

ASPEN ACADEMY

Enriching students from the roots up

September 18, 2015

Dear Aspen Parents and Teachers:

Aspen Academy's annual board election will be held on Thursday November 5, 2015. The Aspen community will be voting for up to 3 parent board members, 2 teacher board members and 1 community board member. These positions run for two year terms, which will start on January 1, 2016.

The role of the Board of Directors is the support and oversight of the school, setting policy (which acts are parameters for the procedures created by the administration), and long range strategic planning. Board members must represent the school *as a whole*, and balance the sometimes competing interests of different stakeholders. If you are interested in learning more about the legal requirements for charter schools, the initiatives required by the state and our authorizer, how charter school financing works, and other similar matters, please consider running for a board seat.

There is an FAQ attached to provide some basic information about serving on the Aspen board. If you would like to run for a board seat or have any questions about board service, please contact board member and Board Elections, Responsibilities and Governance Committee Co-Chair Salli Armour at salli.armour@aspenacademymn.org. Application and conflict of interest forms are also attached and are **due back to her by September 30th**. Completed applications will be published in a candidate information guide and distributed to the school community approximately one month prior to the election date.

Thank you again for your interest in joining the Aspen Board!

Sincerely,

Board Elections, Responsibilities and Governance Committee
On behalf of the Aspen Academy Board of Directors

Attachments: 2015 Board Member Overview
Conflict Of Interest Form
Board Member Application



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Board Member Application

Name _____

Phone Number _____

Email Address _____

Please answer the following questions considering the Board's committees and strategic goals, citing specific examples where possible. Candidate experience may be drawn from charter school experience or other related business or personal experience. You may use additional paper if necessary. Please be advised that your answers will be shared with the school community in order to inform them about the candidate choices, and you may be contacted with questions via email by voters.

What is your connection to Aspen Academy?

Why do you want to join the Board of Aspen Academy?

What is it about a charter school that appeals to you?

What do you believe is the Board's role regarding school governance?

How would you help Aspen meet its strategic goals set forth by the mission and vision statement and annual report?

What professional, leadership, or other board experience can you bring to the Board?

What do you see as the most significant issue(s) facing charter schools today?



BOARD CANDIDATE CONFLICT OF INTEREST FORM

Several times per year Aspen board members need to certify that they have no conflicts of interest which would prohibit them from serving on the board. This is important for our annual audit, our annual lease aid application, etc. Feel free to contact Salli Armour at salli.armour@aspenacademymn.org with any questions.

1. Have you, or any related party of yours, had any material interest, direct or indirect, in any of the following transactions or pending transactions to which Aspen Academy was or is to be a party:

	Yes	No
Sale, purchase, exchange or leasing of property?	_____	_____
Receiving or furnishing of goods, services or facilities?	_____	_____
Transfer or receipt of income or assets?	_____	_____
Maintenance of bank balances as compensating balances for the benefit of another?	_____	_____
Other transactions?	_____	_____
If yes, please explain: _____.		

2. Have you or any related party of yours been indebted to or had a receivable from Aspen Academy at any time? Yes _____ No _____ If yes, please explain: _____.

3. Have you or any related party of yours had any material interest, direct or indirect, in any transactions, or in any pending or incomplete transactions to which any pension, retirement savings, or similar plan provided by Aspen Academy was, or is to be, a party? Do not include payments to a plan or payments by the plan made pursuant to the terms of the plan.
 Yes _____ No _____ If yes, please explain: _____.

4. I am employed by _____.
 My job function with my employer is _____.
 My spouse's name is _____.
 My spouse is employed by _____.
 My spouse's job function with his/her employer is _____.

The answers above are correctly stated to the best of my knowledge and belief.

Date: _____ Print Name: _____

Signature: _____

Governance vs. Management Who Does What?

1. What are the Unique Characteristics of Charter Schools and their Governance in MN?

- Each has a unique mission/focus
- Have authorizers who monitor or oversee
- No Levy power, they are their own districts
- Non-profit and cannot own property
- Self-governing
- Open meeting laws apply
- Parents AND staff elect members
- No district boundaries
- Can limit enrollment

2. What is a Board of Directors?

- A GROUP of volunteers who COLLECTIVELY have legal and moral responsibility for an institution - no individual member has ANY authority at all outside a Board meeting...the power exists only when convened in an official meeting
- Their role is Governance - planning goals, oversight, and monitoring

3. What are the responsibilities of the Board of Directors?

- Define and approve the mission and vision.
- Hire, recruit, supervise, support, evaluate, terminate if necessary the Director.
- Ensure effective planning for the organization - enrollment, recruiting, legislative lobbying, grants, fundraising approval.
- Ensure there is enough \$ to operate.
- Ensure financial management - monthly financials to review and approve, adopt a budget, statement of priorities, hire an accountant and auditor.
- Recruit and elect Board Members.
- Maintain good public standing to community and authorizer - have a PR plan.
- Make and Monitor Policy - 95% of the time it should come through the administrator.
- Monitor and oversee programs - goes to achievement.
- Ensure the school meets its moral and legal obligations.
- Assess Board performance.

