

Utah State Charter School Board
Conversion Documents for existing
Utah State Board of Education Charter Schools

Name of Charter School Tuacahn High School for the Performing Arts

Chief Administrative Officer of Chair of Governing Board Fred Lampropoulus

Mailing Address 1100 Tuacahn Drive

City Ivins State UT Zip 84738

County Washington E-mail tca@infowest.com

Daytime Phone (435) 652-3201 Fax (435) 652-3306

Form of Organization

☒ Nonprofit Corporation

☐ Tribal Entity

☐ _____

The governing body of a charter school is responsible for the policy decisions of the school.
Please indicate the makeup of this body below.

Governing Body (Body responsible for the policy decisions of the school.) (U.C.A. 53A-1a-508)				
Member Type	Number	Name	Name	Name
Parents				
Teachers				
School Staff				
Business		See following list of		
		Board of Directors		

Target Population

Mission Statement (use only this space):

The mission of the Tuacahn High School for the Performing Arts is to enlighten minds, inspire talent, develop abilities, promote character and preserve values, while training and encouraging students to meet the creative and intellectual challenges of the 21st century. Tuacahn High School provides an innovative and dynamic environment where all students are given the opportunity to succeed and excel in academics and the performing arts.

	Grades Served Please circle all grades being taught.	Total Number Served Enrollment cap at all campuses and in all grades combined	Sites Number Operating
Currently	K 1 2 3 4 5 6 7 8 9 10 11 12 X X X X	225	1
Ultimate Size	K 1 2 3 4 5 6 7 8 9 10 11 12 X X X X	350	1

School Calendar

☒ XX Standard

☐ Extended School Year

Instructional Days 180

Start Date August 08, 2005

☐ Alternative (please describe in 5 words or less)

Complete the following information for each site indicated above. If planning more than one site, attach an additional page with the following information.

Site Name Tuacahn High School for the Performing Arts

Site Address 1100 Tuacahn Drive

City Ivins Zip Code Utah County Washington

Site/Location Description : Tuacahn's educational facilities include a school of 42,000 square feet including classrooms, recital hall, computer labs, black box theatre, 330-seat theatre as well as a kitchen, administrative offices, faculty lounge and library. The school has access to the Tuacahn Center for the Arts facilities including dressing rooms, showers, design studios,

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costume construction and storage rooms, and the Tuacahn Amphitheatre for special programs and ceremonies.

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Effectiveness Goals

Goal	Specific Objectives (What will be measured?)	Measurement Criteria (How you know it? – means of measuring data, percent mastery, etc.)	Documentation on How Goals Have Been Achieved (Including test scores)
1. Students will master the State core curriculum.	1. Students' knowledge of science, math, and language arts will be measured.	1. All students will score above the proficiency cut line on the State CRT exams. All students will also pass the UBSCT. a. Students will meet unit level, and term level benchmarks, using curriculum-based measurement techniques. b. Students will also earn passing grades in all of their classes. c. Students will graduate.	See Attached Documentation
2. Students will advance in the performing arts.	2. Students' proficiency in dance, music, and theater technology will be measured.	2. Mastery will be measured in the following ways: a. Students will earn passing grades in their theater-related class work. b. Student mastery will be achieved as defined at adjudicated drama competitions, such as the annual Utah High School Shakespeare	

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<p>3. Students will prepare for college and/or a career in the performing arts.</p>	<p>3. Students' preparation for specific college entry exams and students' college enrollment rates will be measured. Students' post-graduation employment in the performing arts field will also be measured.</p>	<p>Competition. c. Students will demonstrate mastery of their theater-related skills in school auditions. d. Live audiences will respond to actual student performances.</p> <p>3. Mastery will be determined in the following ways: a. Number of students in the ACT prep course will increase. b. Students will enroll in post-graduate education. c. Students will be employed in the field of theater arts.</p>
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Provide information on the following:

- A. A description of the school's library or access to a library. The description may include location, size, staffing, and estimates of size and types of collection.**

Tuacahn High School has a fully equipped library with a part-time certified librarian and a full-time assistant librarian. The library is located on the school's ground floor, allowing access to all students. The library is stocked with over 4200 books, ranging from science fiction to technology and classic literature. We also have a CD library available to students, along with periodicals and current magazines. The library meets the requirements for accreditation.

- B. The school's plan for providing administrative and supervisory services. These may include, but are not limited to supervision and improvement of instruction, interpretation of student and school progress and performance, community relations, staff professional development, counseling, employment issues, discipline, student placement, responsibilities for operation and maintenance of school plant, management of school equipment and supplies, preparation and completion of federal and state reports, assistance and support to teachers.**

Tuacahn High School is governed by a Board of Directors. Board members are selected for a five-year term. The current board consists of Fred Lampropoulos (Chairman), Hyrum Smith (CEO), Doug Glendenning, Jon Hafen, Sue Cox, Shandon Gubler, Dr. Marion Bentley, Penny Shelley, and Robert F. Bennett.

Fred Lampropoulos, Chairman, is the co-inventor on more than 100 patents of devices used in the diagnostic and therapeutic treatment of cardiovascular disease. He serves as the Chairman and CEO of Merit Medical, a publicly traded designer and manufacturer of medical devices headquartered in Salt Lake City, Utah.

Hyrum Smith, CEO, is founder and former vice-chairman of the board of Franklin-Covey, a time-management company headquartered in Salt Lake City. He also serves as a board member for SkyWest Airlines and on the University of Utah and Dixie State College national advisory councils.

Robert F. Bennett, board member, is a current United States Senator for the State of Utah and is a former president of Franklin Covey, a time management company. He has been a successful businessman for over 30 years.

Sue Cox, board member, is the former Chairman of the Board of the Utah Shakespearean Festival. She is a prominent member of the St. George community.

Doug Glendenning, board member, is the former chair of the Tuacahn Board of Directors. He is a prominent St. George businessman. He is the former president of the

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Lone Star Steakhouse restaurant chain, a Wichita, Kansas-based firm operating more than 300 restaurants in 35 states in the United States and Canada. During Mr. Glendenning's tenure as president, the chain was described by Forbes magazine as the number one small business in the world for three years in a row.

Jon Hafen, board member, is Tuacahn's legal counsel. Mr. Hafen is affiliated with the Salt Lake City law firm of Parr, Waddoups, Brown, Gee and Loveless.

Penny Shelley, board member, is the former executive director of the Washington County Travel Bureau, and a former member of the board of the Color Country Travel Region. She has served on the Dixie Center Control Board and is currently employed with Zions Bank and Mary Kay Cosmetics.

Shandon Gubler, board member, is also a member of the Dixie State College Board of Regents. He is a businessman and developer, and currently serves as a Professor of Business at the Marriott School of Business, BYU.

Dr. Marion Bentley, board member, is a Professor Emeritus of Brigham Young University Theater Arts Department. Dr. Bentley currently resides in St. George.

The Tuacahn Board of Directors is responsible for hiring the High School Administrator. The Administrator hires assistants, faculty and staff members with the board's approval. The Administrator, along with administrative assistants, supervises all school activities providing assistance and support for school faculty. The administrator will conduct screening of all potential employees to determine the qualifications and fitness for assignments. University degrees, state certification, teaching experience and teaching performance will be used for the selection of professional employees. Alternative certification options may be used in the selection of teachers where required. All teachers should be properly certified. The minimum acceptable qualification for professional staff is a university degree and the proper certification.

Students at Tuacahn High School are rotated among different teachers. With the limited enrollment, classes are small. Non-professional support staff will include one administrative assistant, one business manager, and one library aide. Additional support staff includes full and part-time custodians, and full and part-time maintenance personnel.

Tuacahn High School encourages parents to participate in school improvement through the Parent Teacher Advisory Committee (PTAC), the Parent Teacher Organization (PTO), and by directly communicating or corresponding with the school staff and the THS Board of Directors.

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The PTAC is a representative group of parents from each grade level and includes school staff. Representatives of the PTAC are invited to each THS Board of Directors meeting and are included on the agenda to share ideas, make suggestions, influence decisions, and address concerns.

The PTO is a parent group whose primary focus is to provide service to the school. The president of the PTO and/or other representatives of the PTO are provided time on the agenda of each THS Board of Directors meeting to address their ideas and concerns for the school.

Furthermore, all parents are welcomed and invited to participate in every THS Board of Directors meeting, and are given the opportunity to address the Board during the *Public Comment* portion of the agenda.

Parents are also involved through regularly scheduled parent conferences and Student Educational/Occupational Plan (SEOP) meetings. They are invited to attend a school-wide parent meeting the week prior to the start of school. The Parents are also invited to all student activities and are encouraged to assist with productions. Written information will be regularly mailed to parents and an e-mail network has been created for additional ease in conveying information. The school has established the SIS computer information system with the Utah State Office of Education that allows parents Internet access to grades and homework, and allows parents direct e-mail communications to teachers.

Complaints from parents are to be submitted to individuals against whom the complaints are filed. If complaints are not resolved on those levels, said complaints are to be submitted to the principal of Tuacahn High School for the Performing Arts. If the complaints are not solved on that level, they are to be submitted to the President of the Tuacahn Center for the Arts. Complaints not solved on that level are to be submitted to the Tuacahn Center for the Arts Board of Directors. If complaints are not solved on that level, the complainers may refer their complaints to the State Director of Charter Schools. If complaints cannot be solved on that level, complaints may be addressed to the State Charter School Board.

