

APA'S POSITION ON CONTROVERSY AND RESPONSE TO MEDIA ARTICLES

American Prep has been educating students and pioneering school choice through the charter school sector since 2003 - over two decades of service to students and families, and working to promote laws and rules that expand autonomy for charter schools and meaningful options for parents.

As in all cases where social, political and legal changes to long-standing institutions are pursued, there has been dynamic and intense dialogue and disagreement surrounding charter schools in Utah. The path to opening school choice to Utah parents has been blazed by passionate supporters who have been met with passionate opposition. Nonetheless, proponents have succeeded in expanding charter schools which now serve nearly 12% of Utah students. This significant growth is the result of many discussions and actions at the legislative and agency levels (Utah State Board of Education - USBE). Shifts in public education policy in Utah have been incremental but substantial over the past 26 years of policy development related to charter schools.

APA considers opposition to such significant change as an important component of our American process of governance "by the people". Diverse voices, free to express their positions, create a vigorous process of debate that is fundamental to progress in a healthy democratic republic. American Preparatory Academy's vision includes perpetuating the American ideals through education and experience of students and staff, and to actuate that commitment we must accept that we will encounter opposition and then, in good faith, engage in productive dialogue and efforts to contribute to advancing the greater good.

The opposition to school choice has taken general forms which push against change in law and policy, as well as specific forms where opponents fight against specific charter schools. In the general form, opponents have organized efforts to oppose pro-school choice legislative initiatives, as well as advancing anti-change policies at the agency level (USBE), with the overall objective being to limit the growth of charter schools and maintain the status quo. The Utah legislature has been consistently supportive of the expansion of charter schools, supporting their autonomy and the potential for charter schools to innovate and provide upward pressure on student achievement at all schools.

Because of their unique structure, charter schools are uniquely accountable - beyond traditional public schools - due to the fact that charter schools have no guaranteed enrollments. They must attract and retain each student to receive any financial support from the government. Yet charter schools are also accountable in all of the ways that apply to traditional public schools including accreditation, audits, academic results, and compliance with all laws and regulations. This double accountability must be considered whenever opposition or controversy arises.

With regard to specific forms of opposition against particular charter schools, American Prep has been the subject of many such incidents of opposition. This could be due to APA's active role in law and policy development as well as APA's size - having grown to 7 campuses serving 5500 Utah students. APA is larger than half of the traditional school districts in Utah, and larger than all of Utah's charter schools.

Perhaps because APA and its founders and leaders have been engaged in the healthy dialogue and debates that have advanced school choice via charter schools over the past two-plus decades, APA has been a target of misrepresentation of facts, unsupported accusations, and personal attacks on numerous occasions.

APA intends by this document to provide a response to the public related to media articles.

We believe that interested members of the public benefit from factual information in order to gain a fuller understanding of issues raised in the media.

APA'S RESPONSE TO MEDIA ARTICLES

Following is a brief response to media articles/stories in chronological order:

[Special Education 2019-2022](#)

[Racism - March 2018](#)

[ACLU: English-only - February 2019](#)

[Las Vegas Separation - June 2020](#)

[Late Financial Report - March 2022](#)

[Climate Survey - April 2023](#)

[Carbon Monoxide - November 2023](#)

Special Education 2019-2022

Background: APA's special education program focuses on teaching students identified with disabilities (SwDs) alongside their peers as much as possible. APA's results show that students learn well in mixed groups (SwDs and non-SwDs) and importantly, stigma for SwDs is reduced. APA's strategic staffing pattern is to have 2 adults in every elementary classroom - the teacher of record and an associate teacher, assistant teacher, or paraeducator. This allows for nearly every SwD to be placed into the general education classroom for most or all of their school day because there are supports in place to ensure their success there. Additionally, these supplemental employees teach small groups of reading and mathematics, under the supervision of certified teachers and special education teachers which provides the academic instruction SwDs often need - "specially designed instruction."

In 2020, the USBE claimed that the costs for these supplemental employees are unallowable as special education costs and demanded repayment of the funds. They maintained that APA "misused" state special education funds when it paid associate teachers or paraeducators for these assignments in the classroom or for teaching small groups composed of SwD and non-SwD. APA stopped using state special education funds for these costs as required by the USBE and is repaying 2.7 million dollars over ten years.

APA engaged in public comment and other efforts to encourage USBE to adopt rules that allowed these types of costs. USBE responded by adopting new rules that changed key special education definitions that supported their position against APA's program and which were not aligned with federal law. The Utah legislature sided with APA when it passed SB134 requiring the USBE to change their new definitions to align with federal law, and also required the USBE to provide a process for schools to educate SwD in mixed groups and document the services as allowable costs.

Important facts:

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- APA's charter with Utah was never placed on probation or warning status as this issue was being vetted.
- APA was awarded the [Best of State](#) in Utah in Special Education in 2021 and 2022.
- APA's SwD performed above the state average in academic growth in every subject and every grade in 2023, and above the state average in academic proficiency in every subject and grade in 2024.
- Go [here](#) and [here](#) for more information on APA's special education program

Racism - March 2018

Background: Two articles in 2018 address accusations of racism toward the school and Carolyn Sharette, Superintendent, specifically. The articles highlight social media posts by Mrs. Sharette, comments from a former teacher who stated the school had a policy requiring students to speak only English at school, the same teacher's criticisms of the school teaching etiquette based on western customs, and the schools dress code reflecting professional dress.

