

AGREEMENT FOR WAIVER OF
UTAH STATE BOARD OF EDUCATION
ADMINISTRATIVE RULE

RE: SPECTRUM ACADEMY SCHOOL YEAR

This Agreement is entered into by and between the Utah State Board of Education ("Board"), and SPECTRUM ACADEMY, a local education agency ("LEA").

RECITALS

- I. The Board has general supervision and control of Utah's public education system and has been granted the authority to make rules to execute its duties and responsibilities under the Utah Constitution and state law;
- II. The Board has exercised this authority and adopted Utah Administrative Code, Title R277. Education;
- III. LEA is subject to the requirements of UAC R277 Education;
- IV. UAC R277-121 , allows an LEA to petition the Board for a waiver of requirements contained in an administrative rule adopted by the Board;
- V. UAC R277-419-5 requires that an "LEA shall provide educational services over a minimum of 180 school days each school year."
- VI. LEA has petitioned the Board for a waiver of the requirements of R277-419-5, to require Spectrum Academy students to attend school in-person Monday-Thursday, with optional attendance on Fridays for a total of 993.5 required minimum school hours and 152 school days per year.
- VII. LEA submitted all necessary information called for under R277-121-2;
- VIII. The Board referred LEA's waiver request to its Law and Licensing Committee for review and recommendation;
- IX. The Law and Licensing Committee reviewed LEA's waiver request in an open meeting held on April 8, 2022 and favorably referred the request to the full Board for action;

AGREEMENT

1. Waiver and Purpose. LEA is exempted from the requirements of R277-419-5, specifically, that Spectrum Academy students would be required to attend school in-person Monday-Thursday, with optional attendance on Fridays for a total of 993.5 required minimum school hours and 152 school days per year.
2. Alternative or Amended Compliance. During the term of this waiver, LEA shall:
3. Effective Dates. The effective date of this waiver shall be May 5, 2022 and continue for three school years until the end of the 2024-2025 school year, subject to the fulfillment of all the terms and conditions found herein as well as compliance with all other applicable statutes and regulations. There will be no extension of this waiver except by reapplication to the Board through the Board's waiver process in effect at the time of reapplication,
4. Annual Reports. LEA shall provide the Board a report in May 2023 that shall include the following as requested and applicable:
 - a. public input regarding the impact of the waiver on the school community (may include survey of school employees, parents, students, etc.);
 - b. data evidencing student achievement has remained consistent or improved over the time period the waiver has been in effect. (may include assessments, grades, attendance, graduation rates, etc.);
 - c. evidence of compliance with alternative requirements (may include course enrollment data, etc.);
 - d. other data evidencing the impact of the waiver on the education system or environment.

5. Amendment. This waiver may not be amended except in writing signed by both parties and accompanied by such additional Board action as is necessary to approve any amendment.

6. Termination. This waiver may be terminated by the Board at any time, upon 30 days' notice, if it finds that there has been any material misrepresentation of any fact(s) in the request for waiver or in the requested reporting, or if the Board determines there are material deficiencies in student performance/achievement or unreasonable increases in costs to the LEA or its students not anticipated by either Party or not represented to the Board by the LEA. LEA may terminate this waiver at any time prior to its expiration upon providing written notice to the Board.

UTAH STATE BOARD OF EDUCATION



Mark Huntsman
Chair, Utah State Board of Education

Date: June 16, 2022

SPECTRUM ACADEMY

Jaime Christensen
Executive Director, SPECTRUM ACADEMY

Date