Boulware Springs Charter School

Governing Board Meeting

Regular Meeting was held at:

Boulware Springs Charter School

## 2021 NW 23rd Terr., Gainesville, FL Tuesday, June 3, 2014

## 7:00 pm

## Notification to the public via school’s website

MINUTES

1. SESSION: 7:00 p.m.
   1. Attendees

Board Members: Steve Sommer, Bryan Williams, David McDonald, Larry Lopez, Carrie Geiger, Steve Bradford, Staci Bertrand

Others: Kay Abbitt, Megan Lane, John Abbitt, Cecile Wicks

* 1. Action Items
     1. Approval of May 13th Board Meeting Minutes

Bryan Williams moved to approve the minutes. David McDonald seconded the motion and the motion was approved.

* 1. Items for Discussion Only (No Action)
     1. Update on School Property & Portables

Kay Abbitt informed the board that the portables are installed and electric and water to the portables is currently being installed. Lattice work for the portables is needed. Fencing around the school property is being completed.

* + 1. Update on Charter Growth Fund Grant & Implementation Grant

Megan Lane updated the Board on the status of the two grants the school has received. Funding was received for the Charter Growth Fund. Funding has been increased for the Implementation Grant and a budget and plan was created and submitted on 6/2 (currently waiting on approval).

* + 1. List of Remaining (Significant) Tasks to Open School

Kay Abbitt informed the Board that student data entry and security measures for school will be in place before school opening.

* + 1. Status of Crossing Guards/School Zone Coverage (contact Kathy Bruce)

Steve Bradford informed the Board of school zone and crossing guard criteria. Phil Mann from Public Works is the contact for these issues.

* + 1. Update on Curriculum

Kay informed the Board that curriculum will be purchased when Implementation Grant is approved. Anti-bullying and character development curriculum has been chosen.

1. ADJOURNMENT: 7:40 pm

The next board meeting is scheduled for 7pm Tuesday, July 8th, 2014 at the school.

Respectfully Submitted:

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Larry Lopez, Vice Chair Date

Approved by Governing Board: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date

**BOULWARE SPRINGS CHARTER SCHOOL, INC.**

**STUDENT ADMISSION**

**POLICIES AND PROCEDURES**

**Admissions**

Any student eligible to attend a public school in Alachua County is eligible for enrollment at Boulware Springs Charter School. Students must be eligible for Grades K-5. The School is committed to enrolling a diverse student population and shall abide by the provisions in the Florida Educational Equity Act, Section 1000.05(2)(a), and Florida Statutes that forbid discrimination on the basis of race, religion, sexual orientation national origin, gender, marital status, ethnicity, or disability.

Enrollment will also follow 1002.33(15)c, which includes enrolling students according to racial/ethnic balance provisions in 1002.33(7)(a)8. In accordance with 1022.33 (10)(d), a charter school may give enrollment preference to populations denoted in its rules and procedures.

**Application Process**

Applications may be obtained at the office or on the school’s website. Applications will not request information related to academic history, race, ethnicity, socioeconomic status, disability status, or English language learner status. Applications may be submitted to the front office of the school, via mail, or through the website. Upon submission, all applications will be screened for completeness. Kindergarten parents must provide proof of child’s age during application process. The child must be 5 years of age by September 1st of the school year in which the student is applying to attend Kindergarten.

All applications will be date/time stamped as they are received and filed by grade level and maintained at the school. Student applications for each upcoming school year will be accepted beginning February 15th thru April 30th. After priority admission, if the number of applicants remaining is less than the number of seats available for any grade level, all applicants will be admitted. Subsequent registration periods will be publicly noticed with a clear beginning/ending date for remaining seats. At the end of each registration period, the school will determine if a lottery is necessary and will follow the procedures below.

If the number of applicants exceeds the number of seats available during the registration period, the remaining applicants will be placed in a lottery per grade level, and students will be admitted as they are drawn from the lottery until each class is filled. The lottery will be conducted on May 5th either in public or witnessed by an independent third party. This is in compliance with 1002.33(10)(b). The remaining applicants that were not admitted through the lottery process will be placed on a waiting list in the order drawn from the lottery. Students who apply after the deadline will be placed on the waiting list after the lottery applicants on a first come, first served basis. Parents will be notified in writing of their acceptance by May 15th, and must respond to the school in writing of their decision to attend by May 31. Parents who enroll their children will be required to attend a school orientation and sign a parent involvement contract. If an accepted applicant decides not to attend the school, the slot will be given to the first person on the waiting list.

