



Board of Directors Meeting Agenda

Team:	FBCS Board of Directors	Chairperson:	Kate McAlister
Meeting Date:	Sept. 20, 2022	Start Time:	4:30 PM
Minutes:	BOD Secretary – Jim Zuberbuhler	Location:	FBCS High School
Address:	615 S. Madison Ave, Sandpoint, ID 83864		

Call to Order @ 4:30 PM: BOD Chairperson – *Kate McAlister*

ITEM

Pledge of Allegiance

Kate McAlister

Approval of minutes

Kate McAlister

Public Comment

Kate McAlister

Financials

- Action Item: Approval Financial Reports
- Action Item: Approval of Audit Findings

Greta Warren
Kevin Smith, Hayden&Ross

Open Business

- Action Item: Federal ESSER Funds Monitoring Results Approval
- Action Item: Angela Harden Hire
- Action Item: Increasing personal days to 3 per 1.0FTE
- Informational: Curriculum Review Committee
- Action item: Music Club
- Informational: Adding new Board Members, review of Bylaws, review of State Statute and number of board members
- Action Item: New Board Members and Board Rotations

Mary J. Jensen
Mary J. Jensen
Mary J. Jensen
Mary J. Jensen
Mary J. Jensen
Mary J. Jensen

Kate McAlister

Adjourn @ :00 PM: BOD Chairperson

Kate McAlister

Next Meeting Date and Time:



Forrest M. Bird Charter Schools

Board Meeting
 Forrest M. Bird Charter High School
 615 S. Madison,
 Sandpoint, ID 83864
 Date: June 21, 2022

	Board Meeting Minutes
Minutes taken by	Jim Zuberbuhler
Board members Present	Stacey Mueller, Jacob Iverson, Jim Zuberbuhler
Excused Board Members	Kate McAlister
Staff present	Mary Jensen, Jennifer Greve, Greta Warren
Guests	Shawn Burns, Bonnie Jakubus
Call to Order	Meeting Called to Order at 4:35pm; Quorum established
Minutes	<p>Action Item: Approval of May 24, 2022 Board meeting minutes</p> <ul style="list-style-type: none"> ✓ Motioned – Jim Zuberbuhler ✓ 2nd – Jacob Iverson <p>Approved Unanimously</p>

Executive Session	<ul style="list-style-type: none"> • No Executive Session
Public Comment	<ul style="list-style-type: none"> • No public comment

Open Business	<p>Action item: <i>Bonnie Jakubos and Shawn Burns Board Applicants</i> Approval</p> <ul style="list-style-type: none"> ✓ Motioned – Jacob Iverson ✓ 2nd – Jim Zuberbuhler <p>Approved Unanimously</p> <p>Action item: <i>Alternate Authorization Approval: Dereck May</i> Approval</p> <ul style="list-style-type: none"> ✓ Motioned – Jacob Iverson ✓ 2nd – Jim Zuberbuhler <p>Approved Unanimously</p> <p>Action item: <i>Hire of Derek May</i> Approval</p> <ul style="list-style-type: none"> ✓ Motioned – Jim Zuberbuhler ✓ 2nd – Jacob Iverson <p>Approved Unanimously</p>
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Action item: Hire of Morgan Blummer

Approval

- ✓ Motioned – Jacob Iverson
- ✓ 2nd – Jim Zuberbuhler

Approved Unanimously

Action item: Approval of 2022-22 Middle school and high school student handbooks

Approval

- ✓ Motioned – Jacob Iverson
- ✓ 2nd – Jim Zuberbuhler

Approved Unanimously

Action item: Resignation of Stacey Mueller from the FBCS Board of Directors

Approval

- ✓ Motioned – Jim Zuberbuhler
- ✓ 2nd – Jacob Iverson

Approved Unanimously

Action item: Election of Board Officers for 2022-23 School Year with Oath of Office

Approval:

Kate McAlister – President; Jacob Iverson – Treasurer; Jim Zuberbuhler - Secretary

- ✓ Motioned – Jim Zuberbuhler
- ✓ 2nd – Jacob Iverson

Approved Unanimously

Action item: Selection of Board Meeting dates for the 2022-23 School Year

Approval

Sept. 20, 2022
October 18, 2022
November 15, 2022
January 31, 2023
February 21, 2023
March 21, 2023
April 18, 2023
May 16, 2023
June 20, 2023

- ✓ Motioned – Jacob Iverson
- ✓ 2nd – Jim Zuberbuhler

Approved Unanimously

Financials

Action item: Approval of Financial Reports

Approval

- ✓ Motioned – Jim Zuberbuhler

	<p>✓ 2nd – Jacob Iverson Approved Unanimously</p> <p><i>Action item: Approval of 2022-23 FBCS Budget</i> Approval</p> <p>✓ Motioned – Jacob Iverson ✓ 2nd – Jim Zuberbuhler Approved Unanimously</p>
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Adjournment	<p>Meeting adjourned at 6:35</p> <p>✓ Motion to adjourn – Jacob Iverson ✓ 2nd – Jim Zuberbuhler Approved Unanimously</p>
Next Board Meeting	<ul style="list-style-type: none"> • September 20, 2023

Respectfully Submitted: Jim Zuberbuhler

Date: June 28, 2022

Signed: _____
Board Chair, date

Signed: _____
Board Secretary, date



2022-2023 ESSER Monitoring Tool

Contractors

LEA Name and Number: _____ Sandpoint Charter School, Inc. 487 _____
Date of Program Review: _____ August 25, 2022 _____
LEA Superintendent/Administrator: _____ Mary Jensen _____
Federal Programs Director: _____ Mary Jensen _____
Business Manager: _____ Greta Warren _____
ISDE Team: _____ Katie Watkins and Lisa English _____

Note: The LEA is responsible for operating its categorical programs in compliance with all applicable laws and regulations. The monitoring process cannot produce an all-inclusive assessment of items in this instrument. LEA is to submit self-assessment for years not submitting documentation.

STAKEHOLDER ENGAGEMENT (SE)

SAFE RETURN PLAN

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>ARP ESSER III ESSER III: 2001(i)(1-3)</p> <p>IN GENERAL.—A local educational agency receiving funds under this section shall develop and make publicly available on the local educational agency's website, no later than 30 days after receiving the allocation of funds described in paragraph (d)(1), a plan for the safe return to in-person instruction and continuity of services</p> <p>COMMENT PERIOD.—Before making the plan described in paragraph (1) publicly available, the local educational agency shall seek public comment on the plan and take such comments into account in the development of the plan.</p> <p>LEA must seek public input on whether to revise its plan and on</p>	<p>Demonstration of Compliance:</p> <p><input type="checkbox"/> The LEA has posted its Safe Return to In-Person Instruction and Continuity of Services plan on the LEA's website and will review and update the plan in an ongoing manner (no less than every 6 months) for the life of the grant.</p> <p><input type="checkbox"/> The LEA's plan describes how it will maintain the health and safety of students, educators, and other school and LEA staff, including social, emotional, mental health and other needs. This may include student health and food services.</p> <p><input type="checkbox"/> The LEA plan describes any policies pertaining to each of the CDC's safety recommendations including: Universal and correct wearing of masks; modifying facilities to allow for physical distancing (e.g., use of cohorts/podding); handwashing and respiratory etiquette; cleaning and maintaining healthy facilities, including improving ventilation; contact tracing in combination with isolation and quarantine, in collaboration with the State, local, territorial, or Tribal health departments; diagnostic and screening testing; efforts to provide vaccinations to school communities; appropriate accommodations for children with disabilities with respect to health and safety policies; and coordination with State and local health officials.</p> <p><input type="checkbox"/> The LEA held a public comment period in accordance with local practices on the plan's development prior to making it publicly available.</p> <p><input type="checkbox"/> The LEA will review the plan at least every six months and update if needed, taking into consideration input from stakeholders and the public about whether the plan needs revision, and if so, in what manner. Any revisions must also take into consideration current CDC or local health departments recommendations.</p>	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>		<p>Finding:</p> <p>Action Needed:</p>

