



Module 200: *Charter School Governance & Organization*

Charter Board Policy for New Frontiers Public Schools

Legal Abbreviations Used In The Model Board Policies For Charter Schools

C.F.R	Code of Federal Regulations
Tex. Admin. Code	Texas Administrative Code
Tex. Bus. org. code	Texas Business Organization Code
Tex. Educ. Code	Texas Education Code Tex.
Gov't Code	Texas Government Code Tex.
Labor Code	Texas Labor Code
Tex. Local Gov't Code	Texas Local Government Code
Tex. Rev. Civ. Stat.	Texas Revised Civil Statutes
U.S.C.A	United States Code Annotated

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200.020. CORPORATE STRUCTURE

Attached is a copy of the bylaws that govern the - tax-exempt organization that holds the charter agreement with the Texas State Board of Education. This will function as the policy of Section 200 Corporate Structure.

200.030. NEW FRONTIERS PUBLIC SCHOOLS' MISSION

New Frontiers Public Schools is dedicated to educating and growing our students and their character. By compassionately reaching out to people in our community, we give students a sense of pride and purpose, inspiring them to become tomorrow's leaders.

VISION

To be the school of choice in the minds of the people in our community and those that extend beyond it. To be recognized by the city at large as the institution that cares just as much about enriching the community as providing educational excellence to our students.

200.040. BOARD OPERATING PROCEDURES

The governing body ("Board") of New Frontiers Public Schools adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Composition of the Board

Section 1.1. Number of Board Members

New Frontiers Public Schools' Board shall consist of a minimum of 3 members.

Section 1.2. Selection and Terms in Office

The bylaws control the method by which board members are selected and the terms of office.

Section 1.3. Officers

The Board shall consist of the following officer positions:

- a. President
 - i. The President of the Board is empowered to chair all Board meetings. In the President's absence, authority to chair a meeting shall be delegated to another Board member.
- b. Secretary
 - i. The Secretary shall record the minutes of each Board meeting. In the Secretary's absence, a Board member shall be designated to record the minutes.
- c. Other board members serve as Members.

Section 1.4. Vacancies and Removals

The bylaws control the method by which board vacancies are filled and the method by which members are removed.

Section 2. Open Government

The Board shall comply with the Texas Open Meetings Act and the Texas Public Information Act.

Section 3. Annual Report on Charter Governance

The Chair of the Board, or the Chair's designee, shall ensure that by the TEA due date of each year the annual report on charter governance is submitted to the Texas Education Agency.

200.060. BOARD MEMBER DUTIES AND RESPONSIBILITIES

The governing body ("Board") of New Frontiers Public Schools adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Responsibility and Accountability

The Board of New Frontiers Public Schools assumes ultimate responsibility for the management, operation, and accountability of New Frontiers Public Schools.

Section 2. Fiduciary Duty

Each member of the New Frontiers Public Schools Board assumes the fiduciary duties of obedience, loyalty, and due care to New Frontiers Public Schools.

Section 3. Evaluation of Chief Executive Officer

The Board shall conduct a minimum of one performance evaluation per calendar year of the Chief Executive Officer/Superintendent of New Frontiers Public Schools.

ORIENTATION AND TRAINING

SECTION 1 – Orientation

Newly elected or appointed members to the Board of Directors (“Board”) shall participate in a local orientation session to familiarize the new Board member with the New Frontiers Public Schools organization, the Articles of Incorporation, Bylaws, Board policy, the Texas Education Code and the Texas Administrative Code.

SECTION 2 – Training

Unless exempted pursuant to applicable law, each new member of the Board must complete an introductory required training course consisting of 12 instructional hours, excluding breaks, administrative tasks, and other non-instructional time, delivered by a registered provider. The training course may not use self-instructional materials, unless as otherwise provided.

Each new member of the Board must complete the required training within one calendar year of election or appointment to the Board.

Section 2.1 – Continuing Training

Each Board member who has completed the 12 hours of required training shall annually thereafter receive six hours of training, excluding breaks, administrative tasks, and other non-instructional time, delivered by a registered course provider delivered by an authorized trainer. Self-instructional continuing training materials may be used in no more than one hour of the required continuing training.