**Parent Contact Information**

If parent/guardian contact information changes on the application, the school should be notified immediately. If the parent/guardian cannot be reached, the student application will be withdrawn from the waiting list.

**Enrollment Preference**

Florida Statute provides that the School may give enrollment preference to certain student populations. Students will be offered admission without going through the lottery process provided their applications are received and accepted by the deadline and space is available for the appropriate grade level. If there is no available space, siblings will then receive priority placement on the waitlist. Students who may receive enrollment preference include students who:

* are siblings of a student enrolled in the school;
* are children of a member of the Founding Governing Board;
* are children of an employee of the school;

**Waiting List**

A waiting list will be maintained for each grade level if applications exceed available space. Parents will be notified in writing if their student has been placed on the waiting list. All vacancies for the current school year will be filled from the waiting list. The waiting list does not carry forward to the next school year.

**School Orientation and Registration**

Each accepted student and their parent/guardian are required to attend a School Orientation and parents must sign a parental involvement contract. Parents/guardians must attend registration. Parents must also provide a copy of the child's birth certificate, immunization records, physical exam and proof of promotion at the time of registration*.*

**BOULWARE SPRINGS CHARTER SCHOOL, INC.**

**CONFLICTS OF INTEREST POLICY**

**1. Purpose.** The purpose of this policy is to protect the School’s interest by ensuring that no member of the Board of Directors has a conflict of interest with the School. This provision is intended to supplement but not replace any applicable state or federal laws governing conflicts of interest applicable to non-profit and charitable organizations.

**2. Definitions.**

(a) Relative: A “relative” means: father, mother, son, daughter, brother, sister, uncle, aunt, first cousin, nephew, niece, husband, wife, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, or half sister.

(b) Financial Interest:A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

-An ownership or investment interest in any entity with which the School has a transaction or arrangement,

-A compensation arrangement with the School or with any entity or individual with which the organization has a transaction or arrangement, or

-A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the School is negotiating a transaction or arrangement.

(c) Conflict: A situation in which regard for a private interest may lead to disregard of a public duty or interest.

**3. Prohibited Transactions and Relationships.**

(a) A board member may not purchase, rent or lease any realty, goods or services for the School from a business of which of board member (or the board member’s relative) is an officer, partner, director, proprietor or owner of a financial interest.

(b) No board member may hold any employment or contractual relationship (written or unwritten) with the School. No board member may hold any employment or contractual relationship with any business entity, which is doing business with the School. No board member may hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

(c) No board member may be compensated for his or her service on the board.

(d) No board member shall be the spouse, parent, child, stepchild, sibling or employee of any other board member.

(e) No school employee or spouse of employee may serve on the governing board.

**4. Voting Conflicts**:

(a) A board member shall not vote on any measure which would inure to the board member’s special private gain or loss or to the special private gain of (1) an organization by which the board member is retained or (2) a relative or (3) a business associate.

(b) Voting conflicts must be disclosed in a written memorandum and filed with the person responsible for recording the minutes prior to the meeting. Such memorandum shall be read publicly at the board meeting, incorporated into the minutes and shall be considered a public record.

(c) If a voting conflict arises at a board meeting, the disclosure shall be oral followed up by a written memorandum within fifteen days.

(d) Any Board member with a real or perceived conflict of interest will not vote and will recuse himself/herself from the meeting during discussion.

**5. Exceptions and Duty to Disclose.**

(a) No board member shall be in violation of this policy if one or more of the exceptions described in §112.313 (12), F.S. are met. (See Exhibit 1 below)

(b) In connection with any actual or possible conflict of interest with the School, the interested board member must disclose the possible or actual conflict of interest to the board of directors. The board of directors shall then determine whether a conflict of interest exists and/or whether one of the exceptions listed in section 5(a) above is met.

**6. Violation of this Provision**: If a board member has reasonable cause to believe another board member has failed to disclose actual or possible conflicts of interest, he or she shall inform the member of the basis for the belief and afford the member an opportunity to explain the alleged failure to disclose. If, after hearing the member’s response and after making further investigation as warranted by the circumstances, the board determines that the member has failed to disclose an actual or possible conflict of interest, it shall be grounds for removal.

**7. Records of Proceedings**: The minutes of the board and all committees with board delegated powers shall contain:

(a) The names of the persons who disclosed or otherwise were found to have an actual or possible conflict of interest, the nature of the interest, any action taken to determine whether a conflict of interest was present, and the board’s decision as to whether a conflict of interest in fact existed.

