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# **Maria Montessori Academy Administrative Procedures**

Updated: 06.06.2025

**Administrative Procedures**  
**Family Educational Rights and Privacy**

These procedures are established pursuant to the Board's Family Educational Rights and Privacy Policy.

**Activities Prohibited Without Prior Written Consent**

Prior Written Consent Requirement

Any School employee or agent who plans to administer to a student in any grade any psychological or psychiatric examination, test, or treatment, or any survey, analysis or evaluation that has the purpose or evident intended effect of causing the student to reveal information, whether the information is personally identifiable or not, concerning the student's or any family member's:

- (a) political affiliations or, except as provided under Utah Code § 53G-10-202 or rules of the Utah State Board of Education, political philosophies;
- (b) mental or psychological problems;
- (c) sexual behavior, orientation, gender identity, or attitudes;
- (d) illegal, anti-social, self-incriminating, or demeaning behavior;
- (e) critical appraisals of individuals with whom the student or family member has close family relationships;
- (f) religious affiliations or beliefs;
- (g) legally recognized privileged and analogous relationships, such as those with lawyers, medical personnel, or ministers; or
- (h) income, except as required by law;

shall obtain prior written consent from the student's parent or guardian at least two (2) weeks before the test/treatment/survey/analysis/evaluation is administered or the information listed above is sought, unless the employee or agent must seek this type of private information due to an emergency, or unless a student spontaneously discloses the information.

The prohibitions above also apply within the curriculum and other School activities.

If the School chooses to administer any of the surveys listed below, the School shall, on an annual basis, obtain prior written consent for the survey(s) from students' parents or guardians at the time students register with the School:

- (a) surveys related to an early warning system described in Utah Code § 53F-4-207;
- (b) surveys that include social emotional learning questions; and
- (c) the school climate survey described in Utah Code § 53G-8-802.

#### Parental Notice and Consent Checklist

For a consent from a student's parent or guardian to be valid, the consent must be in writing and signed. In addition, prior to the written consent being signed by a parent or guardian, a written notice shall be given to the parent or guardian that includes:

- (a) notice that the parent has a reasonable opportunity to obtain written information concerning:
  - (i) relationships and other information that may be examined or requested in the test, treatment, survey, analysis, or evaluation to be administered;
  - (ii) how the test, treatment, survey, analysis, or evaluation will be administered;
  - (iii) why (*i.e.*, the purpose) the test, treatment, survey, analysis, or evaluation is needed; and
  - (iv) who will have access to the information gathered from the test, treatment, survey, analysis, or evaluation to be administered;
- (b) if it is a survey that is to be administered, notice:
  - (i) that a copy of the survey is available at the School and online (a link to the survey shall be included in the notice);
  - (ii) of the intended purpose and use of the data collected through the survey;
  - (iii) of the types of persons or governmental entities that share the data collected from the survey (including a list of recipients who will receive the student-level data), or receive

the data collected from the survey from a governmental entity on a regular or contract basis; and

- (iv) of the record series as defined in Utah Code § 63G-2-103 in which the data is or will be included, if applicable.

A general consent used to approve admission to School or involvement in special education, remedial education, or a School activity does not constitute written consent for these purposes.

#### Duration of Parental Authorization

Unless otherwise agreed to by a student's parent or guardian and the person requesting written consent, the authorization is valid only for the activity for which it was granted. However, a written withdrawal of authorization submitted to the School Principal/Director by the authorizing parent or guardian terminates the authorization.

#### Waiver of Parental Notice Period

A parent or guardian may waive the 2-week notice period by signing and returning a written waiver to the School.

#### Well-Being of a Student

If a School employee or agent believes that a situation exists that presents a serious threat to the well-being of a student, that employee or agent shall notify the student's parent or guardian without delay. If, however, the matter has been reported to the Division of Child and Family Services (DCFS), it is the responsibility of DCFS to notify the student's parent or guardian of any possible investigation, prior to the student's return home from School.

#### Risk of Suicide

If a School employee, agent, or School resource officer (if any) believes a student is at risk of attempting suicide, physical self-harm, or harming others, the School employee, agent, or School resource officer may intervene and ask a student questions regarding the student's suicidal thoughts, physically self-harming behavior, or thoughts of harming others for the purposes of:

- (a) referring the student to appropriate prevention services; and
- (b) informing the student's parent or guardian.