Section 2. Record of Board Member Training

The Chair of the Board, or the Chair’s designee, shall maintain records concerning training hours of each member of the Board.

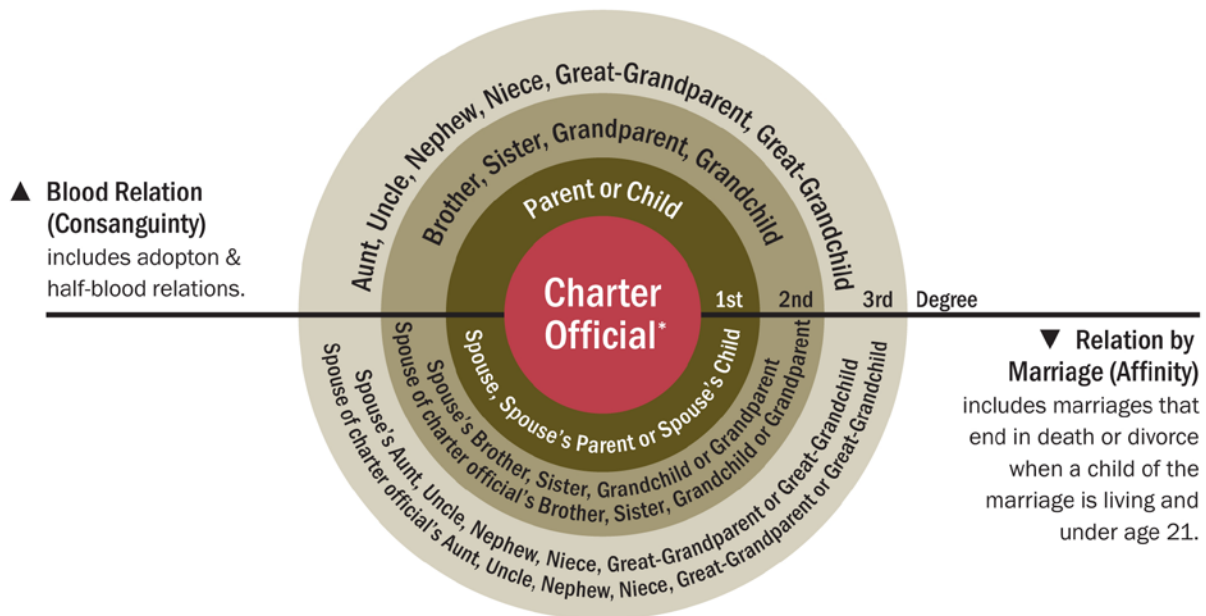
200.100. NEPOTISM

The governing body (“Board”) of New Frontiers Public Schools adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

The Board of New Frontiers Public Schools shall comply with all applicable nepotism statutes and rules.

Unless New Frontiers Public Schools falls under a statutory or regulatory exception, if a charter holder or charter school board member, or an officer of a charter school, is related to the one of the following individuals then that related individual may not be employed by the charter school:

200.100 Nepotism Diagram



*Charter Official includes charter holder board member, charter school board member, or officer of a charter school.

200.120. CONFLICTS OF INTEREST

Section 1.

For purposes of compliance with Chapter 171 of the Texas Local Government Code, which relates to board members and other officers of the charter school doing business with the charter school, affected board members and employees must execute one or both of the Affidavit for Substantial Interest in Real Property (Real Estate), and/or the Affidavit for Substantial Interest in a Business Entity, as appropriate. Affected board members or employees must timely file the executed affidavit with the official record keeper of the charter holder when circumstances require such a filing.

Section 2.

For purposes of compliance with Chapter 176 of the Texas Local Government Code, which relates to the receipt of income or gifts from persons or entities that have entered into or seek to enter into a contract with the charter school, the Board extends the Conflicts Disclosure Statement Form (CIS Form) reporting requirements to the following additional employment positions:

- a. Chief Executive Officer
- b. Executive Director of Finance

c. Executive Director of Curriculum and Instruction

The Chief Executive Officer (“CEO”), or the CEO’s designee, must maintain a list of persons employed in these positions and ensure compliance by these employees with the CIS Form reporting requirements. The form must be filed with the records administrator of New Frontiers Public Schools.

