care (YIC) who receives 180 minutes or more of special education or YIC services during a typical school day per R277-419-2(35).
2. Fast Forward Charter High School will use Special Education Self-Contained funds only for direct costs attributable to the cost of the special education of students with disabilities whose placement is a special class or self-contained environment.

X.E. STATE SPECIAL EDUCATION IMPACT AID ALLOWABLE USE (FUND 1225) (UCA 53F-2-307(1); RULES X.I.)

1. Fast Forward Charter High School will use state special education funds for direct costs attributable to the cost of administering the special education program as follows:
 - a. Costs for students in state custody (prisons, detention facilities, and the state hospital)
 - b. Additional costs attributable for services to students with low-incidence disabilities

X.F. STATE SPECIAL EDUCATION EXTENDED SCHOOL YEAR (ESY) ALLOWABLE USE (FUND 1220) (UCA 53F-2-308(2); RULES X.K.)

1. Fast Forward Charter High School will use state special education funds for direct costs attributable to the cost of extended year services (ESY) provided to students with disabilities, determined by the student's IEP team to require ESY in order to receive a FAPE and in accordance with R277-751.

X.G. STATE EXTENDED SCHOOL YEAR STIPEND FOR SPECIAL EDUCATORS (EYSE) ALLOWABLE USE (FUND 1278) (UCA 53F-2-310; RULES X.M.)

1. Fast Forward Charter High School will use state special education funds for salaries and allowable benefits of Special Education Teachers, or Speech Language Pathologists who provide eligible services under R277-525-2.
2. A special educator receiving a stipend shall: (a) work an additional day beyond the number of days contracted with the special educator's school district or school for each daily stipend; (b) schedule the additional days of work before or after the school year; and (c) use the additional days of work to perform duties related to the IEP process, including: administering student assessments, conducting IEP meetings, writing IEP's, conferring with parent(s) or adult students, and preparing and maintaining records.

X.H. STATE SPECIAL EDUCATION INTENSIVE SERVICES ALLOWABLE USE (FUND 1230) (UCA 53F-2-309(1); RULES X.O.)

1. Fast Forward Charter High School will use state special education funds for direct costs attributable to the cost of implementing IEPs for students with disabilities.
2. Cost of services to a student with a disability must be in excess of three times the annual average per pupil expenditure (APPE) as calculated by USBE Financial Operations.
3. Costs must meet the eligibility requirements outlined in R277-752.

X.I. STATE SPECIAL EDUCATION FUNDS ALLOWABLE USE (RULES X.P.)

1. As stated in X.B., state special education funds may be spent only for direct costs, as outlined in the Rules. Direct costs are those elements of cost which can be easily, obviously, and conveniently identified with specific special education activities or programs, as distinguished from those costs incurred for several different activities or programs and whose elements are not readily identifiable with specific special education activities. (Rules X.A.1.).
2. Fast Forward Charter High School will use state special education funds for the costs of providing for specially designed instruction, related services, and supplementary aids and services provided in a regular class or other education-related setting to a student with a disability in accordance with the IEP of the student.
3. Fast Forward Charter High School will use state special education funds for the costs of including peer models in IEP services that require a peer model.
4. Fast Forward Charter High School will use state special education funds for the costs of providing co-teaching, in which both a licensed general educator and licensed special education teacher plan and provide specially designed instruction.
5. Fast Forward Charter High School follows the allowable use of state special education funds as listed in Rules X.P.6.

X.J. ALLOWABLE COSTS FOR FEDERAL (IDEA) SPECIAL EDUCATION FUNDS (RULES X.R.1.; 4-7.)

1. Funds paid to the State under IDEA Part B for the purposes of special education (“Federal special education funds”) are calculated, allocated, and classified differently than State special education funds.
2. Fast Forward Charter High School will use Federal special education funds for the costs of providing for specially designed instruction, related services, and supplementary aids and services provided in a regular class or other education-related setting to a student with a disability in accordance with the IEP of the student.
3. Fast Forward Charter High School will use Federal special education funds for the costs of providing inclusive special education preschool services are an allowable excess cost under IDEA (34 CFR § 300.16).

4. Fast Forward Charter High School will use Federal special education funds for the costs of including peer models in IEP services that require a peer model.
5. Fast Forward Charter High School will use Federal special education funds for the costs of providing co-teaching, in which both a licensed general educator and licensed special education teacher plan and provide specially designed instruction.
6. Fast Forward Charter High School follows the allowable use of Federal special education funds, as listed in Rules X.R.8.



FAST FORWARD

CHARTER HIGH SCHOOL

Equal Educational Opportunities General

No officer or employee of the LEA, when acting or purporting to act in official capacity, shall refuse to permit any student to participate in any school program because of the student's race, color, creed, sex, national origin, marital status, political or religious belief, physical or mental condition, family, social, or cultural background, or sexual orientation.

[Utah Admin. Rules 277-515-3\(6\)\(c\) \(December 1, 2017\)](#)

Title IX

The Board shall adopt and publish grievance procedures providing for prompt and equitable resolution of student and employee complaints alleging any action prohibited by Title IX of the Education Amendments of 1972, as amended.