## **Student Education Records Management**

### Inspecting and Reviewing Education Records

Parents or guardians have the right to inspect and review their student's education

records, subject to certain exceptions. If the education records of a student contain information on more than one student, the parent or guardian may inspect and review or be informed of only the specific information about their student.

- The School will grant a request by a parent or guardian for access to the education records of their child within a reasonable period of time, but in no case more than forty-five (45) days after the request has been received by the School.

### Amending Education Records

Parents or guardians have the right to challenge and request the School to amend any portion of their student's education record that they believe is inaccurate, misleading, or in violation of the privacy rights of the student.

- The School shall consider the request and decide whether to amend the records within a reasonable amount of time. If the Principal/Director decides not to amend the record as requested, the Principal/Director shall inform the parent or guardian of the decision and of their right to a hearing.
- Upon request of a parent or guardian, the School shall provide an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.
- Such hearing shall be informal and shall be conducted by an individual who does not have a direct interest in the outcome of the hearing.

- If, as result of the hearing, the School decides that the challenged information is inaccurate, misleading, or in violation of the privacy rights of the student, the record should be amended accordingly and the parent or guardian informed in writing.
- If, as result of the hearing, the School decides that the challenged information is not inaccurate, misleading, or in violation of the privacy rights of the student, it shall inform the parent or guardian of their right to place a statement in the record, commenting on the challenged information in the record or stating why they disagree with the decision. Any such document must remain with the contested part of the record for as long as the record is maintained, and shall be disclosed whenever the portion of the record to which the statement relates is disclosed.

### Disclosing Education Records

The School shall not disclose personally identifiable information from a student's education records without first obtaining parental consent, except as provided by law. Such exceptions under FERPA include, but are not limited to, disclosures:

- To School officials within the School who have legitimate educational interests;
- To a contractor, consultant, volunteer or other party to whom the School has outsourced a service or function provided that the outside party::
  - Performs an institutional service or function for which the School would otherwise use employees;
  - Is under the direct control of the School with respect to the use and maintenance of education records; and
  - Is subject to the requirements of 34 CFR § 99.33(a) governing the use and redisclosure of personal identifiable information from education records.
- To an authorized caseworker or other representative of the Department of Health and Human Services, but only as described in Utah Code § 53E-9-308(3);
- To other schools that have requested the records and in which the student seeks or intends to enroll, or where the student is already enrolled, so long as the disclosure is for purposes related to the student's enrollment or transfer;
- In response to valid court orders or subpoenas;
- To appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals;
- To officials in the juvenile justice system as permitted by law;

- To the Comptroller General of the United States, the Attorney General of the United States, the Secretary, or State and local educational authorities in connection with an audit and evaluation of federally or state supported education programs, or for the enforcement of, or compliance with, federal legal requirements relating to those programs;
- To the applicable entities/agencies within the Department of Homeland Security for foreign students attending the School under a visa; or
- To the Attorney General of the United States in response to an *ex parte* order in connection with the investigation or prosecution of terrorism crimes.

The School may disclose a student's directory information without parental consent for appropriate reasons if it has given the parent or guardian proper annual notice of their right to request that their student's directory information not be released by the School and the parent or guardian has not notified the School that they do not want the student's directory information to be released.

- The following information relating to students may be declared directory information from time to time:
  - (a) name, address, e-mail address, and telephone number;
  - (b) date and place of birth;
  - (c) major field of study;
  - (d) participation in officially recognized activities and sports;
  - (e) weight and height of members of athletic teams;
  - (f) dates of attendance;
  - (g) degrees, honors, and awards received;
  - (h) most recent previous education agency or institution attended;
  - (i) photograph;
  - (j) grade level; and
  - (k) parent names and contact information.
- The School shall not release directory information to any individual or organization for commercial use.

### Parent or Guardian Right to Access Education Records

The School shall give full rights to student education records to either parent or guardian, unless the School has been provided with evidence that there is a court order or other legally binding instrument relating to matters such as divorce, separation, or custody that specifically revokes or limits these rights.

### Confidentiality of Student Information

The School and all employees, volunteers, third party contractors, or other agents of the School shall protect the privacy of the student and the student's family through compliance with the protections established under state and federal law, including FERPA and the student privacy and data protection statutes in Title 53E, Chapter 9 of the Utah Code.

