

MOUNTAIN SUNRISE ACADEMY

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Charter School Information

1. Name of Proposed Charter School: Mountain Sunrise Academy
2. Authorized Agent: Krystelle Rose
3. Mailing Address: 1915 N. 800 W. Orem, UT 84057
4. Phone Number: 801-577-8046
5. Email Address: steinerstone@gmail.com
6. New School Location School District(s): Alpine (West Lehi, Saratoga Springs, Eagle Mountain area)

Governance Structure

In this section you will be providing information regarding the governance structure. The governing body of a charter school is responsible for the policy decisions of the school

Below, list the names and positions of all Board Members (officers, members, directors, partners) of the school, and their positions. Also list any other current charters in which they act as a corporate principal or charter representative. Add rows as necessary.

Name	Position	Current Charter Affiliations
Dr. Tim McGaughy	President	
Chris Allen	Vice-President	Desert Marigold Waldorf Charter (Arizona)
Emily Morris	Secretary	
Steven Joseph	Treasurer	
Emily Ashby	Member	
David Fawson	Member	
Karrl Auffhammer	Member	

Perry Bronson	Member	
Olesya Richards	Member	
Krystelle Rose	Interim Executive Director	

Enrollment

7. Year School will start: 2019

8. Grades Served: K-6

9. Does the proposed grade configuration match the resident district grade configuration?

X Yes

No

10. Grades and Specific Number of Students Served by Grade														Max Enrollment
Year 1	K	1	2	3	4	5	6	7	8	9	10	11	12	
SY	56	56	56	56	56	56	56							392
Year 2	K	1	2	3	4	5	6	7	8	9	10	11	12	
SY	56	56	56	56	56	56	56							392
Year 3	K	1	2	3	4	5	6	7	8	9	10	11	12	
SY	56	56	56	56	56	56	56							392

Waivers

11. Is this proposal seeking special treatment under UCA §53A-1a-501.9?

Yes

X No

12. Is this proposal seeking priority consideration under UCA §53A-1a-502.5?

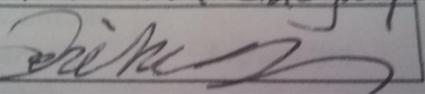
Yes

X No

A charter school may apply to the State Board of Education for a waiver of any rule that inhibits or hinders the school from accomplishing its mission or educational goals set out in its charter.

13. List any waiver requests here (i.e., Rule numbers and titles).

Signatures

Signatures	
WE, THE UNDERSIGNED, do hereby certify that, to the best of our knowledge and belief, the data in this proposal are true and correct. Therefore, this proposal for charter school status and funding is hereby submitted with the full approval and support of the governing body of the proposed charter school.	
Name of Authorized Agent Krystelle Rose	
	Signature of Authorized Agent
Name of Charter School Board Chair (if different than Authorized Agent) Dr. Tim McGaughy	
	Signature of Charter School Board Chair (if different than Authorized Agent)

State if the school intends to offer any of the following programs.

Career education is a focus of the charter school.

We intend to offer distance and/or online education.

We intend to partner with a four-year college or university and offer early college options

SECTION 1: EXECUTIVE SUMMARY

Mountain Sunrise Academy (MSA) is a public charter school in Utah following the traditional model of Steiner-Waldorf Education which has over 1000 successful Waldorf schools located in 91 countries and spanning five continents. Due to trademarks, MSA cannot currently use “Waldorf” or the founder’s name, “Steiner” in its title. However, it is the intent of MSA to align with Waldorf pedagogy and be an authentic public “Waldorf” charter school and follow the time tested best practices of other Waldorf schools. MSA will be a member of The Alliance for Public Waldorf Education (APWE) with the expectation that it will proceed on a path for full Waldorf accreditation from APWE.

MSA will be the second “traditional” Public Waldorf Charter in the State of Utah, the first such school is Wasatch Charter located in Salt Lake. MSA will serve students of all academic abilities, ethnicities, and economic levels.

PURPOSE

Mountain Sunrise Academy provides a successful educational model of almost 100 years that has been used worldwide and brings this to the community in Utah County. MSA increases the choice in educational models while improving student learning through arts-integration, block lessons, and interdisciplinary teaching. MSA uses a whole child developmental model and holistic approach while promoting innovative teaching methods such as teacher looping in which the teacher stays with their class, ideally grades 1-6. MSA brings an alternative and creative method of education that will provide an option for an innovative, arts-integrated, and developmentally appropriate educational choice for families. It will meet the needs of students for those that may not be flourishing in the traditional model schools available in the community.

PROMOTING STATE CHARTER SCHOOL BOARD’S MISSION AND VISION

MSA will promote the State Charter School Board’s mission of advancing excellence in public education in Utah. Waldorf schools are known as schools that excel and has received remarks as such from top educators as well as in recent Stanford University, CA research. Waldorf Schools have shown an almost 100 year success rate and boasts the fastest growing educational movement in the world. MSA also aligns to USBE’s mission to provide for positive student outcomes. Children in Waldorf schools are engaged in their classrooms and are enthusiastic to learn largely due to the developmental model, the arts-integrated curriculum, and the experiential learning that occurs. Waldorf students are known to be creative and critical thinkers, have developed meaningful capacities, and do good in the world around them.

WHOLE CHILD EDUCATION

Steiner, the founder of Waldorf Education stated, “At the heart of the Waldorf method is the conviction that education is an art- it must speak to the child’s experience. To educate the whole child, the heart and will must be reached, as well as the mind.” Waldorf Education offers an academically rigorous, arts-integrated, and interdisciplinary education designed to promote the growth and development of the whole child. MSA receives inspiration for its curriculum and methodology from Steiner’s pedagogical indications and uses a holistic approach and a child developmental model of teaching, “head, heart, and hands.” This model can be characterized as children learning in a threefold manner: intellectually, emotionally, and actively.

WALDORF PEDAGOGY

MSA will use Waldorf pedagogy, curriculum guidelines, and a developmental approach to accomplish student achievement outcomes in harmony with Utah Core Standards. Waldorf Education fosters the intellect, nurtures the imagination, recognizes the emotional and social life of each child, and teaches children capacities to actively create with their hands. The intention of this educational model is that children will attain cognitive, emotional/social, and creative capacities that will serve them to develop themselves to their highest potential. Waldorf Education's aim is to inspire children to live engaged and successful lives, prepared to meet the demands of their world.

DEVELOPMENTAL MODEL

Steiner-Waldorf Education uses a developmental model that follows 3 distinct stages from 1-7, 7-14, and 14-21. Through the use of Waldorf methodology, the school will nourish the children's cognitive development and their natural love of learning by incorporating the unique developmental stages each child experiences into the curriculum and instruction. The Waldorf developmental model engages the child in a healthy developmental and psychological way, which leads to children thriving intellectually, emotionally and socially. (Woods, P. Ashley, M., Woods, G., 2005)

LOCATION

MSA is slated to open in North Utah County Lehi/Saratoga Springs/Eagle Mountain area. These cities are among the fastest growing areas in the state. The school expects to draw interest from a larger perimeter than a typical five mile radius from its physical location due to the whole child and developmental model of the school. Another reason enrollment is anticipated from other areas is because there is only one other traditional Waldorf charter available in the state. MSA will be the first traditional Waldorf Charter in Utah County and the second in the state of Utah.

