

AGREEMENT FOR WAIVER OF  
UTAH STATE BOARD OF EDUCATION ADMINISTRATIVE RULE  
RE: AMERICAN PREPARATORY ACADEMY

This Agreement is entered into by and between the Utah State Board of Education ("Board"), and AMERICAN PREPARATORY 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 R277-12 I, allows an LEA to petition the Board for a waiver of requirements contained in an administrative rule adopted by the Board;
- V. UAC R277-552-6 requires a school to report their opening of a satellite campus to the Superintendent by October 1 of the year before they intend to be enrolling students.
- VI. LEA has petitioned the Board for a waiver of the requirements of the Board Reporting Deadlines, found in Administrative Rule R277-552-6, to waive the requirement of providing notice to the Superintendent by October 1 for the opening of a new satellite campus
- VII. LEA has petitioned the Board to waive the requirements of R277-552-6 to allow opening of the American Preparatory Academy, Eagle Mountain Satellite, to open for the 2026-2027 school year.
- VIII. LEA submitted all necessary information called for under R277-121-2;
- IX. The Law and Licensing committee reviewed and discussed LEA's waiver request during its meeting on April 3, 2026, and by motion, forwarded the request to the Board with a recommendation to approve the waiver.

- X. The Board reviewed and discussed LEA's waiver request during its meeting on May 7, 2026 and by motion, approved the waiver request by a majority vote subject to the terms and conditions set forth below.

#### AGREEMENT

1. Waiver and Purpose. LEA is exempted from the requirements of the Board's Charter School Timelines and Approval Process, R277-552-6, thereby waiving the requirement of providing notice to the Superintendent by October 1 for the opening of a new satellite campus.
2. Alternative or Amended Compliance. During the term of this waiver, LEA shall: comply with any requests for annual reports as noted below.
3. Effective Dates. The effective date of this waiver shall be May 7, 2026 and continue until the day the satellite school opens in August 2026 or the start of the LEA 2026-2027 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, as requested, that shall include the following 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**

  
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Matt Hymas  
Chair, Utah State Board of Education

5/28/2026  
Date

**American Preparatory Academy**

  
\_\_\_\_\_  
Carolyn Sharette  
Chief Executive Officer

5/27/26  
Date