



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.

Section 1. School Name

The official name of the Charter Holder for the open-enrollment charter school is New Frontiers Public Schools, Inc. (NFPS)

Section 2. New Frontiers Public Schools Boundaries

In accordance with the New Frontiers Public Schools charter on file with the Texas Education Agency, New Frontiers Public Schools is authorized to serve student who reside within the geographical boundaries of the following independent school districts:

Primary Boundaries

- East Central ISD
- Edgewood ISD
- Harlandale ISD
- Judson ISD
- North East ISD
- Northside ISD
- San Antonio ISD
- South San Antonio ISD
- Southside ISD
- Southwest ISD
- Alamo Heights ISD
- Somerset ISD
- Randolph Field ISD
- Lackland ISD
- Ft. Sam Houston ISD

Secondary Boundaries

- Lockney ISD
- Boerne ISD
- Devine ISD
- Natalia ISD
- Medina Valley ISD
- Floresville ISD
- La Vernia ISD
- Bandera ISD
- New Braunfels ISD
- Schertz ISD
- Seguin ISD
- Hondo ISD
- Poteet ISD
- Pleasanton ISD
- Marion ISD
- Kerrville ISD

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. Primary Responsibilities

The Board of Trustees of New Frontiers Public Schools (the “Board”) has the primary responsibility for:

- (1) Implementing the public-school program authorized by the New Frontiers Public Schools open-enrollment charter; and
- (2) Ensuring the performance of students enrolled in New Frontiers Public Schools in accordance with the Texas Education Code.

19 Tex. Admin. Code § 100.1101(a).

Section 1.2. Number of Board Members

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

Section 1.3. Selection and Terms in Office

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

Section 1.4. Officers

The Board shall consist of the following officer positions:

- a) President
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 the Vice President.
- b) Vice President
Shall, in the absence of the President, preside over meetings of the Board of Directors as Chairperson.
- c) Secretary
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.
- d) Treasurer
The Treasurer shall disburse the funds of the Corporation as may be ordered by the Board of Directors, taking proper vouchers for such disbursement.
- e) Other board members serve as Members.

Section 1.5. 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, regardless of whether the Board delegates any of its powers or duties

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 Trustees (“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 related to governance of an open-enrollment charter school

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. A Board member may carry over as much as 25% of annual continuing training hours earned in excess of the required amount to meet the following year’s training requirements.

Section 2.2 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.

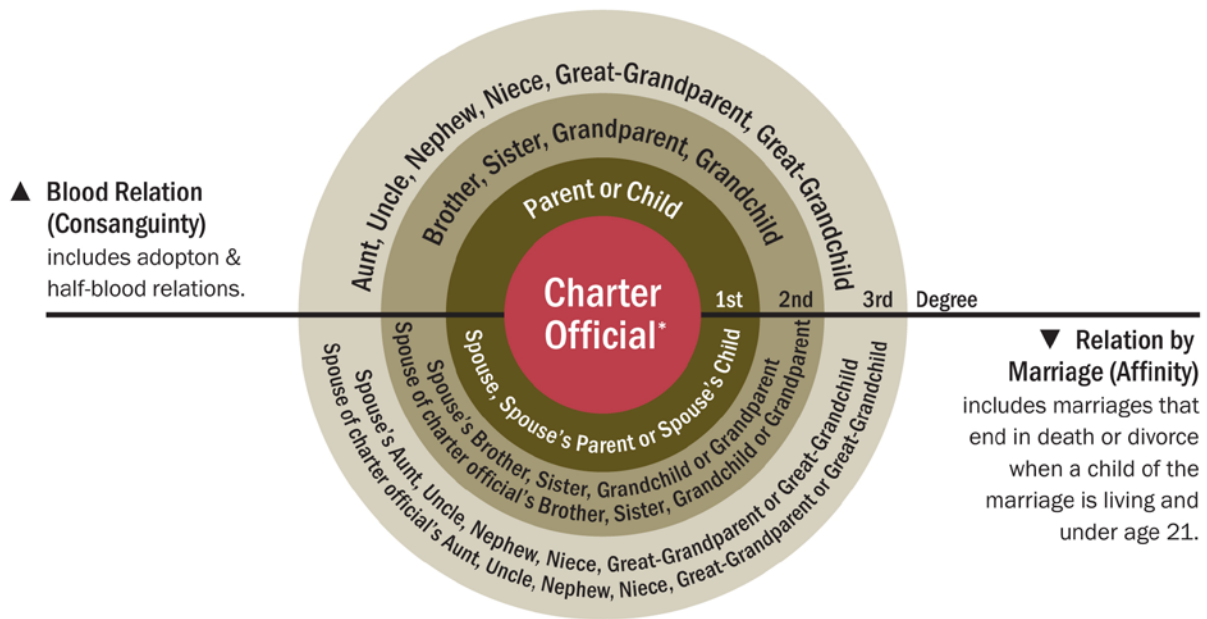
A Director or Officer may not hire, select, appoint, confirm the appointment of, or vote for the hiring, selection, appointment, or confirmation of an individual who is to be directly or indirectly compensated from public funds or fees of office, if:

- 1) The person is related to the Director or Officer by consanguinity (blood) within the third degree or by affinity (marriage) within the second degree (as defined below); or

- 2) The Director or Officer holds the appointment or confirmation authority as a member of a local board and the person is related to another member of the Board by blood or marriage within a prohibited degree. Government Code §§ 573.002, 573.041.

