

DaVinci Academy of Science and The Arts

Policy Number: 112

Policy Section: 100- ADMINISTRATION

POLICY TITLE: Third-Party Educational Providers

RevisionHistory

EffectiveDate	ActionDate	Revised
08/21/2019		

Third-Party Educational Provider Policy

Effective Date: 08/21/2019

Revision Date:

A. Law

- **Utah Code Annotated Title 51, Chapter 7, Subsection 26 (Public Funds Defined)**
- **UCA 53E-401(10) (Third-party vendor contract requirements)**
- **UCA 53E-401(1b) (Educational good or service defined)**
- **Board Rule 277-115 (Third-party vendor monitoring)**

B. Purpose

The purpose of this policy is to outline the monitoring and compliance of third-party educational providers by DaVinci Academy. It also provides the necessary guidelines for each program that chooses to work with a third-party vendor. A written monitoring and compliance plan must be written according to this policy, board rule R277-115, and any other state or federal law.

C. Authorization of Policy:

Under the direction of the Board of Directors, the Executive Administrator is authorized to administer this policy by ensuring that a written monitoring and compliance plan is in place and followed by each program that uses a third-party vendor to provide educational services.

D. Definitions

1. "Disbursement" means:
 - a. the payment of money or provision of other item of value greater than \$10, per school year, offered as payment or compensation to a student or to a parent or guardian for:
 - i. a student's enrollment in an LEA; or
 - ii. a student's participation in an LEA's program.
 - b. "Disbursement" does not include a reimbursement paid by an LEA to a student, parent or guardian, for an expenditure incurred by the student, parent or guardian on behalf of the LEA if:
 - i. the expenditure is for an item that will be the property of the LEA; and
 - ii. the expenditure was preauthorized by the LEA, as evidenced by preauthorization documentation.
2. "Incentive" means one of the following given to a student or to the student's parent or guardian by an LEA or by a third party provider as a condition of the student's enrollment in an LEA or specific program for any length of time, during any school year:
 - a. money greater than \$10; or
 - b. an item of value greater than \$10.
3. "Program" means a program within a school that is designed to accomplish a predetermined curricular objective or set of objectives.
4. "Section 504 accommodation plan" required by Section 504 of the Rehabilitation Act of 1973, means a plan designed to accommodate an individual who has been determined, as a result of an evaluation, to have a physical or mental impairment that substantially limits one or more major life activities.
5. "Third party provider" means a third party who provides educational services on behalf of an LEA.

E. Third-Party Education Provider Provisions:

An LEA that contracts with a third party provider to provide services on behalf of the LEA shall:

1. establish monitoring and compliance procedures to ensure that a third party provider who provides educational services to a student on behalf of the LEA complies with the provisions of this rule;
2. develop a written monitoring plan to supervise the activities and services provided by the third party provider;
3. ensure the third party provider is complying with:
 - a. federal law;
 - b. state law; and
 - c. Board rules;
 - d. monitor and supervise all activities of the third party provider related to services provided by the third party provider to the LEA; and
 - e. maintain documentation of the LEA's supervisory activities consistent with the LEA's administrative records retention schedule.

An LEA shall:

1. verify the accuracy and validity of a student's enrollment verification data, prior to enrolling a student in the LEA; and
2. provide a student and the student's parent or guardian with notification of the student's enrollment in a school or program within the LEA.

F. Requirements for third-party contracts for educational services

1. Submit proof of a completed background check or complete the required background check
2. Take attendance and submit daily attendance reports according to DaVinci attendance policy.
3. Sign proof of FERPA training along with other DaVinci policy training
4. Comply with and ensure that all DaVinci policies are followed.
5. Provide proof of Utah teaching licensing (if needed)
6. Submit invoice for payment directly to Davinci Academy.
7. Hold required # of classes per semester according to DaVinci school calendar.
8. Communicate with parents about any changes in schedule and special events associated with classwork.
9. Communicate with Davinci if students never attend or repeatedly miss class.
10. Follow DaVinci class management procedures if behaviors continue after you have discussed it with the families.
11. Communicate and respond to DaVinci in a timely manner when regarding subject concerning our students and contracted classes.