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>ARP ESSER III ESSER III: 2001(I)(1-3)</p> <p>any revisions to its plan no less frequently than every six months (taking into consideration the timing of significant changes to CDC guidance on reopening schools).</p>	<p><input type="checkbox"/> The plan, and any updates or revisions to it, meets American Disabilities Act (ADA) accessibility requirements or the LEA has responded to any requests for translations or making materials available in an accessible manner (e.g., oral for visually impaired individuals).</p> <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Published Safe Return to In-Person Instruction and Continuity of Services plan (Look at LEA website). ▪ Evidence of public comment period: record of comments received, agenda/minutes from meeting, or other evidence considered appropriate by LEA (Look at LEA website). ▪ Corresponding evidence showing how LEA incorporated public input into the plan: feedback on comments, meeting notes showing discussion, list of revisions based on comments, narrative explaining how input was used, pre- and post- drafts of plan on website. Communications shared with families and school community about reviewing or providing input on the plan. ▪ List of dates that the plan was developed, reviewed, or revised (at least every 6 months). Any corresponding documentation to demonstrate revisions (e.g., date stamped updates to the website, notice of public comment, internal memos about the revisions to the plan). ▪ Translated versions of the plan, if applicable. ▪ Board documents which demonstrate opportunity for stakeholder or public input. 	X		

ARP PLAN

Citation ARP ESSER III <u>86.FR.21.195</u>	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>Each LEA that receives ARP ESSER funds must develop, submit to the SEA on a reasonable timeline determined by the SEA, and make publicly available on the LEA's website, a plan for the LEA's use of ARP ESSER funds.</p> <p>Under this requirement, an LEA must engage in meaningful consultation with stakeholders and give the public an opportunity to provide input in the development of its plan. Specifically, an LEA must engage in meaningful consultation with students; families; school and district administrators (including special education administrators); and teachers, principals, school leaders, other</p>	<p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> The LEA plan was developed in consultation with key stakeholders and the public who had an opportunity to provide meaningful input, including the following: students, families, school and district administrators (including special education administrators), teachers, principals, school leaders, other educators, school staff, and their unions. <input type="checkbox"/> In addition, the LEA provided an opportunity for the following stakeholders to provide input, to the extent present or served by the LEA: Tribes, civil rights organizations (including disability rights organizations), stakeholders representing the interests of children with disabilities, English learners, children experiencing homelessness, children in foster care, migratory students, children who are incarcerated, and other underserved students. <input type="checkbox"/> The LEA plan is posted on the LEA website for the life of the grant. <input type="checkbox"/> The plan is available in a language that parents can understand and meets Americans with Disabilities Act (ADA) accessibility requirements or the LEA has responded to any requests for translations or making materials available in an accessible manner (e.g., oral for visually impaired individuals). <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ The LEA plan submitted in the ARP ESSER III. (make sure it is on website, link provided, 	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>Findings: Action Needed:</p>	

Citation	Supporting Documents and Resources	Findings, Actions Needed, Recommendations, Comments
ARP ESSER III <u>86 FR 21195</u> educators, school staff, and their unions.	translations, etc.) <ul style="list-style-type: none"> ▪ Link to the website where the LEA's plan is posted. ▪ Translations of the LEA plan, if applicable. 	Y N

EQUITABLE SERVICES- CONSULTATION

Citation	Supporting Documents and Resources	Findings, Actions Needed, Recommendations, Comments
ESSER I/CARES ACT ESSER I 18005(a) ESSER I: SEC. 18005 (a) IN GENERAL.— A local educational agency receiving funds under sections 18002 or 18003 of this title shall provide equitable services in the same manner as provided under section 1117 of the ESEA of 1965 to students and teachers in non-public schools, as determined in consultation with representatives of non-public schools.	Demonstration of Compliance <ul style="list-style-type: none"> <input type="checkbox"/> List of Private Schools in District. <input type="checkbox"/> Documentation of the calculation formula of ESSER Funding to the private school. <input type="checkbox"/> Copy of completed <u>Intent to Participate and Consultation Form</u> from each private school within district boundaries; signed by private school officials and submitted to the State Department of Education. <input type="checkbox"/> Explanation of the equitable services provided to the private schools using the CARES Act funding. <input type="checkbox"/> LEA will provide statement if equitable services do not apply to LEA. Examples of Evidence <ul style="list-style-type: none"> ▪ Non-Public School Consultation Forms are submitted as a part of the LEA's application for funds. SDE will be able to verify demonstration of compliance on this indicator. However, in some instances, it might be necessary for SDE to collect 	Y N Does not apply to LEA Finding: Action Needed:

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
ESSER I/CARES ACT ESSER I 18005(a)	<p>additional evidence from the LEA. For example: Evidence of communication to non-public schools to participate in the consultation process for equitable services.</p> <ul style="list-style-type: none"> ▪ For all eligible non-public schools, provide consultation forms, if not previously submitted as part of the application for funds. The consultation forms should: <ul style="list-style-type: none"> ▪ include signatures from representatives of both the district and the non-public school(s); document the decision regarding participation of the non-public school(s); for non-public schools that were non-responsive, include documentation of multiple contact attempts when consultation did not occur. ▪ Documentation of data used to calculate the proportionate share in the Consolidated Application platform or ESSER I Application platform. ▪ The budget reflects the proportionate share using the Non-Public School Set Aside Funding Source. ▪ A description of how the needs of the non-public schools discussed during the consultation process were used to distribute funds amongst participating non-public schools; for example: per-pupil amount, needs-based, specific requests from non-public schools. 			

IDENTIFICATION AND DELIVERY OF SERVICES (IDS)

20% SET-ASIDE

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>ARP: ESSER III ESSER III 2001.e.1</p> <p>The LEA shall reserve no less than 20 percent of such funds to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students' academic, social, and emotional needs and address the disproportionate impact of the coronavirus on the student subgroups described in section 1111(b)(2)(B)(xi) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(B)(xi)), students experiencing homelessness, and children and youth in foster care.</p> <p>The ARP Act defines the term "evidence-based" as having the meaning in section 8101(21) of the ESEA.</p>	<p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> The LEA has used funds to address the academic, social, emotional, and mental health needs of students. <input type="checkbox"/> The LEA has a process for identifying and ensuring the academic, social, emotional, and mental health needs of students, including students from low-income families, students of color, English learners, children with disabilities, students experiencing homelessness, children and youth in foster care, and migratory students. <input type="checkbox"/> The LEA has a plan for students who have missed the most in-person instruction during the 2019-2020 and 2020-2021 school years, students who did not consistently participate in remote instruction when offered during school building closures, and students most at-risk of dropping out of school. <input type="checkbox"/> Activities implemented by the LEA to address learning loss meet the criteria for being evidence-based interventions based on ESEA Section 8101(21)(A) and <u>USDE guidance</u>. <input type="checkbox"/> The LEA has implemented any evidence-based interventions to all students such as: summer learning, summer enrichment, extended instructional time (day, week, year), comprehensive after school programs, high dosage tutoring, childhood expansion or enhancement, full service community schools, educational technology, other evidence-based interventions aimed at learning loss. Upload documents to show how these interventions were offered (flyers, website, social media, etc.) 	X	X	<p>Finding: Action Needed:</p>

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
ARP ESSER III ESSER III 2001.e.1	Supporting Documents and Resources Examples of Evidence <ul style="list-style-type: none"> ▪ Complete narrative response provided in the ARP-ESSER III plan explaining how funds were used to respond to learning loss using specific examples and descriptions. ▪ Expenditure detail reports that demonstrate the use of funds for allowable activities described in the ARP ESSER III plan such as: summer learning, extended instructional time, educational technology, other evidence-based interventions aimed at learning loss. ▪ Was evidence-based intervention offered to all students? Yes or No—if no, who was it available to? 	Y	N	