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 3. 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 4. 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

**EXHIBIT A
AFFIDAVIT OF ABSTENTION**

STATE OF TEXAS §

§

COUNTY OF _____ §

I, _____, a local public official, make this affidavit and hereby under oath state the following:

I have a substantial interest in a business entity or real property that may receive a special economic effect that is distinguishable from the effect on the public by an action contemplated by New Frontiers Public Schools.

The business entity or real property in which I have a substantial interest is: *[name and address of business and/or description of property]*:

I or a person that is related to me within the first degree of consanguinity (blood) or affinity (marriage) as defined by state law has a substantial interest in this business entity or real property for the following reasons *[check all that apply]*:

an ownership interest of 10 percent or more of the voting stock or shares of the business entity;

an ownership interest of 10 percent or more or \$15,000 or more of the fair market value of the business entity;

funds received from the business entity exceed 10 percent of _____ (my, his, her) gross income for the previous year;

real property is involved and _____ (I, he, she) have/has an equitable or legal ownership with a fair market value of at least \$2,500;

Upon filing of this affidavit with the official record keeper of New Frontiers Public Schools, I affirm that I shall abstain from voting or further participating in any matter involving the business entity or real property, unless allowed by law.

SIGNED this the _____ day of _____, 20____.

Signature of Affiant

Title

Before me, the undersigned authority, this day personally appeared _____ (Affiant Name) and by oath swore that the facts herein above stated are true and correct to the best of

his/her knowledge or belief.

SWORN TO and SUBSCRIBED before me on the _____ day of _____,

20__.

Notary Public, State of Texas

(seal)

My commission expires: _____

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.

ANNUAL STATEMENT OF DISCLOSURE AND COMPLIANCE

Name: _____

Position: _____

Please describe below any relationships, positions, or circumstances in which you are involved that you believe could be considered an Interest or that might be perceived as an actual or possible Conflict of Interest, as defined in the New Frontiers Public Schools Ethics, Conflict of Interest and Nepotism Policy. Please also describe any familial relationships that would qualify as relationships within the prohibited degree as defined in the New Frontiers Public Schools Ethics, Conflict of Interest and Nepotism Policy.

I am involved in no activity, relationship, position or circumstance that could be considered an Interest or might be perceived as an actual or possible Conflict of Interest, as defined in the New Frontiers Public Schools Ethics, Conflict of Interest and Nepotism Policy. I do not have any familial relationships that would qualify as relationships within the prohibited degree as defined in the New Frontiers Public Schools Ethics, Conflict of Interest and Nepotism Policy.

I hereby certify that the information as set forth above is true and complete to the best of my knowledge. I have reviewed and agree to abide by the New Frontiers Public Schools Ethics, Conflict of Interest and Nepotism Policy that is currently in effect.

Signature: _____

Date: _____

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. Training for Charter School Officers

New Frontiers Public Schools employees serving in the position of a Chief Executive and Central Administrative Officer, Campus Administrative officer, and/or Business Manager, as those positions are defined by the Texas Education Agency, shall complete all applicable trainings required under 19 Tex. Admin. Code §§ 100.1103–.1105.

Section 4. Development of Administrative Procedures

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

Section 5. Audit Disclosure

New Frontiers Public Schools shall separately disclose, in its annual audit report of its financial and programmatic operations, a member of the Board or Officer who fails to complete the training requirements set forth in 19 Tex. Admin. Code §§ 100.1102–.1105 and who continues to serve in such capacity as of the date of the audit report. *19 Tex. Admin. Code § 100.1108(3).*

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

As a 501(c)(3) tax-exempt public charity, between New Frontiers Public Schools shall not engage in political activities. Directors and Officers shall not use their relationship with between New Frontiers Public Schools to promote or oppose political candidates or parties, or to create the appearance that between New Frontiers Public Schools endorses or opposes a political candidate or party for elected office.

Section 6. Endorsements and Use of the New Frontiers Public Schools Name and Affiliation

The New Frontiers Public Schools and Campus names, logos, letterheads, or other intellectual property may not be used by any person to endorse or gain support for a cause without prior authorization in writing from the Directors.