



\_\_\_\_\_ **Module 100: Financial Operations**

*Charter Board Policy for New Frontiers Charter School*



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## **100.020. ANNUAL OPERATING BUDGET**

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

### **SECTION 1. Budget Process**

#### SECTION 1.1. FASRG

The Chief Executive Officer (CEO) via the Executive Director of Finance and/or designee will ensure that New Frontiers Charter School follows a budgeting process that is consistent with the requirements in the Budgeting Module of the Texas Education Agency’s (“TEA”) Financial Accountability System Resource Guide.

SECTION 1.2. The Chief Executive Officer (CEO) via the Executive Director of Finance and/or designee is responsible for the preparation of the annual budget.

#### SECTION 1.3. Campus Improvement Plan

Each year before the annual operating budget is drafted. The CEO shall ensure that a campus improvement plan, which is based on a needs assessment of New Frontiers Charter School, is drafted and finalized. The needs assessment and campus improvement plan shall be completed by spring of each year. The campus improvement plan shall inform the drafting of the annual budget.

#### SECTION 1.4. Adoption

The Board shall formally adopt the budget, in a meeting open to the public, before the fiscal year of operation begins and before begins and before the expenditure of any funds.

#### SECTION 1.5. Minutes

The Secretary of the Board will record the adoption of the budget and any amendments in the Board meeting minutes in which the adoption occurs.

#### SECTION 1.6. Post-Adoption

After the adoption of the budget the CEO via the Executive Director of Finance and/or designee and the Board shall review actual fund disbursements compared to the adopted budget and make amendments as needed. This shall occur soon after actual student enrollment is determined.

### **SECTION 2. Fiscal Compliance**

The CEO via the Executive Director of Finance and/or designee shall ensure that New Frontiers Charter School complies with all state and federal laws and rules concerning the budget and related processes of the school, including but not limited to, laws and rules concerning online budget posting and financial solvency.

#### **100.040. USE OF STATE FUNDS**

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

##### **SECTION 1. Use of State Funds**

The CEO via the Executive Director of Finance of New Frontiers Charter School shall ensure that the school uses state funds only for lawful purposes.

##### **SECTION 2. Comingling of Charter & Non-Charter Business Prohibited**

The CEO via the Executive Director of Finance and/or designee shall ensure that the business activities of New Frontiers Charter School that are not directly related to the management and operation of New Frontiers Charter School are kept in a separate and distinct accounting, auditing, budgeting, reporting, and recordkeeping systems from those recording the business activities of New Frontiers Charter School.

##### **SECTION 3. Interested Transactions**

SECTION 3.1. Each member of the Board shall comply with all conflict of interest laws and rules applicable to affected board members.

SECTION 3.2. The CEO via the Director of Human Resources and/or designee shall ensure that the employees of New Frontiers Charter School shall comply with all conflict of interest laws and rules applicable to affected employees.

SECTION 3.3. The CEO via the Executive Director of Finance and/or designee shall ensure that the following shall be recorded in the accounting, auditing, budgeting, reporting, and recordkeeping systems for the management and operation of the school:

- a. Financial transactions between the school and the non-charter activities of the charter holder;
- b. Financial transactions between the school and an officer or employee of the charter holder or the school;
- c. Financial transactions between the school and a member of the governing body of the charter holder or the school;
- d. Financial transactions between the school and a management company charged with managing the finances of a school;
- e. Financial transactions between the school and any other person or entity in a position of influence over the charter holder or the school

## **100.060. STATE FISCAL COMPLIANCE**

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

### **SECTION 1. Fiscal Year**

The New Frontiers Charter School Board adopts September 1 – August 31 as the fiscal year for New Frontiers Charter School.

### **SECTION 2. Financial Accounting**

#### SECTION 2.1. Compliance

The CEO via the Executive Director Finance and/or designee shall ensure that New Frontiers Charter School fully complies with: generally accepted accounting principles, Texas Education Agency’s (“TEA”) Financial Accountability System Resource Guide, TEA’s Student Attendance Accounting Handbook, Public Education Information Management System (PEIMS), and any other applicable federal or state standards for financial management systems.