USE OF FUNDS

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
ESSER I/CARES ESSER II/GRRSA ARP ESSER III ESSER I 18003(d)(1-12) ESSER II 313(d)(1-15) ESSER III 2001(e)(1), 2001(e)(2)(A-I)	Supporting Documents and Resources	Y	N	Finding: Action Needed:

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>ESSE I/CARES</p> <p>ESSE II/CRRSA</p> <p>ARP ESSE III</p> <p>ESSE I 18003(d)(1-12)</p> <p>ESSE II 313(d)(1-15)</p> <p>ESSE III 2001(e)(1), 2001(e)(2)(A-J)</p> <p>All activities and expenditures align with those described in the approved ESSE I application and are in compliance with CARES Act Sec. 18003(d)(1-12).</p> <p>ESSE II:</p> <p>All activities and expenditures align with those described in the approved ESSE II application and are in compliance with CRSAA Sec. 313(d)(1-15).</p> <p>ARP ESSE III:</p> <p>All activities and expenditures align with those described in the approved ARP-ESSE III application and are in compliance with ARP Act Sec. 2001(e)(1) and 2001(e)(2)(A-J).</p> <p>All ESSE-funded activities must also be reasonable and allocable (necessary to respond to,</p>	<p>Supporting Documents and Resources</p> <p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Funded activities must be reasonable, align with fair market values, considers geographical areas, and be cost effective. <input type="checkbox"/> Any equipment or real property must comply with UGG requirements and local procurement policies and/or purchasing guidelines on equipment or real property management. <input type="checkbox"/> Activities must be allocable, meaning that funded activities or items were made necessary as a result of the COVID-19 pandemic and were necessary in order for the LEA to respond to, prepare for, or prevent the spread of COVID-19. <input type="checkbox"/> ESSE-funded activities were obligated within the performance period (on or after March 13, 2020) and prior to September 30, 2022 for ESSE I, prior to September 30, 2023 for ESSE II, and prior to September 30, 2024 for ARP- ESSE III. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Expenditure detail reports which demonstrate the use of funds for allowable activities described in the application for funds submitted to and approved by the SDE. <p>Prior to submitting additional evidence, please wait for SDE to identify the line items selected for monitoring based on the expenditure detail report.</p> <ul style="list-style-type: none"> ▪ For reasonableness, documentation of any process used for researching or identifying a vendor, provider, or supplier that provides fair market value or cost-effective supplies, materials, or other purchased items, including any bids, requests for purchases, or procurements. For larger items that exceed the LEA's procurement thresholds, evidence can also include requests for proposals or other bidding processes used by the LEA. 	<p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>N</p>	

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
ESSER I/CARES ESSER II/CRRSA ARP/ESSER III ESSER I 18003(d)(1-12) ESSER II 313(d)(1-15) ESSER III 2001(e)(1), 2001(e)(2)(A-I)	<p>prepare for, or prevent the spread of COVID- 19).</p> <p>Supporting Documents and Resources</p> <ul style="list-style-type: none"> ▪ If funds were used to purchase equipment, supplies, and/or materials: submit invoices and/or inventory of equipment. ▪ If funds were used to provide professional development: submit PD content such as agendas and materials, conference registration etc. 	Y	N	

GEPA

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
The LEA will meet the requirements of section 442 and section 427 of the General Education Provisions Act (GEPA, 20 U.S.C. 1232(e) & 1228(a)).	<p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Documentation that the district is implementing the steps outlined in the GEPA statement to ensure equitable access to, and participation in, its federally-assisted programs for students, teachers, and other program recipients with special needs and that each program has been administered in accordance with applicable statutes and regulations. <input type="checkbox"/> GEPA statement(s) outlining the steps the LEA will take to overcome any barriers to ensure teachers and students have equitable access to programs and opportunities provided with federal grant funds. 	X	X	Finding: Action Needed:

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
	<p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Information from a comprehensive needs assessment process that was used to develop a GEPA response describing the steps the LEA has taken to overcome any barriers that impede equal access or participation in federally funded activities. ▪ Narrative explaining how, when and by whom the steps are being implemented. ▪ Additional documentation could include: An employee handbook/"how to" manual for implementing the steps outlined in the GEPA statement; Job description of the individual(s) responsible for implementation of the action steps outlined in the GEPA statement; Meeting agenda/notes regarding the implementation of action steps outlined in the GEPA statement. 2021-2022 CFSGA GEPA Statement Presentation (idaho.gov) 	Y	N	

FISCAL REQUIREMENTS (FR)

EQUITABLE SERVICES-FUNDS

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
ESSER I ESSER I 18003(d)(1-12)	Supporting Documents and Resources	Y	N	Finding: Action Needed:
ESSER I: All activities and expenditures align with those described in	Demonstration of Compliance	Does not apply		

Citation	Supporting Documents and Resources	Findings, Actions Needed, Recommendations, Comments
ESSER I ESSER I 18003(d)(1-12) the approved ESSER I application according to CARES Act Sec. 18003(d)(1- 12).	<p style="text-align: center;">Supporting Documents and Resources</p> <ul style="list-style-type: none"> <input type="checkbox"/> Control of funds: Evidence the LEA maintains control of funds related to services, materials, and equipment expenditures on behalf of private school students and teacher. <input type="checkbox"/> LEA inventory for each private school which includes all items purchased for use by the private school and the location of the items. <input type="checkbox"/> Evidence of communication with private schools regarding the return or use of equipment after the grant period ends. <input type="checkbox"/> LEA provide a statement if equitable services does not apply to LEA. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Expenditure report line item detail, action plan, budget, or other planning documents that demonstrate the use of funds for non-public school purchases. ▪ As applicable: Invoices for books or supplies/materials purchased; Scope of work, contract, subcontractor/vendor agreements for providing equitable services; inventory list of technology and/or equipment; Documentation of non-public school staff attending professional development opportunities that were part of the planned equitable services in the application for funds (as applicable); Professional development material (agendas, PowerPoint, booklets) to demonstrate that the content was secular, neutral, and non- ideological; Documentation (abstracts, summaries, overviews) that the content of instructional materials purchased is secular, neutral, and non- ideological. 	Y N to LEA

PROPERTY AND EQUIPMENT-INVENTORY

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>The LEA utilizes an inventory and tracking system for supplies and equipment purchased with Federal funds that aligns with written policy and/or procedures and meets the following requirements to safeguard all assets. This would include the allowance of technology items to be checked out/loaned to students and staff.</p>	<p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Documented physical inventory reports and status (same as ESEA). <input type="checkbox"/> LEA's written inventory procedures must include the following: process performed when inventory is received; process describing what type of property is tagged and what position/office performs the tagging; process to adjust the inventory records in the event the property is sold, lost, or stolen, or cannot be repaired. <input type="checkbox"/> Inventory Records should include at a minimum: Serial number or other identification number; Source of funding for the property, including FAIN# (Federal Award Identification Number); and CFDA#, Title owner/holder; Acquisition date; Acquisition cost; Percentage of cost related to Federal participation for the program under which the property was acquired (when not fully funded with federal funds); Location of equipment; Any ultimate disposition data including the date of disposal and sale price of the property, federal release of title/approval to dispose. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Written procedures; Current inventory list; Check out procedures, to include current disposition and location of items, as Inventory Records Requirements in Property and Equipment section. ▪ https://sde.idaho.gov/federal-programs/program-monitoring/ (under the files tab) 	<p>X</p> <p>X</p> <p>X</p>		<p>Finding:</p> <p>Action Needed:</p>

