

The regular meeting of the Daggett Board of Education was held in Room 6 of the district office building on February 11, 2010. President Asbill called the meeting to order at 6:00 PM. Also attending were members Jones, Barber, Olsen and Pallesen; Superintendent Northcott; Business Administrator Robinson; Bill Schell, Lane & Colten Ferrin.

Mrs. Jones moved to approve the minutes of the January 14, 2010 as corrected, seconded by Mr. Olsen, motion carried unanimously.

Mrs. Barber moved to approve the Warrant List and Financial Statement, seconded by Mrs. Pallesen, motion carried unanimously.

Mrs. Pallesen moved to approve Policy #5110 – Admissions and Attendance: Compulsory Education, and Policy #5340 – Health Requirements and Services: Student Self-Treatment for Asthma or Diabetes on the 2nd and final reading. Motion was seconded by Mrs. Barber, motion carried unanimously.

5110

Admissions and Attendance: Compulsory Education

Definitions

- 1) “Excused Absence or Valid Excuse” means:
 - a) an absence resulting from:
 - i. illness;
 - ii. death of family member;
 - iii. an approved school activity; or
 - iv. any other reason established by the district as valid.
 - (1) In determining whether to pre-approve an extended absence of a student as a valid excuse, the principal shall approve the absence if the principal determines that the absence will not adversely impact the student’s education.
 - b) an absence permitted by a student’s:
 - i. individualized education program, developed pursuant to the Individuals with Disabilities Education Improvement Act; or
 - ii. accommodation plan, developed pursuant to Section 504 of the Rehabilitation Act.
Utah Code Ann. § 53A-11-101(9)(2007)
Utah Code Ann. § 53A-11-101.3 (2007)
Utah Admin. Rules R277-607-1(C) (March 3, 2000)
- 2) “Home School” means a school comprised of one or more students officially excused from compulsory public school attendance under this policy and Utah Code Ann. § 53A-11-102.
Utah Admin. Rules R277-438-1 (May 19, 2005)
- 3) “Private School” means a school satisfying the following criteria:
 - a) maintained by private individuals or entities;
 - b) maintained and operated not at public expense;
 - c) generally supported, in part at least, by tuition fee or charges;
 - d) operated as a substitute for, and giving the equivalent of, instruction required in public schools;
 - e) employs teachers able to provide the same quality of education as public school teachers;
 - f) established to operate indefinitely and independently, not dependent upon the age of the students available or upon individual family situations; and
 - g) licensed as a business by the Utah Department of Business Regulations.
Utah Admin. Rules R277-438-1 (May 19, 2005)
- 4) “Truant” means absent without a valid excuse or excused absence.
Utah Code Ann. § 53A-11-101(7)(2007)

Notice of Compulsory Education Attendance Laws

Prior to or no later than school registration, the parent or legal guardian of each student in grades 1-12 shall be provided written notice from the school or district informing the parents or legal guardians of Compulsory Education attendance laws and encouraging parental cooperation.

Utah Admin. Rules R277-607-4 (March 3, 2000)

Compulsory Education

The parent or legal guardian of a student who is at least six (6) years of age and not more than eighteen (18) years of age, shall enroll and send his or her school-age minor to a public or regularly established private school during the school year of the district in which the student resides, unless exempted as indicated below. Attendance shall be in

District schools or in some other district to which the student may legally be transferred, or in a regularly established private school. It is a class B misdemeanor for a parent or legal guardian to fail to enroll a school-age minor in school, unless exempted as indicated below. The District shall report violations of this policy to the appropriate city, county, or district attorney.

Utah Code Ann. § 53A-11-101.5 (2007)

Exemptions

Students who meet one or more of the following conditions to the satisfaction of the Board shall be exempt from compulsory attendance requirements and shall be given a certificate, issued by the Board, stating that the minor is excused from attendance during the time specified on the certificate:

- 1) A student over age sixteen (16) may receive a partial release from school to enter employment, or to attend a trade school, if the student has completed the eighth grade. Minors receiving this exemption must still attend school part-time as required by the Board.
- 2) On an annual basis, a minor under eighteen (18) years of age may receive a full release from attending school if one of the following is established to the Board's satisfaction:
 - a) The minor has already completed the work required for graduation from high school or has demonstrated mastery of the skills and competencies required for graduation from high school in accordance with Utah Code Ann. § 53A-15-102(1).
 - b) The minor is in a physical or mental condition, certified by a competent physician if required by the Board, which renders attendance inexpedient and impracticable.
 - c) Proper influences and adequate opportunities for education are provided in connection with the minor's employment.
 - d) The Superintendent determines that the minor, if over age sixteen (16), is unable to profit from attendance at school because of inability or a continuing negative attitude toward school regulations and discipline.
 - e) The minor's parent files a signed affidavit with the minor's school district of residence that the minor will attend a home school and receive instruction in the subjects prescribed by the State Board of Education in accordance with the law and for the same length of time as minors are required by State Board of Education rule to be taught in public schools. A minor receiving a partial release in order to enter employment under item (1) above may be excused from attending required part-time school if the minor is taught the required number of hours at home.
 - i) Subject to the requirements of Subsection (e) discussed above, a parent of a minor who attends a home school is solely responsible for:
 - (1) the selection of instructional materials and textbooks;
 - (2) the time, place, and method of instruction, and
 - (3) the evaluation of the home school instruction.
 - ii) A local school board may not:
 - (1) require a parent of a minor who attends a home school to maintain records of instruction or attendance;
 - (2) require credentials for individuals providing home school instruction;
 - (3) inspect home school facilities; or
 - (4) require standardized or other testing of home school students.

Utah Code Ann. § 53A-11-102 (2009)

Certificate of Exemption from Public School Attendance

When the Board excuses a minor from public school attendance pursuant to an exemption provided in this policy, the Board shall issue a certificate stating that the minor is excused from attendance during the time specified on the certificate. The Board shall issue a certificate excusing a minor from attendance within 30 days after receipt of a signed affidavit filed by the minor's parent pursuant to Subsection (2)(e).

Utah Code Ann. § 53A-11-102 (2009)

School Efforts to Resolve Attendance Problems

Prior to or no later than school registration, the parent(s) of all students in grades 1-12 shall be provided written notice from the school or district informing parents of Compulsory Education attendance laws and encouraging parental cooperation.

- 1) A student registering in the school district during the school year shall be provided written notice explaining the school and school district's compulsory education policy.
- 2) A student moving from one school to another within the same district may be provided written notice explaining the school and school district's compulsory education policy.

Utah Admin. Rules R277-607-4 (March 3, 2000)

The District shall make reasonable efforts to resolve the school attendance problems of its students, including the following, as deemed reasonably feasible by the Board or its designee in individual cases:

- 1) counseling of the student by school authorities;
- 2) issuing a Notice of Truancy (see below);
- 3) issuing a Notice of Compulsory Education Violation (see below);
- 4) adjusting the curriculum and schedule if determined necessary to meet special needs of the student;

- 5) considering alternatives proposed by the parent or legal guardian;
- 6) monitoring school attendance of the student;
- 7) voluntarily participating in truancy mediation, if available;
- 8) providing the student's parent or legal guardian, upon request, a list of resources available to assist the parent or legal guardian in resolving the student's attendance problems; and
- 9) enlisting the assistance of community and law enforcement agencies as appropriate.

This policy and related statute do not impose any civil liability on the school district or its employees.

Utah Code Ann. § 53A-11-107 (2007)

Notice of Compulsory Education Violation

A school administrator, a designee of the school administrator, or a truancy specialist may issue a notice of compulsory education violation to a parent of a student, who is at least six (6) years old but under the age of fourteen (14), if the student is truant at least five (5) times during the school year.

- 1) The notice of compulsory education violation shall:
 - a) direct the student's parent or legal guardian to meet with designated school authorities to discuss the student's attendance problems and cooperate with the District to secure regular attendance by the student.
 - b) specify the school authorities with whom the parent is required to meet.
 - c) state that it is a class B misdemeanor for the student's parent or legal guardian to intentionally or recklessly fail to meet with the designated school authorities to discuss the student's attendance problems or fail to prevent the student from being truant an additional five (5) or more times during the remainder of the school year.
 - d) be served on the student's parent or legal guardian by personal service or certified mail.

The District shall report violations of this policy to the appropriate city, county, or district attorney.