#### SECTION 2.2. Financial Reporting

The CEO via the Executive Director of Finance and/or designee shall make an accurate, current, and complete disclosure of financially assisted activities in accordance with financial reporting requirements of each grant or sub-grant.

#### SECTION 2.3. Accounting Records

The CEO via the Executive Director of Finance and/or designee shall maintain records that adequately identify the source and application of funds provided for activities assisted with state or federal funds.

#### SECTION 2.4. Internal Control

The CEO via the Executive Director of Finance and/or designee shall maintain effective control and accountability of all federal grant and sub-grant cash, real and personal property, and other assets obtained with federal funds. The CEO via the Executive Director of Finance and/or designee shall safeguard all such property and assure that it is used solely for authorized purposes.

### **SECTION 3. Grant Management Standards**

#### SECTION 3.1. Compliance

If New Frontiers Charter School receives a grant directly from a state or federal agency the CEO via the Executive Director of Finance and/or designee shall ensure that New Frontiers Charter School is in compliance with the grant requirements of that state or federal agency.

#### SECTION 3.2. Employee Time Sheet

If a New Frontiers Charter School employee’s compensation is funded by any grant, the CEO via the Executive Director of Finance shall ensure that the employee maintains a time sheet on which he or she records the time spent during the work day along with a description of the service he or she performed during that time.

#### SECTION 3.3. Signature

The CEO via the Executive Director of Finance shall ensure that the time sheets will contain the signatures of the employee that completed the time sheet, a school official, and the New Frontiers Charter School’s grant manager.

#### **SECTION 4. Annual Audit by the Charter**

##### **SECTION 4.1. Annual Audit**

Annually, the President of the Board for New Frontiers Charter School shall ensure the engagement of a certified public accountant (“CPA”) to have the financial and programmatic operations of New Frontiers Charter School audited. New Frontiers Charter shall select and contract only with CPAs that are licensed by the Texas State Board of Public Accountancy and registered as a provider of public accounting services.

##### **SECTION 4.2. Filing with TEA**

The CEO shall ensure that New Frontiers Charter School timely files a copy of the annual audit report with the TEA division responsible for school financial audits. The report shall include a certificate of the Board which will include the original signatures of both the presiding officer and the secretary of the Board. The certificate shall indicate if the Board approved or disapproved the contents of the report along with the date of the Board’s approval or disapproval. This approval or disapproval shall be supported in the Board’s meeting minutes. The CEO shall ensure that if the Board disapproved the audit, it shall still be filed with TEA along with a statement identifying the reason(s) for Board disapproval.

##### **SECTION 4.3. Disclosure of Interest**

On behalf of the New Frontiers Charter School, the CEO via the Director of Human Resources shall ensure that all persons with a substantial interest in a management company are separately disclosed in the annual audit.

#### **SECTION 5. Annual Financial Statement**

##### **SECTION 5.1. Annual Financial Statement**

The CEO via the Executive Director of Finance and/or designee of New Frontiers Charter School shall prepare, or cause to be prepared, an annual financial statement for each fund subject to the authority of the Board during the fiscal year showing:

- a. the total receipts of the fund, itemized by source of revenue, including taxes, assessments, service charges, grants of state money, gifts, or other general sources from which funds are derived;
- b. the total disbursements of the fund, itemized by the nature of the expenditure;
- c. the balance in the fund at the close of the fiscal year.

#### **SECTION 6. Annual Financial Management Report**

The CEO via the Executive Director of Finance and/or designee shall ensure that New Frontiers Charter School complies with the reporting procedures TEA develops for charter holders to prepare and distribute the school’s annual financial management report.

#### **SECTION 7. Audit by the Commissioner**

New Frontiers Charter School and its officers, employees and agents shall fully cooperate with an audit by the commissioner of education and will take all actions necessary to secure the cooperation of a management company.