MOUNTAIN SUNRISE ACADEMY MISSION STATEMENT

Mountain Sunrise Academy focuses on the development of the whole human being in order to *inspire the spirit and imagination of the child and elicit academic excellence through educational artistry*. MSA is a public charter school utilizing a Waldorf Education pedagogical approach and upholding the virtues of goodness, beauty, truth, imagination, responsibility, reverence, and charity as well as respect for self, others, and nature.

MOUNTAIN SUNRISE ACADEMY VISION STATEMENT

Mountain Sunrise Academy empowers children to impart purpose and direction to their lives and truly know themselves thru developing capacities of thinking, feeling and willing. To aid this vision, we strive to provide a beautiful, collaborative campus and biodynamic garden that radiates learning through work and play, positivity, and co-operation.

SECTION 2: KEY ELEMENTS

1. Purpose(s): The Charter School purpose(s) are consistent with U.C.A. §53A-1a-503 and include:
 1. MSA continues to improve student learning by offering arts-integration, lesson block teaching, and interdisciplinary learning which allows subject matter to be explored in depth.
 2. MSA encourages the use of different and innovative teaching methods such as a whole child developmental model focusing on “head, heart, and hands” developing intellectual, social/emotional, and physical/doing capacities, as well as offers teacher looping, another innovative teaching model.
 3. MSA increases choice of learning opportunities for students by providing a developmentally appropriate educational choice for families and meets the needs of students that may not be flourishing in traditional model schools available in the community.

BOARD ORIGATION AND PURPOSE FOR SCHOOL

MSA currently has 9 board members. Individuals decided to be involved for various reasons. Some board members had past personal experiences with Waldorf Education and witnessed the phenomenal growth, love of learning, and capacities this educational method gave their own children. Other board members are convinced of the benefit of whole child education that Waldorf Education offers. The board is committed and united in the purpose of desiring Waldorf Education to be available as a school of choice in Utah County.

Key elements: The key elements of the MSA Charter School, as set forth in this proposal are programs and processes that make the school unique. They will be included in the State Charter School Board annual reviews as assurances or may be included in the School Accountability Measures.

- Teachers focus on teaching the whole child by educating “head, heart, and hands” thus fostering intellectual, social/emotional, and physical/will capacities in children.
- Teachers use block plans usually lasting 2-5 weeks to go in-depth into curriculum topics and teach lessons in an arts-integrated, experiential, and interdisciplinary way.
- The school participates in teacher looping.
- Children participate in foreign language, math, language arts, science, history, art, music, handwork, movement, outdoor activities, and create their own “Main Lesson Books” through writing and drawing.
- The school uses Steiner’s developmental model to guide instruction.

SECTION 3: MARKET ANALYSIS

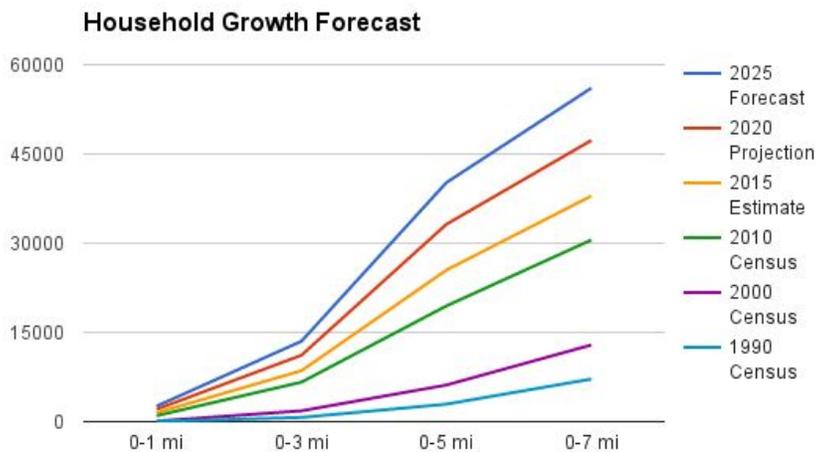
TARGET POPULATION AND MARKET TRENDS

Mountain Sunrise Academy (MSA) will be located in the fastest growing area of Utah in Saratoga Springs, Eagle Mountain, or West Lehi in North Utah County. Research about these high growth areas contributed to MSA determining that the tri-city area of Eagle Mountain, Saratoga Springs and Lehi area would be an excellent location for a new charter school. This market analysis incorporated a seven-mile radius from the east side of Saratoga Springs, 212 Crossroads Blvd, Saratoga Springs, UT 84045.

There are multiple trends associated with the demographics in this area that support the opening of Mountain Sunrise Academy with full enrollment of 392 students.

1. School Target Area in Fastest Growing Cities in Utah

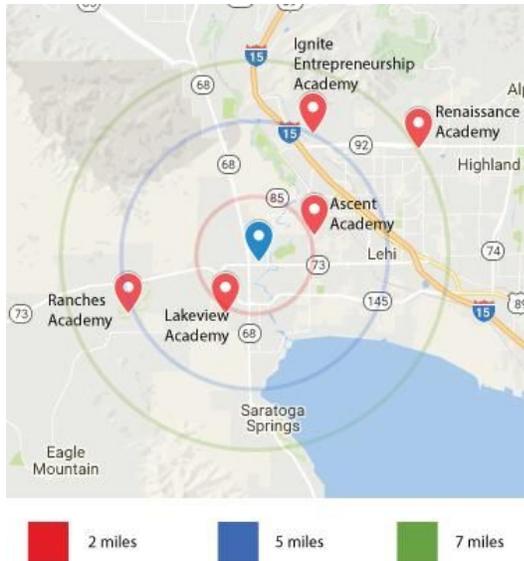
According to the Census’ American Community Survey, Saratoga Springs ranked #1 of fastest growing cities in Utah, with an estimated growth rate of 43.31%. Eagle Mountain ranked #3 with 31.16% and Lehi #4 with 23.63%. By placing MSA in these top fastest growing areas, we are highly likely to attract a full student body at our school. All three of these high growing areas are geographically very close to each other as bordering cities. By looking at the demographic forecast, the expected population growth within the seven-miles radius of the targeted area is around 30% for the next 4 years, and will double in the next 10 years. Alpine district in this area anticipates the addition of 6741 students from 2017 to 2020—enough to enroll seven or eight more elementary schools.



2. Targeted School Area has Large Percentage of School Age Children

Based on the city data on Saratoga Springs, Eagle Mountain, and Lehi websites, these areas share the same county and are ranked #1 on the latest list of available data on "Top 101 counties with the highest number of births per 1000 residents 2007-2013." This data indicates there is a large population of children in these areas and a strong need for the children born in this targeted area to have adequate schools to accommodate the high birth rate.

3. Limited Charter Availability, Despite Significant Interest



There are currently 4 elementary charter schools located within a seven-mile radius of this location: Lakeview Academy, Ascent Academy, Ranches Academy, and Renaissance Academy. Lakeview Academy is an elementary school and serves grades K - 9. It is over two miles from this location and was fully enrolled *with a waiting list of 538 students*, or one-half of its current enrollment of 967. Ascent Academy is an elementary school and serves grades K - 9. It is over two miles from this location and was fully enrolled. Enrollment data was not available. Ranches Academy is an elementary school and serves grades K - 6. It is over five miles from this location and was fully enrolled *with a waiting list of 450 students*, which is more than current enrollment of 365. Renaissance Academy is an elementary school and serves grades K- 9. It is over seven miles from this location and was fully enrolled with a total of 711 students. Waiting

list information was not disclosed. Ignite Entrepreneurship Academy is a new school to be opened in the 2018-2019 school year. The school will serve grades K-8 with an authorized enrollment of 600. It is over five miles from this location.