(b) The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

**8. New Members:** All new Board members shall be provided with a copy of Board policies, including this policy. Board members agree to comply with the policy and understand that the organization is a charitable entity and in order to maintain its federal tax exemption, it must engage primarily in activities, which accomplish one or more of its tax-exempt purposes.

**EXHIBIT 1**- **Statutory Exemptions**

F.S. 112.313(12) EXEMPTION--The requirements of subsections (3)(a) and (3)(b) as they pertain to persons serving on advisory boards may be waived in a particular instance by the body which appointed the person to the advisory board, upon a full disclosure of the transaction or relationship to the appointing body prior to the waiver and an affirmative vote in favor of waiver by two-thirds vote of that body. In instances in which appointment to the advisory board is made by an individual, waiver may be effected, after public hearing, by a determination by the appointing person and full disclosure of the transaction or relationship by the appointee to the appointing person.

In addition, no person shall be held in violation of subsection (3)(a) or (b) if:

(a) Within a city or county the business is transacted under a rotation system whereby the business transactions are rotated among all qualified suppliers of the goods or services within the city or county.

(b) The business is awarded under a system of sealed, competitive bidding to the lowest or best bidder and:

1. The official or the official's spouse or child has in no way participated in the determination of the bid specifications or the determination of the lowest or best bidder;

2. The official or the official's spouse or child has in no way used or attempted to use the official's influence to persuade the agency or any personnel thereof to enter such a contract other than by the mere submission of the bid; and

3. The official, prior to or at the time of the submission of the bid, has filed a statement with the Commission on Ethics, if the official is a state officer or employee, or with the supervisor of elections of the county in which the agency has its principal office, if the official is an officer or employee of a political subdivision, disclosing the official's interest, or the interest of the official's spouse or child, and the nature of the intended business.

(c) The purchase or sale is for legal advertising in a newspaper, for any utilities service, or for passage on a common carrier.

(d) An emergency purchase or contract which would otherwise violate a provision of subsection (3) or subsection (7) must be made in order to protect the health, safety, or welfare of the citizens of the state or any political subdivision thereof.

(e) The business entity involved is the only source of supply within the political subdivision of the officer or employee and there is full disclosure by the officer or employee of his or her interest in the business entity to the governing body of the political subdivision prior to the purchase, rental, sale, leasing, or other business being transacted.

(f) The total amount of the transactions in the aggregate between the business entity and the agency does not exceed $500 per calendar year.

(g) The fact that a county or municipal officer or member of a public board or body, including a district school officer or an officer of any district within a county, is a stockholder, officer, or director of a bank will not bar such bank from qualifying as a depository of funds coming under the jurisdiction of any such public board or body, provided it appears in the records of the agency that the governing body of the agency has determined that such officer or member of a public board or body has not favored such bank over other qualified banks.

(h) The transaction is made pursuant to s. 1004.22 or s. 1004.23 and is specifically approved by the president and the chair of the university board of trustees. The chair of the university board of trustees shall submit to the Governor and the Legislature by March 1 of each year a report of the transactions approved pursuant to this paragraph during the preceding year.

(i) The public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency.

(j) The public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency and:

1. The price and terms of the transaction are available to similarly situated members of the general public; and

2. The officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.

**BOULWARE SPRINGS CHARTER SCHOOL, INC.**

**GENERAL EDUCATION PROVISIONS ACT (GEPA)**

**COMPLIANCE POLICY**

In accordance with the requirements of Section 427 of the GEPA Public Law 103-382, Boulware Springs Charter School, Inc. (hereinafter referred to as the School) will take effective steps to ensure equitable access to, and participation of students, teachers, and other program beneficiaries regardless of gender, race, national origin, color, disability, sexual orientation, or age. The following are examples of how the School will comply with the requirement:

* The marketing and recruiting plan to be followed in promoting the School will be designed to reach the entire community through different media outlets and community activities and, accordingly, all racial/ethnic groups within it.
* The School will create copies of its promotional materials and announcements in multiple languages, including English and Spanish, to make sure that “harder-to-reach” families (e.g. single parent families, low socioeconomic households, etc.) are informed of the School’s activities.
* To ensure maximum parental involvement, the School will conduct meetings at times that a maximum number of parents can attend.
* The Schools will post materials in locations of public access, including the School’s lobby or common areas, as well as the School’s website.