FINANCIAL MANAGEMENT SYSTEM

Citation	Supporting Documents and Resources	Findings, Actions Needed, Recommendations, Comments
<p>[2 C.F.R. §200.302(b)(1-7); EDGAR 34 C.F.R. 76.702], Title I Part A</p> <p>Assurances: 8306(a)(2)(A-B)</p> <p>LEAs must expend and account for Federal funds in accordance with Federal and State laws and procedures for expending and accounting for these funds. LEA's accounting systems must satisfy Federal and State requirements regarding the ability to track the use of funds and permit the disclosure of financial results. LEAs must follow written procedures for determining cost allowability and must have effective control over all funds.</p>	<p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Awards are received and expended under the programs for which they were received. <input type="checkbox"/> ESSER funds need to be tracked separately using separate funding codes. <input type="checkbox"/> Accurate, current, and complete disclosure of the financial results of each award. <input type="checkbox"/> Written procedures to implement payments. <input type="checkbox"/> Written procedures to determine allowability of costs. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Generate report of budget to actual amounts (interim financial report generated from proprietary accounting system, general ledger). <p>LEA revenue and expenditure detail report. [Policy/procedure representing the requirement for federal funds being managed independently of all other funds.]</p>	<p>Y N</p> <p>X X X X X</p> <p>Finding: Action Needed:</p>

TIME AND EFFORT

Citation	Supporting Documents and Resources	Findings, Actions Needed, Recommendations, Comments
<p>2 C.F.R. 200.430(8)(i)</p> <p>The LEA maintains proper time and effort documentation that accounts for 100% of the effort of any employee that is paid in whole or in part with Federal funds.</p> <p>Personnel activity reports (PAR): If an employee works on multiple activities or cost objectives, a distribution of the employee's salary and wages must be supported by a personnel activity report or equivalent documentation</p>	<p>Supporting Documents and Resources</p> <p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Semi-annual certification (single cost objective 100%). <input type="checkbox"/> Personnel Activity Reports (PARs) (multiple cost objectives). <input type="checkbox"/> Personnel Activity Reports (PARs) for any staff paid with ESSER funds. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Written procedures for documenting time and effort to include approval and allocations of labor expenditures which tie to PAR/Semi-annual certification; financial payroll reporting; and general ledger reporting, and are in support of the program objectives. <u>Written-Time-and-Effort-Procedures-Example.docx (live.com)</u> ▪ Examples of Time and Effort sheet relating to those paid with ESSER funds. 	<p>Y N</p> <p>X X X</p> <p>Finding: Action Needed:</p>

WRITTEN POLICIES

Citation	Supporting Documents and Resources	Findings, Actions Needed, Recommendations, Comments
<p>Written policies and procedures exist for the following items in accordance with UGG.</p> <p>1) Financial Management System (2 C.F.R. §200.302(b)(1-4), 34.75.730)</p> <p>2) Cash Management System (2 C.F.R. §200.302(6))</p>	<p>Supporting Documents and Resources</p> <p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Policies, procedures and/or desk level procedures exist for each of the required items. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Policies that meet all requirements relating to: <ul style="list-style-type: none"> 1) Financial Management System (levels of approval, handbook, grant approval process, internal procedures, evidence federal funds are tracked separately from other funds, board policies, budget to actual reporting, separation of duties). 	<p>Y N</p> <p>X</p> <p>Finding: Action Needed:</p>

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
3) Procurement (2 C.F.R. §200.318(a)) 4) Travel (2 C.F.R. §200.475) 5) Personally Identified Information (2 C.F.R. §200.338, 34.75.740) 6) Records Retention (2 C.F.R. §200.334)	Supporting Documents and Resources 2) Cash Management System (policy/procedure to ensure CMA is adhered to, district does not draw down funds in advance of expenditure for federal funds). 3) Procurement (proper levels of approval for purchase cost levels, separation of duties, proper and complete documentation). 4) Travel (proper levels of approval, reasonable and necessary, when are costs are actually obligated and process for determination). 5) Personally Identified Information - policy/procedure for safeguarding. 6) Records Retention (where stored, how, and what process is followed for destruction).	Y	N	

PROCUREMENT

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
2 C.F.R. 200.318; 2 C.F.R. 200.319 2 C.F.R. 200.320 <i>The non-Federal entity must use its own documented procurement procedures which reflect applicable State and local laws and regulations, provided that the procurement conforms to applicable Federal law and the standards identified in this section.</i> <i>Should the non-federal entity's internal policy and/or procedures be less restrictive than federal procurement regulations, the</i>	Supporting Documents and Resources Demonstration of Compliance <input type="checkbox"/> LEA's written procedures for procurement transactions, including vendor selection process. The procedures shall also describe the method(s) of procurement chosen by the LEA in regards to: <ul style="list-style-type: none"> o micro purchases; o small purchases; o sealed bids; o competitive proposals; o non-competitive (sole source) proposals, detail around conflicts of interest, approval authority, and separation of duties. 	Y	N	Finding: Action Needed:

Citation 2 C.F.R. 200.318; 2 C.F.R. 200.319 2 C.F.R. 200.320 <i>federal regulation should be followed.</i>	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
	<p><u>ESSER-Request-for-Exemption-for-Competitive-Procurement.docx (live.com)</u></p> <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Sample evidence or contracts from a variety of purchases: <ul style="list-style-type: none"> ▪ micro purchases ▪ small purchases ▪ sealed bids ▪ competitive proposals ▪ non-competitive (sole source) proposals ▪ All evidence should include approvals for procurement, rationale pertaining to the type of procurement process used, receipts, receiving documents/packing slips; copies of competitive pricing/bids, copy of payment, cancelled check/pCard. If services or contract, include a copy of contract and invoice for services. ▪ Supporting documentation should support the internal policy/procedures for each type of procurement used. For instance, for small purchases, a simple print out from vendor websites showing price and availability can substantiate the vendor chosen. It is also a good practice to indicate on the receipt what cost objective/budget line item the purchase is supporting. 			

ETHICAL TRANSPARENCY

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>2 C.F.R. 200.214, 2 CFR 180, 2 C.F.R. 200.112, 2 C.F.R. 200.113</p> <p><i>The LEA has procedures to identify and disclose in writing any violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award to the Federal awarding agency or pass-through entity in accordance with policy.</i></p> <p><i>The LEA has procedures to identify and disclose in writing any potential conflict of interest to the Federal awarding agency or pass-through entity in accordance with policy.</i></p> <p><i>The LEA has a procedure to identify and refrain from engaging with certain parties that are debarred, suspended or otherwise ineligible for participation in Federal assistance programs or activities.</i></p>	<p>Supporting Documents and Resources</p> <p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Written procedure/policy to identify fraud or bribery, conflict of interest, and parties that have been debarred or otherwise ineligible from participation in federal assistance programs or activities. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Written policy/procedures identifying LEA process to ensure Ethical Transparency and examples of process, to include disclosure to pass-through of any violation including fraud, waste, abuse, or conflicts of interest. ▪ Documentation in procurement support indicating the review of debarred status for vendors, contractors, and providers. 	X	N	<p>Finding:</p> <p>Action Needed:</p>

INTERNAL CONTROLS

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>2 C.F.R. 200.303</p> <p><i>The LEA must establish and maintain effective internal control over the Federal award that provides reasonable assurance that the non-Federal entity is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award.</i></p> <p><i>LEAs are required to minimize the time elapsing between transfer of funds from U.S. or State Treasury (or pass through) and disbursement, so as not to exceed 3 days. SDE requires that all federal awards be managed on a reimbursement basis.</i></p>	<p>Supporting Documents and Resources</p> <p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> The LEA has internal controls in place that identify: <input type="checkbox"/> Accounting Functions, to include requests for funds reimbursement, general accounting functions (coding expenditures, managing accounts payable, etc.) <input type="checkbox"/> Cash Management/treasury functions to include interest liability <input type="checkbox"/> Process and procedures for the internal accounting system to track obligations, unobligated balances and interest earned, and how these are monitored. <input type="checkbox"/> Policy/procedures for review and approval of all federally funded expenditures, obligations, payroll expenditures, requests for funds and interim and annual reporting. <input type="checkbox"/> Policy/procedures in place for ensuring separation of duties as well as review process for expenditures, time and effort, etc. <input type="checkbox"/> Single audit findings since 2019-2020 concerning or regrading ESSER funds. <p>Examples of Evidence</p> <ul style="list-style-type: none"> <input type="checkbox"/> Written procedures for general ledger and payment systems. <input type="checkbox"/> Interview with financial staff. <input type="checkbox"/> Audit/Single Audit documents. <input type="checkbox"/> Corrective Action for prior year findings on internal control. 	<p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p> <p>X</p>	<p>N</p>	<p>Finding:</p> <p>Action Needed:</p>