Based on the available information on these open charter schools, they are fully enrolled. Two charters in the target area show very large waiting lists totally 988 students, enough to fill 2 large charter schools. The trend has been for charter schools in this area to have large waiting lists. MSA will serve those in the community by providing an additional school venue.

4. Trend towards School Choice and Alternative Schooling Options

Wasatch Charter School, a K-8 traditional Waldorf Charter, opened in South Salt Lake this school year with full enrollment of 540 and a waiting list of 422. Besides the 8th grade class who graduated from the school, there was an estimated 20 students who have been identified as not returning for the following school year. This excellent retention shows that those who are in the school value Waldorf methodology and the huge wait list attests to further interest of other families in the school. For the 2017-2018 school year they have 1100 applicants. According to school data, 48 enrolled students were from Utah County in 2016-2017. Many of these parents from Utah County commuted an hour and a half round trip to bring their children to a Waldorf Charter. This charter school data demonstrates there is an interest in Utah in alternative educational venues. The data shows the demand and trend in this area.

EDUCATIONAL NEEDS AND VALUES OF TARGET POPULATION

LakeView Academy is one of the few charter schools in the area and is a project based, hands-on elementary school. “We strive to create a learning environment that is fun and exciting as well as challenging. In addition to traditional teaching methods, the school's students gain knowledge from hands-on experience, reflection, and real-life application of things they have learned in the classroom. Collectively, these varied learning experiences result in authentic understanding gained from personal knowledge...”(Our Philosophy, Lakeview Academy, Saratoga Springs, UT).

According to the school’s data, there are 538 students on Lakeview’s waiting list. The above quote states that the community values experiential, multi-sensory learning, and understanding from personal experience. Steiner, the founder of Waldorf Education stated, “At the heart of the Waldorf method, is the conviction that education is an art, it must speak to the child’s experience...” This value of experiential learning is a key component to Waldorf Education and is valued by this school and the community. MSA provides experiential, real life application, and project based learning through main lesson book drawing and writing, science, class plays, music, as well as fine and practical arts. As part of the MSA curriculum every child learns to play at least one instrument and starting in second grade performs a class play at the end of each year.

Foreign language acquisition is another value in the community and families send their children to Spanish programs offered at schools outside of the area in which they reside. MSA will provide an opportunity to learn Spanish as part of the school curriculum.

MSA’s arts-integration focus fits another community value for art as evidenced by a local elementary school in the target area. About seven years ago, the enrollment at Pony Express dropped and the school lost its funding for its visual arts specialist. The school’s PTA sent out a survey to parents which showed parents overwhelmingly wanted to bring back a visual arts program. They did so with about 30 volunteers coming into the school to teach monthly art classes. “It was so widely successful,” Pitcher, PTA president said. “The kids loved it, the parents loved it. The parents were just beyond thrilled we had the visual arts back in our school.” (Daily Herald Oct 10, 2016)

MSA’s mission statement strongly supports experiential whole child learning and values the arts to bring personal and meaningful educational opportunities to the children so that they can master the concepts taught. “Mountain Sunrise Academy focuses on the development of the whole human being in order to *inspire the spirit and imagination of the child and elicit academic excellence through educational artistry.*” MSA will be an additional school choice for those on school waiting lists and other students in the community that desire an alternative venue of school choice.

TARGET AREA INTEREST

An online survey was shared on Facebook city pages in Eagle Mountain and Saratoga Springs. Over 100 families filled out our “intend to enroll” survey. Based on our survey results, MSA has over 250 interested in enrolling, including children from founders and 48 students currently commuting from Utah County to Wasatch Charter; MSA will also likely receive some students from the Wasatch Charter waiting list. Interest in MSA continues to grow as MSA’s Facebook page has garnered 232 likes. MSA received excited responses from the local community supporting our school. Due to space restrictions we are offering just a few of the many comments we received from the families in the targeted area:

“I’m so excited for a Waldorf school to start in our area! What a blessing to the entire community!”

“I can't wait to have a waldorf school so near!”

“Our family would be thrilled at the opportunity and access to a Waldorf focused school! We have hoped for something like this for years! Thank you for putting in the work to make this happen. So many families will be benefitted and grateful.”

UTAH COUNTY INTEREST

In May 2016, 200 signatures and letters of parents were collected that showed support for a new Waldorf school in Utah County. About 40% of the families from our survey indicated that they're willing to drive 20-30 minutes to attend the school.

Comments made from our survey that reached other areas in Utah outside our target area in which many expressed a willingness to drive to our school include:

“I'm so excited for a waldorf school in my area!!”

“I just have to say how wonderful this is. I would be very committed and supportive to help this along.”

“Waldorf Schools will be such a blessing to the community and the lives of children! So glad this movement is growing in Utah!”

INTEREST IN WALDORF EDUCATION IN UTAH

- The Utah Waldorf Facebook group which began in 2011 and is a private group rather than a public group to allow for more privacy, consists of over 450 individual members. When taking into account the children of these members, this number indicating interest in Waldorf Education is significantly higher. Interest has been steadily growing through the years as people discover this educational modality and express in the group how they highly value Waldorf Education.
- Wasatch Charter School opened with full enrollment of 540 in 2016 and a large waiting list of 422. It has 1100 applicants for next year.
- Five yearly Utah Waldorf Conferences have been held in Utah starting in 2012. Last year the conference attracted participants not only from Utah but 6 other states. This attests to not only local interest but also the growing national interest in Waldorf Education.

DEMOGRAPHIC DESCRIPTION OF POTENTIAL STUDENTS

MSA's targeted demographic includes children ages 5-12 and grades K-6. The school will be located in the Alpine School District. The ethnicity of Saratoga Spring is predominately white, with the next closest population being Hispanic.

SECTION 4: METHOD OF INSTRUCTION

MSA WILL ALIGN WITH UTAH CORE STANDARDS

MSA will align their curriculum with Utah Core as required by law.

MSA will meet Utah Core standards by consulting with educational leaders in Utah and following a handbook set forth by The Alliance of Public Waldorf Education which works with over 50 public Waldorf Charters in the U.S. It has established a “Public Waldorf-Common Core Curriculum Alignment and Handbook.” This work includes, “Alliance recommendations regarding the placement of Common Core standards in the Public Waldorf Education classroom....not just “what and when” but also “how” schools can address these standards while remaining true to Public Waldorf Education philosophy and pedagogy.”

Using Waldorf Curriculum and incorporating Utah Core Standards, MSA will implement an experiential, arts-integrated approach that engages students at an appropriate developmental level while engaging their “thinking, feeling, and willing.” This arts rich and interdisciplinary way of teaching subjects is a compelling educational model that enhances student achievement, creates a sense of well-being for the child, and promotes a deeper, experiential and long-term understanding of subject material.

THE ESSENCE OF WALDORF EDUCATION

The aphorism, “Know Thyself,” dates back to ancient Greek times. Yet it is as relevant today as it was in earlier times. This adage invites one onto the path of introspection that leads to discovering what lies within. “True” education, then, is *self-education*. William Yeats stated, “Education is not the filling of the pail, but the lighting of a fire.” Education’s task is to help us know who we are so we are able to light the fire from within and make our unique contribution to society and the world. At its best, education draws out what is living within each person and enlivens interest in one’s self, others and the world around us. As children learn about themselves they discover their interests, talents and life-path pursuits and ideally are able to use those skills to benefit others and the world around them.