## **SECTION 8. Attendance Accounting**

### SECTION 8.1. Compliance

The CEO via the PEIMS Coordinator and/or designee shall ensure that New Frontiers Charter School complies with the TEA Student Attendance Accounting Handbook and all other laws and rules concerning charter school student attending accounting, reporting, and record keeping.

### SECTION 8.2. Responsibility

The CEO, PEIMS Coordinator, campus leaders, and teachers of New Frontiers Charter School will be responsible to the Board of New Frontiers Charter School and to the state to maintain accurate, current student attendance records.

### SECTION 8.3. When Attendance is Taken

Attendance at New Frontiers Charter School will be determined by Section 129.21(i) of the Texas Administrative Code. New Frontiers Charter School will not change the established period in which absences are recorded during the school year.

## **SECTION 9. PEIMS Data Standard**

### SECTION 9.1. PEIMS

The CEO shall ensure that New Frontiers Charter School's fiscal accounting system is compatible with PEIMS data standards and conforms to Generally Accepted Accounting Principles.

### SECTION 9.2. Account Code Structure

The CEO via the Executive Director of Finance shall ensure that, with the exception of the codes that may be used at local option, New Frontiers Charter School shall use the account code structure described in TEA's Special Supplement to the Financial Accountability System Resource Guide, Nonprofit Charter School of Accounts.

## **100.080. FEDERAL FISCAL COMPLIANCE**

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

### **SECTION 1. Fiscal Requirements under Title I, Part A of NCLB ("Title I")**

#### SECTION 1.1. Supplement not Supplant

The CEO via the Executive Director of Finance and/or designee shall ensure that Title I funds will be used to supplement, not supplant regular non-federal funds.

#### SECTION 1.2. Documentation

Documentation shall be maintained, or caused to be maintained, by the CEO via the Executive Director of Finance. The documentation must clearly demonstrate the supplementary nature of federal funds.

#### SECTION 1.3. Campus Improvement Plan

The CEO via the Executive Director of Finance shall ensure that Title I funds used by New Frontiers Charter School shall be aligned to the campus improvement plan. There shall be no costs expended that are not directly related to the campus improvement plan.



- a. A comprehensive needs assessment shall be conducted that will inform the drafting of the campus improvement plan. The campus improvement plan shall be aligned to the needs assessment and only needs that can be met with current funding levels shall be addressed in the campus improvement plan.
- b. New goals shall be added as new money is identified.
- c. The CEO via the School Principal shall ensure that New Frontiers Charter School shall conduct the needs assessment and campus improvement plan prior to any grant application.

## **SECTION 2. Federal Grant Allowable Expenditures**

### **SECTION 2.1. OMB Circulars**

Prior to expending funds, the CEO via the Executive Director of Finance, Federal Program Director and/or designee shall ensure that New Frontiers Charter School consults the appropriate OMB Circular, applicable to open-enrollment charter schools, to determine what costs are allowable. The CEO via the Executive Director of Finance, Federal Program Director and/or designee shall ensure that all grant funds are expended in accordance with the circular.

## **SECTION 3. Time and Effort**

### **SECTION 3.1. Employee Time Sheet**

If a New Frontiers Charter School employee's compensation is funded by any grant, the CEO via the Executive Finance Director and/or designee shall ensure that the employee maintains a time sheet on which he or she records the time spent during the work day along with a description of the service he or she performed during that time.

### **SECTION 3.2. Signature**

The CEO via the Finance Department shall ensure that the time sheets contain the signatures of the employee that completed the time sheet, a school official, and the New Frontiers Charter School's grant manager.

## **SECTION 4. Charter Schools Program (CSP), NCLB Title V, Part B**

### **SECTION 4.1. Compliance**

If New Frontiers Charter School receives CSP grants, the CEO via the Executive Director of Finance shall ensure that New Frontiers Charter School shall comply and use the federal funds in accordance with all statutes, regulations, and approved applications.