[20 U.S.C. § 1701-21](#)

[34 CFR § 106.8\(b\)](#)

The LEA shall designate at least one employee to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended. The LEA shall notify all students of the name, office address, and telephone number of the employee(s) so designated.

[34 CFR § 106.8\(a\)](#)

Title IX Coordinator

The LEA designates the Director of Student Services to coordinate its efforts to comply with Title IX of the Education Amendments of 1972, as amended.

Handicapped

The LEA shall provide a free appropriate public education to all qualified students with disabilities who are residents of the LEA between the ages of three and twenty-two who have not graduated from high school, including regular or special education and related services designed to meet the individual educational needs of each qualified student with a disability, regardless of the nature or severity of the disability, as adequately as the needs of non-disabled students.

[34 CFR § 104.33](#)

[Utah Code § 53E-7-202 \(2018\)](#)

[Utah Code § 53E-7-204 \(2018\)](#)



FAST FORWARD

CHARTER HIGH SCHOOL

Nondiscrimination

General Nondiscrimination

The LEA shall not, because of an individual's race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; ethnic background; creed; marital status; veteran's status; citizenship, or gender identity:

1. Discharge, demote, terminate, retaliate against, harass, or refuse to hire or to promote any otherwise qualified individual.
2. Discriminate against an otherwise qualified individual with respect to compensation or in terms, privileges, and conditions of employment.

[Utah Code § 34a-5-106\(1\)\(a\)\(i\) \(2016\)](#)

Otherwise Qualified

An individual is not considered "otherwise qualified" unless the individual has the education; training; ability, with and without reasonable accommodation; moral character; integrity; disposition to work; adherence to reasonable rules and regulations; and other job-related qualifications required by the LEA for the particular job, job classification, or position.

[Utah Code § 34a-5-106\(1\)\(a\)\(ii\) \(2016\)](#)

Nursing Mothers in the Workplace

The LEA may not refuse to hire, promote, discharge, demote, or terminate an individual, or may not retaliate against, harass, or discriminate in matters of compensation or in terms, privileges, and conditions of employment against an individual otherwise qualified because the individual breastfeeds or expresses milk in the workplace.

[Utah Code § 34-49-204 \(2015\)](#)

Title IX Coordinator

The LEA shall designate at least one employee whose responsibilities shall include coordination of the LEA's efforts to comply with Title IX of the Education Amendments of 1972, as amended, and its implementing regulations. The LEA shall notify all employees of the name, office address, office telephone number, and email address of the employee(s) so designated.

[34 CFR § 106.8\(a\)](#)

Disability

No otherwise qualified person with a disability shall, solely on the basis of disability, be subject to discrimination in employment in any of the LEA's operations so long as any part of its programs and activities receive federal financial assistance.



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[29 U.S.C. § 794](#)

Definitions

“Individual with a disability” means any person who has a record of, is regarded as having, or has a physical or mental impairment that substantially limits one or more of life’s major activities. A “qualified individual with a disability” is a person with a disability who can perform the essential functions of the position in question, with or without reasonable accommodation. Employees or prospective employees have the responsibility of notifying the LEA Human Resource office of the need for reasonable accommodations on account of a disability.

[29 U.S.C. § 705\(20\)](#)

[34 CFR § 104.3](#)

“Has a record of such an impairment” means has a history of or has been classified as having a mental or physical impairment that substantially limits one or more major life activities.

“Regarded as having an impairment” means:

1. Having a physical or mental impairment that does not substantially limit major life activities but that is treated by the LEA as constituting such a limitation.
2. Having a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others towards such impairment; or
3. Having no physical or mental impairment but is treated by the LEA as having such an impairment.

“Physical or mental impairment” means:

1. Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; endocrine; or
2. Any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

“Major life activities” means:

1. functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

Exceptions

The following are not included in the definition of an “individual with a disability:”

1. A person whose current use of alcohol or drugs prevents the performance of job responsibilities or constitutes a direct threat to the property or safety of others.



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2. A person who has a currently contagious disease or infection and who therefore would constitute a direct threat to the health or safety of other individuals, or who therefore is unable to perform the duties of the job.

[29 U.S.C. § 705\(20\)\(C\)](#)

Section 504 Coordinator

The LEA will designate at least one person to coordinate its efforts to comply with Section 504 of the Vocational Rehabilitation Act of 1973 and its implementing regulations.

Notification

The LEA will take appropriate continuing steps to notify applicants and employees that it does not discriminate on the basis of disability in violation of Section 504 of the Vocational Rehabilitation Act of 1973 and its implementing regulations. The notification shall include identification of the designated coordinator.

[34 CFR § 104.7\(a\)](#)

Residence

The Board shall not require an employee to reside within the LEA as a condition of employment.