Utah Code Ann. § 53A-11-101.5 (2007)

Notice of Truancy

A student is truant who is absent from school without a valid excuse. The District may authorize school administrators, a designee of the school administrator, or a truancy specialist to issue a notice of truancy to any student who is at least twelve (12) years of age and has been truant at least five (5) times during the school year.

- 1) The notice of truancy shall:
 - a) Identify each of the five (5) or more dates when the student was truant.
 - b) Direct the student and his or her parent or legal guardian to meet with the designated school authorities and cooperate with the school in securing regular attendance by the student;
 - c) Allow for contesting the notice of truancy. If the student and/or his or her parent or legal guardian desires to contest the notice of truancy, the parent or legal guardian must meet with the principal or the principal's designee to voice any concerns about the accuracy of the notice of truancy. If the parent or legal guardian cannot meet with the principal or the principal's designee, he or she can submit a written review to the principal outlining the concerns about the accuracy of the notice of truancy. After reviewing the concerns, the principal shall make a determination to either revise or affirm each of the dates when the student was allegedly truant. The principal's determination is final. The principal shall notify the parent or legal guardian of the determination.
 - d) Be mailed to, or served on, the student's parent or legal guardian.

Utah Code Ann. § 53A-11-101.2 (2007)

Utah Code Ann. § 53A-11-101.7 (2007)

Habitual Truant Citation

A "habitual truant" is a student, twelve (12) years of age or older, who fails to cooperate with efforts on the part of school authorities to resolve the student's attendance problem as outlined above and/or has been absent without valid excuse ten (10) or more times during one school year. A habitual truant citation may be issued by a designated school administrator, a designee of the school administrator, or truancy specialist to a habitual truant after reasonable efforts have been made by the school to resolve the school attendance problems of the student, as outlined above, and these efforts have not been successful.

After issuing a habitual truant citation, the school shall refer the habitual truant to juvenile court. The habitual truant is subject to the jurisdiction of the juvenile court.

Utah Code Ann. § 53A-11-101.7 (2007)

Other Actions to Resolve Attendance Problems

Nothing in the Notice of Truancy policy or Habitual Truant Citation policy shall prohibit a school from taking action to resolve a student's attendance problems prior to five (5) absences without valid excuses, providing the action does not conflict with the requirements of these policies.

Utah Code Ann. § 53A-11-101.7 (2007)

Truancy Specialist

The Board may appoint and determine compensation for a truancy specialist to assist in enforcing laws related to school attendance, and to perform other duties prescribed by law or the Board.

Utah Code Ann. § 53A-11-104 (2007)

- 1) Duties and Powers
 - a) The truancy specialist may:
 - i) Investigate all cases of unexcused absences from school.
 - ii) Enforce provisions of the compulsory attendance law.
 - iii) Keep written records of all cases of any kind investigated by the truancy specialist in the discharge of his or her duties.
 - iv) Identify habitually truant students pursuant to this policy.

Custody

The truancy specialist or a school administrator may take a minor into temporary custody if there is reason to believe the minor is a truant minor.

Utah Code Ann. § 53A-11-105(1) (2007)

If the truancy specialist or a school administrator takes a child into custody, the truancy specialist or administrator shall, without unnecessary delay, release the child to one of the following:

- 1) The Principal of the child’s school.
- 2) Any person designated by the Board to receive the child and return him or her to school.
- 3) A designated receiving center of the District.

Utah Code Ann. § 53A-11-105(2) (2007)

If the child refuses to return to school or to go to the receiving center, the officer or administrator shall, without unnecessary delay, notify the child’s parents, guardian or custodian and release the child to their custody. If the parents, guardian or custodian cannot be reached or are unable or unwilling to accept custody, the child shall be referred to the Division of Child and Family Services.

Utah Code Ann. § 53A-11-105(3), (4) (2007)

Health Requirements and Services: Student Self-Treatment for Asthma or Diabetes
Student Self-Administration of Asthma or Diabetes Medication

Under Policy 5320, elementary and middle school students are prohibited from carrying or self-administering medication on school premises except in certain limited circumstances. However, elementary and middle school students may carry and self-administer prescription or non-prescription asthma or diabetes medications provided that the student's parent or guardian has previously provided the school with a written request and written health care provider approval.

The written request must state that the parent or guardian authorizes the student to have and use the asthma or diabetes medication while acknowledging that the student is responsible for, and capable of, self-administering the asthma or diabetes medication.