### **SECTION 4.2. Fiscal Control**

The CEO via the Executive Director of Finance shall directly administer or supervise the administration of any projects funded through CSP funds, and shall use fiscal control and fund accounting procedures that ensure proper disbursement of, and accounting for, federal funds.

#### SECTION 4.3. Conflicts of Interest

New Frontiers Charter School Board members and employees shall avoid apparent and actual conflicts of interest. An individual is prohibited from participating in an administrative decision regarding a project funded through CSP funds if the decision is likely to benefit that person or an immediate family member and the person is a public official or has a family or business relationship with New Frontiers Charter School.

A person is prohibited from participating in a project to use his or her position for a purpose that is, or gives the appearance of being, motivated by a desire for a private or financial gain for that person or for others.

#### SECTION 4.4. Procurement

When using CSP funds to enter into a contract for equipment or services the CEO via the Executive Director of Finance and/or designee shall comply with the applicable federal procurement standards. No Board member, employee, officer, or agent of New Frontiers Charter School may participate in the selection, award, or administration of any contract supported by federal funds if a real or apparent conflict of interest exists.

### **SECTION 5. Use of Federal Grant Funds for Procurement**

#### SECTION 5.1. Compliance

When expending federal grant funds, The CEO and/or designee shall ensure compliance by New Frontiers Charter School's employees, officers, and agents with all applicable federal and state procurement standards and policies. Violations of applicable laws or policies may lead to disciplinary consequences including and up to termination of employment or removal from any officer position if applicable.

The CEO and/or designee shall develop procedures that ensure compliance with the following provisions:

- a. The purchase of unnecessary items will be avoided;
- b. The solicitation of bids or offers must provide a clear and accurate description of the requirements to be fulfilled by the bidder, technical requirements to be performed including the minimum acceptable standards, specific features of brand name or equal descriptions that bidders are required to meet, the acceptance of products and services dimensioned in the metric system of measurement, a preference, where economically feasible, for products that conserve natural resources, protect the environment, and are energy efficient;
- c. Positive efforts shall be made to utilize small businesses, minority-owned firms, and women's business enterprises whenever possible;
- d. The type of procurement instruments used (e.g. purchase orders) must be appropriate for the particular procurement;
- e. Contracts are made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement;
- f. Procurement documents shall be made available, upon request, to appropriate government officials when

- i. Procurement procedures fail to comply with the standards in this section;
- ii. The procurement is expected to exceed the small purchase threshold (currently \$25,000) and is to be awarded without a competitive bidding process or there is only one bid received in response to a solicitation;
- iii. The procurement which is expected to exceed the small purchase threshold, specifies a brand name product;
- iv. The proposed award over the small purchase threshold is to be awarded to a bidder under a sealed bid procurement;
- v. A proposed contract modification changes the scope of a contract or increases the contract amount by more than the amount of the small purchase threshold

#### SECTION 5.2. Open and Free Competition

The CEO via the Executive Director of Finance shall ensure that all procurement transactions are conducted in a manner that provides open and free competition. Awards must be made to the bidder/offer or whose bid/offer is responsive to the solicitation and is most advantageous to New Frontiers Charter School considering price, quality, and other relevant factors deemed appropriate by the CEO.

#### SECTION 5.3. Conflicts of Interest

The CEO via the Executive Director of Finance shall ensure that no employee, officer, or agent of New Frontiers Charter School, who has a real or apparent conflict of interest, participates in the selection, award, or administration of a contract supported by federal funds.

Employees, officers, and agents may also not solicit or accept favors, gratuities, or anything of monetary value from contractors or their agents.

