



LUMEN SCHOLAR INSTITUTE

ADMINISTRATIVE REGULATIONS

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REGULATION 1005-R(1): HEAD INJURY AND CONCUSSION

Original Adopted Date: 12/14/2023

ADMINISTRATIVE REGULATION

A concussion is a type of traumatic brain injury that interferes with normal function of the brain. It occurs when the brain moves within the skull as a result of a blow to the head or body. What may appear to be only a mild jolt or blow to the head or body can result in a concussion. A concussion can occur even if a player or student in an activity is not knocked out or loses consciousness.

The School will ensure that each agent of the School is familiar with, and has a copy of, the Head Injury and Concussion Policy and this Regulation. Before permitting a child to participate in a sporting event of the School, the School will, on an annual basis:

1. Provide a written copy of the Head Injury and Concussion Policy and this Regulation to a parent or legal guardian of a child; and
2. Obtain the signature of a parent or legal guardian of the child, acknowledging that the parent or legal guardian has read, understands, and agrees to abide by, the Head Injury and Concussion Policy and this Regulation.

The following definitions apply to this Regulation:

1. "Agent" means a coach, teacher, employee, representative, or volunteer.
2. "Qualified health care provider" means a health care provider who:
 - a. Is licensed under Title 58, Occupations and Professions; and
 - b. May evaluate and manage a concussion within the health care provider's scope of practice.
3. "Sporting event" means any of the following athletic activities that is organized, managed, or sponsored by the School:
 - a. A game;
 - b. A practice;
 - c. A sports camp;
 - d. A physical education class;
 - e. A competition; or
 - f. A tryout.
4. "Traumatic head injury" means an injury to the head arising from blunt trauma, an acceleration force, or a deceleration force, with one of the following observed or self-reported conditions attributable to the injury:
 - a. Transient confusion, disorientation, or impaired consciousness;
 - b. Dysfunction of memory;
 - c. Loss of consciousness; or
 - d. Signs of other neurological or neuropsychological dysfunction, including:
 - i. Seizures;
 - ii. Irritability;
 - iii. Lethargy;
 - iv. Vomiting;

- v. Headache;
- vi. Dizziness; or
- vii. Fatigue.

The following signs and symptoms following a witnessed or suspected blow to the head or body are indicative of probable concussion:

Signs (observed by others):

- Student appears dazed or stunned
- Confusion
- Forgetfulness
- Moves clumsily (altered coordination)
- Balance problems
- Altered personality
- Responds slowly to questions
- Can't recall events prior to hit or fall
- Can't recall events after hit or fall
- Loss of consciousness (any duration)

Symptoms (reported by student):

- Headache or "pressure" in head
- Fatigue
- Nausea or vomiting
- Balance problems or dizziness
- Confusion
- Double vision or blurry vision
- Sensitive to light or noise
- Feels sluggish
- Feels "foggy"
- Problems concentrating
- Problems remembering
- Emotions of "not feeling right" or "feeling down"

General Guidelines and Procedures

The School will immediately remove a child from participating in a sporting event of the School if the child exhibits signs, symptoms, or behaviors consistent with a concussion or is otherwise suspected of sustaining a concussion or a traumatic head injury. Under such circumstances the School will also:

1. Notify the child's parents of the child's concussion or traumatic head injury (or suspected concussion or traumatic head injury); and
2. Prohibit the child from participating in a sporting event of the School until the child:
 - a. Is evaluated by a qualified health care provider who is trained in the evaluation and management of a concussion; and
 - b. Provides the School with a written statement from the qualified health care provider stating that:

- i. The qualified health care provider has, within three years before the day on which the written statement is made, successfully completed a continuing education course in the evaluation and management of a concussion; and
- ii. The child is cleared to resume participation in the sporting event of the School.

The School will follow any return-to-play guidelines established by the student's qualified health care provider.

Emergency Procedures

The following situations constitute a medical emergency and require notification of emergency medical personnel:

1. Any student with a witnessed loss of consciousness (LOC) of any duration should be spine boarded and transported immediately to nearest emergency department via emergency vehicle.
2. Any student who has symptoms of a concussion, and who is not stable (i.e., condition is worsening), should be transported immediately to the nearest emergency department via emergency vehicle.
3. A student who exhibits any of the following symptoms should be transported immediately to the nearest emergency department, via emergency vehicle:
 - a. Deterioration of neurological function;
 - b. Decreasing level of consciousness;
 - c. Decrease or irregularity in respirations;
 - d. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding;
 - e. Mental status changes: lethargy, difficulty maintaining arousal, confusion or agitation; or
 - f. Seizure activity.

A student who is symptomatic but stable may be transported by his or her parents. The parents should be advised to contact the student's primary care provider or seek care at the nearest emergency department on the day of the injury.

