



Module 200: Charter School Governance & Organization

Charter Board Policy for New Frontiers Charter School

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

TABLE OF CONTENTS

200.020 Corporate Structure

200.030 New Frontiers Charter School's Mission

200.040 Board Operating Procedures

200.060 Board Member Duties & Responsibilities

200.080 Board Member Training

200.100 Nepotism

200.120 Conflicts of Interest

200.140 Restrictions On Serving As A Board Member or Officer

200.160 Compliance Records On Nepotism, Conflicts of Interest, & Restrictions On Serving

200.200 Chief Executive Officer

200.220 Campaign Contributions to the State Board of Education

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 CHARTER SCHOOL'S MISSION

New Frontiers Charter School 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 education excellence to our students.

200.040. BOARD OPERATING 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.

Section 1. Composition of the Board

Section 1.1. Number of Board Members

New Frontiers Charter School's 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 November 1st 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 Charter School 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 Charter School assumes ultimate responsibility for the management, operation, and accountability of New Frontiers Charter School.

Section 2. Fiduciary Duty

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

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 Charter School.

200.080. BOARD MEMBER TRAINING

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. Board Member Training

Each member of the Board assumes responsibility for the required 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 Charter School adopts the following policy which shall be effective on the date that the policy is adopted by the Board.

The Board of New Frontiers Charter School shall comply with all applicable nepotism statutes and rules.

Unless New Frontiers Charter School 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 Charter School.

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.newfrontierscharter.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)

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

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 Charter School 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 Charter School 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 officers, 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 Charter School 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. Annual Evaluation

The Board shall conduct an annual evaluation of the CEO.

Section 4. 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 Charter School 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 Charter School 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 Charter School 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 Charter School, 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 Charter School 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 Charter School for any political advertising.

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