Waldorf Education aspires to nurture and protect this unfolding nature of *becoming* in children while guiding and developing capacities that will enable them to fulfill their own unique purposes in life. Rudolf Steiner, the founder of Waldorf Education stated, “Receive the children in reverence, educate them in love and send them forth in freedom.”

WALDORF PHILOSOPHY

The philosophy of Waldorf is founded upon the conviction that children are innately curious about themselves and the world; they inherently want to learn, discover, and create. The role of the school is to nourish and guide this natural exuberance, energy and delight in the quest for meaning and knowledge. Creative approaches in which the arts are integrated into academic learning serve to wholly engage the child and provide an experiential, multisensory context for understanding intellectual concepts. The study of world cultures in the Waldorf curriculum enriches the student’s expanding world-view of multicultural education. This gives the children an appreciation for diversity, flexibility of

thinking, and an intrinsic empathic understanding of social and cultural issues. Waldorf Education incorporates experiential hands-on learning opportunities such as gardening and teaches sustainable living practices. The school's overall educational approach is designed to instill in its students not only high standards for academic achievement and civic responsibility, but also a sustaining degree of intellectual curiosity, creative thinking, problem solving and creative self-expression, as well as valuable interpersonal and intrapersonal life skills.

WALDORF METHOD

Waldorf Education teaches the whole child through the integration of thinking, feeling and willing activities; teaching head, heart and hands. For example, the four math processes are introduced in 1st grade. The child will engage in "mental math" (thinking) and participate in rhythmical activities (feeling), and will draw and act out these processes (willing) to thoroughly learn these processes.

Children are naturally artistically inclined and anticipate creative activities. Using the Waldorf Curriculum MSA will cultivate and nurture this artistic nature through invigorating children's imagination, creativity and curiosity.

Dr. Clifford Mayes, an Educational Psychologist and advisory Charter council member stated in his book, *Seven Curricular Landscapes: An Approach to the Holistic Curriculum*, "Waldorf students learn in sequences and paces that are developmentally appropriate, aesthetically stimulating, emotionally supportive and ecologically sensitive." (2003)

WALDORF CURRICULUM OVERVIEW

The core Waldorf curriculum includes language arts, math, mythology, history, geography, geology, algebra, geometry, mineralogy, biology, astronomy, physics, chemistry and nutrition. Other topics are taught to the children include practical and fine arts, gardening, form drawing, movement, eurythmy, and a foreign language. These activities enhance and broaden the scope and breadth of understanding in the core curriculum classes.

Each school day begins with the teacher greeting each child with a handshake. The teacher is able to observe the student's demeanor and state of being through this daily activity as well as authentically connect with each person.

The class typically begins with movement, singing, and speech exercises such as poetry recitation. The younger grades call this "Circle Time" or "Movement Journeys." The class then reviews the lesson material from the previous day and moves into a time known as "Main Lesson." During this time new cognitive material is studied in a block format usually lasting 2- 5 weeks before a new block is introduced.

These "Main Lesson" times usually lasts 2 hours which often include implementation of the lively arts to engage the student and learn the material. Children create their own "Main Lesson Books" which include artistic renderings and writing. The teacher first teaches this thru modeling. As the children grow older and gain competencies they are able to add their own artistic ideas and writings in these books. These "main lesson books" are highly valued by children and parents alike. Rather than using a "textbook" to learn, the children have created their own unique book of writing and art that demonstrates what they have personally taken in and integrated. Some prominent figures that also created books in a similar manner include Leonardo Da Vinci and John Muir. Besides "Main Lesson" time there is usually another daily block period for math or language arts called "Extra Lesson."

In the afternoons children engage in various developmentally appropriate activities and multidisciplinary learning that support Waldorf Education's core values and deepen the understanding of core subject material. The practical arts taught may include sewing, knitting, crocheting, embroidering, felting, gardening, animal husbandry, cooking, woodworking, bookbinding, basketry, pottery, etc. The fine arts include drama, singing, playing musical instruments, beeswax modeling, clay work, painting, drawing, etc. Form Drawing and Eurythmy, a form of movement, are unique subjects taught in Waldorf Schools. It is a common occurrence that each class will put on a play highlighting one of the block studies they learned about during the year. All of these activities deepens children's understanding of the core curricula.

Science is learned through a phenomenological approach involving inquiry and observation. The Program for International Student Assessment (PISA) studies have shown Waldorf students to be better motivated to study science and achieve scientific understanding significantly better than that attained by comparable state school students. (Woods, P. Ashley, M., Woods, G., 2005)

Singing is taught in Kindergarten and continues through all grades. Children participate in singing in their classrooms as well as in choir classes. Children learn to play musical instruments starting with the pentatonic flute in 1st grade. In third grade children learn how to play the penny whistle or the recorder. String instruments begin in 4th grade and children in later grades have an option of also playing a band instrument. The musical repertoire for voice and instruments increases in complexity as children go through the grades and master note reading.

WALDORF EDUCATION RESEARCH AND SUCCESS

Waldorf Education is the fastest growing educational movement in the world. While in 2010, there were twelve Waldorf-inspired public schools in the United States" (Pappano, 2011) In 2015 there were forty-two such schools. ("Alliance for Public Waldorf Education," 2015)

Johnson, a writer for the *New Yorker*, wrote about Waldorf Education in China. "There is a five-year waiting list, and there are plans for the school to quadruple in size, with the addition of a high school and a new campus for a thousand students..." (2014)

A recent Stanford study confirms the positive results achieved from Alice Birney Waldorf School in California. "Quantitative analysis of student record data compared to similar students in other district schools reveals that Birney students have low transiency and suspension rates and positive student achievement outcomes on standardized state assessments." (Beckham, Friedlaender, Darling-Hammond, Zheng, 2015)

Waldorf students are known for being well versed in many subjects and academically astute. Oddleifson, Chairman of CABC, stated in an address to Boston Public Council of Elementary Principals Meeting, "Leading educators have a high regard for Waldorf education." (1995)

Significant support for Waldorf Education comes through findings from the brain sciences and the emerging field of Mind, Brain and Education (MBE). MBE is a program cofounded by one of the central figures in modern holistic approaches to education, Howard Gardner. The primary goal of this initiative as defined by another of the founding members, Kurt Fischer is "to join biology, cognitive science, development, and education in order to create a sound grounding of education in research" (Fischer, 2009, p. 3). MBE is a growing field that holds promise for holistic educators (Sousa, 2010; Tokuhama-Espinosa, 2011) and is especially compatible with Waldorf Education.

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APPENDIX B: ARTICLES OF INCORPORATION

Date: 06/13/2016
Receipt Number: 6462892
Amount Paid: \$30.00

ARTICLES OF INCORPORATION
OF
Mountain Sunrise Academy, Inc.

RECEIVED
JUN 13 2016

Utah Div. of Corp. & Comm. Code

JUN 13 16 04:30

Article I

The name of the corporation is **Mountain Sunrise Academy, Inc.**



Article II

The duration of the corporation shall be perpetual unless dissolved sooner according to law.

**Article III
Purpose**

The purpose or purposes of the corporation are Educational.