The ability of Tuacahn High School for the Performing Arts to attract a diverse group of students stems from the excellence of our educational opportunities and an intense effort to participate in, and do well at festivals, performing competitions, concerts and shows throughout the state and nation. Performing materials and curriculum will also include a vast variety of culturally diverse resources. Teachers are encouraged and do participate in monthly in-service planning in an effort to deepen understanding across the curriculum.

Since the school attracts students from all areas of Utah, potential students and their families will be notified of the opportunity to attend the school via television, radio, local

and state newspapers, and by web site. The web-site lists not only administrative and faculty members, but also a listing of course offerings and course descriptions. The selection process includes potential students submitting an application on-line or in person at the high school office. Selection will be based on a random lottery relative to the number of openings in each grade. Tuacahn High School for the Performing Arts adheres to state and federal laws relative to an open admissions policy and lottery. Preference may be given to siblings of current students.

Standards of student conduct, dress, and performance are outlined in a written policy provided to all students and their parents or guardians. Each student is required to sign a statement acknowledging that he/she has read the policy, understands the school's rules, and the consequences for rule infractions. Students are expected to receive passing grades in all of their classes.

Attendance at school each day is vital to being a successful student. Students are required to attend classes daily unless excused through legitimate absences such as illness and family emergencies. It is the parent's responsibility to notify the school when legitimate absences happen. When absences occur, students are expected to make up class work in a legitimate fashion. Teachers take rolls and track absences and tardies via the SIS computer system. Parents are notified if absences are excessive. Teachers may make participation in class apart of their grading system (not to exceed 10% of the total grade). It is assumed that by missing a class, the student misses important information that adversely impacts the grade. The teacher may reinstate lost participation credit if class work is made up within a period of time prescribed by the teacher.

Aggressive and/or violent acts exhibited by students will be referred to the juvenile court system through the Washington County Sheriff's Department. In addition, other consequences including suspension or expulsion may be imposed by the Tuacahn administration.

Inappropriate language and behavior will not be tolerated. Students on the school premises, in school transportation, or at school activities, either as a spectator or participant, will refrain from the use of inappropriate language including swearing and the use of vulgar and obscene language and gestures. Students who continue to use inappropriate language may be suspended or expelled from school.

Public display of affection is considered inappropriate behavior. Students who persist in displaying inappropriate affection on campus will be approached and reminded to refrain from those activities. Further offenses will result in a parental conference and other appropriate action.

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Nuisances will include, but not be limited to, carrying or using water guns or spray paint cans on campus. Any other items, which might cause harm or danger to other students, will be left at home. Skateboards will not be allowed on campus and will be confiscated. Reckless driving in the parking lot will be referred to court and charged. Students involved in disorderly conduct in the halls or on the Tuacahn premises will be placed on a contract and may be referred to court. CD players, walkmans, headsets, cellular phones, pagers, yo-yos and other toys, which cause disturbances, will not be allowed in class.

Ungovernable behavior will include students who are out of class without a hall pass or written legitimate excuse. Students will be brought to the principal's office for discipline.

Gang participation at Tuacahn High School will not be tolerated on any level including the wearing or displaying of any identifiable gang or gang-related hand signals, insignia, clothing, uniforms, colors, paraphernalia, adopted symbols, writing or nicknames, or other items identifying or representing gang association while on school property, on school transportation, or at school activities or functions. To do so will result in a student being excluded from school for up to ten days in any semester, and may, after an opportunity for a due process hearing is provided, be permanently excluded from school.

Weapons possession will include possessing, using, selling, or attempting to sell any firearms, smoke bombs, tear gas canisters, incendiary devices, flammable liquids, cigarette lighters, knives, explosive devices or fireworks, chemical weapons, martial arts weapons, or any other dangerous weapons. This will not be allowed within 100 yards of the Tuacahn campus. Violation of this policy will result in exclusion from school for up to ten days in any semester and may, after an opportunity for a due process hearing is accorded, result in permanent exclusion from Tuacahn High School.

Sexual harassment is inappropriate behavior. Tuacahn High School for the Performing Arts constantly strives to maintain a learning and working environment, free from sexual harassment. The school will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment and to discipline any student or employee who sexually harasses a student or employee of Tuacahn. The school will take such disciplinary action it deems necessary and appropriate, including warning, suspension or immediate termination to end sexual harassment and prevent its reoccurrence.

A specific dress code is required while attending Tuacahn High School. The school's board of directors has adopted the current dress code. When the wearing of the school uniform is not required for rehearsals or other activities, students will wear

clothing that is appropriate, modest and not disruptive or dangerous. Clothing with profane or vulgar words, phrases or gestures, or containing the advertisement of products illegal for consumption or possession of minors, will not be acceptable.

Tuacahn High School for the Performing Arts utilizes a due process procedure, which commonly used in Utah high schools and is recommended by the U.S.O.E. when dismissing students from the Charter school. Parental involvement is included.

A student may be suspended or expelled from Tuacahn High School for any of the following reasons: continued willful disobedience or open and persistent defiance of proper authority; willful destruction or defacing of school property; behavior or threatened behavior which poses an immediate and significant threat to the welfare, safety, or morals of other students and school personnel or to the operation of the school; any serious violation affecting another student or a staff member, or occurring in a school building, in or on school property or in conjunction with any school activity, including the possession of a weapon, explosive or flammable material, or the sale, control or distribution of a drug or controlled substance, an imitation controlled substance, or drug paraphernalia; or the commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor. A habitually disruptive student (one who has caused a disruption in a classroom, on school grounds, on a school vehicle, or at school activities and events more than five times during the school year, and whose behavior was initiated, willful, and overt, and required the attention of school personnel to deal with the disruption) may also be expelled.

The purpose of Tuacahn High School is to provide an opportunity for high school students to develop their skills in the arts of music, drama, visual art and dance. Tuacahn has unique facilities for this purpose. The school also requires students to take seven classes per day, attend school 6 hours per day, and earn 24 units of credit in a four-year period, provided students attend Tuacahn all four years. For a small high school, it provides a sophisticated academic program or a college prep program. The school is designed to serve students of demonstrated talent in vocal and instrumental music, drama, and dance, especially those from areas which do not offer an arts curricula or where the student could benefit from specialized and individualized instruction in the arts. Tuacahn High School is open to all students who wish to attend. Students who elect to enroll should have a demonstrated proficiency or interest in one of the school's performing arts emphases and be able to successfully complete Tuacahn High School's rigorous regiment of academic and performing art courses. Students should also have the necessary interpersonal skills to harmoniously live in companionship with other students of similar talent and skills residing in an environment which values and promotes individual creativity and scholarly activities.

Students enrolling at Tuacahn High School complete an individualized course that includes the basic subject matter required of all Utah high school students, together with personalized instruction designed to perfect the student's talents. For specialized and individual instruction in various aspects of the performing arts, the students have access to visiting performing artists who are brought to the school for special workshops, seminars, and festivals, as well as working with professional, certified teachers.

Tuacahn High School facilities are leased from Tuacahn Center for the Arts. The leaser is responsible for upkeep and maintenance of the building, grounds and facilities.

The Tuacahn Performing Arts Center presents a variety of professional products from late spring to early fall. Students at Tuacahn High School thus have an unprecedented opportunity to interface with professionals in the performing art world as well as serve internships with accomplished musicians, actors, and dancers, complementing their classroom studies.

Tuacahn High School provides the state prescribed core curriculum and increases the graduation requirements above the present state regulations. Electives will be taught according to the State core requirements for performing and visual arts. Progress is monitored by meeting and surpassing AYP guidelines and requirements. Tuacahn also utilizes the Stanford Achievement Test 9th Edition, and Utah State Core Curriculum End-of-Level tests. Each teacher formulates a testing procedure for the classes he/she is responsible for teaching to determine student mastery of course content. Recitals, concerts, and competitive competitions are used to determine student progress in the performing arts areas. The High School seeks additional methods for evaluating student performance including bringing outside evaluators to the school for individual appraisals. The information obtained from tests of all kinds is considered by parents, teachers, and students in the formulation of Student Educational and Occupational Plans. The information from tests will be reported to parents in student, parent, teacher conferences and required report cards sent to parents' homes.

C. The school's fiscal procedures. These may include policies around the governing board's budget process, limits on appropriations, monthly budget reports, the school's policy on making appropriations in excess of estimated revenue, expendable revenue, policy around undistributed reserves, policies around interfund transfers, and policies around emergency expenditures among others.

Tuacahn High School for the Performing Arts recognizes the importance of excellent fiscal management in managing public resources to achieve the goals of the educational plan of the school. The school will be vigilant in fulfilling its responsibilities to see that these funds are used wisely to achieve the purpose for which they are allocated.

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The accounting policies and financial reporting adopted are consistent with the requirements of Generally Accepted Accounting Principals (GAAP) and the Governmental Accounting Standards Board (GASB). GASB is the recognized standard setting body for establishing governmental accounting and financial reporting principles

The Charter School prepares an annual operating budget. This budget is reviewed and approved by the Board of Directors and modified as necessary.

Financial statements displaying budget vs. actual results are prepared by the Business Manager and reviewed by the Board of Directors

The acquisition of supplies, equipment, and services will be by the Business Manager, who functions under the supervision of the Principal. All purchases are made within the framework of budgetary limitations and are consistent with the approved educational goals and programs of the School.

The Business Manager maintains supporting records in sufficient detail to prepare the School's financial reports, including:

- Financial statements for audit

- Annual budget

- Internally generated budget vs. actual financial statements

- Billing invoices to funding sources

- IRS Forms 941 and payroll tax returns and state taxing returns

The Board of Directors arranges annually for a qualified certified public accounting firm to conduct an audit of the Charter School's financial statements in accordance with Government Auditing Standards and the Governmental Accounting Standards Board.