[Utah Code § 53G-4-408 \(2018\)](#)

Duty to Report

If any employee of the LEA knows of or has reason to believe that another employee is being harassed at the workplace by others on the grounds of race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity, then the employee must promptly report such harassment to the Board's designee. For cases of harassment against students, the Board's designee is the LEA's Title IX Compliance Officer. For harassment against employees, the Board's designee is the Director of Human Resources. The report shall be made confidentially, and the Board shall maintain the confidence of any report of such harassment.

Penalties for Engaging in Harassment

Within the discretion of the Board, any employee may be terminated for cause, suspended with or without pay or placed on probation for engaging in any form of harassment of another employee on the grounds of race; color; sex; pregnancy, childbirth, or pregnancy-related conditions; age, if the individual is 40 years of age or older; religion; national origin; disability; sexual orientation; or gender identity.

Baker v. Weyerhaeuser Co., 903 F.2d 1342 (10th Cir. 1990)



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Sexual Harassment by an Employee General Statement of Policy

Sexual harassment is a form of sex discrimination which violates Section 703 of Title VII of the Civil Rights Act of 1964, as amended, [42 U.S.C. § 2000e, et seq.](#) and [§ 34A-5-101 et seq.](#) of the Utah Antidiscrimination Act.

It is the policy of the LEA to maintain learning and working environment that is free from sexual harassment. The LEA prohibits any form of sexual harassment.

It shall be a violation of this policy for any student or employee of the LEA to harass a student or an employee through conduct or communication of a sexual nature as defined by this policy. The LEA will act to investigate all complaints, formal or informal, verbal or written, of sexual harassment and to discipline any student or employee who sexually harasses a student or employee of the LEA.

[42 U.S.C. § 2000e et seq.](#)

[Utah Code § 34A-5-101 et seq.](#)

Sexual Harassment Defined

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, whether initiated by students, school employees, or visitors when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, or of obtaining an education; or
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's employment or education, or creating an intimidating, hostile, or offensive employment or education environment.

Any sexual harassment as defined when perpetrated on any student or employee by any employee will be treated as sexual harassment under this policy.

Sexual harassment may include but is not limited to:

- Verbal harassment or abuse, including any offensive communication that is sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities
- Sexual gestures
- Subtle pressure for sexual activity including sexual invitations or requests for sexual activity in exchange for grades, preferences, favors, selection for extracurricular activities, homework, etc.



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- Physical contact or closeness that is sexually suggestive, sexually degrading, or sexually intimidating such as the unwelcome touching of another's body parts, spanking, pinching, stalking, frontal-body hugs, intentional brushing against a student's or an employee's body; etc.
- Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status
- Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status or any unwelcome sexually motivated touching
- Unwelcome gestures that are sexually suggestive, sexually degrading or imply sexual motives or intentions
- Written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, etc.

Reporting Procedures

Any person who believes he or she has been the victim of sexual harassment by a student or an employee of the LEA, or any third person with knowledge or belief of conduct which may constitute sexual harassment should submit a written report of the alleged acts immediately to an appropriate LEA official as designated by this policy. The LEA requires the reporting party or complainant to use the report form available from the principal of each building, on the LEA website, or from the school LEA office.

Complaints must be made to the appropriate supervisor within 45 calendar days after the date of the alleged act of discrimination.

The building principal is the person responsible for receiving oral or written reports of sexual harassment at the building level. Upon receipt of a report, the principal must notify the Director of Human Resources immediately without screening or investigating the report. If the report was given verbally, the principal shall encourage the complainant to complete the report form available from the principal, on the LEA website, or from the LEA office and submit it to the Director of Human Resources. Failure to forward any sexual harassment report or complaint as provided herein will result in disciplinary action. If the complaint involves the building principal, the complaint shall be filed directly with the Director of Human Resources.

The School Board hereby designates the Director of Human Resources to receive reports or complaints of sexual harassment from any individual, employee or victim of sexual harassment and also from the building principals as outlined above. If the complaint involves the Director of Human Resources, the complaint shall be filed directly with the Principal/Director. The LEA shall conspicuously post the name of the Director of Human Resources, including a mailing address, telephone number, and email address.



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Submission of a complaint or report of sexual harassment will not affect the individual's future employment, grades or work assignments.

Confidentiality

It is LEA policy to respect the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's right to confidentiality must be balanced with the LEA's obligations to cooperate with police investigations or legal proceedings, or to investigate and take necessary action to resolve a complaint, the LEA retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances.

Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate law enforcement authorities and the anonymity of both the complainant and school officials involved in the investigation will be strictly protected as required by [Utah Code § 62A-4a-412](#).

Investigation and Recommendation

By authority of the LEA, the Director of Human Resources, upon receipt of a report or complaint alleging sexual harassment, shall authorize an investigation. This investigation may be conducted by LEA officials or by a third party designated by the LEA.

An investigation shall be completed as quickly as practicable, but within 30 working days of receipt of the complaint, unless extenuating circumstances require a longer period. All parties shall be notified if an extension becomes necessary.

In determining whether alleged conduct constitutes sexual harassment, the LEA should consider:

- The surrounding circumstances
- The nature of the sexual advances
- Relationships between the parties involved
- The context in which the alleged incidents occurred.