Important Facts:

- APA is a minority-majority school system, meaning that it is very diverse, attracting students from many races, ethnicities, religious and cultural backgrounds. It may be the most diverse school in Utah.
- Mrs. Sharette has supported two schools in Africa for 20 years, and has worked in Guatemala and Indonesia with disadvantaged children. She started the "School for New Americans" to support refugee and immigrant families in Utah in 2009 which has grown to a 2200 student K-12 system in West Valley City.
- APA has been named by Stanford as the only ["gap-busting" system of schools](#) (pg. 63/122) in Utah that has demonstrated evidence of closing the achievement gap for minority and economically disadvantaged students in both reading and mathematics.*(link)
- APA's parental satisfaction rate of it's dress code policy and etiquette program is above 95%.

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ACLU: English-only - February 2019

Background: The ACLU of Utah wrote a letter to APA in 2019 claiming APA had an illegal policy and practice requiring students to speak only English at school. APA invited the ACLU-Utah leaders to visit the school, which they did upon two occasions. The visits were positive and informative on both sides (for the ACLU and for APA in understanding their concerns). APA composed a response to the claims which can be [read here](#).

Important Facts:

- APA doesn't have, and never has had, a policy requiring students to speak only English at school. No incidents of discipline of students for speaking a language other than English have taken place.
- APA is one of the most diverse schools in Utah. Our West Valley campuses were created to serve "new Americans" - immigrants, refugees and others who are new to America. This has resulted in our schools being very diverse with many home languages.
- APA teaches students that "e pluribus unum" is an American ideal - out of many (meaning countries) "one". APA believes that we benefit from connecting with others from backgrounds different from our own, and that our school can be a place of courtesy and equality for all. APA teaches that unity requires students to speak in English so that all who are in the classroom, or "at the table" or even within earshot can participate and no one is excluded from what we call "the great conversation" (a classical education term).
- Students are taught business, government and education etiquette to enhance their success in America's institutions and that includes speaking English well and consistently and being careful to not exclude others by choice of language in conversations.
- APA has never had a policy or rule requiring students to speak English only; however, our character development program focuses on proper etiquette and decorum and there are times when we have taught our students that speaking in their native language can be improper, in certain social scenarios.
- The ACLU came to visit and was complimentary about our program and did not pursue the issue further.

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Las Vegas Separation - June 2020

Background: APS is an education service provider (ESP) and as such has various types of contracts with schools. Part of our business model is to provide permanent full-service and long-term education management, but part of our business model provides short-term contracts for startup schools or schools in a warning, probation or turnaround status. APA has had contracts with over 10 entities that we currently don't serve, so it is clear we expect some relationships to end and we write our contracts to facilitate flexibility. Unfortunately, in 2020, The Las Vegas school board decided to terminate the contract in the middle of a 2-year term after we had spent significant time and money helping them renew their charter with the State of Nevada and refinancing their facility. A contract dispute ensued regarding the term and a settlement was reached.

Important Facts:

- The Las Vegas school was very successful from inception with full enrollment, excellent academic results, an accreditation that scored in the top 5% in the nation, and clean financial audits.
- APA is very proud of the work accomplished to establish a very strong school in Las Vegas.

APA'S RESPONSE TO MEDIA ARTICLES

Late Financial Report - March 2022

Background: One Utah media outlet reported that APA missed a filing deadline and was denied a \$4 million dollar payment. Although APA did not meet a preliminary deadline due to a worker shortage at the CPA firm conducting APA's audit, APA met the actual deadline.

Important Facts:

APA met the filing deadline and was not denied any payments.

APA'S RESPONSE TO MEDIA ARTICLES

Climate Survey - April 2023

Background: A media outlet reported, correctly, that APA sought a waiver from administering the state's model climate survey. The climate survey asked students as young as kindergarten to identify if they are a boy, a girl, or "prefer not to say". APA believed this question violates the parental rights laws in Utah which require parents to be given a copy of the survey, and "opt in" to have their child given the survey.

Important Facts:

- The USBE disagreed and did not grant APA's request.
- In 2024 The Utah Legislature passed HB182 confirming that the USBE cannot compel any LEA to administer the climate survey and that those that do administer it must abide by the parental opt-in provision.
- APA has chosen to not administer the USBE's model climate survey, and instead administers its own annual parent survey in which they gather information from parents on their views of the school climate. APA has been administering an annual parent survey since the year it opened, in 2004.

APA'S RESPONSE TO MEDIA ARTICLES

Carbon Monoxide - November 2023

Background: On Wednesday November 29, 2023 a commercial truck parked outside the district offices of APA. The truck driver was in the process of doing some construction work on the commercial building that APA district employees occupy. The driver propped open the door to the building to bring in a hose he was using to do the work. Over the period of a couple of hours, exhaust from the running truck seeped into the building and carbon monoxide rose to levels that caused symptoms in a few individuals. The building houses the district's daycare in addition to district employees. All in the building were encouraged to seek medical intervention, and several did and were treated for elevated carbon monoxide levels.