D. The school's policy and procedures regarding employee evaluation.

Tuacahn High School uses JPAS, the Jordan Performance Appraisal System, as a tool for teacher evaluation and for mentor training. JPAS is designed to help teachers provide high quality instruction to all students. It helps ensure that a viable, reliable and objective system exists to mentor/monitor teacher performance, to develop teacher skills, and to assist teachers whose performance needs improvement. The intent of JPAS is to provide feedback that will lead to instructional excellence and to the implementation of organizational skills.

E. The school's policy and procedure regarding employee termination. Policy may include policies on hearings, appeals, dismissal procedures, and necessary staff reduction.

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Tuacahn High School has rules and regulations regarding employee behavior. These are necessary for the efficient operation of the high school and for the benefit and safety of all employees. Conduct that interferes with operations, discredits THS, or is offensive to fellow employees will not be tolerated. Disciplinary action may include, but is not limited to, verbal warning, written warning, suspension with or without pay, probation, demotion or reassignment, reduction in salary including fines, or discharge with or without additional notice. THS will not suspend without pay or reduce the salary of an employee as a disciplinary action except as specifically allowed by law. Attached is a copy of the Standards of Conduct and Disciplinary Action from the Tuacahn High School Employee Handbook.

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If any amendments to the Charter that exists with the Utah State Office of Education are being requested, please describe them here.

In order to maximize the potential of Tuacahn High School for the Performing Arts particularly in the areas of music and the performing arts we have amended the number of students to be served to 350. Increasing the enrollment allows for more full-time teachers in the academic classes which provides more flexibility in scheduling core curriculum classes. Increasing to 350 students is expected to happen incrementally over the next two to three years.

We understand that before the school can take in more students, more classroom space is needed. A committee has been formed to study this need and private money has been secured to design plans for a building renovation and addition that will house the new influx of students. It is the full intention of the Tuacahn Board of Directors to begin securing money for the new building demands as soon as possible so that we can accommodate this goal.

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Documentation on How Goals have been Achieved

1. All students will score above the proficiency cut line on the State CRT exams. All students will also pass UBSCT.

- a. 03-04 UBSCT test scores
- b. 03-04 CRT test scores
- c. ACT test scores
- d. IOWA test scores
- e. 03-04 Graduation rate

2. Mastery will be measured in the following ways:

- a. Random academic class samples from Dance, Music, and Drama
- b. Utah Shakespearean Drama Competition. 2nd place in the Team Competition. Students earned superior ratings in scene and monologue work.
- c. UHSAA Region and State Drama Festivals: Superior ratings were awarded at the Region 9 and 3A State Drama Festival for the Competition Plays for Desire, Desire, Desire. Several students in the play also earned several acting awards. Tuacahn students were awarded superior and excellent ratings by adjudicators for their Individual Events work in scenes, monologues, and mime/pantomime.
- d. Our choir program has competed at Region 9 and State Choral Festivals. They earned "Superior 1" ratings at region and state festivals.
- e. Tuacahn High School students have auditioned and accepted roles in Dixie State College productions, St. George Musical Theater productions, and Tuacahn Center for the Arts summer/fall musicals. Our dance students provided much of the ballet corps and soloists for a holiday production of The Nutcracker Ballet sponsored by a St. George dance company.
- f. Tuacahn students have participated in the following 03-04 productions. 1) Schoolhouse Rock! the musical, 2) "From Tuacahn with Love, Happy Holiday", 3) The Night of January 16th, 4) Desire, Desire, Desire, 5) Spring Dance Concert, 6) Crazy for You. 04-05 Tuacahn High School productions have been 1) Footloose, 2) holiday variety show, 3) Sight Unseen, 4) Fortress 5) Spring Dance Concert, and 6) 42nd Street. Annually, the Tuacahn High School Madrigals perform a minimum of 30 concerts throughout Washington County.

3. Mastery will determined in the following ways:

- a. 02-03 there were 10 students and ACT Prep. 03-04 there were 22 students enrolled in ACT Prep. 04-05 there were 25 students enrolled in ACT Prep.
- b. There were 27 graduating seniors in 02-03 with 86% of them enrolling in a post-high school educational program. In 03-04, there were 33 graduating seniors. 90% of them went on to a post-high school educational institution.
- c. Several of our current and graduated students have been hired by Tuacahn Center for the Arts to fulfill acting roles and technicians. Our technical theater students have been hired by Dixie State College to run lights and sound in their theaters. One graduate, a Freshman at Southern Utah University, was hired by the Utah Shakespearean Festival.

Tuacahn High School for the Performing Arts

BOARD OF DIRECTORS

Doug Glendenning
Private Investor

Penny Shelley
Mary Kay Director

Hyrum Smith
Franklin - Covey

Richard Headlee
Former Chairman & CEO, Retired
Alexander Hamilton Life Insurance Co. of America

Jon Hafen
Attorney
Parr Waddoups Brown Gee & Loveless
Attorneys at Law

Robert F. Bennett
U.S. Senator

Fred Lampropoulos
CEO Merit Medical

Sue Cox
Civic Leader

Bradley, Patricia

From: Douglas N. Bishop [dbishop@tuacahn.org]
Sent: Tuesday, January 27, 2004 3:13 PM
To: Bradley, Patricia
Subject: RE: Changes to Governing Boards

Tuacahn High School for the Performing Arts
Board of Directors
Doug Glendenning
Penny Shelly
Hyrum Smith
Richard Headlee
Jon Hafen
U.S. Senator Robert F. Bennett
Fred Lampropoulos
Sue Cox

-----Original Message-----

From: Bradley, Patricia [mailto:PBRADLEY@usoe.k12.ut.us]
Sent: Tuesday, January 27, 2004 2:50 PM
To: Al Church; Allison Mueller; Amy Wadsworth (E-mail); Blake Dursteler; Cameron Cuch (E-mail); Cami Wilding (E-mail); Carolyn Andersen (E-mail); Carolyn Sharette; Cherry Morgan; Denise Saunders; Diana West; Diane Austin; Doug Bishop; Eldon Budge (E-mail); Emily Coon; Eric Lindsey (E-mail); Eric Smith; Erol Porter; Jana Houston; Janet Johnson (E-mail); Jed Stevenson; Jeff Allen (E-mail); Jenny Gagon; Jim Peterson; Joe Zeidner (E-mail); John Brogerg (E-mail); Julie Adamic; Kathleen Thornburg; Keith Griffiths; Kevin Lolofie; Laura Campbell; Laurie Henderson; Lisa Putman; Lori McDonald; Marlies Burns (E-mail); Max Meyer (E-mail); Ram Prasad (E-mail); Roberta Hardy (E-mail); Shannon Godfrey; Shelly Getts; Simon, Marilyn.; Sonia Woodbury; Stanford, Lonny.; Stephen Humphreys; Stephen Jolley; Steve Winitzky; Steven Tueller; Sue McGhie-Troff (E-mail); Thompson, Teresa.; Tim McConnell; Trish Vierra; Von Hortin
Subject: Changes to Governing Boards

Can you please help me with the issue of changes to your governing boards. Since the Boards are in effect parallel to the school boards in districts, please send me a list of your current board members. If and when they change a quick email could suffice as an update.
thank you

Patricia G. Bradley
Coordinator
Planning and Education Programs
Utah State Office of Education
250 East 500 South
P.O. Box 144200
Salt Lake City, UT 84114-4200
Phone 801.538.7817
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Utah State Charter School Board
Charter School Agreement
Updated 8/2009

CHARTER SCHOOL AGREEMENT

Pursuant to Section 53A-1a 505, the State Charter School Board (herein after referred to as the Board), grants the Governing Board of Tuacahn High School for the Performing Arts a charter to operate a public school (hereinafter referred to as the School).

1. Application/Agreement-Binding

The Board has reviewed the application submitted by the Governing Board and has approved it, subject to adherence to all requirements set forth in this agreement and in state law and board rule. The application is fully incorporated in this agreement, and all representations and conditions contained in the agreement are binding on the Governing Board. The Governing Board shall immediately submit in writing, to the Board and the local board of education in which the School is located, notice of any proposed substantial changes to the application or the representations or conditions contained in the original application or charter. The Board reserves the right to reject any proposed changes to the agreement once the application and agreement have been approved. This agreement begins with the school year that commences immediately following or coincident with the date of this agreement. This agreement shall be automatically renewed at the end of its term, and at the end of each school year beginning thereafter, unless it is terminated by either the Board or the Governing Board pursuant to paragraph 23 or Utah Code Section 53A-1a-510.

2. Operation of School

The School shall at all times be operated by the Governing Board of the School in accordance with Section 53A-1a-501 et. seq., and all other applicable laws and regulations.

3. Compliance with Other Laws

The Governing Board shall comply with all applicable federal laws and regulations, including, but not limited to, such laws and regulations governing employment, environment, disabilities, civil rights, children with special needs, transportation, and student records as applicable. The Governing Board shall also comply with all applicable health and safety laws and regulations, whether federal, state, or local. Neither the State Charter School Board nor the local board of education assumes the duty to oversee the operations of the School except as may otherwise be provided by law or separate contract. The Board shall monitor the School for compliance with applicable laws and regulations consistent with Section 53A-1a-501.6 and R277- 470.