The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In addition, the LEA may take immediate steps, at its discretion, to protect the complainant, students, and employees pending completion of an investigation of alleged sexual harassment. The Director of Human Resources shall make a report to the Principal/Director upon completion of the investigation.

LEA Action

Upon receipt of a recommendation that the complaint is valid, the LEA will take such action as appropriate based on the results of the investigation.



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The result of the investigation of each complaint filed under these procedures will be reported in writing to the complainant by the LEA.

Support for Victims of Harassment

When it is determined that an individual has been subject to sexual harassment, consideration should be given to what support, counseling, or other assistance the individual may need to prevent such mistreatment from adversely affecting the individual's ability to function in the (work) setting.

Reprisal

The LEA will discipline any individual who retaliates against any person who reports alleged sexual harassment or who retaliates against any person who testifies, assists, or participates in an investigation, proceeding, or hearing relating to a sexual harassment complaint. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Non-Harassment

The LEA recognizes that not every advance or consent of a sexual nature constitutes harassment. Whether a particular action or incident is a personal, social relationship without a discriminatory employment effect requires a determination based on all the facts and surrounding circumstances.

False accusations of sexual harassment can have a serious detrimental effect on innocent parties. Employees who file frivolous, unfounded, retaliatory or malicious sexual harassment complaints shall subject themselves to disciplinary action.

If an investigation reveals that the accusations are frivolous, unfounded, retaliatory or malicious in nature, this information shall be documented, all parties notified, and the investigation shall be terminated.

Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Division of Antidiscrimination and Labor, initiating civil action, or seeking redress under state criminal statutes and/or federal law.

Sexual Harassment as Sexual Abuse

Under certain circumstances, sexual harassment may constitute sexual abuse and require reporting to appropriate authorities.

Discipline

Any LEA action taken pursuant to this policy will be consistent with requirements of applicable Utah statutes and LEA policies. The LEA will take such disciplinary action it deems necessary



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and appropriate, including warning, suspension, or immediate termination to end sexual harassment and prevent its recurrence.

Notice

Notice of the LEA's sexual harassment policy shall be communicated to all employees and students.



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Sexual Harassment by a Student Board Policy

It is the policy of the Board of Trustees of the Fast Forward Charter High School to provide an educational environment free from sexual harassment and discrimination on the basis of sex. It shall be a violation of this policy for any student to sexually harass any other student. The LEA encourages all victims of sexual harassment and persons with knowledge of sexual harassment to make a written report of any harassment immediately. All complainants have the right to be free from retaliation of any kind. The LEA will promptly investigate all formal, informal, verbal, and written complaints of sexual harassment, and take prompt corrective action to end the harassment.

No Private Rights

Nothing in this policy shall be construed to give any right, claim, or action beyond the specific process provided in this policy.

Definitions

“Sexual Harassment” means unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct or communications of a sexual nature, and any other gender-based harassment, when:

1. Submission to or rejection of the conduct affects the student’s academic performance, participation in school-sponsored activities, or any other aspect of the student’s education; or
2. The conduct has the purpose or effect of unreasonably interfering with a student’s academic performance or participation in school-sponsored activities, or creating an intimidating, hostile or offensive education environment.

Complaints received will be thoroughly investigated to determine whether the totality of the behavior and circumstances meet any of the elements of the definitions and should be treated as sexual harassment. Unacceptable conduct may or may not constitute sexual harassment.

Normally, unacceptable behavior must be severe or pervasive to be considered sexual harassment.

School related conduct that the LEA considers unacceptable and often a part of sexual harassment includes, but is not limited to, the following:

1. Rape, attempted rape, sexual assault, attempted sexual assault, forcible sexual abuse, hazing, and other sexual and gender-based activity of a criminal nature as defined under the Utah Criminal Code.
2. Sexual invitations or requests for sexual activity in exchange for grades, preferences, favors, selection for extracurricular activities, homework, etc.;
3. Offensive public sexual display of affection, including groping, fondling, petting or inappropriate touching of oneself or others;



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4. Any offensive communication that is sexually degrading or implies sexual motives or intentions, such as sexual remarks or innuendoes about an individual's clothing, appearance or activities; sexual gestures; public conversations about sexual activities or exploits; sexual rumors and "ratings list," howling, catcalls, and whistles; sexually graphic computer messages or games, etc.;
5. Offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions;
6. Offensive name calling or profanity that is sexually suggestive, sexually degrading, implies sexual intentions;
7. Offensive physical pranks or touching of an individual's clothing, such as hazing and initiation, "streaking," "mooning," "snuggies," or "wedgies," bra-snapping, skirt "flip-ups," "spiking" (pulling down someone's pants or swimming suit); pinching; placing hands inside an individual's pants, shirt, blouse, or dress, etc.;
8. Gestures that are sexually suggestive, sexually degrading or imply sexual motives or intentions;
9. Clothing with sexually obscene or sexually explicit slogans or messages;
10. Written or pictorial display or distribution of pornographic or other sexually explicit materials such as magazines, videos, films, etc.