Guidelines and Procedures for Coaches and Teachers Supervising Contests and Games

Recognize concussion

1. All agents of the School should become familiar with the signs and symptoms of concussion that are described above.
2. Agents of the School shall have appropriate training about recognizing and responding to traumatic head injuries and suspected student injuries, consistent with the employees' involvement in and responsibilities for supervising students in sporting events and physical education classes. Coaches shall receive annual training.

Remove from activity

Any student who exhibits signs, symptoms, or behaviors consistent with a concussion (such as loss of consciousness, headache, dizziness, confusion, or balance problems) shall be immediately removed from the sporting event and shall not return to play until cleared by an appropriate health care professional.

Refer the athlete/student for medical evaluation

1. The School's agent is responsible for notifying the student's parent(s) of the injury.
 - a. Contact the parent(s) to inform a parent of the injury. Depending on the injury, either an emergency vehicle will transport or parent(s) will pick the student up at the event for transport.
 - b. A medical evaluation is required before returning to play.
2. In the event that a student's parent(s) cannot be reached, and the student is able to be sent home (rather than directly to a doctor):
 - a. The School's agent should ensure that the student will be with a responsible individual who is capable of monitoring the student and understanding the home care instructions before allowing the student to go home.
 - b. The School's agent should continue efforts to reach a parent.
 - c. If there is any question about the status of the student, or if the student cannot be monitored appropriately, the student should be referred to an Emergency Department for evaluation. The School's agent should accompany the student and remain with the student until a parent arrives.
 - d. The School's agent shall provide for supervision of other students for whom he or she is responsible when accompanying the injured student.

School Nurse

1. The School's nurse, if any, may assess a child who is suspected of sustaining a concussion or a traumatic head injury during School hours on School property regardless of whether the nurse has received specialized training in the evaluation and management of a concussion.
2. A School nurse who does not meet the requirements of Subsections 26B-4-404(1)(b)(i) and (1)(b)(ii)(A), but who assesses a child who is suspected of sustaining a concussion or traumatic head injury under Subsection (1):
 - a. Shall refer the child to a qualified health care provider who is trained in the evaluation and management of a concussion; and
 - b. May not provide a written statement permitting the child to resume participation in free play or physical education class under Subsection 26B-4-404(1)(b)(ii).
3. A School nurse shall undergo training in the evaluation and management of a concussion, as funding allows.

EQUIPMENT AND OTHER CAPITAL ASSETS ACQUIRED WITH FEDERAL FUNDS

Lumen Scholar Institute (the “School”) will purchase, use, manage, and dispose of equipment and other capital assets acquired in whole or in part with federal funds in accordance with applicable federal law, including 2 CFR 200.439 and 2 CFR 200.313(c)-(e).

Definitions

The definitions in 2 CFR 200.1 apply to this administrative procedure, including but not limited to the following:

“Capital assets” means:

- a. Tangible or intangible assets used in operations having a useful life of more than one year which are capitalized in accordance with GAAP. Capital assets include:
 - i. Land, buildings (facilities), equipment, and intellectual property (including software) whether acquired by purchase, construction, manufacture, exchange, or through a lease accounted for as financed purchase under Government Accounting Standards Board (GASB) standards or a finance lease under Financial Accounting Standards Board (FASB) standards; and
 - ii. Additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations or alterations to capital assets that materially increase their value or useful life (not ordinary repairs and maintenance).
- b. For purpose of this procedure, capital assets do not include intangible right-to-use assets (per GASB) and right-to-use operating lease assets (per FASB). For example, assets capitalized that recognize a lessee's right to control the use of property and/or equipment for a period of time under a lease contract. See also § 200.465.

“Capital expenditures” means expenditures to acquire capital assets or expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life.

“Equipment” means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the School for financial statement purposes, or \$5,000.

“General purpose equipment” means equipment which is not limited to research, medical, scientific or other technical activities. Examples include office equipment and furnishings, modular offices, telephone networks, information technology equipment and systems, air conditioning equipment, reproduction and printing equipment, and motor vehicles.

“Special purpose equipment” means equipment which is used only for research, medical, scientific, or other technical activities. Examples of special purpose equipment include microscopes, x-ray machines, surgical instruments, and spectrometers.