4. Enrollment

- a. Admission and enrollment of students shall be as prescribed by Sections 53A-1a-506 and 53A-1a-506.5, R277-437, R277-470, and federal law. Failure to adhere to the requirements of random selection, under Section 53A-1a-506, and federal requirements for lottery selection, may be grounds for termination of this charter.
- b. The School shall report information on student enrollment as required by the Board through state and federal law. When a student withdraws from the School, the School shall notify the local board of education responsible for the attendance area in which the student resides within 10 days of the withdrawal so that the local board may fulfill its legal obligation to verify the student's compliance with compulsory attendance laws.
- c. Requests for the School to increase its enrollment beyond that set out in its initial agreement shall be submitted to the Board. This provision will be reviewed and is subject to negotiation and amendment by the State Charter School Board, including a review of student assessment data, prior to the 2006-2007 school year.
- d. Failure to enroll the authorized number of students within three years of approval may result in the school being required to remand extra students for reallocation by the State Charter School Board upon request.

5. Financial and Governance Warnings

This charter incorporates by reference, and the Governing Board and School are subject to, Section 53A-1a-501 et. seq., and R277-470, and all other federal and state laws and rules unless specifically waived under Sections 53A-1a-511 and 512. A copy of the Board rules may be obtained at the following locations:

Website: <http://www.rules.utah.gov/publicat/code/r277/r277.htm>
Mail: Utah State Office of Education
250 East 500 South
P.O. Box 144200
Salt Lake City, UT 84114-4200

6. Children with Special Needs

- a. As prescribed by the State Board of Education, and in accordance with state and federal laws, the School shall provide to the Board the total number of children with special needs, identified in accordance with state and federal laws, enrolled in the School.
- b. The Governing Board accepts and understands that, for purposes of federal and state law, including the Americans with Disabilities Act, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act, the School is obligated to provide free and appropriate education and related services to children with special needs. The School may not send special needs students back to resident districts because the School lacks services, nor may the School "counsel students" out of the School.

7. Reporting Requirements

The Governing Board shall submit such reports as required by state law and the Board. Failure to submit such reports may be grounds for revocation of the charter.

8. Technical Assistance

The School may request technical assistance from the Board in any area, including curriculum matters and financial concerns. In no event is the Utah State Office of Education, the State Board of Education or the State Charter School Board responsible for any financial or technical support other than the funding and technical assistance as expressly required by law.

9. Records

a. *Access.* Subject to state and federal laws, the State Board of Education, its agents, and the State Auditor's Office shall have the right to examine and copy all records, reports, documents, and files relating to any activity, program, or student of the School.

b. *Public Records Law.* The Governing Board and School are subject to the Government Records Access and Management Act, Section 63-2-101 through 63-2-1001. This provision is effective upon the Board's final approval of the Governing Board's Application.

c. *Student Records.* The School is subject to all the provisions of the federal Family Educational Rights and Privacy Act, U.S.C. 20 § 1232g. In the event the School closes, it shall transmit all official student records as prescribed by the State Charter School Board.

10. Financial Management

The Governing Board shall comply with the same financial audits, audit procedures and audit requirements of school districts. The program, financial and compliance audits may be conducted by the charter entity or the Legislative Auditors Office. The Governing Board shall maintain the financial records of the School pursuant of the governing authority and the State Auditors Office.

11. Property Ownership

Following the termination of a charter and after the settlement of outstanding obligation, there is a presumption that the property of a charter school shall revert to the State Board of Education. A charter school may defeat the presumption of State Board ownership with documentation that the charter school purchased the property with private funding, and may be requested to provide documentation that the charter school or its founders or directors were never reimbursed from public funds.

12. Procurement

Charter schools are subject to the Utah Procurement Code, Section 63-56-101 through 63-56-1002, to the same extent as local boards are.

13. Insurance and Bonding

a. The Governing Board shall obtain and maintain insurance at a minimum in the following amounts:

- 1) General liability: two million dollars (\$2,000,000) per occurrence
- 2) Employee dishonesty bond
- 3) Workers' compensation: as specified by federal law
- 4) Comprehensive/collision consistent with cash values of vehicles
- 5) Liability insurance specific to the Governing Board's financial officer or treasurer or business administrator consistent with coverage designated in R628-4-4

b. The provisions of Paragraph 1 shall not preclude any School from obtaining liability insurance coverage in addition to or in excess of the requirements stated in this section.

c. Written proof/copies of required insurance policies shall be provided to the State Charter School Board at least 90 days prior to the opening of school. The policies shall be maintained by the Charter School Board with the agreement. The Governing Board shall provide the Charter School Board with a certificate of insurance annually.

14. Facilities

State Board of Education Administrative Rule R277-471-3, "Oversight of School Inspections," requires a Local Charter School Board Building Officer to be appointed by the charter school board.

Local charter school boards shall appoint a local charter school board building officer who has direct administrative and operational control of all construction, renovation, and inspection of public-school district facilities within the school district, and shall provide in writing the name of the local charter school board building officer to the USOE.

The local charter school board building officer is responsible for coordinating with local municipalities and counties and the State Office of Education to ensure that the appropriate documents are filed in a timely manner for all construction projects, as outlined in the School Construction Inspection Resource Manual.

The Board may delay the opening of the School or terminate this charter on any of the following grounds (R277-470-13):

- 1) Failure to provide evidence of groundbreaking before January 1 of the intended opening year of the School (R277-470-7)
- 2) Failure to submit monthly construction/facility progress reports (SP-8) and/or failure to submit required documents in a timely manner to the State Office of Education (R277-471-7)
- 3) Failure to attend orientation/training sessions designated by the State Charter School Board (R277-470-4)

The School shall not be allowed to operate unless and until all health and safety certificates are current. If the Governing Board subsequently makes substantial changes in its facility or desires to relocate to another facility, the State Charter School Board shall receive written notice of the changes or relocation in a timely manner.

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15. Licensed Employees

a. All employees who hold professional licenses issued by the Board are subject to the rules applicable to licensed professionals, and their licenses may be revoked based on any of the grounds consistent with state law or R686-103. In addition, School administrators are subject to mandatory child abuse reporting consistent with state law.

b. The Governing Board shall report, as required by the State Board of Education, the total number of teachers and the total number of teachers who hold valid licenses who are employed to teach at the School, as well as information regarding assignments and endorsements. All teachers must hold a valid Utah Professional Educator License or meet the State Board requirements for alternative licensing routes or Board authorization consistent with 53A-1a-512(3).

c. The Governing Board understands and agrees that it shall not employ in any capacity, or accept voluntary services from, any individual whose certificate or license has been suspended or revoked by the Board or any other licensing board or agency on the grounds of unethical or immoral behavior, including improper sexual or physical conduct with children or students. Violation of this provision shall result in immediate revocation of the charter.

d. The Governing Board shall notify the appropriate local board of education and the Utah State Office of Education if a School employee who is on leave from employment with the local board was suspended, terminated, asked to resign, resigns in the face of allegations, or is otherwise subjected to disciplinary action because of poor performance or misconduct. The Governing Board shall cooperate with the local board and the USOE and shall provide any relevant information requested concerning such employees.

16. Transportation

Neither the local board nor the State Board of Education is responsible for student transportation. Parents of a student at the School shall be notified of this provision.

17. Indemnity

The Governing Board agrees to indemnify and hold harmless the USOE, State Board of Education, State Charter School Board and local boards of education, their officers, agents, employees, successors and assigns from all claims, damages, losses and expenses, including attorney's fees, arising out of or resulting from any action of the School caused by any intentional or negligent act or omission of the School, its officers, agents, employees, and contractors.

18. Student Discipline

- a. The School agrees to and shall comply with Section 53A-11-901, except as otherwise provided by law.
- b. The School shall comply with all applicable federal and state laws and regulations governing and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. Sec. 706(8).
- c. The School shall comply with state and federal due process requirements both in notifying parents and students of conduct for which they may be suspended or expelled and in providing notice and hearing opportunities to students being recommended for exclusion from the School. If the School suspends a student with special needs, it shall continue to provide to the student with all continuing education services to the extent mandated by federal and state laws and regulations.

19. Instruction

As prescribed by R277-419, the School shall provide a minimum of 180 days and 990 hours of instruction (grades two through 12), a minimum of 180 days and 810 hours of instruction (grade one), and a minimum of 180 days and 450 hours of instruction (grade K).

20. Criminal Background Checks

The Governing Board agrees to conduct thorough background checks on all of its employees and volunteers who shall have significant unsupervised contact with students, consistent with Section 53A-3-410. In addition, the State Charter School Board or the State Board of Education may conduct criminal history checks on any School personnel or director or Governing Board member when it is deemed necessary to protect the financial integrity of the School or the health and safety of students or employees. Refusal by any individual to submit to a fingerprint check is grounds for termination of employment and/or revocation of the charter. The Board may consider the refusal of an individual to submit to a fingerprint check in determining whether:

- a. To grant final approval of the charter agreement.
- b. To recommend to the governing board that the individual be denied employment.
- c. To revoke the charter of the governing board.

21. Open Meetings: Public Records

The Governing Board agrees to be subject to the Open and Public Meetings law, Section 52-4-1 et. seq. This provision is effective upon the Board's final approval of the Governing Board's/School's agreement.

22. Assignment

Assignment of the School to another entity is deemed an amendment to the charter and shall have prior written approval of the Board.

23. Amendment

This agreement may be amended by the mutual agreement of the Board and the Governing Board, pursuant to Section 53A-1a-508(4). Any such amendment must be made in writing and signed by the appropriate representatives of the Board and the Governing Board.

24. Termination of Charter

a. *Grounds:* The Board may terminate this charter on any of the following grounds (53A-1a-510):

- 1) Failure of the Governing Board or School to meet the requirements stated in the charter.
- 2) Failure of the Governing Board to meet generally accepted standards of fiscal management.
- 3) Violation of law.
- 4) Material violation of any of the conditions, standards, or procedures set forth in this agreement.
- 5) Failure to meet the requirements for student performance under state or federal law.
- 6) Other good causes shown.