Section 1. Managing CIQ Form Records

The Chief Executive Officer (“CEO”), must maintain a list of the charter holder’s local government officers and must make that list available to the public and any vendor required to file a Conflict of Interest Questionnaire (CIQ) form.

Section 2. Web Posting Requirement

The Chief Executive Officer (“CEO”), must ensure that completed CIS Forms and CIQ forms are posted to the charter’s Internet website:
www.newfrontierspublicschools.org

AFFIDAVIT FOR SUBSTANTIAL INTEREST IN REAL PROPERTY (REAL ESTATE)

State of Texas

County of _____

I, _____,
a local public official under Texas law, do hereby swear and affirm that I have a substantial interest the real property described below and that it is reasonably foreseeable that a board vote, decision, or other action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

The nature and extent of my interest of the real property is as follows:

Address and Description of the Real Property:

Concerning the real property described above, I hereby affirm that _____ I have or _____ a person related to me within the third degree by blood (consanguinity) or marriage (affinity) has an equitable or ownership interest with a fair market value of \$2,500 or more.

I further affirm that I will abstain from further participation on any matter before the

School Board of Directors concerning this real property.

These statements are based on my personal knowledge and are true and correct.

Signed this _____ day of _____, 2012.

(Signature of Charter School Official) _____

(Name of Charter School Official)

ACKNOWLEDGMENT CERTIFICATE BY NOTARY PUBLIC:

This instrument was acknowledged before me this _____ day of _____, 2012,

by _____
(Name of Charter School Official)

_____ Personally known or _____ Produced _____
as identification.

(NOTARY
SEAL)

(Signature of Notary Public)

(Printed Name of Notary)
Notary Public, State of Texas

AFFIDAVIT FOR SUBSTANTIAL INTEREST IN BUSINESS ENTITY

State of Texas

County of _____

I, _____,
a local public official under Texas law, do hereby swear and affirm that I have a substantial interest in the business entity described below and that a board vote, decision, or other action on the matter will have a special economic effect on the business entity that is distinguishable from its effect on the public.

The nature and extent of my interest of the real property is as follows:

Address and Description of the Real Property:

Concerning the business entity named above, I hereby affirm that _____ I or _____ a person related to me within the third degree by blood (consanguinity) or marriage (affinity):

_____ own or owns 10% or more of the voting stock or shares of the business entity

_____ own or owns 10% or more of the fair market value of the business entity

_____ own or owns \$15,000 or more of the fair market value of the business entity

_____ received funds from the business entity that exceeded 10% of the person's gross income for the previous year.

I further affirm that I will abstain from further participation on any matter before the

School Board of Directors concerning this business entity.

These statements are based on my personal knowledge and are true and correct.

Signed this _____ day of _____, 2012.

(Signature of Charter School Official)

(Name of Charter School Official)

ACKNOWLEDGEMENT CERTIFICATE BY NOTARY PUBLIC:

This instrument was acknowledged before me this _____ day of, 2012,
by _____

(Name of Charter School Official)

_____ Personally known or _____ Produced _____
as identification.

(NOTARY
SEAL)

(Signature of Notary Public)

(Printed Name of Notary)
Notary Public, State of Texas

200.140. RESTRICTIONS ON SERVING AS A BOARD MEMBER OR OFFICER

The governing body (“Board”) of New Frontiers Public Schools adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Criminal History Records

Section 1.1. Criminal Background Check for Members of the Board.

Before an individual becomes a member of the Board, and every third year thereafter, the Chair of the Board or the Chair’s designee shall ensure that all criminal history record information is obtained, as frequently as the law requires, from the Texas Department of Public Safety.

Section 1.3. Criminal History Background Checks for Officers of the Charter School.

Before an individual becomes an officer of the charter school, the Chief Executive Officer (“CEO”), or CEO’s designee, shall ensure that all criminal history record information is obtained from the Texas Department of Public Safety. After the initial check, the CEO or CEO’s designee shall ensure that such a criminal history check is conducted as frequently as the law requires.

Section 1.3. Confidentiality.

The CEO shall ensure that criminal history information is released only to legally authorized entities.