Support of Student Subject to Sexual Harassment

When it is determined that a student has been subject to sexual harassment, consideration should be given to what support, counseling, or other assistance the student may need to prevent such mistreatment from adversely affecting the student's ability to learn and function in the school setting.

Protection from Reprisals

Students filing complaints shall be free from bias, collusion, intimidation, or reprisal. Students subjected to sexual harassment are first encouraged to confront the harasser and tell the harasser to stop the conduct because it is unwelcome. Complainants should document the incident(s) of harassment, and any conversations they have with the harasser, noting such information as time, date, place, what was said or done, and other relevant circumstances surrounding the event(s).

If the complainant's concerns are not resolved satisfactorily through a discussion with the harasser, or if the complainant feels he/she cannot discuss the concerns with the harasser, the complainant should directly inform school staff of the complaint and should clearly indicate what action he/she wants taken to resolve the complaint. Whenever reasonable, the complainant should file a written complaint.

Any school employee who receives a complaint of sexual harassment from a student shall inform the student of the employee's obligation to report the complaint to the principal, and then shall immediately notify the principal.



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Complainants who contact school staff with a complaint are encouraged to submit the complaint in writing. However, complaints may be filed verbally. Alternate methods of filing complaints shall be made available to individuals with disabilities who need accommodation.

Confidentiality

It is LEA policy to respect the privacy and anonymity of all parties and witnesses to complaints brought under this policy. However, because an individual's right to confidentiality must be balanced with the LEA's obligations to cooperate with police investigations or legal proceedings, or to investigate and take necessary action to resolve a complaint, the LEA retains the right to disclose the identity of parties and witnesses to complaints in appropriate circumstances.

Where a complaint involves allegations of child abuse, the complaint shall be immediately reported to appropriate law enforcement authorities and the anonymity of both the complainant and school officials involved in the investigation will be strictly protected as required by [Utah Code § 62A-4a-412](#).

1. Initial Investigative Procedures.
 - a. The school administrator has the responsibility to conduct a preliminary review when he/she receives a verbal or written complaint of sexual harassment, or if he/she observes sexual harassment. The site administrator should take the following steps:
 - i. Interview the complainant and document the conversation. Instruct the complainant to have no contact or communication regarding the complaint with the alleged harasser. Ask the complainant specifically what action he/she wants taken in order to resolve the complaint. Notify the complainant of his/her right to have someone of the same gender conduct or be present during the investigation. The Complainant should be urged to make a written statement where feasible under the circumstances.
 - ii. Interview the alleged harasser regarding the complaint and inform the alleged harasser that if the objectionable conduct has occurred, it must cease immediately. Document the conversation.
2. Instruct the alleged harasser to have no contact or communication regarding the complaint with the complainant and to not take any retaliatory action against the complainant.
 - a. If the alleged harasser admits all or part of the allegations, issue a written warning/reprimand to the harasser and place a copy in the student's cumulative education record/file. If the harasser is an employee, submit a copy of the written warning/ reprimand to the LEA Human Resources Department for inclusion in the harasser's personnel file. In certain cases expulsion may be warranted for a first offense if the conduct is egregious. Repeated offenses may warrant suspension and expulsion. In addition, promptly contact the Human Resources Department, Area Director, or Title IX Coordinator in situations involving repeated violations or severe infractions such as criminal touching, quid pro quo (e.g., offering



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- educational rewards or punishments as an inducement for sexual favors), or acts which shock the conscience of a reasonable person.
- b. If the alleged harasser denies the allegations, promptly conduct a further investigation including interviewing witnesses, if any.
 3. Submit a copy of all investigation and interview documentation to the LEA Compliance Officer/Title IX Coordinator, and to the Human Resources Department if the complaint involves a LEA employee.
 4. Report back to the complainant, notifying him/her in person and in writing regarding the action taken to resolve the complaint. Instruct the complainant to report immediately if the objectionable behavior occurs again or if the alleged harasser retaliates against him/her.
 5. Notify the complainant that if he/she desires further investigation and action, the complaint will be forwarded for a LEA level investigation.

Principal's Recommendation

The principal must consider the severity or pervasiveness of the conduct and exercise discretion in determining whether a LEA level investigation is necessary regardless of the complainant's desires. If a blatant violation occurs involving criminal touching, quid pro quo (e.g., offering an academic reward or punishment as an inducement for sexual favors), or acts which shock the conscience of a reasonable person, the complaint should be referred promptly to the Compliance Officer/Title IX Coordinator and/or Human Resources Director. In addition, where the principal has reasonable suspicion that the alleged harassment involves criminal activity, he/she should immediately contact appropriate law enforcement authorities.

Whenever a sexual harassment complaint is made, the principal must take action to investigate the complaint or to refer the complaint for investigation even if the student does not request any action or withdraws the complaint.

Investigations should commence as soon as possible.

If the initial investigation results in a determination that sexual harassment did occur, and the harasser repeats the wrongful behavior or retaliates against the complainant, the principal will take prompt disciplinary action and will notify the LEA Compliance Officer/Title IX Coordinator.