The Governing Board may terminate this charter after the end of the spring semester and prior to the beginning of the fall semester with or without cause.

b. *Procedures:* A charter that is terminated by the Governing Board shall be terminated consistent with Section 53A-1a-510 and R277-470. A charter that is terminated by the Governing Board shall be terminated in a manner consistent with the provisions of this agreement upon the effective date communicated in a written notice provided by the Governing Board to the Board regarding its intention to terminate the charter. The Board must receive such notice at least 60 days prior to the beginning of the fall semester.

25. Status of Parties to Charter

This charter is not intended to create and shall not be interpreted to create employer-employee, contractor-subcontractor, or principal-agent relationships between or among any party or parties to this charter. "Parties," for purposes of this paragraph only, include the parties to this agreement as well as the local board of education. No officers, employees, agents, or subcontractors of the School shall be considered officers, employees, agents, or subcontractors of the local board of education.

26. Agreements with Local Boards of Education

This charter shall not preclude the Governing Board from entering into any agreement with a local board of education, provided that such agreements do not supersede or override any provision of this agreement.

27. Notice

Any notice the Governing Board or School is required or permitted to submit under this agreement shall be delivered to:

Utah State Office of Education
250 East 500 South
P.O. Box 144200
Salt Lake City, Utah 84114-4200

All faxes sent by the Governing Board or School shall be followed by hard copies postmarked within the next business day of the fax transmittal.

28. Severability

If any provision of this agreement is determined to be unenforceable or invalid for any reason, the remainder of this agreement shall remain in effect, unless the charter is revoked or terminated.

29. Non-Endorsement

The Governing Board acknowledges that the granting of a charter in no way represents or implies endorsement by the State Charter School Board of any method of instruction, philosophy, practices, curriculum, or pedagogy used by the School or its agents; nor does this agreement constitute a guarantee by the State Charter School Board of the success of the School in providing a learning environment that shall improve student achievement.

30. Legislative Action

This agreement and any amendments to it and renewals of it are subject to applicable state and federal laws, and shall be deemed amended to reflect applicable changes to those laws. Upon repeal of the statutes authorizing the school charter, the charter is null and void.

FOR THE CHARTER SCHOOL GOVERNING BOARD:

This 24th day of March 2010

Jonathan Hafen

(Type or Print Name of Board Chair)



(Signature of Board Chair) (Seal)

FOR THE STATE CHARTER SCHOOL BOARD:

This 7 day April of 20 10

Brian Allen

(Type or Print Name of SCSB Chair)



(Signature of SCSB Chair)

A PROPOSAL TO ESTABLISH
A UTAH CHARTER SCHOOL

Name of Proposed Charter School:

THE TUACAHN HIGH SCHOOL
FOR THE PERFORMING ARTS

IVINS, UTAH

Date accepted for review:

District:

Washington County District

High School (435)
652-3201

(435) 652-3201
Tuacahn Center

**UTAH CHARTER SCHOOLS
Application, 1998-99**

Name of Proposed Charter School:

Tuacahn High School for the Performing Arts

Local School District:

Washington School District

**Date Copy of Application Given to Local School
District:**

July 17, 1998

THE APPLICANT:

Name: The Tuacahn Center for the Arts

Address: 1100 Tuacahn Drive

City: Ivins, Utah 87438

Daytime Phone: (435) 652-3304

Fax Number: (435) 652-3227

E-mail Address: tuacahn@infowest.com

A. Whom does the applicant represent?

The Tuacahn Center for the Arts is a 501(c)(3) tax exempt non-profit foundation. The Center opened in 1995 with the dual purpose of providing a school for the arts and a professional performing facility. The \$23,000,000 facility was completely funded by private sources and is regarded as state of the art. The Center has been the site of a series of professional productions mounted by Tuacahn itself or by other presenters. It has also sponsored an extensive outreach program in the arts for residents of Washington County.

APPLICATION NARRATIVE

SCHOOL GOVERNANCE:

1. Administrative Structure: Describe the governance and administrative structures of the school including representation on the governing board:

The Tuacahn Center for the Arts is governed by a Board of Directors whose members are appointed to five years terms. The current membership of the board includes:

Douglas Glendenning, Chair. Mr. Glendenning is a prominent St. George businessman. He is the former president of the Lone Star Steakhouse restaurant chain, a Wichita, Kansas-based firm operating more than 300 restaurants in 35 states in the United States and Canada. During Mr. Glendenning's tenure as president, the chain was described by Forbes magazine as the number one small business in the world for three years in a row.

Jon Hafen, Member and Legal Counsel. Mr. Hafen is affiliated with the Salt Lake City law firm of Parr Waddoups Brown Gee and Loveless.

Richard Headlee, Member. A Park City, Utah, resident, Mr. Headlee is a former president and chief executive officer of the Alexander Hamilton Life Insurance Company, headquartered in Farmington, Michigan. The Richfield, Utah, native was the Republican Candidate for governor of Michigan in 1982.

Sharon Isom, Member. A St. George businesswoman, Mrs. Isom currently serves as a member of the St. George City Council.

Penny Shelley, Member. Mrs. Shelley is executive director of the Washington County Travel Bureau and a member of the board of the Color Country Travel Region. She also serves on the Dixie Center Control Board.

Gerald R. Sherratt, Member and President. Dr. Sherratt is president emeritus of Southern Utah University (1982 - 1997). He previously served as Vice President for University Relations at Utah State University.

Hyrum Smith, Member. Mr. Smith is founder and chairman of the board of Franklin Covey, a time management company headquartered in Salt Lake City, and a member of the advisory boards of the University of Utah, Southern Utah University, and Dixie College.

Randy Wilkinson, Member. Mr. Wilkinson is an owner of Wilkinson's Electrical and Ace Mechanical companies, and is a former chair of the board of trustees of Dixie College, St. George.

2. Governing Board. Describe the selection process for the charter school governing board, including how often the members are chosen:

A selection committee appointed by the board of directors of the Tuacahn Center for the Arts reviews nominations for board membership. A slate of candidates is prepared and submitted to the Center's board of directors who determine the final selections. Members are selected for a term of five years.

THE PROPOSED CHARTER SCHOOL:

Name: Tuacahn High School for the Performing Arts

Address: 1100 Tuacahn Drive

City and State: Ivins, Utah 84738

Telephone Number: (435) 652-3304

Fax Number: (435) 652-3227

E-mail Address: tuacahn@infowest.com

School District: Washington School District

Date school will begin: The date school will begin will be the same as the Washington School District calendar for the year 1999- 2000. To date such a calendar does not exist.

Grade levels or student ages to be served: 10-12

Number of students to be served: 225

3. Chief Administrative Officer. Provide the name and describe the qualifications of the chief administrative officer:

Gerald R. Sherratt, president emeritus of Southern Utah University. Dr. Sherratt, who served a nearly 40-year term in the administration of higher education, holds bachelor (elementary education) and master (educational administration) degrees in education from Utah State University, Logan, Utah, and a Ph.D. from Michigan State University in the administration of higher education. He is currently a member of the Board of Trustees of Westminster College, Salt Lake City.

Dr. Sherratt's career in higher education includes serving as staff associate in the office of the dean of students at the University of Utah (1961-1962), director of high school relations (1962-1964), assistant to the president (1964-1977), and vice president for university relations (1977-1982) at Utah State University; and president (1982-1997) of Southern Utah University.

Among his awards and honors are the Distinguished Alumnus Award of both Utah State University and Southern Utah University; the Total Citizen's Award of the Cedar City Chamber of Commerce; named to membership in the Utah Tourism Hall of Fame (1989), recipient of the Minuteman Award of the Utah National Guard (1997), named to the Southern Utah University Hall of Fame (1997); and the Modern Pioneer Award of the Days of '47 Committee (1998). He has been listed in *Who's Who in Education*, *Who's Who in Business and Finance*, *Who's Who in the West*, *Who's Who in America*, and *Who's Who in the World*. The library at Southern Utah University was named in his honor in 1997.

4. Parent Involvement. Describe how parents will be involved in establishing and reviewing policies, procedures, and programs including the school's curriculum and instructional program?

Since Tuacahn will be a new school, no parents are available at the present time. After students and parents are available, a representative group of parents of students from each grade level will function as a participatory group to review policies, procedures, and programs including the school's curriculum and instructional program.

5. Communication with Parents. Describe the procedures for notifying parents of their opportunities or obligations for involvement as well as the procedures for filing complaints.

This information will be made available to parents in written form after students have been selected to attend the Tuacahn High School for the Performing Arts.

6. Complaints. Describe the procedures for receiving and responding to parent complaints.

Complaints are to be submitted to individuals against whom the complaints are filed. If complaints are not resolved on those levels, said complaints are to be submitted to the principal of Tuacahn High School for the Performing Arts. If the complaints are not solved on that level, they are to be submitted to the President of the Tuacahn Center for the Arts. Complaints not solved on that level are to be submitted to the Tuacahn Center for the Arts board of directors. If complaints are not solved on that level, the complainers may refer their complaints to the court system.

STUDENTS:

7. Notification. Describe how potential students and their families will be notified of the opportunity to attend the new school and the procedures for applying.

Since Tuacahn High School for the Performing Arts desires to attract students from all areas of Utah, as well as from out of state, students and parents will be notified via television, radio, local and state newspapers, and by web site.