200.160. COMPLIANCE RECORDS ON NEPOTISM, CONFLICTS OF INTEREST, & RESTRICTIONS ON SERVING

The governing body (“Board”) of New Frontiers Public Schools adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Compliance Record Maintenance

The Chief Executive Officer (“CEO”), or the CEO’s designee shall maintain the compliance records for state conflict of interest standards as required by law.

Section 2. Compliance Form

As a means toward complying with this policy, the CEO or the CEO’s designee may require each member of the governing body of the charter holder, each officer of the charter school, each member of the governing body of charter school, and each employee of the charter school to complete the form template attached this policy.

COMPLIANCE RECORD FOR STATE CONFLICT OF INTEREST STANDARDS

Date of Completion by the Named Individual _____

Date of Expiration of this Compliance Record _____

(i.e., three years after the date of completion)

Name: _____

Title: _____

Indicate whether you are:

_____ member of governing body of charter holder

_____ officer of the charter school (including a chief executive officer, a central administrative officer, a campus administration officer, or a business manager; or a volunteer working under the direction of a charter holder, charter school, or management company)

_____ member of governing body of charter school

_____ employee of a charter school (anyone employed by the charter who is not considered an “officer of the charter school” as defined above.

Describe your specific powers and duties:

State legal name of the individual:

Current Legal Name:

Aliases: _____

Formerly Used Names (including maiden name):

Provide a full and complete list of your business interest in or transactions with any charter holder, charter school, or management company:

List all of your relatives within the third degree of by blood (consanguinity) and by marriage (affinity) who:

1. are employed by the charter holder or charter school:

2. conduct business transactions with the charter holder or charter school:

3. serve on the governing body of the charter holder or charter school:

4. have a substantial interest in a management company:

200.200. CHIEF EXECUTIVE OFFICER (“CEO”)

The governing body (“Board”) of New Frontiers Public Schools adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Powers & Duties

Section 1.1. Non-Delegable Powers and Duties. The Chief Executive Officer (“CEO”) shall not delegate the following powers and duties:

- a. Organizing the charter school’s central administration;
- b. Approving reports or data submissions required by law; and c.
Selecting charter school employees or officers.

Section 2. Training

The CEO shall comply with and keep accurate records concerning the commissioner of education rules governing training of open-enrollment charter CEOs.

Section 3. Development of Administrative Procedures

The CEO, or the CEO’s designee, shall develop administrative procedures by which to implement Board policy.

200.220 CAMPAIGN CONTRIBUTIONS TO THE STATE BOARD OF EDUCATION

The governing body (“Board”) of New Frontiers Public Schools adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

Section 1. Disclosure

Section 1.1. Disclosure. Board members, employees, and agents of New Frontiers Public Schools shall disclose whether, at any time in the preceding four years, the person, corporation, or other legal entity made a campaign contribution to a candidate for or to a member of the State Board of Education (SBOE).

Section 1.2. In Writing. The disclosure will be made in writing to the commissioner of education within the timeline and in the format established by the SBOE Rule.

Section 2. Benefits Conferred

Section 2.1. Disclosure. The Board members, employees, and agents of New Frontiers Public Schools shall disclose in the same manner, as stated in Section 1.2 of this policy, any benefit conferred on a candidate for, or member of, the SBOE during the preceding four years.

Section 3. Continuing Duty to Report

Section 3.1. New Frontiers Public Schools, its employees, agents, and any contracted management company has a continuing duty to report contributions or expenditures made through the term of a contract, grant, or charter and shall, within 21 calendar days, notify the commissioner of education upon making a contribution or expenditure covered by this section.

Section 4. Management Services Companies

Section 4.1. The Chief Executive Officer (“CEO”) shall ensure that any contract between New Frontiers Public Schools and a management services company includes an acknowledgement by the management services company of its duty to make disclosures of political campaign contributions and benefits conferred to candidates for or members of the State Board of Education.

Section 5. Political Advertising

The CEO shall ensure that no state funds are expended by the New Frontiers Public Schools for any political advertising.

The CEO shall ensure that any contract between New Frontiers Public Schools and a management services company includes a prohibition against the expending of state funds for political advertising by the management company.