The health care provider approval must specifically identify the prescription or nonprescription asthma or diabetes medication prescribed or authorized for the student's use and must state that:

- 1) the provider finds that it is medically appropriate for the student to self-administer the asthma or diabetes medication and keep the medication with or readily available to him or her at all times.

If the medication is to be stored other than on the student's person, the student or parent/guardian shall inform the school nurse or administration where the medication will be kept to enable access for emergency use.

The student shall only use prescription asthma or diabetes medication as directed by a health care provider's written orders, and shall use non-prescription asthma or diabetes medication in accordance with the manufacturer's instructions.

Utah Code Ann § 53A-11-602 (2004)

Utah Code Ann § 53A-11-604 (2007)

Medication Sharing Prohibited

No student is permitted to sell, share, or otherwise give to others any medication, prescription or non-prescription. Violations of this policy are subject to disciplinary action under the school's drug policies.

Mr. Olsen moved to approve Policy #5345 – Health Requirements and Services: Students with Potentially Life Threatening Allergies and Exhibit #1 on the 1st Reading, seconded by Mrs. Jones, motion carried unanimously.

Mr. Olsen moved to make technical changes to Policy #1400 – Superintendent: Appointment, Term of Office, and Interim Appointment; and modify Policy #1500 – Business Administrator: Appointment, Term of Office, and Interim Appointment to mirror Policy #1400 on the 1st Reading. Motion was seconded by Mrs. Barber, motion carried unanimously.

Superintendent Northcott reported the unfavorable information he received regarding NJRA Architects, Inc; and the favorable information received regarding SL&A Architects. Mrs. Jones moved to begin contract negotiations with SL&A Architects, motion was seconded by Mr. Olsen, motion carried unanimously.

Mrs. Robinson reported on information she received from the state office regarding fund balances. It is possible the state could reduce minimum schools money if there are large undesignated fund balances throughout the state. Because the General Fund balance is currently large enough to carry us through the next couple of years, Mr. Olsen moved to put the Forest Reserve money that was just received into the Capital Fund, seconded by Mrs. Pallesen, motion carried unanimously.

Superintendent Northcott discussed the options we have for financing the building projects. (1) Borrow; (2) Bond; (3) Cash; (4) Create a Municipal Bonding Authority. Mrs. Jones moved to direct the Superintendent to further investigate QSCB; prepare the process for bonding if needed; and further investigate a financial advisor. Motion was seconded by Mr. Olsen, motion carried unanimously.

Mrs. Barber reported that UBATC auditors are questioning the fact that high school students are taking classes at the ATC for free and the high school is receiving the full WPU.

Superintendent's activity report was reviewed.

Superintendent Northcott reviewed legislative updates.

Discussion was held regarding Solar For Schools.

The following Great Things Happening were noted:

1. Science Fair Winners:
 - Jr. High.
 1. Mat Gonder
 2. Ashley Hullinger
 3. Kelsey Roloson
 - HM Garrett Tatman
 - High
 1. Janell Reed
 2. Matt Northcott
 3. McKayla Gonder
2. FFA Area Speaking Contest Winners
 - Creed:
 1. Aubree Thomas (will compete at state)
 2. Emily Catron (will compete at state)
 - Extemp:
 1. Jaris Baker (will compete at state)
 - Prepared:
 3. Jessica Gosar
 - Parly:
 2. MHS Team

Next Meetings

Work Meeting, Thursday February 25, 2010 @ 5:30 PM

Regular Meeting, Thursday March 11, 2010 @ 5:00 PM

Mr. Olsen moved that the Board go into executive session at 7:50 P.M. to discuss personnel issues, seconded by Mrs. Pallesen. The motion on being put to a vote was unanimously carried by the affirmative vote of all members present, the vote being as follows: Aye: Pat Asbill, Marcia Barber, Rena Pallesen, Christy Jones, and James Olsen. Nay: None.

Mrs. Pallesen moved that the Board reconvene in regular session at 8:15 P.M., seconded by Mrs. Barber, all in favor. Present at the executive session were members Asbill, Barber, Jones, Pallesen and Olsen; Superintendent Northcott; Business Administrator Robinson.

There being no further business the meeting was declared adjourned.

President, Board of Education

Clerk, Board of Education