8. Selection. Describe the admissions selection process, including any preferences given in admissions.

A charter school should be unique in some way to justify its existence. This school would feature an extended school day, increased graduation requirements, and because of its unique facilities would be a specialty school in the performing arts of dance, drama, and instrumental and vocal music. Students interested in a sophisticated prep school and the performing arts would be encouraged to apply. The Tuacahn High School for the Performing Arts would adhere to state and federal laws relative to an open admissions policy.

9. Standards. Describe the standards which will govern student conduct, dress, and performance, how and when those standards will be communicated to students and parents, and how they will be enforced.

Standards of student conduct, dress, and performance will be outlined in a handbook to be provided to all students and to their parents or guardians. Each student will be required to sign a statement acknowledging that he/she has read the handbook, understands the school's rules, and the consequences for rule infractions.

Among the standards that will be adopted for the Tuacahn High School for the Performing Arts:

Attendance: Attendance at school each day is vital to being a successful student. Therefore, students will be required to attend classes daily unless excused through legitimate absences such as illness and family emergencies. It will be the parents' responsibility to notify the school when legitimate absences happen. When absences occur, students will be expected to make up class work in a legitimate fashion. Teachers will call roll and submit absences and tardies to the principal's office each day. The principal's office will then notify the parent or guardian. Teachers of academic classes may make participation / attendance in class a part of their grading system (not to exceed 10 percent of the total grade). It will be assumed that by missing a class, the student will miss important information which adversely impacts the grade. The teacher may reinstate lost participation / attendance credit if class work is made up within one week.

Aggressive and violent acts: Students who engage in any aggressive or violent acts at Tuacahn High School will be referred to juvenile court through the Washington County Sheriff's Department. In addition, other consequences including a ten day suspension may be imposed by the Tuacahn administration. Students who persist in violent and destructive acts may be expelled from school.

Inappropriate language and behavior: Students on the school premises, in school transportation or at school activities, either as a spectator or participant, will refrain from the use of inappropriate language including swearing and the use of vulgar and obscene

language and gestures. Students who continue to use inappropriate language may be expelled from school.

Public display of affection: Students who persist in displaying inappropriate affection for another student on campus will be approached and reminded to refrain from those activities. Further offenses will result in a parental conference and other appropriate action.

Nuisances: Students will be suspended for carrying or using water guns and spray paint cans. Any other items which might cause harm or danger to other students will be left at home. Skateboards will not be allowed on campus and will be confiscated. Reckless driving in the parking lot will be referred to court and charged. Students involved in disorderly conduct in the halls or on the Tuacahn premises will be placed on a contract and may be referred to court. CD players, walkmans, headsets, cellular phones, pagers, yo-yos and other toys which cause disturbances in class, will not be allowed on campus.

Ungovernable behavior: Any student out of class in the halls or on campus, without a hall pass or written legitimate excuse, will be brought to the principal's office and suspended for one full day. Readmittance to school will require a parental conference. Utah students who are habitually truant will be referred to the Washington County Sheriff's office. Non-resident students will be expelled from school.

Gang participation: The wearing or displaying of any identifiable gang or gang-related hand signals, insignia, clothing, uniforms, colors, paraphernalia, adopted symbols, writing or nicknames or other items identifying or representing gang association while on school property, on school transportation, or at school activities or functions shall result in the student's being excluded from school for up to ten days in any semester and may, after an opportunity for a due process hearing is provided, be permanently excluded from school.

Weapons possession: Possessing, using, selling or attempting to sell any firearms, smoke bomb, tear gas canister, incendiary device, flammable liquid, cigarette lighter, knife, explosive device, or fireworks, chemical weapon, martial arts weapon or other dangerous weapon, will not be allowed upon or within 100 yards of the Tuacahn campus, on school transportation or at school activities or functions. Violation of this policy will result in exclusion from school for up to ten days in any semester and may, after an opportunity for a due process hearing is accorded, result in permanent exclusion from the Tuacahn High School.

Sexual harassment: It will be the policy of the Tuacahn High School for the Performing Arts to maintain a learning and working environment free from sexual harassment. The school will act to investigate all complaints, either formal or informal, verbal or written, of sexual harassment and to discipline any student or employee who sexually harasses a student or employee of Tuacahn. The school will take such disciplinary action it deems necessary and appropriate, including warning, suspension or immediate termination to end sexual harassment and prevent its recurrence.

Dress standards: Students attending Tuacahn High School will wear the prescribed uniform adopted by the school's board of directors. When the wearing of the school uniform is not required for rehearsals or other activities, students will wear clothing that is appropriate, modest and not disruptive or dangerous. Clothing with profane or vulgar words, phrases or gestures, or containing the advertisement of products illegal for consumption or possession of minors, will not be acceptable.

10. Dismissal. Describe the procedures and processes that will be used to dismiss students from the Charter school.

The Tuacahn High School for the Performing Arts will utilize a due process procedure which is commonly used in Utah High Schools and as recommended by the USOE. Parental involvement will be included.

Nothing here mentions the law

A student may be suspended or expelled from Tuacahn High School for any of the following reasons: Continued willful disobedience or open and persistent defiance of proper authority; willful destruction or defacing of school property; behavior or threatened behavior which poses an immediate and significant threat to the welfare, safety, or morals of other students and school personnel or to the operation of the school; any serious violation affecting another student or a staff member, or occurring in a school building, in or on school property, or in conjunction with any school activity, including the possession of a weapon, explosive, or flammable material, or the sale, control, or distribution of a drug or controlled substance, an imitation controlled substance, or drug paraphernalia; or the commission of an act involving the use of force or the threatened use of force which if committed by an adult would be a felony or class A misdemeanor. An habitually disruptive student (one who has caused a disruption in a classroom, on school grounds, on a school vehicle, or at school activities and events more than five times during the school year, and whose behavior was initiated, willful, and overt, and required the attention of school personnel to deal with the disruption) may also be expelled.

STAFF

11. Screening and Selection. Describe the procedures used to determine the qualifications and fitness of employees for assignments.

University degrees, state certification, teaching experience and teaching performance will be used for the selection of professional employees. Alternative certification options may be used in the selection of teachers in the performing arts. All teachers must be properly certificated.

12. Qualifications. Describe the minimum acceptable qualifications for professional staff.

University degrees and proper certification.

13. Staffing Patterns. Describe the staffing pattern, including whether students will be in self-contained classes or rotated among different teachers, class sizes, roles of non-professional support staff, and other pertinent aspects of the staffing pattern.

Students at the Tuacahn High School for the Performing Arts will be rotated among different teachers. With 225 students, classes at Tuacahn will be small. Non-professional support staff will include one secretary, one custodian, and possibly a bus driver and cooks.

14. Teaching Schedule. Provide a copy of the teaching schedule for staff members, including provisions for preparation, consultation with students and parents, and professional development.

See Appendix 1.

CURRICULUM AND INSTRUCTION

15. Purpose. Explain the school's purpose, mission, and goals, specifying the factors which set it apart from other educational entities currently available in the area.

The purpose of the Tuacahn High School will be to provide an opportunity for high school students to develop their skills in the performing arts of music, drama and dance. Tuacahn has unique facilities for this purpose. The school will also require students to take seven classes per day, attend school 6.4 hours per day and earn 21 units of credit in a three-year period, provided students attend Tuacahn all three years. For a small high school, it will provide a sophisticated academic program or a college prep program. The school has no vocational educational facilities or athletic facilities.

The school will be designed to serve students of demonstrated talent in vocal and instrumental music, drama, and dance, especially those from areas which do not offer an arts curricula or where the student could benefit from specialized and individualized instruction in the arts. Students electing to enroll should have a demonstrated proficiency in one of the school's performing arts emphases and be able to successfully complete the Tuacahn High School's rigorous regimen of academic and performing art courses. Students should also have the necessary interpersonal skills to harmoniously live in companionship with other students of similar talent and skills residing in an environment which values and promotes individual creativity and scholarly activities.

Students enrolling at Tuacahn High School will complete an individualized course that includes the basic subject matter required of all Utah high school students, together with personalized instruction designed to perfect the student's talents. For specialized and individual instruction in various aspects of the performing arts, Tuacahn will draw from an adjunct faculty of professional musicians, actors, and dancers, many of whom reside in the St. George area and a substantial portion of whom have had previous teaching experience either at the high school or college level. The students would also have access to visiting performing artists who will be brought to the school for special workshops, seminars, and festivals.

The Tuacahn Performing Arts Center presents a variety of professional productions during late spring to early fall. Students at the Tuacahn High School will thus have an unprecedented opportunity to interface with professionals in the performing art world as well as serve apprenticeships with accomplished musicians, actors, and dancers, complementing their classroom studies.

16. Curriculum. Describe the curriculum to be used in the school, and note any significant variation from the state core curriculum and graduation requirements.

The school will provide the state prescribed core curriculum and will increase the graduation requirements above present state regulations.

17. Calendar. Provide copies of the school calendar and schedule, showing the hours and days that instruction will be provided.

See the attached class schedule in Appendix 1. The school calendar for Tuacahn High School for the Performing Arts will be similar to the Washington District calendar for the year 1999-2000. This will enable students to have similar vacations, starting dates and ending dates as other students in the county. At the present time, such a calendar is not available for Washington School District. However, the calendar will include 180 days of

instruction and will include the traditional holidays. School will start in the last week of August and will end in the last week of May.

18. Extracurricular Activities. Describe the plans for extracurricular activities, including whether the school intends to participate in interscholastic competitions and, if so, how they will be done.