INDIRECT COSTS

Citation	Supporting Documents and Resources	Findings, Actions Needed, Recommendations, Comments
<p>2 C.F.R. 200.412</p> <p><i>There is no universal rule for classifying certain costs as either direct or indirect (F&A) under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the Federal award or other final cost objective. Therefore, it is essential that each item of cost incurred for the same purpose be treated consistently in like circumstances either as a direct or an indirect (F&A) cost in order to avoid possible double-charging of Federal awards.</i></p> <p><i>Items of cost which are included in a negotiated Indirect Cost Rate base, cannot also be charged to a federal award as a direct cost, as this would result in 'double dipping'.</i></p>	<p>Supporting Documents and Resources</p> <p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Expenditure detail by job class code and object code. <input type="checkbox"/> Expenses included in general costs, review of calculation of ICR to ensure no administrative costs used to calculate ICR, are also charged as direct costs to award. <input type="checkbox"/> Calculating based on actual expenditures vs. allocation, review of calculation. <input type="checkbox"/> LEA provide a statement if indirect costs does not apply to LEA. <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ General ledger-review of indirect journal entries. ▪ Review of Indirect Cost rate calculation and base costs used. ▪ SDE finance provides calculation worksheet. 	<p>Y</p> <p>Does not apply to LEA</p> <p>Finding: Action Needed:</p>

NEW CONSTRUCTION-RENOVATION

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>ARP ESSER III ESSER III 34 CFR (76.600) (75.600-75.618)2 CFR 200.439(b)</p> <p><i>An LEA using ESSER or GEER funds for remodeling, renovation, and new construction must comply with additional federal requirements. These projects require prior written approval by the SEA. Approved construction projects also must comply with applicable Uniform Guidance requirements, Davis-Bacon prevailing wage requirements, and all of the Department's applicable regulations regarding construction.</i></p>	<p>Supporting Documents and Resources</p> <p>Demonstration of Compliance</p> <ul style="list-style-type: none"> <input type="checkbox"/> Prior written approval was obtained before the completion of the construction from SDE. <input type="checkbox"/> All remodeling, renovation, repairs, and new construction costing more than \$2,000 comply with the Davis-Bacon Prevailing Wage Requirements. Specifically, all contractors and subcontractors were paid prevailing wages in the LEA's area. Do you have weekly pay statements? <u>Davis-Bacon and Related Acts U.S. Department of Labor (dol.gov)</u> <input type="checkbox"/> Proper title and interest are secured by the LEA for a period of the useful life of the building or 50 years. <input type="checkbox"/> The LEA has ensured that the building is in compliance with all federal, state and local health and safety regulations. <input type="checkbox"/> The construction and/or remodel complies with the regulations of the Americans with Disabilities Act. <input type="checkbox"/> The LEA has sufficient funds or a plan to obtain the funds to continue to run and upkeep the building. <input type="checkbox"/> There is proper insurance on all real property and that all disposal meets the Federal guidelines. 	Y	N	<p>Finding:</p> <p>Action Needed:</p> <p>Does not apply to LEA</p>

Citation	Supporting Documents and Resources	Y	N	Findings, Actions Needed, Recommendations, Comments
<p>ARP ESSER III ESSER III 34 CFR (76.600) (75.600-75.618)2 CFR 200.439(b)</p>	<p>Supporting Documents and Resources</p> <p><input type="checkbox"/> All capital expenditures must also meet local procurement policies.</p> <p>Examples of Evidence</p> <ul style="list-style-type: none"> ▪ Copies of consultation with governmental agencies, architecture plans with building permits. ▪ Copies of weekly pay statements. ▪ Copies of Title or rental and insurance paperwork. ▪ Plans for Maintenance of Operations. ▪ Relevant RFP (request for proposal) and or solicitation documents. ▪ Copies of relevant contracts showing wage agreements. ▪ Prior Written Approval paperwork (emails, other grants with approval, approved application). ▪ Copies of input from engineers, architects, or other professionals specifying compliance with requirements listed. ▪ Written statements from contractors and accompanying documentation to demonstrate prevailing wages have been researched and compiled with when paying contractors and subcontractors (e.g., payment ledgers of wages paid and a copy of the prevailing wage scale for the area). ▪ Copy of local procurement policies and documentation showing compliance. ▪ Description of the LEA's process for ensuring compliance with statutory and regulatory requirements of using ESSER funds for construction purposes. <p>Any local written policies or protocol documents that summarize the LEA's process for ensuring compliance with statutory and regulatory requirements of using ESSER funds for construction purposes.</p>	Y	N	

SDE OVERALL COMMENTS:

Dear Mary Jensen,

Thank you for assisting the Idaho State Department of Education (SDE) in the ESSER Monitoring process for Sandpoint Charter School, Inc. This visit was conducted on August 25, 2022.

The Final Report reflects information gathered from a review of program documentation. Recommendations and findings are included in the report. Technical Assistance, such as contact information for a resource or a link to a sample, is offered where there are findings. Although the LEA is not required to formally respond to the recommendations, it is important to consider them.

Please respond, in writing, to the Findings and send the LEA's Response Report to Katie Watkins, [Pandemic Relief Funds Monitoring Coordinator](mailto:kwatkins@sde.idaho.gov), by September 26, 2022. For the LEA Response Report, identify each finding and include specific documentation to satisfy the finding OR submit a Corrective Action Plan that includes 1) reference to the finding; 2) a specific measurable objective for satisfying the finding; 3) timeline(s); and 4) clear lines of responsibility. Please do not hesitate to contact any of the program coordinators (see below) with questions as the LEA's Response Report is prepared.

If the LEA has comments about the monitoring process, the LEA is encouraged to contact, Federal Programs Interim Director, Kathy Gauby, at kgauby@sde.idaho.gov or at 208.332.6889.

Thank you for the cooperation and assistance your LEA provided the reviewers during the program monitoring. It is in this spirit of support that SDE submits this Final Report. It is our sincere desire that through cooperative assessment of the federal programs, the quality of services to academically at-risk students are strengthened.

Sincerely,

Katie Watkins

Cc: Kathy Gauby

SDE Federal Programs monitoring team:

Pandemic Relief Funds Monitoring Coordinator - Katie Watkins: 208.332.6959 or kwatkins@sde.idaho.gov

Pandemic Relief Funds Coordinator - Lisa English: 208.332.6911 or lenglish@sde.idaho.gov

Pandemic Relief Funds Data Coordinator - Aaron Kennedy: 208.332.6847 or akennedy@sde.idaho.gov

Federal Programs Financial Specialist Principal – Julissa Lara: 208.332.6900 or jlura@sde.idaho.gov

Federal Programs Interim Director —Kathy Gauby: 208-332-6889 or kgauby@sde.idaho.gov

Katie Watkins

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**Forrest M. Bird Charter School
Board Bylaws**

Bylaws for the regulation, except as otherwise provided by the statute of its' Articles of Incorporation, of Sandpoint Charter School Inc., an Idaho Nonprofit Corporation.

I. Membership

The corporation has no members. The rights which would otherwise vest in the members vest in the directors of the corporation (hereinafter "Board") of Sandpoint Charter School Inc. Actions which would otherwise require approval by a majority of all members or approval by the members require only approval of a majority of the Board.