Equipment

Management Requirements

With respect to managing equipment acquired in whole or in part with federal funds, the School will:

- a. Maintain property records that include:
 - i. A description of the equipment;
 - ii. A serial number or other identification number for the equipment;
 - iii. The source of funding for the equipment;
 - iv. Who holds title to the equipment;
 - v. The date the equipment was acquired by the School;
 - vi. The cost of the equipment;
 - vii. The percentage of participation in the project costs for the federal award under which the equipment was acquired;
 - viii. The location of the equipment;
 - ix. The use and condition of the equipment; and
 - x. Any ultimate disposition data with respect to the equipment, including the date of disposal and sale price of the equipment.
- b. Take physical inventory of the equipment and update/reconcile the property records accordingly at least once every two years.
- c. Develop and implement a control system that will provide adequate safeguards to prevent loss, damage, or theft of the equipment.
- d. Investigate any loss or damage to or theft of the equipment.
- e. Regularly maintain and/or service the equipment to help ensure the equipment remains in good condition.
- f. If authorized or required to sell the equipment, engage in a sales process that will help ensure the School receives the highest possible return on the sale of the equipment.

Use and Disposition Requirements

Regarding the use and disposition of equipment acquired with federal funds, the School will follow the requirements in 2 CFR 200.313(c) and (e).

Purchasing Requirements

The School shall follow the procedure below in order to purchase equipment with federal funds.

Capital Expenditures

The School shall comply with federal law in connection with purchasing equipment and other capital assets with federal funds, including but not limited to 2 CFR 200.439. Below are some of the purchasing rules the School shall follow:

- a. The School shall not use federal funds to pay for improvements to land, buildings, or equipment which materially increase their value or useful life unless the School receives prior written approval of the federal awarding agency or the pass-through entity (the USBE) to do so (note: this applies to School construction, alteration, or repair projects);
 - a. And with respect to construction, alteration, or repair projects that cost in excess of \$2,000, the School shall not use federal funds to pay for such projects unless the School follows other applicable laws, including but not limited to the Davis-Bacon and Related Acts;
- b. The School shall not use federal funds to purchase general purpose equipment (note: this includes, for example, computers and other tech devices), buildings, or land unless the School receives prior written approval of the federal awarding agency or the pass-through entity (the USBE) to do so; and
- c. The School may use federal funds to purchase special purpose equipment; however, if any such item of equipment has a unit cost of \$5,000 or more, the School shall obtain prior written approval of the federal awarding agency or the pass-through entity (the USBE) in order to purchase those items with federal funds.

REGULATION 0350-(R)(1): EMPLOYEES ENGAGING IN PRIVATE ACTIVITIES RELATED TO PUBLIC EDUCATION

Purpose

Lumen Scholar Institute (the “School”) recognizes that its employees may have opportunities to engage with students in private activities related to public education that are not sponsored by the School. The School supports its employees participating in such activities so long as they are done appropriately.

These procedures are intended to help ensure that any private, but public education-related activity involving School employees is conducted in a manner that complies with state law and rules, including R277-107, and maintains the integrity of the public education system. These procedures outline expectations for School employees who sponsor or participate in private activities related to public education and delineate boundaries between public employment and private enterprise.

Definitions

For purposes of these procedures:

“Employee” means a person who is employed on a full-time, part-time, or contract basis by the School.

“Private, but public education-related activity” means any type of private activity for which:

- a. An employee of the School receives compensation; and
- b. The principal clients are students at the School.

“Private, but public education-related activity” may include:

- a. Tutoring;
- b. Lessons;
- c. Clinics;

- d. Camps; or
- e. Travel opportunities.

General Rules for School Employee Participation in Private, But Public Education-Related Activities

Employees may participate in a private, but public education-related activity in accordance with R277-107 and these procedures.

1. Separation of Private and Public Roles

- a. Employees who participate in a private, but public education-related activity must ensure that such participation is separate and distinguishable from their employment with the School. For example, such employees may not:
 - i. Contact students at the School during School hours to promote such private activities; or
 - ii. Use student education records, School resources, or information gained through employment with the School in connection with such private activities, unless that information is readily available to the general public.

2. Prohibited Use of School Time and Resources

- a. Employees who participate in a private activity or a private, but public education-related activity may not use School time or resources to:
 - i. Discuss, promote, or prepare for such private activities; or
 - ii. Organize or advertise such private activities.

3. Permissible Activities by Employees

- a. Employees who participate in a private, but public education-related activity may:
 - i. Offer such private activities to students outside of regular School hours;
 - ii. Discuss such private activities with students or parents outside of the classroom and regular School hours;
 - iii. Use student directories or online resources which are available to the general public; or
 - iv. Advertise or promote such private activities in accordance with the rules in R277-107-3 and -4, including in School publications that allow commercial advertising.

4. Equity and Access

- a. Employees may not condition credit or participation in a School program or activity on a student's participation in such activities as clinics, camps, private programs, or travel activities that are not equally and freely available to all students.
- b. Employees may not state or imply to any person that participation in a regular School activity or program is conditioned on participation in a private activity.

5. Student-Initiated Educational Opportunities

- a. Nothing in these procedures prohibit students from requesting or petitioning the School for academic credit for educational experiences obtained outside of School consistent with School policy and applicable state law.