The Tuacahn High School for the Performing Arts has facilities for dance, drama, and vocal and instrumental music, and would participate in interscholastic competitions in those areas. The school has no plans to participate in other interscholastic activities.

STUDENT ASSESSMENT

19. Instruments and Procedures. In addition to participation in the statewide public education assessment program and end-of-level core curriculum assessments, describe the instruments and procedures for assessing student performance.

As specified in the USOE guidelines, the Tuacahn High School will use the Stanford Achievement Test 9th Edition and Utah State Core Curriculum End-of-Level Tests. Each teacher will formulate a testing procedure for the classes he/she is responsible for teaching to determine student mastery of course content. Recitals, concerts, competitive competitions will be used to determine student progress in the performing arts areas. The High School will seek additional methods for evaluating student performance including bringing outside evaluators to the school for individual appraisals.

20. Reporting and Use. Describe how the information obtained from assessments will be reported to parents and how it will be used in the management of the educational program.

The information obtained from tests of all kinds will be considered by parents, teachers, and students in the formulation of student educational and occupational plans. The information from tests will be reported to parents in student, parent, teacher conferences.

FINANCES AND REPORTING

21. Start-Up Funds. Submit a detailed plan (request and justification) for start-up funds.

The Tuacahn High School for the Performing Arts will need an estimated \$170,000 up-front funds to finance the school before any state or local funds are made available. This figure includes salaries paid to a principal and a secretary prior to the opening of school. It also includes all text books, education supplies, custodial supplies, computers, audio visual equipment, student desks, student chairs, teacher desk and chairs, library books, software, and some anticipated remodeling costs. It is easy to document the need of 1/8 of \$500,000 or \$62,500. Indeed, it is hoped that funds in excess of \$62,500 will be allocated in order that Tuacahn can open as an exemplary charter school for the state of Utah.

22. Revenues and Expenditures. Submit a financial plan for the school including sources of revenue and anticipated expenditures by category (salaries, benefits, facilities, materials, etc.).

See Appendix 2.

23. Accounting Policies and Procedures. Describe how revenue and expenditures will be administered to ensure proper controls and oversight.

The current Tuacahn school has had four years of experience in accounting for revenue and expenditures. The school's overall annual budget, including projected revenues and expenditures, is approved by the CEO and the Tuacahn board of directors, which must also approve all appointments. A purchase order system provides an opportunity for expenditure oversight and an accounting of the school's finances is provided monthly to both the Center's management and its governing board.

24. Insurance. Provide a description of the insurance coverage to be provided including evidence of the willingness of qualified providers to furnish that coverage.

Employees of the Tuacahn Center for the Arts are currently enrolled in an Intermountain Health Care Plan (a service of Intermountain Health Care) for coverage for health, medical, and surgical benefits. Personal options are available for dental and life insurance. With approval of a charter school for Tuacahn, the Center would explore other health care service options to insure competitive rates. The Center anticipates student insurance would also be made available to be paid for by the students.

25. Fees. If fees are to be charged, or if parents or students will be required to provide materials, clothing, or other articles in order to participate fully in school programs, describe the fees or articles, how and by whom they will be established and collected, how and when those requirements will be communicated to parents, and how the school intends to comply with state law and regulations governing school fees and fee waivers.

Students will be charged a student activity fee and a text book fee. There would be no sports participation fee since Tuacahn will not field interscholastic sports teams. School uniforms are anticipated and students must pay such costs. Tuacahn will abide by state regulations relative to student fees and fee waivers and by the requirements for a free public education. These requirements will be communicated to parents and students in their registration packet prior to the beginning of school each year.

26. Responsibility. Explain who will be responsible for preparing and submitting required financial and other reports, and the steps that will be taken to ensure accurate reporting.

Tuacahn currently employs an on-site accounting assistant who will assume responsibilities for preparation and submitting of required financial and other reports. Bookkeeping services, computer applications, and payroll processing for Tuacahn is currently performed by Adams, Hafen and Company, certified public accountants, St. George, Utah.

SUPPORT SERVICES

27. Transportation. Describe provisions, if any, for student transportation.

There are no provisions for to-and-from school transportation. Tuacahn will contract with outside bus services for special trips to music festivals, drama meets, etc.

28. Food Services. Describe provisions for food services.

Tuacahn will contract with a caterer to provide the school lunch program. The food will be prepared off campus and brought to the Tuacahn kitchen for warming and refrigeration. Meals will be served outdoors on the Tuacahn Plaza when the weather is good, indoors in the black box theatre in cold and wet weather.

29. Health and Safety. Describe provisions for assuring that health and safety requirements are met and that the facilities are maintained in a clean and safe condition.

The building will be inspected by the local fire department and by the local county health department. The shuttle busses will be inspected by the Utah Highway Patrol bus inspector.

30. Emergencies. Describe provisions for dealing with emergencies, such as student injury or illness, fire, and natural disasters.

An emergency preparedness manual will be written to cover all of these emergencies.

ASSURANCES

THE APPLICANT CHARTER SCHOOL HEREBY ASSURES AND CERTIFIES TO THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION THAT:

- A. The charter school will make provision for such fiscal control and fund accounting procedures as may be necessary to assume proper disbursement and accounting for all funds.
- B. The charter school will maintain a clear, written procedure and process for auditing school finances as per the requirements of the Utah State Office of Education.
- C. The charter school gives the Utah State Office of Education or the U.S. Comptroller General, through any authorized representative, the access to, and the right to examine, all records, papers, or other documents related to all funds, including the submission of reports as may be required.
- D. The charter school will provide written evidence of liability and other appropriate insurance coverage, including a description of the level of coverage and the relationship of the coverage to local and state agency obligations.
- E. The charter school will make such reports, including reports of evaluations, in such form and containing such information as the State Superintendent of Public Instruction may reasonably require to carry out his legislative functions and to determine the extent to which funds have been effective in carrying out legislative purposes and project objectives.
- F. The charter school will comply with appropriate rules, regulations and state guidelines except as waived by the Utah State Board of Education, and effective control will be maintained over, and accountability provided, for all funds, property, and other assets. The charter school will also adequately safeguard all property and shall assure that it is used solely for authorized purposes.
- G. All physical assets purchased with public funds become the property of the Utah State Board of Education upon the termination of the charter school.
- H. The charter school will comply with the requirements of the Family Educational Rights and Privacy Act of 1974.
- I. The charter school will comply with Title VI of the Civil Rights Act of 1964 prohibiting discrimination in program benefits, participation, employment, or treatment on the basis of race, color, or national origin, and in compliance with the provisions of Title IX of the Education Amendments of 1972 prohibiting discrimination on the basis of sex.
- J. The charter school assures that no otherwise qualified person shall, on the basis of a

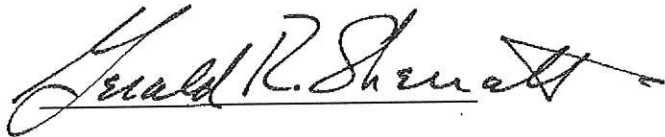
disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity that receives or benefits from local, state, or federal financial assistance.

- K. The charter school will not expend program funds for any education program, activity, or service related to sectarian instruction or religious worship.
- L. The charter school will function under an open admissions policy on the same basis as other public schools. If the number of students applying to enroll exceeds the capacity of the school or of programs, classes, or grade levels within the school, then those to be admitted shall be chosen at random from among the applicants, within the allowable mandatory and optional preferences specified in Section 53A-ia-506, Utah Code Annotated.
- M. The charter school assures that it will not conduct a program of instruction until such time as:
 - (1) the requisite health and safety standards for the school building have been met according to the local fire and health department inspectors;
 - (2) adequate equipment, materials, and guidance and counseling services are available; and
 - (3) conditions are adequate to provide for the economical operation of the school with an adequate learning environment.
- N. The charter school will comply with all applicable federal and state laws, rules, and regulations regarding the recruitment, screening, selection, and evaluation of all school employees.
- O. The charter school will only employ educators who hold valid Utah teaching certificates or who meet State Board requirements for alternative certification or authorization.
- P. The charter school will employ the use of the Utah State Core Curriculum as the foundation for the instructional program of the school.
- Q. The charter school will employ the use of the Stanford Achievement Test Ninth Edition and the Utah State Core Curriculum End of Level Tests as a fundamental part of the overall assessment program for the school.
- R. The charter school assures that resources will be available and a process established to develop a Student Education Plan / Student Education Occupation Plan (SEP/SEOP) for each student.
- S. The charter school will operate with a written procedure for student suspension, and dismissal, including appeal procedures.
- T. The charter school will maintain an active parent/guardian involvement process including some formal mechanism for meaningful involvement in site-based decision making.
- U. The charter school will function under the stipulations of a clear, written agreement with the districts of student residence regarding the involvement of students in extracurricular activities and/or interscholastic activities governed by the Utah High School Activities Association.

- V. The charter school will not charge tuition or fees of Utah students, except those fees normally charged to other public schools.
- W. The charter school will operate under the provisions of the Utah Open Meeting Law.
- X. A copy of the signed charter will be supplied to interested individuals or groups on request.
- Y. The charter school will submit an appropriately amended application prior to any material change affecting the purpose, administration, organization, or operation of the school.
- Z. The filing of this application for charter school status has been authorized by the governing body acting through its authorized representative identified on the application as the chief administrative officer.

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

Gerald R. Sherratt
President, Tuacahn Center for the Arts

A handwritten signature in dark ink, reading "Gerald R. Sherratt", with a stylized flourish at the end.