- (a) To act and operate exclusively as a nonprofit corporation pursuant to the laws of the State of Utah.
- (b) To engage in any and all activities and pursuits, and to support or assist such other organizations, as may be reasonably related to the foregoing and following purposes.
- (c) To engage in any and all other lawful purposes, activities and pursuits, which are substantially similar to the foregoing and which are or may hereafter be authorized by Section 501(c)(3) of the Internal Revenue Code and are consistent with those powers described in the Utah Nonprofit Corporation and Cooperation Association Act, as amended and supplemented.
- (d) To solicit and receive contributions, purchase, own and sell real and personal property, to make contracts, to invest corporate funds, to spend corporate funds for corporate purposes, and to engage in any activity "in furtherance of, incidental to, or connected with any of the other purposes.

The corporation shall further have unlimited power to engage in and do any lawful act concerning any and all lawful business for which corporations may be organized under the Utah Business Corporation Act and any amendments thereto.

**Article IV
Stock**

The corporation shall not have any class of members or stock.

**Article V
By-Laws**

Provisions for the regulation of the internal affairs of the corporation shall be set forth in the By-Laws.

**Article VI
Initial Governing Board**

The number of directors of this Corporation shall be five (5), or more than five, as fixed from time to time by the By-Laws of the Corporation. The number of directors constituting the present Board of Directors of the Corporation is seven, and the names and addresses of the persons who are to serve as directors until their successors are elected and shall qualify are:

Chris Allen
2425 E. Edgewood Ave.
Mesa, AZ 85204

Emily Morris
4513 W. 10600 N
Highland, UT 84003

Olesya Richards
3741 Royal Troon Dr.
Eagle Mountain, UT 84005

Karrl Auffhammer
3917 Bobolink St
Salt Lake City, UT 84123

Dr. Clifford Mayes
BYU
MCKB 306
Provo, UT 84602

Krystelle Rose
1915 North 800 West
Orem, Utah 84057

Tim McGaughy
1125 Aspen Ridge Ln
Provo, UT 84604

**Article VII
Incorporators and Registrant**

The following person is the initial registered agent for the corporation:

Karrl Auffhammer

The address of the corporation's initial registered office shall be.

3917 Bobolink St, Salt Lake City, UT 84123

Such office may be changed at any time by the Board without amendment of these Articles of Incorporation.

I hereby acknowledge and accept appointment as corporation registered agent:

Signature Karel Aufferman

The name and address of the following incorporator is:

Krystelle Rose
1915 North 800 West
Orem, Utah 84057

Signature Krystelle Rose

**Article VIII
Principal Place of Business**

The principal place of business of this Corporation shall be 3917 Bobolink St. Salt Lake City UT. The business of this Corporation may be conducted in all counties of the State of Utah and in all states of the United States as the Board of Trustees shall determine.

**Article IX
Distributions**

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to its trustees, officers, or other private persons, except that the corporation shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article III hereof. No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these Articles of Incorporation, the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code, as amended or supplemented, or (b) by a corporation, contributions to which are deductible under Section 170(c)(2) of the Internal Revenue Code, as amended or supplemented.

**Article X
Dissolutions**

Upon the dissolution of the corporation, assets shall be distributed for one or more exempt purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code, as amended or supplemented, or shall be distributed to the federal government or to a state or local government for a public purpose. Any such assets not so disposed of shall be disposed of by the District Court of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

In Witness Whereof, I Krystelle Rose, have executed these Articles of Incorporation in duplicate this day of May 20, 2016 and say that I am the incorporator and have read the above foregoing articles of incorporation; know the contents thereof and that the same is true to the best of their knowledge and belief, excepting as to matters herein alleged upon information and belief and as to those matters they believe to be true.

I, the undersigned, acting as incorporator under the Utah Revised Business Corporation Act, adopt the following Articles of Incorporation for such Corporation:

Mountain Sunrise Academy, Inc.

Signature Krystelle Rose
Date 6-12-2016

Date: 06/20/2016
Receipt Number: 6470715
Amount Paid: \$17.00

JUN 20 16 9:40 AM

Mountain Sunrise Academy, Inc.
Amendment to Articles of Incorporation

RECEIVED
JUN 20 2016



Utah Div. of Corp. & Comm. Code

Article XI
Debt and Financial Obligations

Neither the charter school authorizer nor the state, including an agency of the state, persons or entities that operate the charter school, are liable for the debts or financial obligations of the charter school.

Signed (Incorporator) Brystelle Rose
Date 6/18/16

APPENDIX C: MSA BOARD BYLAWS

BY LAWS
OF
MOUNTAIN SUNRISE ACADEMY
A UTAH NONPROFIT CORPORATION

ARTICLE I: NAME AND PURPOSE

The name of the corporation is the Mountain Sunrise Academy (hereinafter “the Corporation”).

Purpose: The purposes of the Corporation shall be to act and operate exclusively as a nonprofit corporation pursuant to the laws of the State of Utah, and to act and operate a public charter school in the manner as determined by the Board of Directors and included here; to engage in any and all activities and pursuits, and to support or assist such other organizations, as may be reasonably related to the foregoing and following purposes; to provide programs, instruction and materials to encourage, support and facilitate student learning and development; to admit students of any race, color, national or ethnic origin to all of the rights, privileges, programs, and activities generally accorded or made available to students at the school.

The corporation shall not discriminate on the basis of race, color, religious affiliation, gender, national or ethnic origin in the administration of its policies, admissions, scholarship or loan programs, employment practices or any other school administered program.

ARTICLE II: OFFICES

The corporation may have such offices whether within or without the State of Utah, as the Board of Directors may determine or as the affairs of the Corporation may require from time to time.

The Corporation shall have and continuously maintain in the State of Utah a registered office, and a registered agent, as required by the Utah Revised Nonprofit Corporation Act. The registered office may be, but need not be, identical with the principal office and the address of the registered office may be change from time to time by the Board of Directors.

ARTICLE III: BOARD OF DIRECTORS

Section A. Powers.

The Board of Directors hereinafter called the “Charter Council” shall conduct or direct the affairs of the Corporation and exercise its powers, subject to applicable education law, not-for-profit corporation law, the Corporation’s State School Charter and these Bylaws. The Charter Council is the final decision-making body of the school. The Charter Council may delegate the management of the activities of the Corporation to others, so long as the affairs of the Corporation are managed, and its powers are exercised, under the Charter Council’s ultimate jurisdiction. Without limiting the generality of the powers hereby granted to the Charter Council, but subject to the same limitations, the Charter Council shall have all the powers enumerated in these Bylaws, and the following specific powers:

1. to elect and remove members of the Charter Council;
2. to select and remove officers, committee members, service providers and the executive director of the school; to prescribe powers and duties for them; and to fix their compensation;
3. to conduct, manage and control the affairs and activities of the Corporation, and to make rules and regulations;
4. to enter into contracts, leases and other agreements which are, in the Charter Council's judgment, necessary or desirable in obtaining the purposes of promoting the interests of the Corporation;
5. to carry on the business of operating a charter school and apply any surplus that results from the business activity to any activity in which the Corporation may engage;
6. to act as trustee under any trust incidental to the Corporation's purposes, and to receive, hold, administer, exchange and expend funds and property subject to such a trust;
7. to acquire real or personal property, by purchase, exchange, lease, gift, devise, bequest, or otherwise, and to hold, improve, lease, sublease, mortgage, transfer in trust, encumber, convey or otherwise dispose of such property;
8. to borrow money, incur debt, and to execute and deliver promissory notes, bonds, debentures, deeds of trust, mortgages, pledges, hypothecations and other evidences of debt and securities;
9. to lend money received only from private sources and to accept conditional or unconditional promissory notes therefore, whether interest or non-interest bearing, or secured or unsecured; and
10. to indemnify and maintain insurance on behalf of any the Charter Council members, officers, employees or agents for liability asserted against or incurred by such person in such capacity or arising out of such person's status as such, subject to the provisions of the Utah Not-for-Profit Corporation Law and the limitations noted in these Bylaws.