II. Board of Directors

A. Powers

The Board shall conduct or direct the affairs of the corporation and exercise its powers, in accordance with and subject to the limitations of the Chapter 52, Title 33 Idaho Code, and Idaho Non-profit Corporation Act 30-3-1 *et seq.* The Board shall concern itself primarily with broad questions of policy rather than with administrative detail. The Board may delegate the management of the activities of the corporation to others, so long as the affairs of the corporation are managed, and its powers are exercised, under the Board's ultimate jurisdiction. Without limiting the generality of the powers here granted to the Board, but subject to the same limitations, the Board shall have all the powers enumerated in these Bylaws, and the following specific powers:

1. Enacting policy;
2. To elect and remove Board of Director members;
3. Adopting courses of study and providing instructional aides;
4. Employing all staff members and fixing and prescribing their duties;
5. Approving the budget financial reports, audits, major expenditures, payment of obligations, and policies whereby the administration may formulate procedures, regulations, and other guides for the orderly accomplishment of business;
6. Estimating and seeking to provide funds for the operation, support, maintenance, improvement and extension of the school system;
7. Providing for the planning, expansion, improvement, financing, construction, maintenance, use, and disposition of physical plants of the school system;

8. Prescribing the minimum standards needed for the efficient operation and improvements of the school system;
 9. Evaluating the educational program to determine the effectiveness with which the schools are achieving the educational purpose of FBCS;
 10. Requiring the establishment and maintenance of records, accounts, archives, management methods, and procedures considered essential to the efficient conduct of school business;
 11. Providing for the dissemination of information relating the FBCS necessary for creating a well-informed public
- B. Qualifications, Terms, and Duties of Board Officers
The Board officers include the Chair, Vice Chair, Treasurer, and Secretary. These officers are elected at the annual organizational meeting. Each officer has the authority and shall perform the duties set forth in these Bylaws, to the extent consistent with the Bylaws, the duties and authority prescribed in a resolution of the Board or by direction of an officer with authority by the Board to prescribe the duties and authority of other officers.
- C. Number of Board Members
The number of members of the corporation shall be not less than 3 nor more than 11. The Board shall fix the exact number of members, within these limits, by Board resolution or amendment of the Bylaws.
- D. Election of the Board Members
1. The Board shall elect the members by the vote of a majority of current members, whether or not the number of members in office is sufficient to constitute a quorum, or by the sole remaining member.
 2. The Board may elect any person who in its discretion it believes will serve the interests of the corporation faithfully and effectively.
 3. The Term of Office of all members of the Board of Directors shall be one year. The Board shall provide for staggered three year terms of its members.
 4. No member may serve for more than five (5) consecutive years.
 5. The term of office of a member elected to fill a vacancy in these bylaws begins on the date of the member's election and continues:
 - a. For the balance of the un-expired term in the case of a vacancy created because of the resignation, removal or death of a member
 - b. For the term specified by the Board in the case of a vacancy resulting from the increase of the number of members authorized
 - c. A member's term of office shall not be shortened by any reduction in the number of members resulting from amendment of the Articles of Incorporation or the Bylaws or other Board action

- d. A member's term of office shall not be extended beyond that for which the members was elected by amendment of the Articles of Incorporation or the Bylaws or other Board action.
- 6. The Board shall elect members whose terms begin on July 1 of a given year at the Annual Meeting for that year, or at a Regular Meeting designated for that purpose, or at a Special Meeting called for that purpose.
- E. Oath of Office: An oath of office is required to be administered to each Director, whether designated, elected, re-elected, or appointed. The Director is required to take his or her oath within ten days after the Director has notice of his or her election or appointment or within fifteen days from the commencement of his or her term of office. Before any Director, elected or appointed, enters upon the duties of his or her office, he or she must take the following oath:

I do solemnly swear (or affirm,) that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and that I will faithfully discharge the duties of Director of the Forrest M. Bird Charter School according to the best of my ability.

The oath is required to be administered by the clerk or a Director. Additionally, the records of the Charter School are required to show that such oath of office has been taken and by whom the oath was administered. Finally, this information is required to be filed with the official records of the Charter School.

A Director who is elected by the Board holds office until the term of office expires, unless he or she:

1. Dies;
2. Resigns as Director;
3. Refuses to serve as Director;
4. Fails to attend _____ regular meetings of the Board without an acceptable excuse and is removed by a majority vote of Board of Directors;
5. Is removed without cause by the vote of two-thirds of the Directors then in office or such greater number as set forth in the Articles or Bylaws; or
6. Has been convicted of any felony or of any public offense involving the violation of his or her oath of office.

If the Director is designated or appointed, he or she holds office from the time he or she takes the oath of office until the original term of office to which he or she was designated or appointed expires, unless he or she:

1. Dies;
2. Resigns as Director;
3. Refuses to serve as Director;

4. Is removed according to an amendment to these Bylaws, if he or she was a designated Director;
5. Is removed by the person appointing the Director, if he or she was an appointed Director, unless otherwise provided in these Bylaws; or
6. Has been convicted of any felony or of any public offense involving the violation of his or her oath of office.

F. Removal of Board Members

The Board may remove a member without cause as provided by the Idaho Nonprofit Corporation Act. The Board may also remove any member without cause who:

1. Has failed to attend two or more of the Board's Regular Meetings without notice in any calendar year
2. Has been convicted of any felony or of any public offense involving the violation of his or her oath of office.

G. Resignation

A board member may resign by giving written notice to the Board Chair or Secretary. The resignation is effective on the giving of notice, or at any later date specified in the notice. The Board shall accept the resignation at any duly convened regular or special meeting and proceed to fill the vacancy as provided by these Bylaws. A member may not resign without first giving notice to the ID Attorney General if the member's resignation would leave the corporation without a duly elected board member in charge of its affairs.

H. Vacancies

A vacancy shall be declared by the Board of Directors within 30 days of when any of the following occurs: A Director:

1. Dies;
2. Resigns;
3. Is removed
4. Refuses to serve as Director; or
5. Completes his or her term of service.

A Director position shall also be vacant if the authorized number of Directors is increased.

A vacancy on the Board shall be filled in accordance with the Articles or Bylaws. The Board of Directors may fill the vacancy except as otherwise provided below. If the Directors remaining in office constitute fewer than a quorum of the Board, they may fill the vacancy by an affirmative vote of a majority of the remaining Directors.

Unless the Articles and Bylaws provide otherwise, if a vacant office was held by an appointed Director, only the person who appointed the Director may fill the vacancy.

If the vacant office was held by a designated Director, the vacancy shall be filled as provided in the Articles or Bylaws. In the absence of an applicable Article or Bylaw, the vacancy may be filled by the Board.

A vacancy that will occur at a specific later date, by reason of a resignation or otherwise, may be filled before the vacancy occurs but the new Director may not take his office until the vacancy occurs.

I. Compensation of Board Members

Board members shall serve without compensation. However, the Board may approve reimbursement of a member's actual and necessary expenses while conducting corporation business.

III. Principle Office

The corporation's principle office shall be at the Forrest M. Bird Charter School or at such other place as the Board may select by resolution or amendment of the Bylaws. The Secretary shall note any change in principle office on the copy of the Bylaws maintained by the Secretary.

IV. Meetings of the Board

A. Place of Meetings: Board meetings shall be held at Forrest M. Bird Charter High School or at any other reasonably convenient place as the Board may designate.

B. Annual Meetings

An Annual meeting shall be held in June of each year for the purpose of electing members, making and receiving reports on corporate affairs, and transacting other business as comes before the meeting. Unless otherwise provided in these Bylaws, the Board shall elect a Board Chair, a clerk, a treasurer and such other officers as are elected by the Board. The clerk will be responsible for preparing minutes of the Directors' meetings and for authenticating records of the Charter School. The same individual may simultaneously hold more than one office in a corporation.

If the Charter School holds an annual meeting, the normal order of business shall be modified for the annual organizational meeting by considering the following matters after the approval of the minutes of the previous meeting:

1. Welcome and introduction of newly-elected Board Members by the current Chair;

2. Swearing in of newly-elected Directors;
3. Call for nominations for Chair to serve during the ensuing year;
4. Election of a Chair;
5. Assumption of office by the new Chair;
6. Call for nominations and elections for remaining offices.