#### SECTION 5.4. Record Documentation

The CEO via the Executive Director of Finance and/or designee shall ensure there is a cost or price analysis made and documented with every procurement action. He/she shall also ensure the evaluation of the contractor performance and document whether the contractor has met the terms, conditions, and specifications of the contract. Procurement records for purchases over the small purchase threshold shall also contain the following information:

- a. The basis for contractor selection;
- b. The justification for lack of competition when competitive bids or offers are not obtained;
- c. The basis for award cost or price

#### SECTION 5.5. Mandated Contract Provisions

The CEO via legal counsel and or designee shall ensure that all legally mandated provisions are included in each procurement contract.

## **SECTION 6. Breakfast Program & Child Nutrition Programs**

### SECTION 6.1. National School Breakfast Program Participation

If at least 10 percent of enrolled students in New Frontiers Charter School are eligible for free or reduced-price breakfasts under the national school breakfast program, provided for by the Child Nutrition Act of 1966, the New Frontiers Charter School shall participate in the program and make the benefits of the program available to all eligible students. The CEO via the Executive Director of Finance and/or designee shall ensure the school's compliance with all federal and state rules governing administration of the program.

### SECTION 6.2. National School Lunch Program

The CEO via the Executive Director of Finance and/or designee shall ensure compliance with all federal and state rules governing the administration of the National School Lunch Program.

## **100.100 CASH MANAGEMENT & CREDIT CARD PROCEDURES**

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

School funds are public funds. Consequently, all expenditures of school funds, including cash expenditures, shall be documented and accounted for by daily receipts.

As a general rule, cash will not be used to make purchases except from petty cash, as described below. School checks shall not be made payable to "Cash".

The CEO via the Executive Director of Finance and/or designee shall ensure that appropriate "separation of duties" are complied with in the handling of all money transactions, including reconciliation.

## **SECTION 1. Accounting for Cash Transactions**

### SECTION 1.1. Documentation

All cash transactions shall be recorded in writing, such as by hand a written receipt, which shall be signed and dated by the individual who receives the cash. Staff members who receive or collect money from parents or teachers shall document from whom the money was received and in what amount. A copy of the receipt shall be kept with the cash received. Such money shall be submitted to the Director of Finance and/or designee on the same school day as it is received for deposit.

### SECTION 1.2. Depositing Cash

The Executive Director of Finance and/or designee shall be responsible for ensuring that cash received is deposited in New Frontiers Charter School's bank account. Deposits shall be made whenever cash receipts total \$500.00, or, at a minimum, weekly. A copy of the validated deposit slip shall be returned to the school on same day the deposit is made or the next day after the deposit is made.

### SECTION 1.3. Petty Cash Prohibited

The use of petty cash shall not be allowed at New Frontiers Charter School.

## **SECTION 2. Checks**

### SECTION 2.1. New Frontiers Charter School Checks

Any authorized check drafted on New Frontiers Charter School's bank account over \$100,000.00 shall have two authorized check signers.

The following New Frontiers Charter School officers are authorized to sign checks from New Frontiers Charter School's bank account on behalf of New Frontiers Charter School:

- 1) Chief Executive Officer (CEO)
- 2) Executive Director of Finance
- 3) Board President

**Each check must be completed in its entirety before it is signed by either party.**

### SECTION 2.2. Checks Received

Checks received shall be endorsed "for deposit only" and shall either be deposited when the total amount is at least \$500.00 or at least weekly, whichever is more frequent.

### SECTION 2.3. Check Requests

Services or products rendered, reimbursement requests with original receipts, or mileage reimbursements may receive payment with a check. A check request form must be completed by the requestor and approved with a signature by the CEO via the Executive Director of Finance and/or designee. The check request form shall contain the name of the payee, the date the check is requested to be written, the amount of the check, a brief description for the issuance of the check, and the funding source that will be drawn from. Checks made payables to "Cash" are prohibited. The check request shall then be submitted to the Executive Director of Finance and/or designee for processing. All check request forms shall be maintained by the Executive Director of Finance and/or designee in the district administrative office.