Access to confidential student information will be limited to individuals with a legitimate educational interest in the data. The Principal/Director will determine which individuals have a legitimate educational interest in having access to particular data. In general, this will include the Principal/Director, other administrative personnel such as an assistant administrator or counselor, members of the School's front office staff, members of the School's special education staff (in accordance with special education regulations regarding school records), teachers (typically for students in their classes, but sometimes other students as well), and third parties with which the School has contracted to perform special tasks for the School. The School will ensure that all individuals who have access to student information will understand how, where, and when they can access this data and will commit to fulfill their obligations to protect the confidentiality of the information.

### Data Collection and Storage Procedures

The School will ensure that its school enrollment verification data, student performance data, and personally identifiable student information are collected, maintained, and transmitted in a secure manner and consistent with sound data collection and storage procedures.

#### *Physical Protection*

Any physical documents containing confidential student information will be stored in a secured, locked location. Access to the storage location will be determined by the Principal/Director.

#### *Technological Protection*

The School will ensure that appropriate technological protections are in place, as described below, whenever the School gathers, transmits, or stores confidential information electronically.

The School currently uses Aspire as its Student Information System. This is the primary location in which the School will store electronic data. This program provides a secure location for the maintenance and transmission of confidential student information. The School also uses the Aspire online registration system for the registration and enrollment of all new and returning students entering the School. In the event the School decides to use a Student Information System other than Aspire, the School will ensure that the system is approved by USBE and is adequately secure.

All confidential student information that is stored electronically will be in a location that is password protected. Such data will not be stored on local device drives or on removable data storage media.

The School will ensure that its network, including servers and wireless access components, employs industry standard security measures.

School personnel will not share log in information for any system in which confidential student information is stored unless authorized by the Principal/Director.

Confidential student information will only be transmitted through secure means such as Movelt and, where practical, will not be transmitted via e-mail in an unencrypted format.

#### *Personnel Responsibilities*

School personnel are responsible for entering student data into the School's Student Information System. This includes information obtained through the Aspire online registration system and other data gathered throughout the course of the school year. School personnel also manage the maintenance and reporting of records and data required by governmental entities.

#### Third Party Access to Confidential Information

The School's Educational Services Provider, Academica West, will have access to the personally identifiable student data and school enrollment verification data collected and maintained by the School in connection with legitimate educational purposes of the School.

## Data Breach

The School will notify the parent or guardian of a student if there is a release of the student's personally identifiable student data due to a security breach. The School will also notify the State Superintendent of significant data breaches of student data as required in R277-487.

## Training

On an annual basis, the School shall provide appropriate student data privacy training to its employees, aides, and volunteers who are authorized by the School to have access to education records as defined in FERPA. The training shall cover federal and state student data privacy laws and rules. The School shall ensure that its authorized employees sign a statement certifying that they have completed the training and understand student privacy requirements. The School shall create and maintain a list of the authorized employees and provide it to the Board of Directors as required in Utah Code § 53E-9-204.

The School shall also provide its employees with appropriate training on IT security matters.

Where required by R277-487, educators at the School shall also complete the student data security and privacy training for educators developed by the State Superintendent as a condition of re-licensure.

## **Administrative Procedures Employees Engaging in Private Activities Related to Public Education**

### **Purpose**

Maria Montessori Academy (the "School") recognizes that its employees may have opportunities to engage with students in private activities related to public education that are not sponsored by the School. The School supports its employees participating in such activities so long as they are done appropriately.

These procedures are intended to help ensure that any private, but public education-related activity involving School employees is conducted in a manner that complies with state law and rules, including R277-107, and maintains the integrity of the public education system. These procedures outline expectations for School employees who sponsor or participate in private activities related to public education and delineate boundaries between public employment and private enterprise.

### **Definitions**

For purposes of these procedures:

"Employee" means a person who is employed on a full-time, part-time, or contract basis by the School.

"Private, but public education-related activity" means any type of private activity for which:

- a. An employee of the School receives compensation; and
- b. The principal clients are students at the School.

"Private, but public education-related activity" may include:

- a. Tutoring;
- b. Lessons;
- c. Clinics;
- d. Camps; or
- e. Travel opportunities.

### **General Rules for School Employee Participation in Private, But Public Education-Related Activities**

Employees may participate in a private, but public education-related activity in accordance with R277-107 and these procedures.