4. What are the Fiduciary Duties of a Board Member under MN Nonprofit Law 317A?

- Fideus - to be faithful; do no harm - do GOOD
- 3 duties - 1. Duty of care (to Board) 2 - Duty of Loyalty (to organization), 3 - Duty of obedience (to law)

5. How does the Board Effectively Accomplish its role and Responsibilities?

- Working relationship with Director

- Foundational Documents
- Policies and procedures
- Committees

6. Questions appropriate for Governance:

1. How much? Goes to budget
2. What is it we want to achieve? (fulfillment of mission or goals)
3. Why? Questions of clarification to Director, etc.

7. Questions appropriate for Administration - NOT the Board:

1. When...?
2. Where...?
3. How...?
4. Who...?

<u>Activity</u>	<u>Board</u>	<u>Management</u>
Strategy	Direction	Input
Management	Oversight	Operational
Resources	Development	Use
Staffing	Leader	All Others
Student Achievement	Own Results	Produce Results

The Supervisory Role of the Board of Directors

The Board has a supervisory or oversight role to play with respect to the charter school administrator. But this is as far into the organization as the board's supervisory role should extend. The board hires, supervises, evaluates, compensates, and (if necessary) terminates the charter school administrator. The charter school administrator, in turn, hires, supervises, evaluates, makes compensation decisions within the scales and budget set by the board as provided for by the board-approved annual budget. However, the board is the ultimate employer of the staff in the following sense. It is the Board that makes personnel policy. Personnel policy may be recommended by the charter school administrator and/or the personnel committee, but only the Board can make the final decisions. The Board will also give final approval of wage and salary scales, fringe benefit programs, vacation plans, and so forth. Finally, the Board, usually acting through its personnel committee, may occasionally be called upon to function as a grievance committee with respect to an employee who has an unresolved dispute with the charter school administrator and who seeks relief from some higher authority.¹

¹ Swanson, Andrew, Supervising the Director, Nonprofit World Journal, May/June 1989.

Division of Roles between Board and Administrator

(Adapted from “Building and Managing An Effective Board of Directors”,
Center for Nonprofit Management in Southern California)

This chart describes the roles and responsibilities of the board and the charter school administrator in critical areas. Review each entry and revise as based on the specific needs and requirements of your charter school. This chart should be reviewed on an annual basis and updated if necessary.

<u>Responsibility</u>	<u>Board Of Directors</u>	<u>Administrator</u>
Legal	<ul style="list-style-type: none"> • Exercises fiduciary role to ensure that the charter school is properly managed. The board should have a mechanism to validate information from the administrator. • Maintains legal status; insures the proper paperwork is submitted to governmental agencies. • Reviews financial and business dealings and exercises proper judgment in self-dealing transactions - - avoidance of conflicts of interest. • Reviews Bylaws periodically. 	<ul style="list-style-type: none"> • Must provide information to the board to demonstrate that the charter school is well managed. • Compiles information for annual filing requirements. • Signals to the board if either of the situations is likely to occur.
Finance and Accounting	<ul style="list-style-type: none"> • Approves annual budget. • Reviews periodic financial reports (balance sheet, income statement, changes in financial position). • Ensures that proper internal controls are in place. 	<ul style="list-style-type: none"> • Prepares annual budget with input from staff and finance committee. • Oversees preparation of periodic financial reports. • Implements proper financial controls.
Planning	<ul style="list-style-type: none"> • Establishes mission and program direction for the charter school and approves goals and objectives designed to achieve those ends. • Reviews strategic plan and progress. • Assesses compliance/progress in achieving educational and other outcomes agreed to in the charter contract. • Assesses program evaluation plan. • Develops a Board Calendar. 	<ul style="list-style-type: none"> • Participates in establishing mission and program direction for the charter school. Contributes to vision of the charter school; and assists the board in maintaining focus and momentum for the charter school. • Develops specific program goals and objectives based on the board specific mission. • Develops reports or oversees staff development of reports to demonstrate program progress.
Policy	<ul style="list-style-type: none"> • Develop and adopt written policies. • Responsible for reviewing policies periodically. • Oversees that policy is enforced. 	<ul style="list-style-type: none"> • Identifies need for new policies. • Responsible for assuring the implementation of policies and for assisting the board in analyzing policy options.
Personnel	<ul style="list-style-type: none"> • Sets and reviews personnel policies. • Hires Charter School Administrator and evaluates the administrator's performance. • Assists with the development of an Employee Handbook and approves. • Participates in Board Self Evaluation process. 	<ul style="list-style-type: none"> • Implements personnel policies. • Recommends changes in personnel policies to the board. • Develops an employee Handbook with the Board and enforces. • Hires or terminates all personnel and evaluates performance of staff members (or delegates to appropriate supervisor).