LEA Level Investigation

Complainants who are not satisfied with the outcome of the initial investigation may request a LEA level investigation by submitting the written complaint to the Compliance Officer/Title IX Coordinator or Director of Human Resources.

The LEA level investigation should commence as soon as possible.



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In conducting the LEA level investigation, the LEA may choose to use an investigative team that has received training in sexual harassment investigation or that has previous experience investigating sexual harassment complaints.

If this investigation results in a determination that sexual harassment did occur, prompt corrective action may be taken including suspension, expulsion, change of placement, or loss of extracurricular activities.

Following the LEA investigation and determination, the LEA will notify the complainant in writing of the action taken.

The LEA level review exhausts all process and remedies provided under this policy.

Retaliation Prohibited

Any act of reprisal against any person who opposes sexually harassing behavior, or who has filed a complaint, is prohibited and therefore subject to disciplinary action. Likewise, reprisal against any person who has testified, assisted, or participated in any manner in an investigation, proceeding, or hearing of a sexual harassment complaint is prohibited and therefore subject to disciplinary action.

Discipline

Any individual who violates this policy will be subject to appropriate disciplinary action under applicable school discipline policies, LEA Human Resource policies, and the LEA Safe Schools Policy.

Depending on the severity or persistence of the harassment, an individual who violates this policy may be subject to suspension, exclusion, probation, termination, or alternate placement. In addition, students who violate this policy may lose the privilege of participating in extracurricular activities.

If school administrators have reasonable suspicion that the harassment involves sexual assault, rape, or any other activity of a criminal nature, the LEA shall notify appropriate law enforcement authorities and immediately initiate proceedings to remove the accused party from the situation.

If the accused is a student with a disability whose education involves services under the Individuals with Disabilities Education Act (IDEA) or accommodations under Section 504 of the Rehabilitation Act or the Americans with Disabilities Act, school personnel may consider any unique circumstances on a case-by-case basis when determining whether a change in placement is appropriate for the student with a disability.

School personnel may remove a student with a disability from his/her current placement to an appropriate interim alternative placement, another setting, or suspension, for not more than 10



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consecutive school days (to the extent those alternatives are applied to students without disabilities), and for additional removals of no more than ten consecutive school days in the same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement. Concurrent with such a removal, a **multi-disciplinary team must be convened to determine the extent to which the harassing behavior may be a manifestation of the student's disability.**

After a student with a disability has been removed from his/her current placement for ten school days in the same school year, during any subsequent days of removal the LEA must provide services to the extent required.

For disciplinary changes in placement that would exceed ten consecutive school days, if the behavior that lead to the accusation of sexual harassment is determined not to be a manifestation of the student's disability, school personnel may apply the relevant disciplinary procedures to students with disabilities in the same manner and for the same duration as the procedures would be applied to students without disabilities. If it is determined that the behavior is a manifestation of the student's disability, the IEP team will be convened to determine appropriate placement. After the tenth day of removal that constitutes a change in placement, the LEA must provide services to the student.

False Complaints

False, malicious or frivolous complaints of sexual harassment shall result in corrective or disciplinary action taken against the complainant.

Records

Separate confidential records of all sexual harassment complaints and initial investigations shall be maintained in the principal's office. Records of LEA level investigations shall be maintained in the office of the Compliance Officer/Title IX Coordinator, as follows:

1. Records of initial complaints and investigations shall be retained for at least one(1) year.
2. Records of LEA level investigations shall be retained for at least three (3) years.
3. Records of complaints and investigations of blatant violations involving criminal touching, quid pro quo, other criminal acts, or acts which shock the conscience of a reasonable person shall be retained permanently.

Dissemination of Policy

A summary of this policy and related materials shall be posted in a prominent place in each LEA facility. The policy shall also be published in student registration materials, student and employee handbooks, and other appropriate school publications as directed by the LEA Compliance officer/Title IX Coordinator.

Fast Forward Charter High School

PPRA/UT FERPA Notice and Consent/Opt-Out for Specific Activities

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, and Utah FERPA, UCA § 53E-9-203, requires Fast Forward Charter High School to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student psychological or psychiatric examination, test, or treatment; a survey; analysis; or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sexual behavior, orientation, or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or the student’s parent; or
8. Income, other than as required by law to determine program eligibility.

This parental notification requirement and opt-out opportunity also apply to the collection, disclosure or use of personal information collected from students for marketing purposes (“marketing surveys”). Please note that parents are not required by PPRA/UT FERPA to be notified about the collection, disclosure, or use of personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions. Additionally, the notice requirement applies to the conduct of certain physical exams and screenings. This includes any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student. This does not include hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required by State law.

Following is a schedule of activities requiring parental notice and consent or opt-out for the upcoming school year. This list is not exhaustive and, for surveys and activities scheduled after the school year starts, the Fast Forward Charter High School will provide parents, within a reasonable period of time prior, though not less than 2 weeks prior, to the administration of the surveys and activities, notification of the surveys and activities, an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law.)