#### **1. Separation of Private and Public Roles**

- a. Employees who participate in a private, but public education-related activity must ensure that such participation is separate and distinguishable from their employment with the School. For example, such employees may not:
  - i. Contact students at the School during School hours to promote such private activities; or
  - ii. Use student education records, School resources, or information gained through employment with the School in connection with such private activities, unless that information is readily available to the general public.

#### **2. Prohibited Use of School Time and Resources**

- a. Employees who participate in a private activity or a private, but public education-related activity may not use School time or resources to:
  - i. Discuss, promote, or prepare for such private activities; or
  - ii. Organize or advertise such private activities.

#### **3. Permissible Activities by Employees**

- a. Employees who participate in a private, but public education-related activity may:
  - i. Offer such private activities to students outside of regular School hours;
  - ii. Discuss such private activities with students or parents outside of the classroom and regular School hours;
  - iii. Use student directories or online resources which are available to the general public; or
  - iv. Advertise or promote such private activities in accordance with the rules in R277-107-3 and -4, including in School publications that allow commercial advertising.

4. Equity and Access

- a. Employees may not condition credit or participation in a School program or activity on a student's participation in such activities as clinics, camps, private programs, or travel activities that are not equally and freely available to all students.
- b. Employees may not state or imply to any person that participation in a regular School activity or program is conditioned on participation in a private activity.

5. Student-Initiated Educational Opportunities

- a. Nothing in these procedures prohibit students from requesting or petitioning the School for academic credit for educational experiences obtained outside of School consistent with School policy and applicable state law.

6. Contracts Governing Private, But Public Education-Related Activities

- a. Contracts between an employee and a sponsor of a private, but public education-related activity shall be signed by the employee and include the acknowledgments set forth in R277-107-6.
- b. An employee shall provide the School with a signed copy of all contracts between the employee and a sponsor of a private, but public education-related activity. The School shall maintain a copy of such contracts in the employee's personnel file.

## **Administrative Procedures Time and Effort Documentation**

These procedures are established in accordance with the Time and Effort Documentation Policy adopted by the School's Board of Directors.

1. All employees paid in whole or in part with federal funds, employees whose salaries are used to meet a matching/cost sharing requirement, and employees who are paid in whole or in part with state restricted funds are required to provide time and effort documentation that accurately and reasonably represents the work that has been performed during the period being reported on.
  - a. **Semi-Annual Certification** – This certification must be submitted by/for employees who work solely on a single cost objective during the six-month period being reported on.
    - i. Semi-Annual Certifications must:
      1. Be completed at least twice a year. For example, they could be submitted for the periods July 1 through December 31, and January 1 through June 30;
      2. Be submitted after the last day of the period being reported (*i.e.*, after the fact – the certification must reflect an after-the-fact distribution of the actual activity);
      3. Account for the total activity for which the employee is compensated;
      4. Be signed by the employee or a supervisor with direct knowledge of the work performed; and
      5. Be submitted on an approved form.
    - ii. Semi-Annual Certification forms will include the following:
      1. Name and title of the employee;
      2. Name and title of the employee's supervisor;
      3. Name of the cost objective the employee worked on;
      4. Period being reported on;
      5. A certification statement certifying the employee has spent 100% of their time on the stated cost objective;
      6. Whether time, effort, and salary are being used for cost sharing or matching purposes, and if so, for which program(s);
      7. Signature of the employee or the employee's supervisor who has direct knowledge of the work performed; and
      8. Date Signed by the employee or the employee's supervisor (Note: Cannot be dated prior to the end of the period covered by the certification).
  - b. **Personnel Activity Report (PAR)** – This report must be submitted by/for employees who work on multiple cost objectives. PARs must support the distribution of employees' salaries and wages that meet the standards outlined below.
    - i. A PAR must:

1. Provide a written record of the employee's work activities used to document that employee's time to a cost objective;
  2. Be completed at least monthly and be supported by the employee's work activities (should be submitted after the last day of the month being reported on, that is, after the fact – the PAR must reflect an after-the-fact distribution of the actual activity, not a budget estimate);
  3. Account for the total work activity for which the employee is compensated;
  4. Coincide with one or more pay periods;
  5. Be signed by the employee; and
  6. Be submitted on an approved form.
- ii. PAR forms will include the following:
1. Name and title of the employee;
  2. Name and title of the employee's supervisor;
  3. Name of the cost objectives the employee worked on;
  4. Period being reported on (e.g., January 1 through January 31);
  5. A certification statement stating that the distribution of the employee's time is an accurate representation of the work performed;
  6. Whether time, effort, and salary are being used for cost sharing or matching purposes, and if so, for which cost objective;
  7. Distribution of time (by percentage, e.g., 70% Title I, 30% Special Education) by account, function, program, location;
  8. Time being reported must represent but cannot exceed 100%;
  9. Signature of the employee;
  10. Date signed by the employee (Note: Cannot be dated prior to the end of the period covered by the PAR); and
  11. Sick time, vacation time, etc. (if applicable) must be coded proportionally to the different programs.
2. Payroll records must reconcile with the time and effort documentation.
  3. A reconciliation of payroll records and time and effort documents will be done on a regular basis. Adjustments will be made and discussed, as necessary.
  4. If an employee's salary is being used for cost sharing/matching purposes, then this needs to be identified on the employee's time and effort form. Once a salary has been used for matching purposes or a portion of the salary, then the salary, or portion thereof, that has been used may not be used as matching/cost sharing funds for another program.
  5. If assignments change, it is the School's responsibility to inform the School's accounting and payroll staff so that payroll records, budgets, etc. can be updated.
  6. Upon termination of employment, an employee must submit their final time and effort documentation prior to receiving their final payment.

7. Time and effort procedures will be periodically reviewed by School administration and the accounting and payroll staff. Updates due to changes in rules or regulations will be made in a timely manner, as necessary.
8. Employees will receive appropriate training on time and effort documentation, as necessary.
9. The School will keep a copy of all time and effort documentation (Semi-Annual Certifications, PARs, payroll reports, etc.) in accordance with the School's record retention practices or 3 years from the date of submission, whichever is greater, as required by 2 CFR § 200.334.
10. The signatures required herein may be either handwritten or electronic signatures.

**Administrative Procedures**  
**Reuse and Disposal of Textbooks**

These regulations are established pursuant to the Reuse and Disposal of Textbooks Policy established by the School's Board of Directors.

Textbook Disposal

The School's Director or his/her designee is authorized to determine when the School will no longer use certain textbooks. The reasons for deciding that the School will no longer use certain textbooks may be varied, including that the textbooks are outdated, have inaccurate, inappropriate, or insufficient content, and/or are in poor physical condition.

After the School's Director or his/her designee determines that the School is no longer going to use certain textbooks, the School may dispose of the textbooks, subject to the notification requirements below. Textbooks may be disposed of in a variety of ways. For example, the School may donate, recycle, sell, exchange, or even throw away textbooks, as appropriate. However, whenever practical and when textbooks still have market value, the School shall attempt to sell or negotiate the exchange of the textbooks before donating, recycling, or throwing them away.

Required Notification

Prior to disposing of textbooks, the School shall notify all other LEAs in the state of the School's intent to dispose of the textbooks. The School may provide this notification by any reasonable method, including, for example, by a mass email to all other LEAs in the state or by providing the notification to the Utah State Board of Education ("USBE") who will then provide the notification to all other LEAs (such as through USBE emails to LEA curriculum directors). The notification shall describe how long the textbooks may be available and the general timeline for their disposal.

The notification requirement described above does not apply when textbooks have been damaged, mutilated, or worn out. The School may dispose of such textbooks without providing any prior notification to other LEAs.

## **Administrative Procedures**

### **Toilet Training**

These procedures are established in accordance with the Toilet Training Policy established by the School's Board of Directors.

#### Students Who are not Toilet Trained

In the event a student seeking to enroll in the School is not toilet trained, or if a student who is already enrolled in the School is found to not be toilet trained, the School shall:

- (a) consider whether the student's lack of toilet toileting may be a sign of a disability that could impact the student's education, including by conducting an initial evaluation consistent with the School's child find obligations, if appropriate; and
- (b) determine whether the student is not able to be toilet trained because of a disability that is described in the student's IEP or Section 504 plan.

The School may, consistent with its lottery and enrollment policies, enroll a new student or maintain the enrollment of an existing student who is found to not be toilet trained if the School determines that the student is not able to be toilet trained because of a suspected disability that is subject to federal child find requirements or that is described in an IEP or Section 504 plan.

However, if the School determines that neither of these exceptions apply with respect to the student, the School shall:

- (a) in the case of a student seeking to enroll in the School, not enroll the student in the School; and
- (b) in the case of a student who is already enrolled in the School, unenroll the student from the School.