Policies and bylaws shall continue from year to year until and unless the Board changes them.

C. Regular Meetings

Regular meetings shall be held on a regular basis at minimum four times a year.

D. Special Meetings

Special meetings can be held at any time, called by the Chair or by any quorum of members, or as the school needs.

E. Adjournment

A majority of the Members present at a meeting, whether or not a quorum, may adjourn the meeting to another time and place. Notice of the time and place of holding an adjourned meeting need not be given to absent Members if the time and place be fixed at the meeting adjourned, except if the meeting is adjourned for longer than 24 hours. Notice of the adjournment shall be given as specified in these Bylaws.

F. Notices

Annual meetings and Regular meetings may be held without notice as noted in the Bylaws or the Board fix the time and place of such meetings. Special meetings shall be held upon four days' notice by first-class mail OR 48 hours' notice delivered personally, by telephone, by facsimile or email. Notices will be deemed given when deposited in the United States mail, addressed to the recipient at the address shown for the recipient in the corporation's records & first-class postage prepaid; when personally delivered in writing to the recipient; or when faxed, emailed, or communicated orally via in person or by telephone, to the Member or to a person whom it is reasonably believed will communicate it promptly to the Member.

G. Waiver of Notice

Notice of a meeting need not be given to a Member who signs a waiver of notice or written consent to holding the meeting or an approval of the minutes of the meeting, whether before or after the meeting, or attends the meeting without protest prior to the meeting or at its commencement, of the lack of notice. The Secretary shall incorporate all such waivers, consents, and approvals into the minutes of the meeting.

V. Action By the Board

A. Quorum

A quorum consists of a majority of the fixed number of Members.

B. Action by the Board

1. Actions taken at board meetings: The actions taken and decisions made by a majority of the Board Members present at a meeting duly held at which a quorum is present are the actions and decisions of the Board, except for the purposes of electing Members, appointing committees and delegating authority thereto, or amending the corporation's Bylaws, where the action of a majority of Members then in office is required by the Chapter 52, Title 33, Idaho Code or as set out in these Bylaws. The Board may continue to transact business at a meeting at which a quorum was originally present, even though members withdraw, provided that any action taken is approved by at least a majority of the quorum required.
2. Actions without a meeting: The Board may take any required or permitted action without a meeting if all the members individually or collectively consent in writing or via email to the taking of that action. Such consent shall have the same effect as a unanimous vote of the Board, and shall be filed with the minutes of the Board's proceedings.
3. Board meeting by conference telephone or video telephone: Members may participate in a Board meeting through use of conference telephone, video telephone or similar communication equipment, so long as all members participating in such meeting can hear one another. Participation in a meeting pursuant to this section constitutes presence in person at such meeting.

C. Committees

1. Appointment of Committees: The Board may appoint one or more Board Committees by vote of the majority of members. The Board Chair shall appoint at least two Directors to serve on each committee, however, in no event shall a quorum be present while serving on a committee.
2. Authority of Board Committees: The Board may delegate to a Board committee any of the authority of the Board, except with respect to:
 - a. The elect, appoint, or remove Directors or fill vacancies on the Board or on any of its committees;
 - b. Adopt amend, or repeal the Articles or Bylaws;
 - c. Convene when a quorum is present; or
 - d. Make a decision or deliberate toward a decision for which a vote of the Board is required.
3. Procedures of Committees: The Board may prescribe the manner in which the proceedings of any Board Committee are to be conducted. In the absence of such prescription, a Board Committee may prescribe the manner in which the proceedings of its committee are conducted, except that the regular and special meetings of the committee are governed by the provisions of these Bylaws with respect to the calling of meetings.

4. Committees in the role of Advisory may be organized when appropriate to the extent authorized by these Bylaws. The composition of the advisory committees shall be broadly representative and shall take into consideration the specific task assigned to the committee. Only the Board shall have the authority to dissolve the committees it has created. The Board will instruct each committee as to:

- a. The length of time each member is invited to service;
- b. The service the Board wishes the committee to render;
- c. The resources the Board will provide;
- d. The approximate dates on which the Board wishes to receive major reports;
- e. Board policies governing citizens' committees and the relationship of these committees to the Board as a whole, individual Board member, and other members of the professional staff; and
- f. Responsibilities for the release of information to the press.

D. Standard of Care

1. Performance of Duties: Each member shall perform duties of a member, including duties on any board committee, in good faith, in a manner the member believes to be in the corporation's best interest.

E. Participation in Voting

A quorum of the Board consists of a majority of the members in office immediately before a meeting begins. The action of the majority of the members present at a meeting at which a quorum is present shall be the action of the Board. A majority of the committee members fixed and appointed by the Board shall constitute a quorum for the transaction of business at a meeting of such committee. The action of the majority of the committee members present at a meeting at which a quorum is present shall be the action of the committee.

F. Executive Sessions

1. Executive sessions may be held during any meeting after the presiding officer has identified the authorization under this act for the holding of such executive session. Every member has a duty to maintain the confidentiality of all Board actions, including discussions and votes. Any member violating this confidence may be removed from the Board. Moreover, the FBCS Faculty or Student Representative may be disciplined, including immediate dismissal if Board information is disclosed without the Chair's prior approval.
2. No executive session may be held for the purpose of taking any final action or making any final decision.
3. Labor negotiations may be conducted in executive session if either side requests closed meetings. Notwithstanding the provisions of section 67-

2343, Idaho Code, subsequent sessions of the negotiations may continue without further public notice.

VI. Officers

A. Officers

1. The officers of the corporation consist of a President (hereinafter "Chair"), Vice President (hereinafter "Vice Chair"), a Secretary and a Chief Financial Officer (hereinafter "Treasurer"). The corporation also may have such other officers as the Board deems advisable.

2. Executive Director/Chair: Subject to Board control, the Chair has general supervision, direction and control of the affairs of the corporation, and such other powers and duties as the Board may prescribe. If present, the Chair shall preside at Board meetings. Chair

The Board elects a Chair from its members for a one year term or such other terms as set forth in the Articles or Bylaws. Unless otherwise set forth in the Bylaws, the duties of the Chair are:

- a. Preside at all meetings and conduct meetings in the manner prescribed by the Board's policies;
- b. Make all Board committee appointments;
- c. Sign all papers and documents as required by law and as authorized by the action of the Board; and
- d. Close Board meetings as prescribed by Idaho law.

The Chair is permitted to participate in all Board meetings in a manner equal to all other Board members, including the right to participate in debate and to vote. The Chair may not make a motion, but may second motions.

3. Vice Executive Director/Chair: If the Chair is absent or disabled, the Vice Chair shall perform all the Chair's duties and when so acting, shall have all the Chair's powers and be subject to the same restrictions. The Vice Chair shall have other such powers and perform other such duties as the Board may prescribe.

4. Secretary: The Secretary shall have such duties as listed

- a. keep or cause to be kept, at the corporation's principle office, or such other place as the Board may direct a book of minutes of all meetings of the Board and Board Committees, noting the time and place of the meeting, whether it was regular or special (and if special), how authorized, the notice given, the names of those present, and the proceedings;
- b. keep or cause to be kept a copy of the corporation's Articles of Incorporation and Bylaws, with amendments;
- c. give or cause to be given notice of the Board and Committee meetings as required by the Bylaws; and
- d. have such other powers and perform such other duties as the Board may prescribe.

5. Treasurer: The Treasurer shall account for, with the support of the Business Manager,

Commented [JG1]: Is this how we want this to read?

- a. adequate and correct accounts of the corporation's properties, receipts and disbursements;
- b. make the books of account available for inspection by any member;
- c. account for, as requested but no less frequently than at the beginning of each quarter, an account of the corporation's financial transactions and financial condition;
- d. have such other powers and perform such other duties as the Board may prescribe.