### SECTION 2.4. Check Acceptance Policy

Parents of students enrolled at New Frontiers Charter School and employees of New Frontiers Charter School must receive prior notice from New Frontiers Charter School that in the event a check they have submitted to New Frontiers Charter School is returned for insufficient funds, or any other reason, New Frontiers Charter school shall collect from the check maker the amount originally due in addition to any fee assessed to New Frontiers Charter School by the bank because of the returned check.

## **SECTION 3. Paying Bills with State or Federal Grant Funds**

Grant funds shall not be requested from the Texas Education Agency until New Frontiers Charter School is prepared to pay any outstanding balances within three days from when the funds are deposited in New Frontiers Charter School's bank account. The Finance Department shall ensure that all bills, including payroll and related withholding taxes, shall be paid by New Frontiers Charter School within three working days from when such funds are deposited in New Frontiers Charter School's bank account.

#### **SECTION 4. Bank Reconciliations**

The CEO via the Executive Director of Finance and/or designee is responsible for bank reconciliations a minimum of once a month. Each New Frontiers Charter School bank statement, assets, and liabilities shall be reconciled to both the checkbook and the general ledger.

#### **SECTION 5. Credit Card Procedures**

All authorized users of the New Frontiers Charter School credit card assume the responsibilities pertaining to the use and reconciliation of the credit card. The New Frontiers Charter School credit card shall only be used for school business expenditures. It may not be used for personal purchases and/or cash transactions and shall be maintained by the highest level of security.

Employees issued a New Frontiers Charter School credit card must receive prior, documented approval from the CEO via the Executive Director of Finance and/or designee before the use of the credit card. Each credit card transaction by any user must be accompanied by appropriate documentation such as original receipts documenting each transaction.

#### **SECTION 6. Student Activity Funds –Fundraiser Accounts**

##### SECTION 6.1. Student Groups

The CEO via the Executive Director of Finance and/or designee shall develop procedures for student groups to follow in the collection of funds. See Texas Education Code §12.108 for allowable fees that may be collected by New Frontiers Charter School.

##### SECTION 6.2. Student Activity Expenditures – Student Fundraiser

The following individual(s) is/are authorized to approve activity expenditures:

- 1) Chief Executive Officer (CEO)
- 2) Executive Director of Finance

#### **100.120. ACCOUNTING FOR CAPITAL ASSETS**

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

#### **SECTION 1. Capital Assets**

##### SECTION 1.1. Capital Asset

A capital asset for New Frontiers Charter School is an asset that is:

- a. Tangible in nature;
- b. Has a life that exceeds one year;
- c. Is valued at \$500.00 or more per unit;
- d. Is reasonably identified and controlled through a physical inventory system

##### SECTION 1.2. Documentation

The CEO via the Facilities Director shall ensure that New Frontiers Charter School maintains accurate records of capital assets in accordance with applicable rules.

### SECTION 1.3. Inventory

The CEO via the Facilities Director will ensure that a physical inventory of capital assets takes place once every two years in accordance with rules.

### SECTION 1.4. Financial and Compliance Report

For purposes of the Financial and Compliance Report, the CEO via the Executive Director of Finance shall ensure that the report includes:

- a. An exhibit in the financial and compliance report identifying all capital assets and the ownership interest of local, state, and federal parties;
- b. A statement that all property acquired during the term of the New Frontiers Charter School and all property presently held by New Frontiers Charter School may be considered public property

## **100.140. INVESTMENT OF STATE FUNDS**

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

### **SECTION 1. Compliance**

The CEO via the Executive Director of Finance and/or designee shall ensure that New Frontiers Charter School invests state funds in accordance with applicable state law and rules. The investment of state funds shall be made with judgment and care and not for speculation, but for investment, considering the probable safety of capital and the probable derived income.

### **SECTION 2. Investment Management Firm and/or Officer**

The CEO via the Executive Director of Finance and/or designee may determine to recommend to the Board to contract with an investment management firm that is registered under the appropriate governmental entities to provide for the investment and management of the funds. Such a contract shall not exceed two years. If the Board determines to renew any such contract the board shall issue the appropriate order or resolution.

