

**AGREEMENT FOR WAIVER OF  
UTAH STATE BOARD OF EDUCATION  
ADMINISTRATIVE RULE**

**Beehive Science and Technology Academy – R277-552-6(6)**

This Agreement is entered into by and between the Utah State Board of Education (“Board”), and Beehive Science and Technology Academy, a local education agency (“LEA”).

**RECITALS**

- I. The Board has general supervision and control of Utah’s public education system and has been granted the authority to make rules to execute its duties and responsibilities under the Utah Constitution and state law;
- II. The Board has exercised this authority and adopted Utah Administrative Code, Title R277. Education;
- III. LEA is subject to the requirements of U.A.C. R277. Education;
- IV. U.A.C. R277-121, allows an LEA to petition the Board for a waiver of requirements contained in an administrative rule adopted by the Board;
- V. U.A.C. R277- 552-6(6) requires a charter school satellite campus to open within 36 months of receiving approval or the approval shall expire;
- VI. LEA was granted approval to establish a satellite campus in Draper City in January 17, 2019 with the intent to open for the 2021-2022 school year.
- VII. LEA has faced ongoing challenges with regard to receiving final approvals from Draper City for the construction of the satellite campus. These challenges have been exacerbated circumstances of the COVID-19 pandemic.
- VIII. LEA has petitioned the Board for a waiver of the requirements of R277- 552-6(6) as applied to Beehive Science and Technology Academy – Draper Satellite Campus;
- IX. LEA submitted all necessary information called for under R277-121-2;
- X. The Board reviewed and discussed LEA’s waiver request during its meeting on Thursday, February 4, 2021 and by motion, approved the waiver request by a majority vote subject to the terms and conditions set forth below.

## AGREEMENT

1. **Waiver and Purpose.** LEA is exempted from the requirements of R277-552-6(6), specifically, the requirement that a charter school replication campus must open within 36 months of receiving approval or the approval shall expire is waived for the purpose of allowing Beehive Academy of Science and Technology governing board additional time to secure the necessary permits and approvals for construction of the school facility.

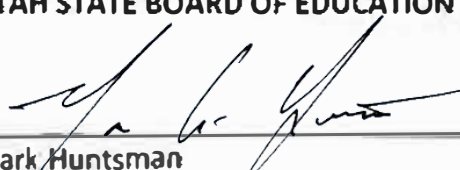
2. **Alternative or Amended Compliance.** During the term of this waiver, LEA shall:
- a. Complete construction of the satellite campus facility prior to August 2022;
  - b. Open the satellite charter school in August 2022 for the 2022-2023 school year; and
  - c. Follow all other applicable requirements and timelines set forth in state law and rule.

3. **Effective Dates.** The effective date of this waiver shall be February 4, 2021 and shall continue until August 1, 2022, subject to the fulfillment of the terms and conditions found herein as well as compliance with all other applicable statutes and regulations. There will be no extension of this waiver except by reapplication to the Board through the Board's waiver process in effect at the time of reapplication.

4. **Amendment.** This waiver may not be amended except in writing signed by both parties and accompanied by such additional Board action as is necessary to approve any amendment.

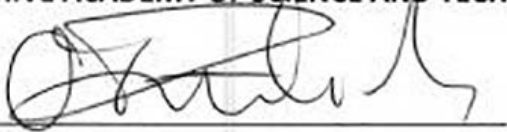
6. **Termination.** This waiver may be terminated by the Board at any time, upon 30 days' notice, if it finds that there has been any material misrepresentation of any fact(s) in the request for waiver or in the annual reporting. LEA may terminate this waiver at any time prior to its expiration upon providing written notice to the Board.

**UTAH STATE BOARD OF EDUCATION**

  
\_\_\_\_\_  
Mark Huntsman  
Board Chair

February 4, 2021  
\_\_\_\_\_  
Date

**BEEHIVE ACADEMY OF SCIENCE AND TECHNOLOGY**



**CALVIN ZULICH**  
Board Chair

01/28/2021

Date

**NOTATION:** This waiver was approved on February 4, 2021. On February 8, 2021, an amendment to R277-552 went into effect changing the relevant waiver provision from R277-552-6(6) to R277-552-7(7).