B. Election, Eligibility and Term of Office

1. Election: The Board shall elect the officers annually at the Annual Meeting or a Regular Meeting designated for that purpose or at a Special Meeting called for that purpose, except that officers elected to fill vacancies shall be elected as vacancies occur.
2. Eligibility: A Trustee may hold any number of offices, except that neither the Secretary nor Treasurer may serve concurrently as the Chair.
3. Term of Office: Each officer serves at the pleasure of the Board, holding office until resignation, removal or disqualification from service, or until his or her successor is elected.

C. Removal and Resignation

The Board may remove any officer, either with or without cause, at any time. Such removal shall not prejudice the officer's rights, if any, under an employment contract. Any officer may resign at any time by giving written notice to the corporation, the resignation taking effect on receipt of the notice or at a later date specified in the notice.

D. Organizational Structure

Commented [JG2]: Phrasing what we want?

The purpose of the Board is to monitor the finances, policy and charter direction of the school. Administration reports to the board at each meeting this information as well as events of the school. The school Business Manager directly reports to the Administration with key communication regarding finances to the board at meeting time.

VII. Non-Liability of Trustees

The Members shall not be personally liable for the corporation's debts, liabilities or other obligations.

VIII. Indemnification of Corporate Agents

The corporation may, in accordance with section 30-3-88 of the Act, indemnify any Member, officer or employee of the Corporation against expenses actually and reasonably incurred in connection with the defense of any action, suit or

proceeding, whether civil, criminal, administrative or investigative, in which such person is made a party, or is threatened to be made a party, by reason of being or having been an officer, except in relation to matters as to which such person is judged to be liable for willful misconduct in the performance of such person's duties to the Corporation.

IX. Insurance of Corporate Agents

The Board may adopt a resolution authorizing the purchase and maintenance of insurance on behalf of any member, officer, employee or other agent of the corporation, against any liability other than for violating provisions of law relating to self-dealing asserted against or incurred by the agent in such capacity or arising out of the agent's status as such, whether or not the corporation would have the power to indemnify the agent against such liability under the provisions of the Idaho Charter Schools Act.

X. Self-Dealing Transactions

Except as may otherwise be provided by the Act or the Articles, no contract or other transaction between the Corporation and one or more of the Members or any other corporations, firm, association or entity in which a Member of the corporation has an interest shall be either void or voidable because of such relationship of interest or because such Members or a committee thereof that authorizes, approves or ratifies such contact or transaction or because such Member's votes are counted for such purposes, if:

- A. The material facts of such relationship or interest are disclosed or known to the Board or committee that authorizes, approves or ratifies the contract or transaction by a vote or consent sufficient for such action without counting the vote or consent of such Members.
- B. The material facts of such relationship or interest are disclosed or known to the members entitled to vote and they authorize, approve or ratify such contract or transaction by vote or written consent, in which vote or consent such interested Members may participate to the extent that they are also members; or
- C. The contract or transaction is fair to the Corporation at the time it is entered into and the material facts of such relationship or interest are fully and fairly disclosed or known to the Corporation.

If a majority of the Members then in office who have no interest in the contract of transaction vote to authorize, approve or ratify the contract or transaction, a quorum is present for the purpose of this Bylaw.

XI. Other Provisions

- A. Fiscal Year: The fiscal year of the corporation begins on July 1st of each year and ends on June 30th of the following year.
- B. Execution of Instruments: Except as otherwise provided in these Bylaws, the Board may adopt a resolution authorizing any officer or agent of the corporation to enter into any contract or execute and deliver any instrument in the name of, or on behalf of the corporation. Such authority may be general or confined to specific instances unless so authorized, no officer, agent, or employee shall have any power to bind the corporation by any contract or engagement, to pledge the corporation's credit, or to render it liable monetarily for any purpose or any amount.
- C. Checks and Notes: Except as otherwise specifically provided by Board resolution, checks, drafts, promissory notes, orders for the payment of money and other evidence of indebtedness of the corporation may be signed by the Chair, Treasurer and/or FBCS Administrator or Executive Director
- D. Construction and Definitions: Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in the Idaho Charter Schools Act and Idaho Non-profit Corporation Act shall govern the construction of the Bylaws. Without limiting the generality of the foregoing, words in these Bylaws shall be read as the masculine or feminine gender, as the singular or plural, as the context requires, and the word "person" includes both a corporation and a natural person. The captions and headings in these Bylaws are for conveniences of reference only and are not intended to limit or define the scope or effect of any provisions.
- E. Conflict of Interest: Any member, officer, key employee, or committee member having an interest in a contract, other transaction or program presented to or discussed by the Board or Board Committee for authorization, approval, or ratification shall make a prompt, full and frank disclosure of his or her interest to the Board or committee prior to its acting on such contract or transaction. Such disclosure shall include all relevant and material facts known to such person about the contract or transaction which might reasonably be construed to be adverse to the corporation's interest. The body to which such disclosure is made shall thereupon determine, by majority vote, whether the disclosure shows that a conflict of interest exists or can reasonably be construed to exist. If a conflict is deemed to exist or can be reasonably construed to exist, such person shall not vote on, nor use his or her personal influence on, nor be present during the discussion or deliberations with respect to, such contract or transaction (other than to present factual information or to respond to questions prior to the discussion). The minutes of the meeting shall reflect the disclosure made, the vote thereon and, where applicable, the abstention from voting and participation. The Board may adopt conflict of interest policies requiring:

1. regular annual statements from Members, officers, key employees to disclose existing and potential conflict in interest; and
2. corrective and disciplinary actions with respect to transgressions of such policies.

XII. Amendment of Articles of Incorporation

The Board may amend its Articles of Incorporation at any time to add or change a provision that is required or permitted in the Articles or to delete a provision not required in the Articles consistent with Idaho law, the Charter, and the Performance Certificate. Unless the Articles provide otherwise, the Board of Directors may adopt the following amendments:

1. To delete the names and addresses of the initial Directors;
2. To change the information regarding the registered agent; and
3. To make any other change expressly permitted by the Idaho Nonprofit Corporation Act, Title 30, Chapter 30, Idaho Code, consistent with Idaho law, the Charter and Performance Certificate.

The Board shall provide notice of any meeting at which an amendment is to be voted upon, as set forth in the Charter School Policies and Idaho's Open Meeting Laws. Additionally, the notice must also state that the purpose or one of the purposes of the meeting is to consider a proposed amendment to the Articles and contain or be accompanied by a copy or summary of the amendment or state the general nature of the amendment. Any amendment to the Articles must be approved by a majority of the Directors then in office.

Any amended or restated Articles shall be delivered to the secretary of state in accordance with the Idaho Nonprofit Corporation Act, Title 30, Chapter 30, Idaho Code.

XIII. Amendment of Bylaws

The Board may amend the Bylaws consistent with Idaho law, the Articles, the Charter, and the Performance Certificate. The Board shall provide notice of any meeting at which an amendment to the Bylaws is to be voted upon, as set forth in the Charter School Policies and Idaho's Open Meeting Laws. Additionally, the notice must also state that the purpose or one of the purposes of the meeting is to consider a proposed amendment to the Bylaws and contain or be accompanied by a copy or summary of the amendment or state the general nature of the amendment. Any amendment to the Articles must be approved by a majority of the Directors then in office.

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A majority of the Members may adopt, amend or repeal these Bylaws at any regularly scheduled or special meeting of the Board.

CERTIFICATE OF SECRETARY

The undersigned does hereby certify that the undersigned is the Secretary of Sandpoint Charter School, Inc. a nonprofit public benefit corporation duly organized and existing under the laws of the State of Idaho, that the foregoing Bylaws of said corporation were duly and regularly adopted as such by the Board of Trustees of said corporation, whose Members are the only members of said corporation; and that the above and foregoing Bylaws are now in full force and effect.

_____ Secretary

_____ Date