### **SECTION 3. Discrete Maintenance of Records**

The CEO via Executive Director of Finance and/or designee shall ensure that all investments will be maintained in a discrete, charter investment account, separate from any other of New Frontiers Charter School’s accounts.

### **SECTION 4. Investments**

The following investments have received approval by the Board for the one year period from September 1 to August 31.

For details see NFCS Investment Policy

## **100.160. PAYROLL**

### SECTION 1. Accurate & Timely Payroll

The CEO via the Executive Director of Finance shall ensure that school employees are paid accurately and timely in accordance with applicable laws and rules.

#### SECTION 2.1 Paydays

- a. Exempt Employees. The paydays for exempt employees shall be on the 15<sup>th</sup> and the last day of the month
  
- b. Non-exempt Employees. The paydays for non-exempt employees shall be on the 15<sup>th</sup> and the last day of the month

#### SECTION 2.2. Withholding of Wages

The CEO via the Executive Director of Finance shall ensure that the wages of school employees are not withheld except as expressly required or expressly permitted by applicable laws and rules.

## **100.180. PROPERTY**

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

### **SECTION 1. Public Property Held in Trust**

#### SECTION 1.1. Public Property

An interest in real estate or personal property acquired, improved, or maintained using state funds that were received by New Frontiers Charter School on, or after, September 1, 2001, is public property for all purposes under state law.

#### SECTION 1.2. Public Property Held in Trust

Public property is held by the New Frontiers Charter School in trust for the benefit of enrolled students.

### **SECTION 2. Use of Public Property**

#### SECTION 2.1. Allowable Use

The CEO via the Executive Director of Finance and/or designee shall ensure that public property shall only be used for a purpose for which a school district may use school district property and only to implement a program that is described in the open-enrollment charter and is consistent with the Texas Education Code §12.102.

The CEO via the Facilities Director and/or designee also shall ensure that New Frontiers Charter School's employees, agents, contractors, and management companies do not use or apply public property for any purpose but a program described in New Frontiers Charter School's charter.

#### SECTION 2.2. Exception to Allowable Use

Employees of New Frontiers Charter School may use local telephone service, cellular phones, electronic mail, Internet connections, and other general office equipment at the discretion of the Board for incidental personal use under the following conditions:



- a. Such incidental personal use must not result in any direct cost paid with state funds. If this does happen, the CEO via the district office shall ensure that the employee which caused the direct cost to be incurred by New Frontiers Charter School shall reimburse New Frontiers Charter School;
- b. Such incidental personal use shall not impede the functions of New Frontiers Charter School;
- c. The use of public property for private commercial purposes is strictly prohibited
- d. Only incidental amounts of an employee's time for personal matters, comparable to reasonable coffee breaks during the day, are authorized under this section

### **SECTION 3. Violations of Section 2**

#### SECTION 3.1. Employee Violations

The CEO via the Director of Human Resources and/or designee shall ensure that a violation of Section 2 of this policy by an employee of New Frontiers Charter School shall have disciplinary consequences which may include termination of employment.

#### SECTION 3.2. Contractor Violations

The CEO via Legal Counsel and/or designee shall ensure that each contract between New Frontiers Charter School and another party includes language stating the allowable use of public property and that a violation of the allowable use may lead to termination of a contract. If a contract is terminated based on a violation of Section 2 of this policy New Frontiers Charter School will compensate the entity for services performed as required by law.

#### SECTION 3.3 Joint Use of Real Property

The Board President shall ensure that the Board takes a separate vote to approve any joint use of real property for charter and non-charter activities. In the meeting minutes of the vote approving the joint use, the Board Secretary shall ensure that the minutes set forth the methodology used to allocate shared costs and the percentage allocation basis between charter and non-charter activities.

### **SECTION 4. Lease of New Frontiers Charter School Facilities**

New Frontiers Charter School may lease its facilities to various organizations such as those that are educational, religious, or civic in nature. The availability of facilities for lease by out- side entities will depend on New Frontiers Charter School's own needs and convenience.