**BOULWARE SPRINGS CHARTER SCHOOL, INC.**

**INVENTORY AND PROPERTY RECORDS**

**FOR ITEMS PURCHASED WITH**

**CHARTER SCHOOL PROGRAM (CSP) GRANT FUNDS**

Inventory Control Policy

1. All equipment/inventory items with 600 series object codes that were purchased with CSP grant funds, regardless of individual unit cost, will be labeled as follows:
   1. Property of Alachua County School District
   2. Boulware Springs Charter School
   3. Inventory ID/Serial Number
   4. Purchased with Federal CSP Funds
2. All CSP funded capital purchases of equipment/inventory items with 600 series object codes will be inventoried and labeled as stated above upon receipt, regardless of individual unit cost. The school will maintain an inventory report for all CSP funded equipment/inventory items with 600 series object codes using the format provided by the Department of Education. The inventory report will be updated when new items are purchased, items are disposed/given a final disposition, and during each biannual inventory.

**BOULWARE SPRINGS CHARTER SCHOOL, INC.**

**CHARTER SCHOOL PROGRAM GRANT**

**PROCUREMENT POLICY**

1. **Application.** The Charter School, and its employees, officers and agents, will follow the policies set forth herein (the “CSP Procurement Policy”) with respect only to the procurement of supplies and other expendable property, equipment, real property, and other services purchased by the Charter School with federal funds awarded under the Public Charter School Grants Program.

2. **Conflicts of Interest**. No employee, officer, or agent shall participate in the selection, award or administration of a contract supported by the Charter School Program grant if a real or apparent conflict of interest would be involved. A conflict would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the Charter School shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, or parties to sub-agreements. Any Board member with a real or perceived conflict of interest will not vote and will recuse himself/herself from the meeting during discussion. The Charter School’s Conflict of Interest Policy shall be applicable to any selection, award or administration of a contract subject to this CSP Procurement Policy.

3. **Competition**. All procurement transactions subject to this CSP Procurement Policy shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. Each employee, officer and agent of the Charter School responsible for the procurement of goods and services subject to the CSP Procurement Policy (each such employee, officer or agent referred to hereinafter as a “Procurement Officer” of the Charter School) shall be alert to organizational conflicts of interest as well as noncompetitive practices among contractors that may restrict or eliminate competition or otherwise restrain trade. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, invitations for bids, or requests for proposals shall be excluded from competing for procurements for the Charter School. Awards must be made to the bidder or offeror whose bid or offer is responsive to the solicitation and is most advantageous to the Charter School, price, quality and other factors considered. Solicitations shall clearly establish all requirements that the bidder or offeror shall fulfill in order for the bid or offer to be evaluated by the Charter School. Any and all bids or offers may be rejected when it is in the Charter School’s interest to do so.

4. **Procedures Generally**. Procurement Officers shall avoid purchasing unnecessary items, and where appropriate, make an analysis of lease and purchase alternatives to determine which would be the most economical and practical procurement for the Charter School. Positive efforts shall be made by recipients to utilize small businesses, minority-owned firms and women’s business enterprises whenever possible. The Charter School is the responsible for settling and satisfying all contractual and administrative issues arising out of procurements, including but not limited to disputes, claims, protests of award, source evaluation or other matters of a contractual nature. The Charter School shall document and retain all bids received and conduct a price comparison analysis. The selection of any sole-source providers must be justified and documented. Solicitations for goods and services subject to this CSP Procurement Policy shall include the following:

a) A clear and accurate description of the technical requirements for the material, product, or service to be procured. In competitive procurements, a description shall not contain features which unduly restrict competition.

b) Requirements which the bidder/offeror must fulfill and all other factors to be used in evaluating bids or proposals.

c) A description, whenever practicable, of technical requirements in terms of functions to be performed or performance required, including the range of acceptable characteristics or minimum acceptable standards.

d) The specific features of brand name or equal descriptions that bidders/offerors are required to meet when these items are included in the solicitation.

e) The acceptance, to the extent practicable and economically feasible, of products and services dimensioned in the metric system of measurement; and

f) Preference, to the extent practicable and economically feasible, for products and services that conserve natural resources and protect the environment, and are energy efficient.

5. **Permissible Procurement Instruments**. The type of procuring instruments used (e.g., fixed price contracts, cost reimbursable contracts, purchase orders, and incentive contracts) shall be determined at the discretion of the Charter School but must be appropriate for the particular procurement and for promoting the best interest of the program or project involved. In no event shall the “cost-plus-a-percentage-of-cost” or “percentage of construction cost” methods of contracting be used.