Section B. Charter Council Members.

The number of Charter Council members of the Corporation shall be not fewer than five or more than nine. The Charter Council shall fix the exact number of members, within these limits, by board resolution or amendment of the Bylaws.

1. Additional Members. The Charter Council values and promotes collaboration with faculty, staff, and parents. To this end, the Charter Council will also consist of the Parent Council Chair, 2 parents of children in the school, and 2 community members who are professionals in fields aligned with, and/or supportive of public Waldorf elementary and secondary charter school education.

2. Ad Hoc Members. The School Administrator/Director, Faculty Chair and 1 other faculty member will serve as ad hoc members. Ad hoc members will not have voting rights.

Section C. Appointment of Charter Council Members.

1. Appointment. The Charter Council shall constitute itself by appointing individuals to serve, consistent with the provisions of the Articles of Incorporation and these Bylaws.

2. Term of Office. The initial Charter Council members shall be assigned to one-, two-, or three-year terms so that roughly one third of the Charter Council shall be up for reelection in any given year. Following their initial terms, Charter Council members may serve two (2) year terms.

3. Tenure. Each regular Charter Council member shall serve for a term of three years, with continuous service not to exceed two consecutive terms. The foregoing to the contrary notwithstanding, Charter Council members shall serve until their successors have been duly elected and qualified, unless they shall resign, become disqualified, disabled or shall otherwise be removed.

Section D. Removal of a Charter Council Member.

Any officer, agent, or Charter Council member may be removed, either with or without cause, by the Charter Council. Any and all officers are employees at will and serve at the will of the Charter Council, committee or officer who appointed such officer unless such officer serves pursuant to a mutually executed written contract.

Section E. Resignation of a Charter Council Member.

Any Charter Council member may resign by giving written notice to the Charter Council president or secretary. The resignation is effective upon receipt of such notice, or at any later date specified in the notice. The acceptance of a resignation by the Charter Council president or secretary shall not be necessary.

Section F. Vacancies.

A vacancy is deemed to occur on the effective date of the resignation of a Charter Council member, upon the declaration of vacancy pursuant to these Bylaws, or upon a member's death. A vacancy is also deemed to exist upon the increase by the Charter Council of the authorized number of Charter Council members.

Section G. Compensation of Charter Council Members.

Charter Council members shall serve without compensation. However, the Charter Council may approve reimbursement of actual and necessary expenses while conducting corporation business in accord with the set budget and imposed limits for such activities.

ARTICLE IV: Utah Open and Public Meetings Act (Utah Code Title 52 Chapter 04)

Official meetings of the corporation will be regulated by the rules as set forth in the Utah Open and Public Meetings Act. Meetings may be in person or electronic.

Section A. Annual Charter Council Meetings.

An annual meeting of the Charter Council shall be held during the month of August.

ARTICLE V: ACTION BY THE CHARTER COUNCIL

Section A. Quorum. A majority of the Charter Council members then serving at the time of a meeting shall constitute a quorum for the transaction of any business or of any specified item of business at any meeting of the Charter Council.

Section B. Manner of Acting. The act of a majority of the Charter Council present at a meeting at which a quorum is present shall be an act of the Charter Council.

Section C. Action by the Charter Council.

1. Actions Taken at Charter Council Meetings. Except as otherwise provided by statute or by these Bylaws, the vote of a majority of the Council present at the time of the vote, shall be the act of the

Charter Council. If at any meeting of the Charter Council there shall be less than a quorum present, the Charter Council members present may adjourn the meeting until a quorum is obtained.

2. Charter Council Participation by Other Means. In all events, a quorum of the Charter Council must be present to lawfully conduct a Charter Council meeting of the Corporation. Charter Council members may participate by means of video-conferencing or by virtue of other electronic means and may be counted toward achieving a quorum provided all directors participating in such meeting are able to hear one another and there is no objection from any Charter Council member.

Section D. Committees.

1. Committees may be established at any time as deemed necessary by a majority vote of the Charter Council in order to carry out the objectives and purposes of the Corporation. Such committees shall exist for the period required to accomplish their respective objectives, but in no case for longer than specified by the Charter Council when such committees are created unless extended by the Charter Council.

2. Standing Committees. The Charter Council may organize one or more standing committees. The Chair of each standing committee shall be a member of the Charter Council. Not all committee members need to be Council members.

3. Administrative Committees. The Charter Council may authorize the School Administrator/Director to establish "administrative committees", both "standing" and "ad hoc" as may be needed to ensure the smooth running of the school.

4. Resignation and Removal. Any member of any Committee or Council may resign at any time by giving notice to the chair of the affected Committee or Council. Such resignation need not be accepted to be effective. Further, any member of any Committee or Council may be removed either with or without cause, by the Charter Council.

5. No committee member shall have or exercise the authority, or any part thereof, of the Charter Council in the management of the Corporation.

Section E. Standard of Care.

1. Performance of Duties. Each Charter Council member shall perform all duties in good faith and with that degree of diligence, care and skill, including reasonable inquiry, as an ordinary prudent person in a like position would use under similar circumstances.

2. Reliance on Others. In performing the duties of a Charter Council member, each shall be entitled to rely on information, opinions, reports or statements, including financial statements and other financial data, presented or prepared by:

a. one or more officers or employees of the Corporation whom a Council member believes to be reliable and competent in the matters presented;

b. legal counsel, public accountants or other persons as to matters that the director believes are within that person's professional or expert competence; or

c. a Charter Council committee on which the Charter Council member does not serve, as to matters within its designated authority, provided the Charter Council member believes the committee merits confidence, and after reasonable inquiry when the need is indicated by the circumstances, and without knowledge that would cause such reliance to be unwarranted.

3. Investments. In investing and dealing with all assets held by the Corporation for investment, the Charter Council shall exercise the standard of care described above in paragraph D.1 and shall consider among other relevant considerations the long and short term needs of the Corporation in carrying out its purposes, including its present and anticipated financial requirements. The Charter Council may delegate its investment powers to others, provided that those powers are exercised within the ultimate direction of the Charter Council.

Section F. Rights of Inspection.

Every Charter Council member has the right to inspect and copy all books, records and documents of every kind and to inspect the physical properties of the Corporation, provided that such inspection is conducted at a reasonable time after reasonable notice, and provided that such right of inspection and copying is subject to the obligation to maintain the confidentiality of the reviewed information, in addition to any obligations imposed by any applicable federal, state or local law.

Section G. Participation in Discussions and Voting.

Charter Council members have the right to participate in the discussion and vote on all issues before the Charter Council or any Charter Council committee, except that any member shall be excused from the discussion and vote on any matter involving such member relating to: (a) a self-dealing transaction; (b) a conflict of interest; (c) indemnification of that director uniquely; or (d) any other matter at the discretion of a majority of the Charter Council present.