State Required School Climate Survey

A copy of the educational or student survey questions to be asked of the student in obtaining the desired information is available at the school for you to inspect and review. It is also available at the following website [here](#).

Under Utah law, you also have a reasonable opportunity to obtain written information concerning the following by contacting **Alex Garrett** (alex@ffchs.org or 435-713-4255):

- records or information, including information about relationships, that may be examined or requested;
- the means by which the records or information shall be examined or reviewed;
- the means by which the information is to be obtained;
- the purposes for which the records or information are needed;
- the entities or persons, regardless of affiliation, who will have access to the personally identifiable information; and
- a method by which a parent of a student can grant permission to access or examine the personally identifiable information.

Date: Spring of odd number school years.

Grades: Nine, Ten, Eleven, and Twelve

Activity: School Climate Survey

Summary: This is an anonymous survey that asks students questions about their academic successes and struggles, relationships with teachers and peers, and student behaviors observed while on campus such as drug and alcohol use, sexual conduct, violence, and other at-risk behaviors. The survey also asks about demographics.

FAST FORWARD CHARTER HIGH SCHOOL 2021-2022 CALENDAR

		JULY '21						
		S	M	T	W	TH	F	S
July 4 - Independence Day						1	2	3
July 24 - Pioneer Day		4	5	6	7	8	9	10
		11	12	13	14	15	16	17
		18	19	20	21	22	23	24
		25	26	27	28	29	30	31

		AUGUST '21						
		S	M	T	W	TH	F	S
August 2-4 New Teacher Induction		1	2	3	4	5	6	7
August 11-17 - Teacher Workdays		8	9	10	11	12	13	14
August 17 - Orientation 6th/9th Graders		15	16	17	18	19	20	21
August 18 - Start Term 1 (First Day)		22	23	24	25	26	27	28
		29	30	31				

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		SEPTEMBER '21						
		S	M	T	W	TH	F	S
Sept 6 - No School Labor Day					1	2	3	4
Sept 8 - PTC (Online Day)								
Sept 29 - Term 1 End		5	6	7	8	9	10	11
Sept 30 - Term 2 Start		12	13	14	15	16	17	18
		19	20	21	22	23	24	25
		26	27	28	29	30		

		OCTOBER '21						
		S	M	T	W	TH	F	S
							1	2
		3	4	5	6	7	8	9
		10	11	12	13	14	15	16
Oct 14-15 - Fall Break (No School)		17	18	19	20	21	22	23
Oct 20 - PTC (Online Day)		24	25	26	27	28	29	30
		31						

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		NOVEMBER '21						
		S	M	T	W	TH	F	S
			1	2	3	4	5	6
Nov 12 - Term 2 End		7	8	9	10	11	12	13
Nov 15 - Term 3 Start		14	15	16	17	18	19	20
Nov 24-26 - Thanksgiving Break (No School)		21	22	23	24	25	26	27
		28	29	30				

		DECEMBER '21						
		S	M	T	W	TH	F	S
				1	2	3	4	
Dec 8 - PTC (Online Day)		5	6	7	8	9	10	11
		12	13	14	15	16	17	18
		19	20	21	22	23	24	25
Dec 20-31 - Winter Break (No School)		26	27	28	29	30	31	

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		JANUARY '22						
		S	M	T	W	TH	F	S
								1
Jan 12 - Term 3 End		2	3	4	5	6	7	8
Jan 13 - Term 4 Start		9	10	11	12	13	14	15
Jan 17 - MLK Jr. Day (No School)		16	17	18	19	20	21	22
		23	24	25	26	27	28	29
		30	31					

		FEBRUARY '22						
		S	M	T	W	TH	F	S
				1	2	3	4	5
Feb 2 - PTC (Online Day)		6	7	8	9	10	11	12
Feb 21 - President's Day (No School)		13	14	15	16	17	18	19
Feb 25 - Term 4 End		20	21	22	23	24	25	26
Feb 28 - Term 5 Start		27	28					

19

		MARCH '22						
		S	M	T	W	TH	F	S
				1	2	3	4	5
		6	7	8	9	10	11	12
March 16 - PTC (Online Day)		13	14	15	16	17	18	19
		20	21	22	23	24	25	26
		27	28	29	30	31		

		APRIL '22						
		S	M	T	W	TH	F	S
							1	2
April 4-8 - Spring Break (No School)		3	4	5	6	7	8	9
April 15 - Term 5 End		10	11	12	13	14	15	16
April 18 - Term 6 Start		17	18	19	20	21	22	23
		24	25	26	27	28	29	30

16

		MAY '22						
		S	M	T	W	TH	F	S
May 4 - PTC (Online Day)		1	2	3	4	5	6	7
		8	9	10	11	12	13	14
		15	16	17	18	19	20	21
May 27 - Term 6 End (Last Day)		22	23	24	25	26	27	28
		29	30	31				

		JUNE '22						
		S	M	T	W	TH	F	S
				1	2	3	4	
		5	6	7	8	9	10	11
		12	13	14	15	16	17	18
		19	20	21	22	23	24	25
		26	27	28	29	30		

20

Upcoming School Plan 2021-2022 - Fast Forward High

Please Finish your Upcoming School Plan Submission

At least one goal is required.