July 17, 1998

PROPOSED CLASS SCHEDULE FOR TUACHAN HIGH SCHOOL 1999 - 2000 SCHOOL YEAR

STAFF	8:00-8:55	9:00-9:55	10:00-10:55	11:00-11:55	12:00-12:55	1:00-1:55	2:00-2:55	3:00-3:55
ENGLISH/ENGLISH/	ENGLISH	AP ENGLISH	PREP	ENGLISH	LUNCH	PREP	ENGLISH	ENGLISH
DRAMA	PREP	ENGLISH	ENGLISH	LITERATURE	LUNCH	PREP	DANCE	DRAMA
MATH	ADV. MATH	?	GEOMETRY	PREP	LUNCH	GEN MATH	TRIG	ALGEBRA 2
MATH/								
SCIENCE	ALGEBRA 1	GEN SCI	PREP	MATH	LUNCH	SCIENCE	SCIENCE	PREP
SOCIAL								
STUDIES	US HISTORY	PREP	AP HISTORY	ECONOMICS	LUNCH	WRLD HISTORY	PREP	HISTORY
ENGLISH/								
SOC.SCI	ENGLISH	US HISTORY	US HISTORY	PREP	LUNCH	SOC. SCIENCE	SOC. SCIENCE	PREP
SCIENCE	PREP	PHY SCIENCE	PHYSICS	AP BIOLOGY	LUNCH	BIOLOGY 2	PREP	BIOLOGY 1
COMPUTER								
SCIENCE	PREP	COMPUTERS	PREP	KEY BOARDING	LUNCH	COMPUTERS	COMPUTERS	COMPUTERS
HEALTHY								
LIFE STYLES	P. E.	PREP	P. E.	PREP	LUNCH	P. E.	P. E.	X COUNTRY
SPANISH	PREP	SPANISH 1	SPANISH 2	SPANISH 2	LUNCH	SPANISH 3	SPANISH 1	PREP
DANCE/P.E.	DANCE	DANCE	P. E.	P. E.	LUNCH	PREP	PREP	DANCE
VOCAL MUSIC	A.CAPELLA	VOCAL	VOCAL	PREP	LUNCH	MADRIGALS	PREP	MADRIGALS
INST. MUSIC	BAND	PREP	PREP	BAND	LUNCH	BAND	ORCHESTRA	ORCHESTRA
RELEASED								
TIME	SEMINARY	SEMINARY	SEMINARY	PREP	LUNCH	SEMINARY	SEMINARY	PREP
PRINCIPAL	ADMIN.	ADMIN.	ADMIN.	ADMIN.	LUNCH	COUNSELING	COUNSELING	COUNSELING

- 6.4 hours per student per day
- 180 days
- Average load per class equals 22.5 students
- Students required to take seven classes per day.
- All students required to take Spanish each year.

APPENDIX 1:
ACADEMIC
SCHEDULE

TUACAHN HIGH SCHOOL FOR THE PERFORMING ARTS

Proposed Budget

Expenditures

PERSONNEL

13 Teachers (salary range: \$32,000 to \$34,000)	\$430,000
1 Principal	\$55,000.
1 Counselor	\$30,000.
1 Secretary	\$20,000.
1 Custodian	\$20,000.
1 Nurse (part-time)	\$10,000.

Total: \$565,000.

Employee Benefits (at 22.8% of salaries)	\$128,820.
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TOTAL PERSONNEL	\$693,820.
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OPERATIONS

Services (calculated at state average, 3.9%)	\$31,208.
Supplies/Materials (calculated at state average, 7.1%)	\$56,800.
Other (calculated at 0.4.%)	\$3,200.

TOTAL OPERATIONS	\$91,208
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TOTAL EXPENDITURES \$784,208.

REVENUES

UTAH STUDENTS

Weighted Pupil Units

1.0	Regular WPU	\$278,100.
.0539	Class Size Reduction	
.0243	Local Programs	
.0016	Gifted and Talented	
.0870	Professional Staff Cost Factor	
.0509	Career Ladder	
.0046	At Risk Flow Through	

1.2213 Total Weighted Pupil Units

.2213 WPU @ \$1854 = \$410.29 \$61,543.

Local District Fund Transfer Wash. Co. calculations

\$223.36 @ 150 students \$33,504.

Social Security and Retirement

\$356.14 @ 150 students \$53,421.

One Time Funds

Textbooks: \$13.16 per student	\$1,974.
Library Media: \$4.70 per student	\$705.
Math and Science: \$0.84 per student	\$130.
Educational Technology: \$11.49 per student	\$1,723.50

TOTAL UTAH CONTRIBUTIONS: \$431,100.50

OUT OF STATE STUDENTS

Tuition

\$4,750. per student @ 75 students \$356,250.00

TOTAL REVENUES \$787,350.00

Physical Facilities

Tuacahn's educational facilities include: a school of 42,000 square feet including five classrooms (more can be achieved by modest remodeling), thirteen studios, five practice rooms, a dance studio, a recital hall, a computer laboratory, a black box theatre, a recital hall, a 330-seat theatre, as well as a kitchen, administrative offices, lounge, restroom, and library.

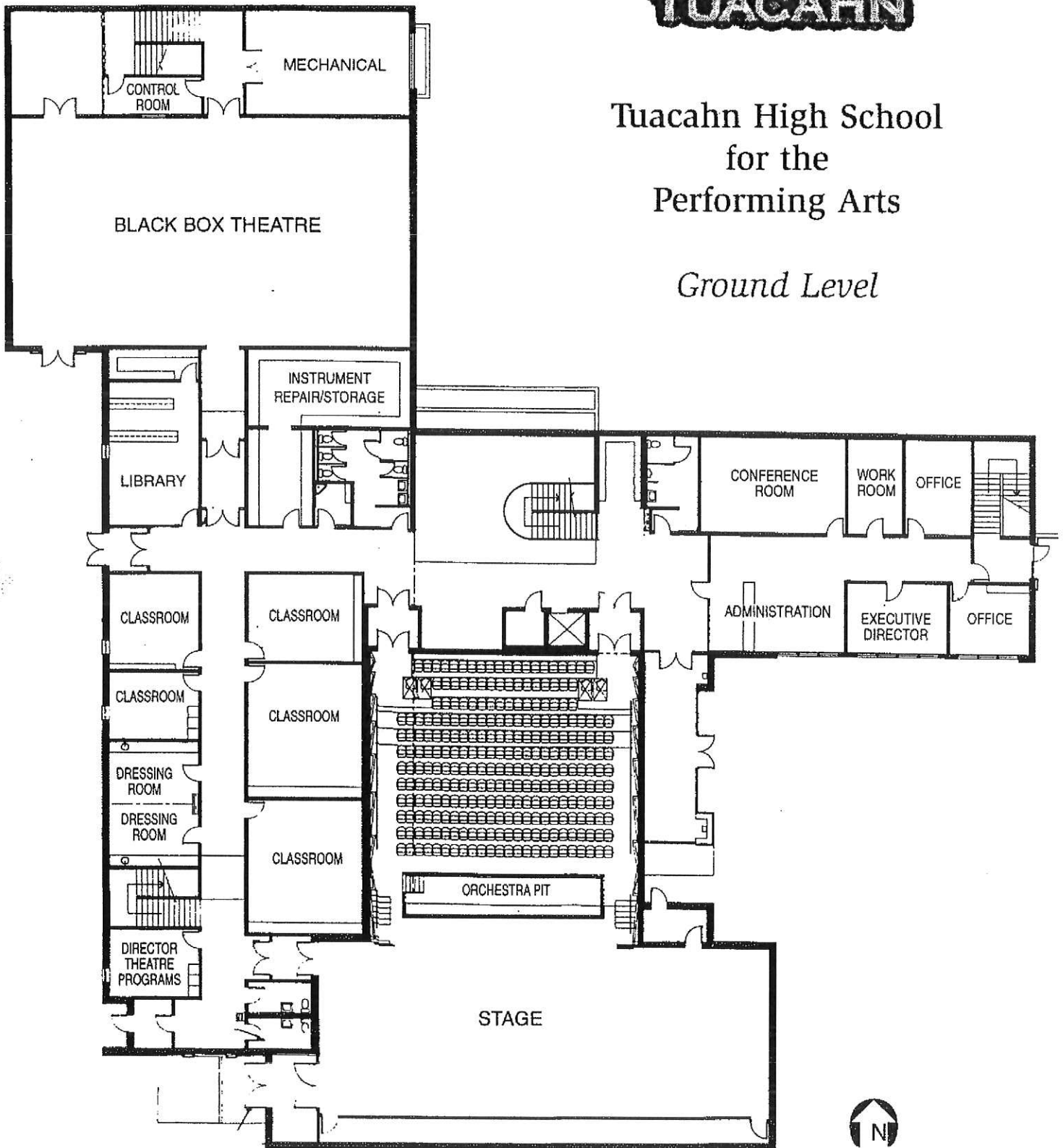
The Center owns a Steinway concert grand piano, seven other grand pianos, six upright pianos, five electric pianos, two computers with music software, as well as orchestra equipment and state of the art lighting and sound equipment for the school's Hafen Theater.

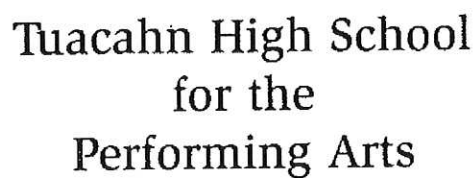
The school will also have access to the Tuacahn Performing Art Center's dressing rooms and showers, design studios, costume construction and storage rooms, and the Tuacahn amphitheatre for special programs and ceremonies.



Tuacahn High School
for the
Performing Arts

Ground Level





Upper Level