6. Contracts Governing Private, But Public Education-Related Activities

- a. Contracts between an employee and a sponsor of a private, but public education-related activity shall be signed by the employee and include the acknowledgments set forth in R277-107-6.
- b. An employee shall provide the School with a signed copy of all contracts between the employee and a sponsor of a private, but public education-related activity. The School shall maintain a copy of such contracts in the employee's personnel file.

REGULATION 0920-R(1): TIME AND EFFORT DOCUMENTATION

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1. All employees paid in whole or in part with federal funds, employees whose salaries are used to meet a matching/cost sharing requirement, and employees who are paid in whole or in part with state restricted funds are required to provide time and effort documentation that accurately and reasonably represents the work that has been performed during the period being reported on.
 - A. **Semi-Annual Certification** – This certification must be submitted by/for employees who work solely on a single cost objective during the six-month period being reported on.
 - i. Semi-Annual Certifications must:
 1. Be completed at least twice a year. For example, they could be submitted for the periods July 1 through December 31, and January 1 through June 30;
 2. Be submitted after the last day of the period being reported (*i.e.*, after the fact – the certification must reflect an after-the-fact distribution of the actual activity);
 3. Account for the total activity for which the employee is compensated;
 4. Be signed by the employee or a supervisor with direct knowledge of the work performed; and
 5. Be submitted on an approved form.
 - ii. Semi-Annual Certification forms will include the following:
 1. Name and title of the employee;
 2. Name and title of the employee's supervisor;
 3. Name of the cost objective the employee worked on;
 4. Period being reported on;
 5. A certification statement certifying the employee has spent 100% of their time on the stated cost objective;
 6. Whether time, effort, and salary are being used for cost sharing or matching purposes, and if so, for which program(s);
 7. Signature of the employee or the employee's supervisor who has direct knowledge of the work performed; and
 8. Date Signed by the employee or the employee's supervisor (Note: Cannot be dated prior to the end of the period covered by the certification).
 - B. **Personnel Activity Report (PAR)** – This report must be submitted by/for employees who work on multiple cost objectives. PARs must support the distribution of employees' salaries and wages that meet the standards outlined below.
 - i. A PAR must:
 1. Provide a written record of the employee's work activities used to document that employee's time to a cost objective;
 2. Be completed at least monthly and be supported by the employee's work activities (should be submitted after the last day of the month being reported on, that is, after the fact – the PAR must reflect an after-the-fact distribution of the actual activity, not a budget estimate);
 3. Account for the total work activity for which the employee is compensated;

4. Coincide with one or more pay periods;
5. Be signed by the employee; and
6. Be submitted on an approved form.
- ii. PAR forms will include the following:
 1. Name and title of the employee;
 2. Name and title of the employee's supervisor;
 3. Name of the cost objectives the employee worked on;
 4. Period being reported on (e.g., January 1 through January 31);
 5. A certification statement stating that the distribution of the employee's time is an accurate representation of the work performed;
 6. Whether time, effort, and salary are being used for cost sharing or matching purposes, and if so, for which cost objective;
 7. Distribution of time (by percentage, e.g., 70% Title I, 30% Special Education) by account, function, program, location;
 8. Time being reported must represent but cannot exceed 100%;
 9. Signature of the employee;
 10. Date signed by the employee (Note: Cannot be dated prior to the end of the period covered by the PAR); and
 11. Sick time, vacation time, etc. (if applicable) must be coded proportionally to the different programs.
2. Payroll records must reconcile with the time and effort documentation.
3. A reconciliation of payroll records and time and effort documents will be done on a regular basis. Adjustments will be made and discussed, as necessary.
4. If an employee's salary is being used for cost sharing/matching purposes, then this needs to be identified on the employee's time and effort form. Once a salary has been used for matching purposes or a portion of the salary, then the salary, or portion thereof, that has been used may not be used as matching/cost sharing funds for another program.
5. If assignments change, it is the School's responsibility to inform the School's accounting and payroll staff so that payroll records, budgets, etc. can be updated.
6. Upon termination of employment, an employee must submit their final time and effort documentation prior to receiving their final payment.
7. Time and effort procedures will be periodically reviewed by School administration and the accounting and payroll staff. Updates due to changes in rules or regulations will be made in a timely manner, as necessary.
8. Employees will receive appropriate training on time and effort documentation, as necessary.
9. The School will keep a copy of all time and effort documentation (Semi-Annual Certifications, PARs, payroll reports, etc.) in accordance with the School's record retention practices or 3 years from the date of submission, whichever is greater, as required by 2 CFR § 200.334.
10. The signatures required herein may be either handwritten or electronic signatures.