Goal #1

close

State Goal

close

Goals may be single or multi-year. State the student centered academic goal. Include the anticipated date the goal will be achieved.

Our goal at Fast Forward is to increase student academic success during high school while fostering a preparedness for their transition to post high school education and the workforce after their high school graduation. This will be a multi year goal. Data will be collected during the summer-goal achievement summer after graduation.

Academic Area

close

Select the academic area(s) this goal will address. Utah law designates academic priorities as indicated in the **Priorities** list. A council may, supported by a council's data discussion, include goals on the **Other Academic Area in Core Standards list** if it is a priority of the local school board or charter board. As with all academic areas, the measurement

section **MUST** include the data and other relevant indicators supporting the decision to identify the academic area as a 'most critical academic need.

Priorities

- College and Career Readiness
- English/Language Arts
- Graduation Rate Increase
- Mathematics
- Science

Other Academic Areas in Core Standards

- Educational Technology/Library/Media
- Financial Literacy
- Fine Arts
- Health
- Physical Education
- Social Studies
- World Languages

Measurements

close

Describe the data and/or other relevant indicators supporting the decision of the council to identify this (these) academic area(s) as a '**most critical academic need.**' What measurement(s) will be used to quantify student academic progress and success. Please be prepared to explain measurement results in the Final Report.

Academic success will be measured through increased SRI, Utah Aspire +, ACT, and CTE end of level testing scores by 2% proficiency with the ultimate indicator being an increase in graduation rates by 1%.

We will measure this goal through pre-graduation counseling and mentoring interviews, senior exit interviews and post-high graduation contacts done in the summer after graduation.

We plan to track the number of students with a job or those who are actively

Action Plan Steps and Expenditures

close

List the specific steps of the Action Plan to reach this goal. Expenditures must identify Action Plan steps.

Please number the steps in the Action Plan:

↶
↷
☰

Our teacher that will teach the classes and coordinate the program. The program will include the following: *Course study that helps provide students with resiliency and skill building. *Measurable post secondary goals that acknowledge students needs and interests. *A recommendation for graduates on how they can meet their post secondary goals.

Category	Description	Estimated Cost		
Salaries and Benefits (teachers, aides, specialists, productivity, substitutes)	Salary for teacher position	\$44,197	<div style="border: 1px solid gray; padding: 2px; display: inline-block;">Edit/Cancel</div>	<div style="border: 1px solid gray; padding: 2px; display: inline-block;">Delete</div>
	Total:	\$44,197	<div style="border: 1px solid gray; padding: 2px; display: inline-block;">Save</div>	

Be sure to click SAVE GOAL after editing Expenditures.

Digital Citizenship/Safety Principles Component

close

YES NO

Status: NO

[Scroll to the top to add a goal.](#)

Summary of Estimated Expenditures

Category	Estimated Cost (entered by the school)
Salaries and Benefits (teachers, aides, specialists, productivity, substitutes)	\$44,197
Total:	\$44,197

Funding Estimates – Please Update

Estimates	Totals	
Carry-over from 2019-2020	\$0	
Distribution for 2020-2021	\$41,337	
Total Available Funds for 2020-2021	\$41,337	
Estimated Funds to be Spent in 2020-2021	\$ 44197	<input type="button" value="Update"/>
Estimated Carry-over from 2020-2021	-\$2,860	
Estimated Distribution for 2021-2022	\$44,197	
Total Available Funds for 2021-2022	\$41,337	
Summary of Estimated Expenditures for 2021-2022	\$44,197	
Estimated Carry-over to 2022-2023	-\$2,860	

You may not have a negative carry-over.

The Estimated Distribution is subject to change if student enrollment counts change.

Funding Changes

There are times when the planned expenditures in the goals of a plan are funded by the LEA, a grant, or another unanticipated funding source leaving additional School LAND Trust funds to implement the goals. How will the council spend the funds to implement the goals in this plan?

We will be using the funds this year for teacher salary and benefits. Any additional funds will go to help pay for benefits for the teacher.

Publicity

The following items are the proposed methods of how the Plan would be publicized to the community:

- Letters to policy makers and/or administrators of trust lands and trust funds.
- Other: Please explain.
- School assembly
- School marquee
- School newsletter
- School website
- Sticker and stamps that identify purchases made with School LAND Trust funds.

Council Plan Approval

Please indicate the voting results to approve this school plan

Number Approved:

Number Not Approved:

Number Absent:

Date:

Need to add an attachment?

You may add documents here that support the text description in the Measurement section of each goal.

Submit Comments Below:

There is a 1000 character limit on the comments. SAVE button shows when entry is made.

Character Count:

0

Review before Submitting

Please review before submitting. There will be no review page. Once submitted the report may only be revised through the review process by the LEA or Charter Authorizer. Once the review is complete, the report may not be edited.

This form is ready for display on the public website. Spelling and grammar are correct. Student names and individual data are not included.

BACK