	<ul style="list-style-type: none"> • Approves all staff hires and terminations. 	Communicates evaluation results to the Board as appropriate.
Resource Development	<ul style="list-style-type: none"> • Responsible for assuring long-range commitments of resources; establishes a fund development plan and participates in its implementation. • Reviews and approves all major grant proposals. 	<ul style="list-style-type: none"> • Conduct research and maintain information database. • Assist in fund development efforts. • Develops grants, and other funding applications, plans fund-raising events, enters business ventures to support mission.
Board Accountability	<ul style="list-style-type: none"> • Establishes and communicates clear expectations of Board directorship. • Assures effective participation of Board directors. 	<ul style="list-style-type: none"> • Facilitates training and information exchange for members in preparation for selection of Board directors. • Facilitates effective communication among Board directors.
Decision-making	<ul style="list-style-type: none"> • Defines and communicates the role of Board, administrator in making decisions. • Assures appropriate involvement of board directors in charter school decision making. 	<ul style="list-style-type: none"> • Makes action decisions within parameters set by the board, collaborates both with the other staff and Board in some decisions.
Community Relations	<ul style="list-style-type: none"> • Promotes the charter school to parents and the general public, including serving as an emissary of the charter school to the broader community. • Promotes cooperative action with other charter schools including activities and occasions when the charter school should take part in coalitions, shared programs, joint action, etc.. 	<ul style="list-style-type: none"> • Interprets the mission of the charter school to the community through direct involvement, public relations programs, including personal contact, descriptive program literature, and work with the media; works closely with the board for an effective division of labor.
Contracts	<ul style="list-style-type: none"> • Approves contracts. 	<ul style="list-style-type: none"> • Manages contracts.
Student Discipline	<ul style="list-style-type: none"> • Develop and adopt written policies. • Responsible for reviewing policies periodically. 	<ul style="list-style-type: none"> • Responsible for assuring the policies are followed and procedures are in place that match the policy.
Curriculum Development	<ul style="list-style-type: none"> • Education committee has input and makes recommendations to Board and Director, approves the final choices. 	<ul style="list-style-type: none"> • Presents needs to the Board for budgetary inclusion or revision. • Requests approval of curriculum changes.
Special Education	<ul style="list-style-type: none"> • Responsibility to oversee that policies are enforced 	<ul style="list-style-type: none"> • Responsible for assuring the policies are followed and procedures are in place that match the policy. • Responsible for ensuring that adequate programming exists to meet the needs of all students.

Board, Committee and Staff Roles in Financial Oversight

Board's Role	Finance Committee's Role	Charter School Administrator's Role
Approves a budget that reflects the charter school's goals and board policies	Revises budget as needed and makes recommendations.	Prepares the budget and presents it to the Finance Committee or full board with backup information.
Approves the format and frequency of financial and programmatic reports.	Recommends format for financial and programmatic summary reports for board approval.	Makes recommendations for financial and programmatic reports to the board; assures reports include information required by charter contract.
Reviews monthly or quarterly financial statements.	Reviews monthly financial statements with charter school administrator, school business manager, and/or CPA.	Monitors income and expenses on a daily basis. Prepares financial and educational program reports that can be compared to the charter school contract, budget and projected activities.
Ensures adequate financial controls are in place and that financial reports are in accordance with accounting practices and applicable provisions of the charter contract.	Reviews accounting and control policies and makes recommendations for changes and improvements.	Raises policy issues and provides information for standard accounting policy decisions. Carries out policies established by the charter school board.
Reviews the audited financial statements, management letter, and senior staff's response.	Reviews the audited financial statements, management letter, and senior staff's response with administrator and auditor.	Provides information and offers recommendations to Finance Committee. If necessary, responds to the audit firm's management letter.
Approves charter school's investment policies and reviews them annually.	Regularly reviews and makes recommendations about investment policies.	Provides additional information and financial analysis if needed.
Is well-informed about the charter school's finances.	Coordinates board training on financial matters. Acts as liaison between full board and charter school administrator on financial matters.	Provides training and information as requested.

Board Staff Time And Attention Graph

(First appeared in The Trustee Handbook, Seventh Edition, by Mary DeKuyper, published by the National Association of Independent Schools. Reprinted with permission.²)

Policies	Time and Attention Graph
<p>Governance</p> <ul style="list-style-type: none"> • Mission • Strategy • Survival • Leadership 	<p style="text-align: center;">Board's Decisions</p> <p style="text-align: right;">Administrator's Advice</p>
<p>Partnership</p> <ul style="list-style-type: none"> • Authorizations • Finance Policies • Enrollment • Employment Terms 	<p style="text-align: center;">Shared Decisions: Board and Administrator</p>
<p>Operational</p> <ul style="list-style-type: none"> • Staffing • Program • Systems 	<p style="text-align: left;">Board's Advice</p> <p style="text-align: center;">Charter School Administrator's Decisions</p>

Above the diagonal line = allocation of board's time

Below the diagonal line = allocation of administrator's time

² Hundley DeKuyper, Mary, Trustee Handbook: A Guide to Effective Governance for Independent School Boards, National Association of Independent Schools, 1998