

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

This Agreement is entered into by and between the Utah State Board of Education ("Board"), and LINCOLN 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 R277-552-6 (9), Charter School Timelines and Approval Process, requires if a satellite charter school does not open within 36 months of approval, the approval shall expire.
- VI. LEA has petitioned the Board for a waiver of the requirements of R277-552-6 (9), to waive the requirement of opening a satellite school within 36 months of its approval for satellite school expansion, approved on January 2024 and set to expire January 2027.
- VII. LEA has petitioned the Board to waive the requirements of R277-552-6 (9) and to allow seven (7) additional months to open a satellite school in August of 2027.
- 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(9), thereby waiving the requirement of opening a satellite school within 36 months of its approval for satellite school expansion.
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 2027 or the start of the LEA 2027-2028 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.);