6. **Contractor Qualifications**. Contracts shall be made only with responsible contractors who possess the potential ability to perform successfully under the terms and conditions of the proposed procurement. Consideration shall be given to factors such as contractor integrity, record of past performance, and financial and technical resources or accessibility to other necessary resources.

7. **Cost and Price Analysis**. Some form of cost or price analysis must be made and documented in the procurement files in connection with every procurement action subject to this CSP Procurement Policy. Price analysis may be accomplished in various ways, including the comparison of price quotations submitted, market prices and similar indicia, together with discounts. Cost analysis is the review and evaluation of each element of cost to determine reasonableness, allocability, and allowability.

8. **Contract Administration**. A system for contract administration shall be maintained to ensure contractor conformance with the terms, conditions and specifications of the contract, and to ensure adequate and timely follow up of all purchases. The Charter School shall evaluate contractor performance and document, as appropriate, whether contractors have met the terms, conditions, and specifications of the contract.

9. **Purchases less than $500**. For all goods and services, including CSP purchases, whose cost is less than $500, the Procurement Officer shall ensure that the Charter School has an approved purchase order on file for the good or service.

10. **Purchases more than $500.00 but less than $25,000.00**. For all goods and services, including CSP purchases, whose cost is more than $500.00 but less than $25,000.00, the Procurement Officer shall ensure that the Charter School obtains at least three, written/printed quotations, estimates or advertisements for the good or service, if feasible and a written/printed note explaining the reason for the vendor selection. Two (2) or more persons are required for approval of CSP purchases over $500. If the school does electronic banking and cannot show two authorized check signatures on purchases over $500, two signatures must be on a written/printed purchase requisition form.

11. **Purchases $25,000.00 or more.**

For all goods and services whose cost is $25,000.00 or greater, the Procurement Officer shall ensure that the Charter School obtains at least three bids and/or proposals. In addition, the following provisions shall apply.

a) Procurement records and files must include the following at a minimum:

* 1. Basis for contractor selection;
  2. Justification for lack of competition when competitive bids or offers are  not obtained;
  3. Basis for award cost or price.

b) Contracts shall contain contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which contract terms, and provide for remedial actions as may be appropriate.

c) All contracts shall contain suitable provisions for termination by the Charter School, including the manner by which termination shall be effected and the basis for settlement. In addition, contracts must describe conditions under which the contract may be terminated for default, as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.

d) All contracts must include a provision that a duly authorized representative of the Charter School must have access to any records of the contractor, which are directly pertinent to the specific program.

e) The Charter School shall keep on file all pre-award review and procurement documents, such as request for proposals or invitations for bids and independent cost estimates.

**BOULWARE SPRINGS CHARTER SCHOOL, INC.**

**SEGREGATION OF DUTIES**

**RELATING TO FINANCIAL CONTROLS**

The school Director will be responsible for all aspects of school operations within the scope of operating policy and budgetary approval by the Board of Directors. The school’s on-site administration/faculty and staff will report directly to the Director, who then reports to the Board of Directors.

The Board, at minimum, will be responsible for:

1. reviewing and approving a preliminary annual budget prior to the beginning of the fiscal year;
2. reviewing quarterly or monthly financial statements, which include a balance sheet and statement of revenue, expenditures and changes in fund balance, at each public Board meeting;
3. annually adopting and maintaining operating budget for the school;
4. retaining the services of a certified public accountant/auditor to conduct the annual independent financial audit;
5. reviewing and approving the audit report, including audit findings and recommendations;
6. reporting to all applicable legal agencies including the charter school’s sponsor; and
7. overseeing the school’s Director and all financial matters delegated to the Director.

The Director will ensure that the administrative assistant and the person collecting monies related to Boulware Springs Charter School, Inc. will, together, count money collected in the front office and sign off on the total received; the administrative assistant maintains the ledger and is not a signor on checks. Monthly bank reconciliations will be conducted by either of the two assigned governing board members who are not authorized to sign checks. The Director will review and approve each bank deposit and cash receipt reconciliation.

All schools receiving Charter School Program (CSP) Grant funding are required to adhere to the following for grant purchases exceeding $500:

* 1. Two (2) or more persons are required for approval of CSP purchases over $500.
  2. If the school does electronic banking and cannot show two authorized check signatures on purchases over $500, two signatures must be on a written purchase requisition form.