Section H. Duty to Maintain Charter Council Confidences. Every Charter Council member has a duty to maintain the confidentiality of all Charter Council actions, which are not required by law to be open to the public, including discussions and votes that take place at any executive sessions of the Charter Council. Any director violating this confidence may be removed from the Charter Council.

ARTICLE VI: OFFICERS.

The Officers of the Corporation are president, vice president, secretary, and treasurer each who shall be appointed by the Charter Council. The Charter Council may create such other officer positions as it deems necessary. No officer may hold more than one position at the same time.

1. Election. For all positions other than secretary, the officers shall be elected from among the Charter Council at each annual meeting of the Charter Council members and shall serve for one year and until their successors are elected and qualified. The Charter Council may elect an individual to serve as secretary who is not a member of the Charter Council.

2. Terms. The president may serve no more than three consecutive one-year terms. Charter Council Officers elected to the other officer positions may serve no more than five consecutive one-year terms. Former officers, after a break in service of one year, may be elected to another term as an officer.

3. President. The president shall be the chief executive officer of the Corporation and shall, subject to the control of the Charter Council, have general and active supervision of the affairs, business, officers and employees of the Corporation. The President may sign, execute and acknowledge, in the name of the Corporation, deeds, mortgages, bonds, contracts, or other instruments authorized by the Charter Council, except in cases where the signing and execution there of shall be expressly delegated by the Charter Council or these Bylaws to some other officer or agent of the Corporation. The President shall, from time to time, in his or her discretion or at the order of the Charter Council, submit to the Charter Council reports of the operations and affairs of the Corporation. The president shall also perform such other duties and have such other powers as may be assigned to him or her from time to time by the

Charter Council.

4. **Vice President.** The Charter Council may appoint a Vice President to act in the absence or incapacity of the President and to perform such other duties and responsibilities as may be delegated by the president. The vice president shall have full and equal vote as accorded to all members.

5. **Secretary.** The Secretary shall keep the minutes of the meetings of the Charter Council in one or more books provided for that purpose, see that all notices are duly given in accordance with the provisions of these Bylaws or as required, be custodian of the corporate records and the seal of the Corporation and, in general perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or by the Charter Council.

6. **Treasurer.** The Treasurer shall have charge and custody of and be responsible for all funds and securities of the Corporation; receive and give receipts for monies due and payable to the Corporation from any source whatsoever, deposit all such monies in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected in accordance with these Bylaws and in general, perform all duties incidental to the office of Treasurer and such other duties as from time to time may be assigned by the President or by the Charter Council. The treasurer shall render to the Charter Council statements evidencing the current financial condition of the Corporation.

ARTICLE VII: INDEMNIFICATION OF CHARTER COUNCIL MEMBERS, OFFICERS, ETC._

Section A. Authority to Indemnify Charter Council Members; Third Party Actions. To the extent not inconsistent with Section 16-6a-901 et seq. Of the Utah Code Annotated (1953), the Corporation shall provide indemnification to trustees, directors, officers and others pursuant to this Article VI. The Corporation shall indemnify any Charter Council member, officer, employee or agent of the Corporation, or a person who was or is a party or is threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of the Corporation) by reason of the fact he or she is or was an authorized representative of the Corporation (which for the purposes of this Article shall mean a Charter Council member, officer, employee or agent of the Corporation, or a person who is serving at the request of the Corporation as a Charter Council member, officer, employee or agent of the Corporation, person, partnership, joint venture, trust or other enterprise) against judgments, fines, amounts paid in settlement and reasonable expenses (including attorneys' fees) incurred by him or her in connection with such action, suit or proceeding if he or she acted in good faith and in a manner he or she reasonably believed to be in or not opposed to, the best interests of the Corporation, and with respect to any criminal action or proceeding, had no reasonable cause to believe his or her conduct was unlawful, except that no indemnification shall be made in connection with any proceeding charging that such person derived an improper personal benefit, whether or not involving action in an official capacity, in which such person was adjudged liable on the basis that he or she derived an improper personal benefit.

The termination of any action, suit or proceeding by judgment, order, settlement, conviction or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonably believed to be in, or not opposed to, the best interests of the Corporation, and with respect to any criminal action or proceeding, had reasonable cause to believe that his or her conduct was unlawful.

Section B. Authority to Indemnify Charter Council Members; Derivative Actions. The Corporation shall indemnify any Charter Council member who was or is a party or is threatened to be made a party to any

threatened, pending or completed action or suit by or in the right of the Corporation to procure a judgment in its favor by reason of the fact that he or she is or was an authorized representative of the Corporation, against expenses (including attorneys' fees but not amounts paid in settlement) actually and reasonably incurred by him or her in connection with the defense or settlement of such action or suit if he or she acted in good faith and in a manner reasonably believed to be in, or not opposed to, the best interests of the Corporation and except that no indemnification shall be made in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable to the Corporation or in connection with any other proceeding charging that such person derived an improper personal benefit, whether or not involving action in an official capacity, in which such person was adjudged liable on the basis that he or she derived an improper personal benefit.

Section C. Employees and Agents.

To the extent that an authorized representative of the Corporation who neither was nor is a Charter Council member or officer of the Corporation has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to in Sections 1 and 2 of this Article or in defense of any claim, issue or matter therein, he or she shall be indemnified by the Corporation against expenses (including attorneys' fees) actually and reasonably incurred by him or her in connection therewith. Such an authorized representative may, at the discretion of the Charter Council, be indemnified by the Corporation in any other circumstances to any extent if the Corporation would be required by Sections 1 and 2 of this Article to indemnify such person in such circumstances to such extent if he or she were or had been a director or officer of the Corporation.

Section D. Procedure for Effecting Indemnification.

Indemnification under Sections A, B, or C of this Article shall be made when ordered by a court or shall be made in a specific case upon a determination that indemnification of the authorized representative is required or proper in circumstances because he or she has met the applicable standard of conduct set forth in Sections A or B of this Article. Such determination shall be made by the Charter Council by a majority vote of a quorum consisting of Charter Council members who were not parties to such action, suit or proceeding, or any other manner allowed under the laws of the State of Utah.

If a claim under this Article is not paid in full by the Corporation within ninety (90) days after a written claim has been received by the Corporation, the claimant may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim and if successful in whole or in part, the claimant shall be entitled to be paid also the expense of prosecuting such claim. It shall be a defense to any such action (other than an action brought to enforce a claim for expenses incurred in defending any action, suit or proceeding in advance of its final disposition where the undertaking and determinations necessary for advancing expenses have been made) that the claimant has not met the standards of conduct which make it permissible for the Corporation to indemnify the claimant for the amount claimed, but the burden of proving such defense shall be on the Corporation. Neither the failure of the Corporation (including its Charter Council members or its independent legal counsel) that the claimant has not met such applicable standard of conduct shall be a defense to the action or create a presumption that the claimant had not met the applicable standard of conduct.

Section E. Advancing Expenses.

Expenses (including attorneys' fees) incurred by a person that may be indemnified under the provisions of this Article, in defending a civil or criminal action, suit or proceeding, may be paid by the Corporation in advance of the final disposition of such action, suit or proceeding upon receipt of:

1. An undertaking by that person or on that person's behalf by an authorized representative to repay such amount if it shall ultimately be determined that he or she is not entitled to be indemnified by the Corporation as required in this Article or authorized by law;

2. The person furnishes to the Corporation a written affirmation of his or her good faith belief that he or she has met the standard conduct set forth in Section A and B of this Article, and;

3. A determination is made that the facts then known to those making the determination under Section D of this Article would not preclude indemnification as provided by this Article.