## **100.200. PURCHASING & CONTRACTING**

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

### **SECTION 1. Public Works Contracts**

#### SECTION 1.1 Applicable Law

In awarding contracts that will involve the construction, repair, or renovation of a structure, road, highway, or other improvement or addition to real property, the New Frontiers Charter School, will comply with Chapter 44 of the Texas Education Code. The CEO via the Director of Operations and/or designee shall ensure that all applicable advertisement notice bid requirements are satisfied.

SECTION 1.2. Bidding Threshold

The CEO via Legal Counsel shall engage the applicable law when an expenditure of more than \$50,000 in public funds is required.

SECTION 1.3. Contract Award

The CEO via the Director of Operations and/or designee shall make a recommendation to the Board concerning the award of a public works projects bid pursuant to this policy.

In determining the contract award, the Board may take into account several factors, including:

- a. The safety record of the bidder;
- b. Whether the bidder, its employees, and agents have relevant and mandatory licensures/registrations;
- c. Complaints and/or accident reports to relevant local and/or state agencies;
- d. The purchase price;
- e. The reputation of the bidder and of the bidder's goods or services;
- f. The quality of the bidder's good or services;
- g. The extent to which the goods or services meet New Frontiers Charter School needs;
- h. The vendor's past relationship with New Frontiers Charter School;
- i. The total long-term cost to New Frontiers Charter School to acquire the vendor's goods or services.
- j. Any other relevant factor specifically listed in the request for bids or proposals
- k. Any existing laws, including any criteria, related to historically underutilized businesses
- l. Any existing laws or rules related to the use of women, minority, small, or disadvantaged businesses

SECTION 1.4. Definition of Safety Record

The safety record includes a bidder's Occupational Safety and Health Administration inspection log for the last three years, a loss analysis from the bidder's insurance career, any known safety violations on previous projects, and a loss history covering all lines of insurance coverage by the bidder.

## **SECTION 2. Professional Services**

### SECTION 2.1. Applicable Law

The CEO via Legal Counsel and/or designee shall ensure that professional service providers are selected in accordance with the applicable law.

## **SECTION 3. Cooperative Purchasing Programs**

The CEO via Legal Counsel shall ensure full compliance with all applicable law and rules if New Frontiers Charter School has amended its charter to enter into a cooperative purchasing program.

## **SECTION 4. Other Purchasing and Contracting**

### SECTION 4.1 Appropriate Value

In awarding contracts for goods and services that are not governed by Sections 1, 2, or 3 of this policy, the CEO via the Finance Director and/or designee shall ensure that the New Frontiers Charter School receives appropriate value for the expenditure.

### SECTION 4.2. Competitive Process Threshold

In an expenditure of school funds for a contract awarded under Section 4.1 will exceed \$50,000.00, and then the CEO via the Finance Director and/or designee shall engage a competitive process before selecting a person or entity to which to make the award.

### SECTION 4.3. Purchase Order

The CEO via the Executive Director of Finance and/or designee shall establish procedures identifying a purchase order process as the method for purchasing or expending funds. Approval for a purchase or expenditure of funds must be obtained by either the CEO or Executive Director of Finance and/or designee before the purchase or expenditure of funds is made.

## **SECTION 5. Board Approval Required**

For any contract or purchase made pursuant to this policy, the board of directors shall approve all contracts valued above \$100,000. The CEO and/or designee does not have authority to bind the board of directors or New Frontiers Charter School to any contract for goods and services valued above \$100,000. Any contract or purchase valued above this amount that is not approved by the New Frontiers Charter School board of directors is void and ineffective.

## **SECTION 6. State Travel Management Program**

Board members, officers, and employees, engaged in travel on official business of New Frontiers Charter School shall utilize the Texas Comptroller's State Travel Management Program where it provides a better value for New Frontiers Charter School.