Section F. Scope of Article.

Each person who shall act as an authorized representative of the Corporation, shall be deemed to be doing so in reliance upon such rights of indemnification as are provided in this Article. The indemnification and advancement of expenses provided by the Article shall not be deemed exclusive of any other rights to which those seeking indemnification or advancement of expenses may be entitled under any agreement, vote of disinterested trustees, statute or otherwise, both as to action in his or her official capacity and as to action in another capacity while holding such office or position, and shall inure to the benefit of the heirs, executors and administrators of such a person.

ARTICLE VIII: INSURANCE

Insurance Against Liability Asserted Against Charter Council Members, Officers Etc. The Corporation, whenever so authorized by the Charter Council, may purchase and maintain insurance on behalf of any authorized representative (which, for the purposes of this Article shall mean a Charter Council member, officer employee or agent of the Corporation, or a person who is or was serving at the request of the Corporation as a Charter Council member, officer, employee or agent of another corporation, person, partnership, joint venture, trust or other enterprise) against any liability asserted against him or her and incurred by him or her in such capacity, or arising out of his or her status as such, whether or not the Corporation would be authorized or required to indemnify him or her by law or Article VIII of these Bylaws.

ARTICLE IX: SELF-DEALING TRANSACTIONS

The Corporation shall not engage in any self-dealing transactions, except as approved by the Charter Council. "Self- dealing transaction" means a transaction to which the Corporation is a party and in which one or more of the Council members has a material financial interest ("interested member(s)").

Notwithstanding this definition, the following transaction is not a self-dealing transaction, and is subject to By Laws governing financial transactions; if

A transaction which is part of a public or charitable program of the Corporation, and the transaction (a) is approved or authorized by the Charter Council in good faith and without unjustified favoritism; and (b) results in a benefit to one or more Council members or their families because they are in a class of persons intended to be benefited by the program.

ARTICLE X: OTHER PROVISIONS

Section A. Fiscal Year. The fiscal year of the Corporation begins July 1 of each year and ends June 30.

Section B. Execution of Instruments. Except as otherwise provided in these Bylaws, the Charter Council may adopt a resolution authorizing any officer or agent of the Corporation to enter into any contract or execute and deliver any instrument in the name of or on behalf of the Corporation. Such authority may be general or confined to specific instances. Unless so authorized, no officer, agent or employee shall have any power to bind the Corporation by any contract or engagement, to pledge the Corporation's credit, or to render it liable monetarily for any purpose or any amount.

Section C. Checks and Notes. Except as otherwise specifically provided by a Charter Council resolution, checks, drafts, promissory notes, orders for the payment of money, and other evidence of indebtedness of the Corporation may be signed by the president of the Board and executive director. Such items for amounts of \$5,000.00 or greater must be signed by these individuals.

Section D. Construction and Definitions. Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in law and shall govern the construction of these Bylaws. Without limiting the generality of the foregoing, words in these Bylaws shall be read as the masculine or feminine gender, and as the singular or plural, as the context requires, and the word "person" includes both a corporation and a natural person. The captions and headings in these Bylaws are for reference and convenience only and are not intended to limit or define the scope or effect of any provisions.

Section E. Conflict of Interest. No Charter Council member may vote upon a matter coming before that body in which he or she has a conflict of interest.

For the purpose of this provision, the term "interest" shall include financial interest, personal interest, interest as director, officer, member, stockholder, shareholder, partner, manager, trustee or beneficiary of any concern and having an immediate family member who holds such an interest in any concern. The term "concern" shall mean any corporation, association, trust, partnership, limited liability entity, firm, person or other entity other than the organization.

Immediately upon becoming aware that a conflict of interest may exist, a Charter Council member must disclose the existence of the potential conflict to the remaining Charter Council members, withdraw from further deliberation on the issue, and refrain from voting on the matter. Any such disclosure shall include all relevant and material facts known to such person about the contract or transaction shall be fully documented in the organization minutes.

Any transaction or vote involving a potential conflict of interest shall be approved only when a majority of disinterested Charter Council members determine that it is in the best interest of the corporation to do so. The minutes of meetings at which such votes are taken shall record such disclosure, abstention and rationale for approval.

The Charter Council may adopt formal policies requiring:

1. Regular annual statements from Charter Council members, officers and key employees to disclose existing and potential conflicts of interest.
2. Corrective and disciplinary actions with respect to transgressions of such policies.

ARTICLE XI: BOOKS AND RECORDS.

The Corporation shall keep correct and complete books of accounts and shall also keep minutes of the proceedings of the Charter Council.

ARTICLE XII: WAIVER OF NOTICE.

Whenever any notice is required to be given under the provisions of the Utah Revised Nonprofit Corporation Act or under the provisions of the Articles of Incorporation or the Bylaws of the Corporation a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

ARTICLE XIII: AMENDMENTS TO BYLAWS.

These Bylaws may be altered, amended or repealed and new Bylaws may be adopted by majority of the Charter Council present at any regular meeting or at any special meeting.

APPENDIX D: MINUTES FROM MEETING

MSA Charter Council Meeting Minutes

Meeting Minutes for September 17, 2016

Present: Tim McGaughy President, Krystelle Rose Vice-President, Chris Allen Treasurer, Emily Morris Secretary, Olesya Richards Council member, Karrl Auffhammer Council member

Non-council members present: Ellen McGaughy,Carolynn Lambert, Stephen Joseph, David Fawsen

Tim called the meeting to order at 11:00am; Krystelle Rose determined that a quorum was present.

Item 1 - Approval of initial Charter Council Minutes from meeting of 14 May 2016: Emily Morris read the minutes. There were no motions to correct and Tim McGaughy accepted the minutes into the record.

Item 2 - Agenda: Tim presented the agenda and inquired of possible amendments. None were voiced.

Item 3 - Vote in New Board Members: Krystelle Rose announced that Dr. Cliff Mayes is stepping down from the Council due to moving out of state. Tim McGaughy nominated David Fawsen as a new Charter Council member; Krystelle Rose seconded the motion. The motion was put to a vote and approved. Krystelle Rose nominated Stephen Joseph as a new Charter Council member; Emily Morris seconded the motion. A vote was taken and the motion was approved.

Item 4 - Articles of Incorporation: Tim McGaughy moved to ratify the Articles of Incorporation; Karrl Auffhammer noted that the AOI with an amendment (required by the State Charter School Board) has been filed and accepted by the Utah Division of Corporations and Commercial Code. The motion was then seconded by Karrl. The motion was put to a vote and approved.

Item 5 - Bylaws: Karrl Auffhammer moved to ratify the bylaws; Stephen Joseph seconded the motion. The motion was put to a vote and approved.

Old Business: Completion of Charter School Application.

We reviewed and discussed the application and addressed the work needed to complete the application.

New Business: Creation of Advisory Council

Krystelle brought forward that there has been interest for others willing to serve on an Advisory Council. After reviewing the applicant's experiences and the potential benefits derived from their contribution, it was agreed that the creation of an Advisory Council was appropriate at this time as it would further support the next development stage of the Charter School application. These members will be listed in the Charter Application.

Tim motioned to adjourn the meeting; Karrl Auffhammer seconded the motion. The motion was put to a vote and approved. The meeting adjourned at 11:36am.